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From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

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Subject: Report on certain elements of the future EU strategic approach to international cultural relations
- *Information*

Delegations will find attached the above-mentioned report which was prepared by the Friends of Presidency Group on an EU strategic approach to international cultural relations, further to the mandate endorsed by Coreper on 31 May 2017¹.

The Permanent Representatives Committee is invited to forward this report to the Council so that the Council may take note of it.

¹ 9676/17

Report on certain elements of the future EU strategic approach to international cultural relations

prepared by the Friends of the Presidency Group on EU strategic approach to international cultural relations

I. INTRODUCTION

In June 2016 the Commission and the EEAS adopted a Joint Communication "Towards an EU Strategy for International Cultural Relations"². In November 2016 Ministers of Culture have debated about the topic during the EYCS Council meeting. The relevant context is also outlined by the Council Conclusions of 17 October 2016 on the Global Strategy on the EU's Foreign and Security Policy³. On 23 May 2017, the Council adopted Conclusions on an EU Strategic Approach to International Cultural Relations⁴ which contain a recommendation for the activation of a Friends of the Presidency (FoP) Group to act as a cross-cutting platform to draw up an integrated, comprehensive and step-by-step EU strategic approach to international cultural relations. The Group aims to identify the common strategic principles, objectives and priorities of such an approach for inclusion in a strategic work plan or guidance identifying where joint action at an EU level could be relevant. This would be carried out in full respect of the principle of subsidiarity and the independence of the art sector and would be complementary to Member States' individual actions in this field.

² 10082/16

³ 13202/16

⁴ 9635/17. Terms of references of the FoP can be found in doc. 9676/17.

The work of the FoP has been based on the three main work streams where cooperation could be further developed as described in the Joint Communication:

- Supporting culture as an engine for sustainable social and economic development
- Promoting culture and intercultural dialogue for peaceful inter-community relations
- Reinforcing cooperation on cultural heritage

II. KEY SECTORAL MESSAGES

During the current mandate of the group (June 2017 – June 2018) work was carried out by three consecutive Presidencies (MT, EE and BG) and focused on certain thematic areas bringing the following key messages:

The ***protection and valorisation of cultural heritage*** should focus on reinforcing cooperation on cultural heritage through common projects between the EU, Member States and partner countries with particular attention on involving local partners, avoiding overlaps and seeking synergies. Cooperation should be strengthened in the context of conflicts and post-conflict situations and Member States expertise, knowledge and skills should be used, alongside innovative technologies, to preserve and protect endangered cultural heritage including by supporting CSDP missions and operations. Fostering the implementation of the legal framework should be encouraged by joining relevant international treaties and by strengthening cooperation among various stakeholders to overcome remaining difficulties with the implementation of the legal framework. EU action in keeping the cultural heritage related issues on the agenda at international level should be supported.

The ***mobility and people-to-people exchange*** should be placed at the heart of the EU approach to international cultural relations and as the basis of international cooperation as it bridges people, artists and organisations and generates trust, goodwill, mutual understanding and peacebuilding. Activities should be conducted in a spirit of reciprocity, co-creation, bottom-up and arm's length principles and relevant for the specific needs of the communities, aimed at local anchorage and based on genuine artistic values. Facilitating visa regimes as well as supporting intercultural dialogue through targeted programmes are examples of necessary actions aimed to enable cultural and artistic exchange, such as art residencies, festivals, participatory projects etc.

In different domains of work in *culture in development cooperation*, the aim should be to generate a new spirit of dialogue, mutual listening and learning while urging all relevant stakeholder to set clear priorities that follows the principles of international cultural relations, in line with the New European Consensus on Development. Cultural aspects should be fully part of the implementation process of the Sustainable Development Goals of the 2030 Agenda, also by incorporating and supporting the ongoing work under the aegis of the UNESCO 2005 Convention on the Protection and the Promotion of the Diversity of Cultural Expressions.

III. HORIZONTAL CONCLUSIONS

By strengthening cross-sectoral cooperation between and within Union institutions and Member States authorities with regard to international cultural relations, the EU and its Member States could achieve more, act more quickly and save resources, thus enhancing the EU's response to future challenges at international, European and national level. A tailored EU approach based on cooperation between all actors involved could have a positive spill-over into other policy areas.

