

**CONFERENCE IN THE CONTEXT OF THE GERMAN PRESIDENCY
Essen, Germany, 26 – 28 April 2007**

**Cultural Diversity - Europe's Wealth.
Bringing the UNESCO Convention to Life**

European Priorities for film policy – proposals for visual diversity

Paper to inform presentation by Carole Tongue

Co-authored by

Carole Tongue: Former MEP, Chair, Independent Film Parliament
Holly Aylett: Director, Independent Film Parliament

with thanks to Yvon Thiec, Director of Eurocinema¹

Introduction

EU Film Industry

What is the role of the film industry in bringing the UNESCO Convention to life ?

The UNESCO Convention on cultural diversity is of great political significance. It is a public statement of respect and recognition for the culture of others. Human rights are 'mediated by culture' and we can infer from this that the promotion of cultural diversity, (along with economic development and the search for non-violent solutions) can become one of the basic grounds for peaceful co-existence both locally and globally

Feature film is an art form with a particular ability to promote dialogue and hopefully increased mutual understanding between cultures both in Europe and internationally. It is central to our cultural dna. Its ability to communicate our diverse voices and stories to each other is unparalleled.

However, in many countries power of film given less priority, and by UNESCO, in policymaking than other cultural/arts agendas such as heritage or survival of languages. Policy and spending for film and moving image, needs to be recognised as a priority for Intergovernmental Committee.

For the majority of our populations, the content of the small and large screen represents the most important window on the world and for young people the 2nd curriculum after education. Access to a true diversity of film on all screens is therefore essential if

¹ Ratification and Implementation of Convention on the Protection and Promotion of Diversity of Cultural Expressions : Paper to 2nd meeting of ACP Culture Ministers, 11-13 October 2006, Santo Domingo, Dominican Republic

Europeans are to enjoy the audiovisual cultural diversity of their continent which in turn can enable them to better understand and appreciate each other.

Arguably we are now in the second phase of globalisation where issues of social justice and diversity must be addressed. The EU has a leading role to play. It can demonstrate strategies for north-south exchange and support creators in many countries to be able to tell their stories in their own film language, and to have these stories relayed to audiences at home and abroad. Again mutual access to each others films is critical in underpinning creativity and global understanding.

Policies for Film outlined below would also meet provisions of The Treaty of the European Union on Cultural Diversity, and in particular clause 151.4 which calls for action in general to

- mainstream cultural diversity across all EU policies
- give special attention to young people and audiovisual education/media literacy
- to achieve regulatory clarity
- to ensure all players that exploit cultural goods and services like telecoms should be encouraged to take part in their financing.
- that problems with conflicting EU policies particularly on internal market and competition should be resolved in favour of cultural diversity.

The implementation of article 151.4 of the treaty in the EU would be the matching counterpart of the demand for recognition at an international level of the special nature of cultural and audiovisual goods and services in both trade negotiations in WTO and in the new UNESCO convention on the protection and promotion of the diversity of cultural expressions adopted in October 2005.

How can the Convention be used to advance the role of film?

KEY PRINCIPLES TO BE TAKEN INTO ACCOUNT across the board

A Digital landscapes

The next generation is an on-line generation, and new digital technologies are transforming the landscape offering new threats and opportunities. Ensuring new business models which promote our creators and their work is essential. Technological developments must not dictate policy, but European policymakers can play a critical role in shifting political and economic blocks to maximizing the benefits of the new technologies to achieve diversity of expressions. Developments need to be monitored to ensure that new patterns of ownership do not stifle the possibilities on-line ...

In new digital era the global archive of film could be put beyond access and disappear, literally, from memory. We need to ensure our film heritage travels with us. We also need to continue the conservation of our archive of film memory which exists on film...

