



**UK Coalition for Cultural Diversity**

**UKCCD SUBMISSION TO UN SPECIAL RAPPORTEUR ON  
CULTURAL RIGHTS**

***CULTURAL RIGHTS & PUBLIC SPACE***

**May 20 2026**

***The UKCCD is the UK's largest civil society network supporting UNESCO's Convention on the Diversity of Cultural Expressions, 2005. UKCCD is a founder member of the International Federation of Coalitions for Cultural Diversity, IFCCD, of which UKCCD's Director is Secretary to the Board. At European level it is a founder member of the European Coalitions for Cultural Diversity of which UKCCD's Chair is President. At UK level, UKCCD acts as a consultative partner to the UK Government and the UK National Commission for UNESCO on the implementation and the aims of the treaty which became legal in the UK in March 2008.***

Carole Tongue, Chair UKCCD

Holly Aylett, Director UKCCD

[ukccd1@gmail.com](mailto:ukccd1@gmail.com)/ [info@ukccd.org](mailto:info@ukccd.org)

## QUESTIONNAIRE ON CULTURAL RIGHTS AND PUBLIC SPACES

1. *What are the various existing definitions of “public spaces” used in national legislation or proposed by international mechanisms, experts and civil society organizations? Are other terms used such as “civic space” and “public domain”? What is the scope of the concept of such public spaces?*

**On-line and screen space** - It is essential that all legislation applying to governance of our public spaces be extended to include on-line and screen space. This would acknowledge the constraint to our cultural rights represented by **the digital divide**. This divide goes beyond connectivity alone—it also includes significant disparities in digital skills, access to funding, infrastructure, and regulatory frameworks. This deepens global inequalities, enabling visibility and representation for some, while many remain disconnected and absent from cultural and digital communication.

**Discoverability of diversity of cultural content** - UKCCD emphasises the urgent need to ensure the in digital environments. When recommendation systems are driven solely by algorithms and commercial logic, cultural expressions from minority groups are pushed aside. This dynamic reinforces global imbalances in the circulation of cultural goods and services and limits access, production and consumption in our virtual public spaces..

**Safeguarding the public broadcasting space** -Across Europe and now in the UK access to programming designed to meet remits which would deliver public service programming is diminishing and under attack. Diversity of production and institutions governed in the public interest is shrinking due to the withdrawal of public funding to ensure their survival against the pressure of the market and the commercial players it favours.

In the UK there has also been a change in terminology - from public service broadcasting to public service media. This shift in terminology is significant in allowing a change in definition and governance of what constitutes public service outputs in this essential public space. Key principles have been dropped, such as the principle of universality of access, the range and pluralism of programming, and measures to ensure effective capacity to regulate which depends on precise accountability and monitoring.

To safeguard the role and content of broadcasting as a public space it is essential to ensure independence from government and representation of citizens’ interests.

2. *What are the diverse legal frameworks, trends and practices at the national level that either promote or impede actors from across the cultural ecosystem, including women and persons with disabilities, from accessing and using public spaces? What strategies are most useful in overcoming such challenges?*

**AI regulation** - In the UK there is currently no one piece of legislation pertaining to the AI sphere, rather there are references to AI in related pieces of legislation. The influence of the dominant tech companies in the context of the UK's desire for a Free Trade Agreement with the United States is detrimental to the interests of our public space especially where creators and young people are concerned.

**Impact of Brexit** - Overall regulation affecting our audiovisual environment is still evolving post Brexit, in particular with regard to the adoption of the European Union AVMS directive and the Copyright Directive, two pieces of legislation which critically affect creativity and access to plurality of content.

**Support for Film Industry** Various pieces of regulation including tax break incentives are in place to support UK production but the regulation of our film industry is weighted towards American companies' investment whose production priorities are not focused on UK and whose inflation of prices in the labour market have a detrimental impact on local independent production. The Media Act 2024 substantially changed the UK's approach to the public service broadcasting/media space.