IV. SUGGESTIONS FOR FUTURE WORK

The Council, Member States, Commission and the EEAS could continue to develop this strategic approach jointly i.e. through a roadmap in the framework of the Friends of the Presidency Group with various work strands that deliver cross-sectoral actions in a comprehensive and coordinated manner, taking into account the role of cultural sector that will be involved in the implementation. Possible areas to be further explored could include: the governance of the strategic approach and the respective role of the Council, the Member States, the Commission and the European External Action Service; security aspects of the protection of cultural heritage and the fight against illicit trafficking; coherence among EU funding programmes and instruments **without prejudice to the negotiations on the next Multiannual Financial Framework**, such as Creative Europe and the Neighbourhood, Development and International Cooperation Instrument, and coherence in interventions by Member States; the role of culture in migration; cultural and creative industries and trade.

Taking into consideration the horizontal conclusions, there is a need for general awareness raising as well as clarification of the respective roles and mutual expectations of Member States (including their cultural institutes and networks such as EUNIC⁵), EU institutions, the EEAS and EU delegations as well as other stakeholders.

The roadmap could include a progress assessment.

The detailed outcome of the work of the FoP is annexed to this report.

⁵ Example of enhanced cooperation is an administrative arrangement between EUNIC and the Commission, https://eeas.europa.eu/sites/eeas/files/2017-05-16_admin_arrangement_eunic.pdf

Certain elements of the future EU strategic approach to international cultural relations

Context, principles and key messages

Context and Purpose

Culture is a valuable source of identity for citizens worldwide. While being first and foremost a value in its own right, it has numerous well-documented positive socio-economic effects and has been gaining recognition as a soft power in external relations. At a time when we are faced with rapidly-changing scenarios and challenges, the EU needs to effectively and comprehensively understand and address the cultures that it will be engaging with in today's globalised world with a view to moving towards a more cohesive society based on mutual understanding. In order for this to take place, an EU strategic approach to international cultural relations is considered necessary.

This strategic approach stems from milestones that include, inter alia: the Council Conclusions of 24 November 2015 on Culture in the EU's External Relations with a focus on culture in development cooperation, the Joint Communication Towards an EU Strategy for International Cultural Relations of 8 June 2016, the Council Conclusions of 17 October 2016 on the Global Strategy on the EU's Foreign and Security Policy and the Global Strategy, as well as the Council Conclusions of 23 May 2017 on an EU strategic approach to international cultural relations.

This approach should explore the full potential of culture as a soft power in international relations, and promote the added value of EU cooperation in strengthening EU cultural relations, while respecting the principle of subsidiarity. Such an approach should encourage consistency and coherence of efforts, which would enable all relevant stakeholders to operate effectively together thereby ensuring that culture truly becomes a pillar of foreign policy.

This strategic approach should be embedded in the implementation of existing and future geographic frameworks, taking into account EU's existing tailor-made frameworks for thematic and geographic cooperation, along with dedicated financing instruments.

Principles

This strategic approach is based on the following guiding principles:

- Promote cultural diversity and respect for human rights: a strategic approach for culture in international relations can only take shape if cultural diversity is fostered in external relations as well as within the EU with a view to further developing intercultural competences and promoting intercultural dialogue,
- Foster mutual respect, intercultural dialogue and trust,
- Ensure respect for complementarity and subsidiarity: The principle of subsidiarity including mandates, responsibilities and interests of Member States needs to be fully taken into account whilst ensuring complementarity between EU, Member States and international actions and building upon existing policies and instruments and making best use of existing capabilities at national and European level, whilst avoiding the creation of new structures and additional administrative burdens,
- Encourage a cross-cutting and bottom-up approach to culture: all partners and actors at EU, national and stakeholder level need to cooperate better and in full complementarity. The independence of the cultural sector should be respected at all times,
- Promote culture through existing frameworks for cooperation: while respecting the institutional framework and the decision-making autonomy of the EU, cooperation with all relevant international partners and organisations, in particular the United Nations, UNESCO and the Council of Europe, is essential,
- The principles enshrined and the objectives identified in this strategic approach should be embedded in the implementation of existing and future thematic and geographic frameworks, such as in the context of the enlargement, developing and European neighbourhood countries, tailoring measures to the individual needs.

Provisional objectives

- Encourage a coordinated approach in international fora and with third countries,
- In accordance with the Global Strategy, strengthen and support EU regional responses, notably by making best possible use of existing policies, ensuring coherence with EU policies,
- Make better use of existing fora, mechanisms, networks and databases for information sharing and exchanging good practices. The information on the EU actions regarding international cultural relations undertaken by Commission services and the EEAS should be pooled and made easily available and findable.