B The next generation

Connected to this is the right of children and younger generations to have access to a diverse film culture, and to develop skills in media literacy. This requires support in

ensuring the development of creative, critical and cultural understanding. It requires collaboration between film programmers and educationalists from Europe, linking schools, colleges and universities to build a longitudinal perspective of film and cultural history

C Post Colonial/ Post Cold-War divides

Policymakers need to be overcome colonial divides and spheres of influence so that existing and new policies can genuinely benefit the whole of Europe, and in other regions such as Africa, the whole continent rather than particular nation states.

EXISTING POSITIVE EUROPEAN SUPPORT FOR FILM DIVERSITY

A MEDIA Programme

In that respect it was most welcome that Information Society and Media Commissioner Viviane Reding launched the MEDIA 2007 program at the Berlinale film festival this year announcing a €755 million boost over the next seven years to help Europe's film industry. Thanks to past Media programmes, 9 out of every 10 feature films in Europe distributed outside their home country received Media support. Every 1 euro of Media money generates about 6 euros in private investment from industry. Some 65% of the Media 2007 budget will help screen European works beyond the EU's borders. Around 300 films receive Media backing per annum as well as more than 50 European films distributed outside their countries of origin.

ACTION required

This programme demands constant support and pressure for an increased budget in the future particularly to address the urgent needs of the new Member States. Priorities must be:

New business model development

New strategies for film circulation

Co-ordinated strategy for diverse, cross frontier provision for children

B Draft Directive on Audiovisual Media Services

This directive underpins nation state legislative obligations on television channels towards public service programming. Importantly it sets a bench mark of over 50% of screen time being devoted to home grown and EU production, particularly in film/documentary/drama.

Crucially the directive looks set to include new media players online such as video on demand offered by telecoms operators and others.

Nation States may wish to refer to countries like Canada and France who have recently passed laws that ensure there is ongoing investment in film, drama and documentary from both TV channels and relevant online players.

In particular France Telecom has committed itself to investing 10% of its v.o.d. turnover in French and EU film.

ACTION required

Governments require encouragement and pressure to maintain broadcast quotas for home grown films and programmes and to seek investment in feature film in particular from new media players who wish to benefit from showing film on demand. In this respect I urge new Member States in particular to use regulation to encourage

investment by TV channels and video on demand services in your indigenous film industry.

C Europa Cinemas

Europa Cinemas will be known to you all. EUROPA CINEMAS gives support to theatre exhibitors in order to encourage the programming of European films and particularly European non national films, and to foster initiatives towards Young Audiences. EUROPA CINEMAS encourages the introduction of digital cinema in theatres by offering support for the programming of films in digital format. The EUROPA CINEMAS / MEDIA network intervenes in 345 European cities and supports 637 cinemas totalling 1,538 screens.

ACTION required

Extension of brief from objective of widening cinema audiences for European production. The organisation is well placed to integrate cinemas into the wider educational process. With more resources it could also do archival work to save the worlds' film archives for future generations.

D Eurimages

Since 2007 Eurimages, the film fund of the Council of Europe, comprises 32 member states (plus Lithuania pending). Requests to join are on the table from Georgia, Armenia, Albania. Since its establishment, EURIMAGES has supported 1129 European co-productions for a total amount of more than 330 million Euros. Eurimages supports by preference, films which have difficulty to find market money but which have a substantial cultural and social value.

From this year onwards Eurimages starts with a support for digitization of formerly supported films, a support given to the **producers**. This support does not exist anywhere else and will be enough to support 60 films a year for 80% of the cost of the digitization, in order to supply the European and world Art House cinemas with high quality European product, ready for VOD, satellite, digital projection, cell phone distribution, etc.

Thanks to Eurimages (the co production fund of the Council of Europe) some countries co-produce films although there is little or no cultural or political co-operation, e.g. Turkey & Greece; Turkey & Bulgaria; Croatia, Bosnia, Serbia, Macedonia : this has an enormous impact on reconciliation in the region.

Furthermore Eurimages supports more than 40 cinemas in Non-Media-countries to show European films in close collaboration with Europa-Cinema. Eurimages also supports the distribution of hundreds of European films a year in non-Media countries.