**UK Devolution** The English Devolution and Community Empowerment Bill received Royal Assent and became an Act of Parliament on 29 April 2026. Culture is included within it so it will now be imperative to ensure that citizen's cultural rights are developed within this framework.

**3. *What are the specific characteristics of public spaces that either are conducive to the realization of cultural rights, including of women and persons with disabilities, or are an impediment to them, including in relation to issues of discrimination, equal access, accessibility, availability, and adequacy?***

**Screens**, whether in cinema theatres or in domestic spaces to access platforms and streaming, must be included in definitions of 'public space'.

A vicious circle ensures the **invisibility of women** - In the UK in 2025, films made by women or non-binary directors represented only 16% of all releases. This results in less public awareness of women directors, less access to public funding, lower remuneration (8 out of 10 commercial and public sector companies pay men more than women [https://inclusivecinema.org/data/women-data/#\\_ftn1](https://inclusivecinema.org/data/women-data/#_ftn1)) and consequently less ability to participate and to be seen. There is an absence of strong positive discrimination policy, and a failure to insist to monitor and legislate against patterns of discrimination. This results in an infringement of women's cultural rights in diminishing women's presence in the audiovisual public space, on and off-line.

A failure to safeguard UK cultural rights is evident in the fact that in the UK, only 9% of what reaches our cinema screens is genuinely produced by UK Independents; UK independents account for a mere 6.8% of market share in 2024 and foreign based companies own over 80% of our cinemas.

**Children's rights and representation** - There is a migration of children and young people away from British-owned channels to foreign- owned streaming platforms, largely owned by American companies. Action to support production for children and young people is essential to ensure their cultural rights. In the UK The Children's Media Foundation is a strong lobby collecting data to drive the urgency in developing policy to protect this overlooked sector. <https://www.thechildrensmediafoundation.org/>

4. *What could be the contents and contours of a possible “right to public spaces”, and of legitimate restrictions that could be made to it, in accordance with international standards? Is this concept employed in your country or in your work? Is it helpful?*
  
5. *What is the role of cultural rights in ensuring the existence, availability, accessibility, and adequacy of public spaces that are conducive to widespread participation in cultural life, the realization of citizenship, cultural democracy, as well as the realization of other human rights?*

**Cultural rights should be integral in all regulation applied to AI technologies** - The discussion of the impact of these technologies on our public spaces is dispersed and confused. Government policy has to engage with the UN's established and emerging ethical frameworks <https://digitallibrary.un.org/record/4062376?ln=en&v=pdf>

**Cultural rights in defending creators and cultural institutions as part of our “right to public space”**

Governments must safeguard the rights of creators, cultural workers and the public in order to respect its obligations under:

- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)
- Universal Declaration of Human Rights (UDHR), Article 27
- International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 15
- European Convention on Human Rights (ECHR), Articles 6, 8, 10, 14 and Protocol 1 Article 1 (A1P1).
- UNESCO Ethics and AI

In the UK government's approach must be consistent with Article 15(1c) ICESCR, which guarantees “the right of everyone to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the author”. It must also respect the right to peaceful enjoyment of possessions (A1P1 ECHR), access to justice (Article 6 ECHR) and freedom of expression (Article 10 ECHR).

**UK -EU Reset post Brexit - Prioritise Cultural Rights**

When the UK left the European Union, it did not merely exit a trading bloc — it severed itself from one of the world's most ambitious cultural partnerships. Creative Europe, the EU's flagship programme supporting film, television, music, publishing, and the performing arts. Historically, this had been a vital channel through which British artists, producers, and cultural institutions collaborated with counterparts across 40 countries. Brexit ended that relationship overnight. The cost has been significant and measurable.