Indicative Tasks

With a view to ensuring a comprehensive, cross-sectoral, cross-border and coherent approach to international cultural relations, this strategic approach could have the following tasks:

- To mainstream international cultural relations into EU policies, including the Common Foreign and Security Policy, by creating synergies,
- To continue developing a roadmap incorporating various work-strands that deliver cross-sectoral actions in a comprehensive and coordinated manner, including a progress assessment to be provided by the High Representative and the Commission,
- To promote coordination and development of joint actions and further synergies with and among Member States, including at stakeholder level, and cooperation with regional and international partners and organisations,
- **Without prejudice to the negotiations on the next Multiannual Financial Framework** , to ensure the recognition of culture in the financial instruments of external relations and an international dimension in the specific programme(s) for culture;
- To strengthen the EU role as a global player through greater and more unified participation in multilateral fora.

Key messages on the thematic strands

Part I. Protection and valorisation of cultural heritage

General remarks

Member States endorsed the Presidency's approach to the topic and found the questions raised relevant. While focusing on specific thematic areas, a broader view should be kept in mind throughout the FoP process as most of the topics to be covered, including valorisation and protection of cultural heritage, are linked and intertwined. Links with development cooperation are especially relevant in the context of actions in the area of cultural heritage.

One of the general objectives of the European Year of Cultural Heritage 2018 is promotion and protection of cultural heritage vis-à-vis the relations with third countries. It is important to ensure complementarity between the EYCH 2018 and other external relations initiatives.

Strategic approach might not be limited to the joint communication and could be developed also in the framework of the Global Strategy on the EU's Foreign and Security Policy, especially when reviewing the progress made under the Global Strategy.

Member States stressed the need for making better use of existing fora, mechanisms, networks, databases for information sharing and exchanging of good practices.

The Commission and the EEAS were invited to facilitate systematic information sharing and exchange of information at different levels of governance. Also, there is a need for pooling together information on the EU actions regarding international cultural relations undertaken by different DGs and the EEAS, and making it easily available and findable.

Reinforcing cooperation on cultural heritage

Given the importance of cultural heritage for safeguarding cultural diversity and its considerable potential for promoting sustainable social and economic development and its role when rebuilding fragile societies and fostering peace and reconciliation, common projects undertaken jointly by the European Union and its Member States with partner countries are encouraged. These joint projects might have the potential to create synergies and to have a bigger impact and wider reach. Close involvement of local partners is of crucial importance for the success of the projects helping to strengthen ties between the EU and partner countries and enhance the EU role at the global arena.

Involvement of individual Member States in specific projects is voluntary, depending on their interest and capacity, and is to be decided on a case-by-case bases.

In some instances, coordination of joint projects facilitated by the Commission and/or EEAS and the EU delegations might be useful and relevant. When appropriate, the EU delegations, Member States' embassies in partner countries and relevant EUNIC clusters could be involved in running joint actions.

Sharing information in a coordinated way on projects undertaken by the Member States in collaboration with partner countries could be useful to avoid overlaps, identify possible synergies and opportunities for new collaborations.

Strengthening cooperation on the protection of cultural heritage in the context of conflicts

The issues paper on preservation and protection of cultural heritage in Common Security and Defence Policy (CSDP) missions and operations is a step in the right direction helping to raise awareness about the need to protect endangered cultural heritage in the situations of conflict.

Actions should be undertaken when appropriate, depending on specific needs, considering proportionality and in close cooperation with local authorities and communities. A step-by-step approach could be adopted respecting the main objectives of CSDP missions and operations.

Member States have a considerable expertise that could be used to support CSDP missions and operations when contributing to the preservation and protection of endangered cultural heritage. It should be noted that different Member States have different experiences and capacities to undertake actions in this regard. Better use should be made of existing knowledge, skills, networks, but also new innovative technologies available in professional and academic networks and fora across Member States. Synergies in coordination and cooperation with other international stakeholders could be sought in this regard. Actions at different levels, both in Member States and at the missions might include training, capacity building, awareness raising, involvement of heritage expert advice, exchange of information among personnel.

In the longer term, where appropriate, and as part of an EU Integrated Approach to conflicts and crises Members States' expertise and support, including for digitisation of cultural heritage, could also contribute to support capacity building in third countries, including to prevent looting and trafficking that often accompany and follow crises. After the conflicts and given the security situation has improved, local authorities could be assisted with assessing the damage done to cultural heritage, elaborating safeguard plans, restoring it or depositing it in safe places.

