

Hearing on the Implementation by the European Community of the UNESCO Convention
on the Protection and Promotion of the Diversity of Cultural Expressions

European Parliament, Committee on Culture and Education
Brussels, Wednesday February 27, 2008

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Part 1: Implementation of the UNESCO Convention within the European Union

- **First question:** Is this Convention producing a restrictive effect on the Community law (position of the French representative of CNC?) or a broad effect (position of the Legal Service of the Council – 22 April 2007) ?

My opinion is that the UNESCO Convention is producing an effect, not only on the article devoted to culture (article 153) but also has an impact on the whole dynamic of the Treaty and includes the main fields of the Treaty (internal market policy, common trade policy, competition policy..).

The main question is to know the intensity of the cultural diversity principles versus other principles such as internal market for instance.

My lecture will be an attempt to demonstrate this and also give some ways and means about what is desirable to do now to achieve a quick incorporation of the cultural diversity principle in the process of community law.

- **Second question:** Implementation of the Convention in the framework of the community external relations.

I will give here some indications: how the Community could improve its obligations to promote the cultural diversity in the external relations.

The Commission is working on two issues:

- Bilateral relations (through bilateral trade agreements incorporating cultural chapter);
- ACP/EU relation with a funding to enforce cultural development;
- An another issue the European Parliament needs to think about is a direct funding of the European Union to the fund created by the UNESCO Convention.

These three issues will be commented in a broad way.

It is possible to consult some papers I do on such issues (see enclosures).

Yvon THIEC

Enclosures:

- Ratification and Implementation of the Convention on the Protection and Promotion of Diversity of Cultural Expressions - 2nd Meeting of ACP Culture Ministers, Santo Domingo, Dominican Republic, 11-13 October 2006.
- Paper on the disconnexion clause (English, French) (8.11.2007)
- Comments on the Commission's answer to MPE Mrs Ruth Hieronymi's oral question (17 December 2007).