Since the end of free movement, touring artists and creative professionals face additional costs and administrative burdens — not only for their own mobility but for the transport of equipment, which must comply with new carnet requirements. The UK Musicians' Union has warned that 75% of musicians who previously worked in the EU have experienced a decline in bookings, while a 2025 Best for Britain study found that the number of artists playing at EU festivals had fallen by more than a quarter since Brexit. [European Parliament](#)[European Parliament](#)

***6. What is the impact on the enjoyment of cultural rights of trends regarding privatization, which may affect a variety of public spaces?***

Dominance of major tech companies in the evolution of virtual and on-line public spaces. The uneven and unequal development of states with regard to the development and funding of AI technologies is creating a serious imbalance, risking a situation where our democratic rights are undermined by large company interests, all American. This is severely impacting principles of equality, creator rights and the diversity of cultural expressions.

***7. What recommendations should be made to States and other stakeholders concerning these topics?***

**To support culture as the 18th Goal in the 2030 SDGs** - It has been demonstrated by the civil society organisations supporting Culture 2030 <https://culture2030goal.net/> particularly in the work done to develop credible indicators and targets, culture should no longer be regarded as implicit in all other goals. Instead it must be a stand-alone goal if our cultural rights are to be respected in consensual strategies for our future development.

**Place culture at the centre of industrial strategy** All states should consider culture and the creative industries as a central element of their industrial strategy and provide requisite funding to support them. Whilst the UK, for instance, includes culture in its industrial strategy, it has one of the lowest levels of government funding for culture in Europe.

**Extend all definitions of 'public space'** to include our web-based and AI driven environments.

**Status of the Artist** - Develop policies to support the status of the artist in our societies including support for basic financial remuneration

**Integrate a cultural rights based approach to AI policy** developing, policy which safeguards environmental sustainability, diversity of cultural expressions and democratic participation.

Terminology should always refer to “AI lifecycle”, in accordance with terminology developed by the Council of Europe to reflect the constantly changing technological environment.

To achieve this it is essential to insist on transparency from all companies. This requires complex strategies for compliance as indicated in these specific demands drafted by members of the UK’s Creative Rights Alliance.

“The following information should be required from SUNO Inc., Udio, Midjourney Inc., Stability AI, Google, OpenAI, Microsoft and Anthropic PBC, in accordance with the due diligence and transparency requirements of the UN Guiding Principles on Business and Human Rights:

1. Provide complete documentation of all datasets used to train your AI models, including:
  - a. Source of each dataset
  - b. Number of copyrighted works included
  - c. Geographic and demographic composition of works
  - d. Whether consent or licenses were obtained
2. Identify all UK-based creators whose works have been used in training datasets, including specific works, dates of acquisition, and methods of collection
3. Describe what human rights impact assessments were conducted before deploying generative AI systems, specifically regarding:
  - Impact on creators' livelihoods and economic rights under Article 15(1)(c) ICESCR
  - Effects on cultural diversity under the UNESCO Convention
  - Risks to creators' moral rights, identity, and reputation
4. What policies and processes are in place to "know and show" that you respect human rights in practice, as required by Principle 15(b)?
5. Detail all consultations with creators, artists' organisations, or human rights experts prior to:
  - Scraping copyrighted works for training data
  - Launching AI systems capable of replicating creative styles
  - Establishing terms of service governing AI-generated outputs
6. What mechanisms have been established to provide remediation to creators whose works were used without authorisation, including:
  - Processes for identifying affected rightsholders
  - Systems for calculating and distributing compensation
  - Methods for removing works from training datasets upon request
7. How do creators access effective remedy when their works have been misappropriated or their identities cloned?
8. For any works claimed to be licensed:
  - Provide evidence of valid licenses obtained from rightsholders
  - Identify licensing intermediaries and confirm their authority to grant such licenses
9. What systems are in place to prevent future unauthorised use of copyrighted works?
10. How do you ensure transparency about which works are used in updated models?
11. What processes exist for creators to verify whether their works have been used and to exercise their rights accordingly?”

**Safeguard intellectual property and develop creators rights** - States must enforce copyright law and develop policy for mandatory transparency obligations and audibility for AI developers. Current proposals for legal licensing of artist works, for instance, do not represent a compromise, but a clear reversal of copyright. Problems of non-compliance with existing laws which have

successfully established our cultural rights should not be changed by pretexts promoted by AI developers for weakening the law.

ENDS