Given the importance of preserving the intangible heritage of communities, especially challenging in the context of fragile, possibly divided societies and displaced communities, Member States' and the EU's support in post-conflict situations contributing to peace-building and increasing social resilience would be most relevant. All the actions should be carried out in close collaboration, involvement and consent of local communities.

Fostering the implementation of the legal framework

Efforts should be made to reinforce the implementation of the international legal framework for protection of cultural heritage.

Joining the 1954 Hague Convention for the Protection of Cultural Property and its 1954 and 1999 Protocols and the Council of Europe Convention on Offences relating to Cultural Property, Council of Europe Faro Convention and other relevant international treaties should be encouraged while respecting the independence of Member States in this regard. Efforts should be made to encourage also partner countries to join key international treaties addressing protection of cultural heritage. Member States in general terms welcomed the proposal for a regulation on the import of cultural goods into the EU as a step in the right direction to address the remaining gaps in the existing legal framework.

Cooperation among different stakeholders from different sectors such as ministries of culture, ministries of internal affairs, police and customs authorities, including cooperation across borders, should be encouraged to overcome remaining difficulties with the implementation of the legal framework. There are various tools for cooperation, such as information management systems that centralise information and offer quick and safe information exchange, as well as networks through which best practices and experiences can be exchanged. Cooperation among relevant authorities from different Member States may include trainings, seminars, sharing information databases and best practices. Cooperation among Member States and provision of information sharing and management platforms may be facilitated by the EU when relevant.

Actions could be undertaken regarding awareness raising in the context of fighting illegal trafficking in cultural goods among the art market stakeholders, law enforcement and judiciary. Cooperation with UNESCO, but also with other relevant international organisations, is particularly relevant in this context.

Coordination in multilateral fora

Cooperation among the Member States could be sought to strengthen the role of the EU in international fora where cultural heritage matters are discussed. EU action in this field is encouraged to keep the issue on the agenda at the international level. While coordination in UNESCO being a good example, cooperation and coordination in other fora could be encouraged when needed and respecting the competences of Members States and the EU.

Part II. Mobility and people-to-people exchange

- Mobility is the basis of international cooperation. The promotion of people-to-people contacts and exchanges must be at the heart of the EU approach to international cultural relations.
- Mobility builds bridges between people, professionals, citizens, artists, organisations and businesses. Experience at international level and within the EU has shown their great potential for generating trust, goodwill, new inspirations and mutual understanding.
- The benefits of mobility and people-to-people contacts are greater when the activities are conducted in a spirit of reciprocity and co-creation, are aimed at pursuing mutual learning, cultural and creative exchange and cooperation on equal footing, and rely on bottom-up and “arm’s length” principles. Mobility is foremost essential for the development of art, culture and creativity and also creates a strong added value for the development of international relations. In the long-term, mobility and people-to-people contacts facilitate the inter-cultural dialogue and consequently foster the promotion of reconciliation and mutual understanding in post-conflict societies.
- The internationalisation of EU cultural operators should go hand in hand with the facilitation of agent-to-agent cooperation and focus on professionals, artists, network organisations. The development of knowledge and capacity of cultural operators in partner countries is of particular relevance to pursue mutual learning and exchange in line with the requirements of the 2005 UNESCO convention on the Protection and Promotion of the diversity of cultural expressions.

- Exchange projects should be relevant to the local needs and embraced by the audiences in the recipient countries and also contribute to the audience development. They should be developed on the basis of the interests of artists, professionals and cultural operators and facilitate partner search. This could be done by securing interest, reciprocity and local anchorage as part of any project. Cultural projects should be based on genuine artistic values and also pursue the objective of high artistic qualities.
- There is considerable potential in promoting mobility and people-to-people contacts by strengthening cooperation between Member States, their national cultural institutes and the clusters of their umbrella organisation EUNIC, other stakeholders institutions, such as Embassies, cultural networks, the EEAS and the Commission. This should be done by Member States at central level by developing strategic direction and guidance and by setting up the relevant policy, legal and financial frameworks, and at local level, on a strictly voluntary basis by joining forces and pooling resources with the active involvement of the national cultural institutes and of European and local cultural operators. Cooperation should be done above all by exchange of information and coordination, moreover, if deemed necessary by all sides involved.
- To be more effective, collaboration should be based on a strategic vision, to be jointly elaborated at local level by the MS, their national cultural institutes and the local EU Delegations, and shared with the partner country and the local cultural stakeholders. In addition, the EEAS and the Commission are invited to draw up regional cultural strategic guidelines or work plans for discussion and adoption by the Council in order to establish synergies and increase the impact, where the conditions allow doing so. In order to achieve effective results, it is necessary that different roles are clearly communicated between EU institutions, national and other actors. In order to make use of the existing resources, the cultural competences at the EU Delegations shall be enhanced.