ACTION required

Language versions

The European Union should provide for translation of films in all the official languages of the EU (or Council of Europe) countries for use on the DVD and on the Digital masters of the films. It is problematic that in a continent with over 30 official languages, distribution of DVD is still territorised : with Dutch subtitles in the right wing corner and with French subtitles in the left wing corner of the shops in Brussels; in Paris only in French, etc. where as we This would greatly support European film distribution inside Europe and in the rest of the world. This would seem an appropriate action as we approach the EU Year of intercultural dialogue.

ADDITIONAL INITIATIVES

A Production

Development of scripts

Media funded schemes such as EAVE, Eurodocs and Pygmalion, support the development of film projects, and assist in finding production and distribution partners.

ACTION required

Encourage "writers in residence", and exchange programme for scriptwriters from all over the world to come to Europe to live here and translate their experience, and likewise European scriptwriters to be given the opportunity to take a European vision beyond Europe. Increase Funds for development

Building the sustainability of the production companies :

Production companies often have no consistent investment. The only way they can continue to survive is by making another film and then live from the producers fee and the overheads in the budget. They have no time to invest in a long term development of the scripts, in the search of really challenging subjects because survival is paramount. The result: an increasingly rapid production speed and an increasingly low quality of the films. The result: 800 European films jostling for an ever decreasing audience.

ACTION required

Develop systems to support companies longer term and not on project by project basis. Ensure this support takes into account relative strengths and weaknesses of different European states, particularly new Member States where traditions of excellence are in danger of being destroyed.

B Distribution

Denationalising distribution

It is ironic that the one country dealing with the EU as an internal market is the USA. Distribution rights, for example, are still national and language oriented. There is no combined strategy and no dialogue for coordinated release of films. There is also a lack of diversity in both the type of screens and provision across regions and territories.

ACTION required

EU Commission to set up committee to study how best this might be overcome. Brief should also include encouraging collaboration and flexibility in the development and application of new technologies and standards. One size does not necessarily fit all, and can delay development. New business models should be devised to maximize diversity of access, and opportunity of digital distribution and delivery, as well as ensuring a livelihood of Europe's creators.

eg Cybercinema project developed at the European Centre at Babelsberg in the late 1990s. It envisaged a virtual network of cinema spaces acting as a kind of cooperative, initially in the EU, where a range of films could be distributed from a central server to enable a greater diversity of film to reach places no cinema has reached before.

Does this idea fit with what Europa Cinema and Eurimages are doing ?

Track ownership patterns of digital channels and content to ensure access to greatest diversity of expressions

Boost funding that promotes cross-border film distribution, such as the Europa cinema chain, which has more than 1,000 screens across the continent should be boosted.

Public Service Broadcasting

PSBs can play a role in broadcasting audiovisual works made from outside the nation state of the broadcaster in question. Governments and civil society must hold PSBs to their remit or mandate of being a window on the world for a country's citizens. That must mean showing a broad diversity of film and documentary and engaging in co-production with a range of countries. Ch4 once showed documentaries originating from outside the UK. How do we encourage this kind of openness, so essential if we are to hear voices from outside our own culture ?

In general, going back to TVWF, public service obligations which mandate investment in feature film by all TV channels and video on demand services is going to be critical in the future.

C North South Exchange and Cooperation

Cultural producers as well as smaller, more economically vulnerable countries remain concerned about the extent to which the Convention will protect their cultural aspirations and policies.

In the wider world, where three billion people are now living on less than two dollars a day, the most profitable forms of story-telling seem least able to convey or reflect upon the causes and brutal consequences of such a state of affairs. As an American novelist, responding to the work of an African film-maker, observed: 'What's the fate of a black story in a white world of white stories?' (Wideman: 1993: 57).

Whats to be done ?

The Convention devotes an extended article to cooperation for development. This is Article 14 which is part of title IV of the Convention, entitled "Rights and Obligations of Parties". Therefore, the provisions of this article should be read as rights and obligations. So, the recognition of the growing role of cultural industries in the context of development policies is increased.

The objectives of development cooperation are as follows:

- creating and strengthening cultural production and distribution capacities in developing countries;
- facilitating wider access to the global market and international distribution networks for their cultural activities, goods and services;
- enabling the emergence of viable local and regional markets;
- adopting, where possible, appropriate measures in developed countries with a view to facilitating access to their territory for the cultural activities, goods and services of developing countries;
- providing support for creative work and facilitating the mobility of artists from the developing world;
- encouraging appropriate collaboration between developed and developing countries in the areas, inter alia, of music and film.

Two possibilities for cooperation are open:

- partnerships between the public and private sectors and associations concerning infrastructures, human resources in general, cultural policies and exchanges of activities, cultural goods and services (Art. 15).

- preferential treatment accorded to developing countries (Art. 16), both to cultural goods and services, and artists and other cultural professionals.

In summary, the Convention provides very interesting mechanisms for implementing the promotion of cultural diversity.

Art. 14 on cooperation for development;

Art. 15 public-private partnerships.

Art. 16 on preferential treatment for developing countries;

Art. 18 on the International Fund for Cultural Diversity;

Policy to encourage north-south exchange needs to take into account several general contexts to maximise benefits of co-operation.

1 Europe should recognize and work with frameworks which have already been initiated, for instance FEPACI, Federation of Pan African Filmmakers based in South Africa

2 Territorial distinctions between francophone and Anglophone areas should not obstruct initiatives for cultural cooperation between signatory states

3 The Commonwealth should be urged to play a much more active role in developing cultural exchange and cooperation to the benefit of its member states

SOME IDEAS to be explored:

1. The development of public/private partnerships in the sector of cultural industries should be strengthened. This involves situations where private enterprise makes available resources (infrastructure, sponsorship, human resources) with a view to carrying out a public service mission in the field of culture, with these facilities compensating the lack of resources on the part of the public authorities. European companies with offices or a subsidiary in ACP countries should be contacted more frequently about participating in cultural initiatives.
2. Artists in residence should be more commonplace, involving all cultural activities (music, cinema, books, drawing) so as to increase the potential of resources and artistic talents within a short space of time.
3. Partnerships between cultural professionals and cultural industries in EU countries and developing countries should be structured by medium-term actions, over five years, in the following fields:
 - development of micro-credit in the sector of cultural SMEs,
 - technological innovation and creation of cultural content (online content, for example);
 - development of structures suited to the needs of managing copyright and related rights of creators, artists and local producers;
 - pooling of resources with a view to promoting, in a common action, literacy and the promotion of cultural diversity.

- cross continental collaboration on film production and sharing product eg 1998 award winning cartoon from Burkino Fasso, “Kirikou et la sorciere” was one positive outcome from such collaboration

4. Lets use the TVWF directive to enhance co-productions north south.

5. Dissemination of best practice is essential.

6. Film festivals

Useful tool to showcase work from around the world. They need to be encouraged across the breadth of the EU and across the globe.

UNESCO

The International Fund for Cultural Diversity, created by the UNESCO Convention, constitutes *inter alia* a test of the will of States Parties to implement, in a sustainable and operational way, the rights and obligations adopted by the Convention. The European Union should offer to put XXX million euro into the fund for specific actions to promote cultural diversity in developing countries.

It goes without saying that cooperation between UNESCO and the EU as well as other regional bodies is essential.

Must develop a 2 way online resource accessible particularly to creators to network and emulate best practice programmes and projects.

Conclusion

The UNESCO Convention makes important statements about the nature of us as human beings and our societies. Most important is the recognition, now signed up to by over 50 countries, that culture is more than cars, carrots or coffee machines ! The Convention provides the basis for greater human cultural production and exchange across frontiers.

In an age where the application of game theory has tried to reduce everything in life to the whim of the market, this is a welcome change. It opens up a space for building on and extending existing systems of support and solidarity to ensure a space on our screens for much more diversity....in the words of a former Irish Culture Minister, “a space for the unfettered imagination.”

Carole Tongue and Holly Aylett
April 2007