- Evaluation of the activities, as well as the functionality and added value of such cooperation should be considered also as an efficient working method to reflect whether any elements such as geographic scope, mechanisms and practices are relevant or the results achieved are satisfactory. The promotion of city-to-city cooperation should also play an important role in the EU strategic approach to international cultural relations. Measures should be geographically balanced, taking into account the needs of the sector and audiences.
- The EEAS and the Commission are also invited, in close cooperation with the national cultural institutes and their umbrella organisation EUNIC and the Council, to develop guidance for the EU Delegations to act in their role as facilitators of exchanges and people-to-people contacts between the EU and its Member States and partner countries and local cultural operators.
- Funding could also be secured, depending on the specific circumstances and in accordance with the rules of the specific EU, national or multilateral instruments that will be used. Among the measures that can be used there are support for residencies, internships, participation in festivals, professional meetings, partnerships, training programmes, the expansion and opening up of European networks and the direct provision of technical assistance.
- Article 16 of the 2005 UNESCO Convention on the Protection and Promotion of the diversity of cultural expressions stipulates that cultural exchanges with developing countries should be facilitated by granting, through the appropriate institutional and legal frameworks, preferential treatment to artists and other cultural professionals and practitioners. Lengthy, costly and complicated procedures for obtaining a visa can hinder the full deployment of the potential of people-to-people contacts. In this respect, it is recalled that within the applicable legal framework, the visa policies of the Union and its Member States should also be consistent with the commitments in, and the objectives of, other policy areas such as the foreign policy of the Union and its goals as regards international cultural relations.

Part III. Culture in development cooperation⁶

- Culture is an essential component of the human, social, economic and environmental dimension of development and therefore a key element of sustainable development. Whilst this is widely recognised, it does not always translate in policy planning, priorities and financing.
- The added value at EU level should be to facilitate coherence and give more weight and urgency to the issue. Working together at European level before getting involved with partner countries could be beneficial as it would bring forward the EU's participation-oriented approach. For this approach to be effective, it is important to define sectors, themes, levels and priorities.
- Making changes requires the political will to link cultural and development cooperation policies. This means that partner countries and EU Member States should be made more aware of culture's viable potential for development. Integrated approaches should be therefore sought at the level of the Member States. At the EU level, cultural dimension should be furthered by making it a possible overall requirement in the financing. The activities should be well-thought and balanced.
- Models for capacity-building promoting greater culture sensitivity should be analysed, especially within national authorities, in order to generate different perceptions between colleagues, to make them more aware of culture, to help them better understand and adjust to partners. A toolkit and cultural checklist could also be envisaged.
- The scope of stakeholders should be broadened at national level to include also associate regional bodies and private companies. Partner countries' specificities and local sensitivities should be respected. To include all stakeholders, a bottom-up approach is key. A bottom-up framework should be created that enables to design policies that answer to different needs with different solutions by different actors, , but are coherent and can be implemented at the same moment.

⁶ Based on the outcome of the Ad-Hoc task group on culture and development cooperation which was established by the Council conclusions on culture in the EU's external relations with a focus on culture in development cooperation (OJ C 417, 15.12.2015, p. 41). The group met three times between May and November 2017, and was convened and presided by Luxembourg.

- There is a need for a more inclusive way of working together. A coordination mechanism between all the stakeholders should be envisaged to have a common understanding of challenges, to monitor who works where and to define together priorities for different countries and regions. Likewise, the creation of a depository of documents on culture and development cooperation and/or a database of projects/programmes already developed should be examined.
 - Whereas evidence, monitoring and reporting are important, in many cases effects can only be assessed in the long-term. While existing monitoring and evaluation tools should be further explored, emphasis should also be put on creating favourable conditions for cooperation with existing resources, setting clear objectives from the outset, designing projects that could be extended as well as on including communities that are interested in keeping a project running. This can be validated with existing evidence; nevertheless it should be better organised and presented to other sectorial policy areas. Log frames and impact assessments should also be complemented with good practice examples.
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