

## **A CALL TO REINVIGORATE THE GLOBAL CULTURAL DIVERSITY MOVEMENT**

**7<sup>th</sup> World Summit on Arts and Culture**

**Workshop 1: Transnational connections and flows: what is the impact of multilateral trade negotiations on cultural policies?**

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**Opening Comments**

Delighted to be here. I am global cultural policy consultant and a cultural activist.

My involvement in the issue of globalization and culture goes back to 1986, when Canada launched free trade negotiations with the United States, and GATT launched its 8<sup>th</sup> round of multilateral trade talks in Uruguay (this is what brought us the World Trade Organization). As Executive Director of the International Network for Cultural Diversity, I was heavily involved in the global campaign that led to the adoption of the UNESCO *Convention on the protection and promotion of the diversity of cultural expressions*. 1986 was an important moment. When the General Agreement on Tariffs and Trade, which covers trade in goods, was signed in 1947, cinema screen quotas were explicitly exempted from the agreement. But, concerns about the effects of so-called “free trade” on culture became more acute in 1986, as the negotiations launched that year resulted in agreements also covering trade in services and trade-related investment measures. Trade agreements concluded after then typically establish rules not only for the physical good, including the book, CD, magazine or film, but also for the services contained in that good, whether they are provided by a writer, musician, dancer, performer or director.

As we consider cultural leadership in the 21<sup>st</sup> Century, I submit that we have lost our way. The 2005 UNESCO Convention was negotiated and implemented so rapidly because there was a powerful alliance between active global civil society groups and leading governments. The Convention is an important tool and UNESCO is generally doing a good job implementing and

promoting it. There are some positive developments, bilaterally and at a local and regional level. But, the Convention is not an antidote to trade liberalization. It does not override the trade agreements.

Many of us in civil society and governments have become too focused on the Convention and this has allowed our trade ministers to pursue an agenda not fully in keeping with commitments that 133 states (+ the EU) have made in the Convention.

Let me give you some contemporary examples.

1. CETA. While Canada and key European countries were among the strongest proponents of the Convention, CETA – the Comprehensive Economic and Trade Agreement – between Canada and Europe is not perfect. There are two strong references to culture in the preamble. The first states that governments may regulate to achieve legitimate public policy objectives, which include “the promotion and protection of cultural diversity,” and the second gives context to the cultural exemption by specifically affirming their commitments as signatories to the Convention. But, the parties have agreed to an asymmetrical cultural exemption. For Europe audiovisual services are exempted, for Canada it is cultural industries (which additionally include writing and publishing, the arts and all forms of music). The exemption also applies only to five chapters, although they are the most significant.
2. TTIP. In preparing for the Trans-Atlantic Trade and Investment Partnership talks with the United States, the EU Commission failed to include a reference to l’exception culturelle in its draft mandate. Pressure forced them to change that position.
3. TPP. The proposed Trans-Pacific Partnership involves 12 countries, of which seven are parties to the Convention. In its preamble, the parties recognize the importance of cultural diversity, but they also add a caveat that is fundamentally at odds with core principles when it provides “... that trade and investment can expand opportunities to

enrich cultural identity and diversity at home and abroad.” History teaches us that, left unregulated, trade and investment bring cultural homogenization, where the few dominant cultures overwhelm smaller cultures, not diversity. In its section on the “right to regulate,” the TPP text does not include “culture.” Perhaps the most worrisome provision is a cultural exemption that is both limited and conditional. “Subject to each Party’s international obligations, each Party may establish appropriate measures to respect, preserve and promote traditional knowledge and traditional cultural expressions.” On its face, this limits the scope of cultural policy to Indigenous peoples and analogous communities.

4. TISA. Finally, we need to carefully watch the Trade in Services Agreement being negotiated by 23 Parties, including the European Union and the United States. It’s an effort based in Geneva to bypass the stalled WTO talks and further restrain the right of governments to regulate their services, including those in the cultural sector.

These developments will increase the pressure on the governments involved to roll back existing cultural policies and will limit future policy options in ways that are not in keeping with the Convention. And the biggest test for cultural diversity is just around the corner, as all of us confront the challenges of the Internet. The Internet of course is rapidly becoming THE source of cultural expressions of all kinds, from music to literature to movies to games. And there is no doubt that artists from many regions have embraced the technology and have been able to gain some exposure.

But, as American author Tim Wu wrote in *The Master Switch*, every new communications technology has been seen as a free and open space that would unleash citizen creativity and connectivity, only to become closed and centralised as corporations took control. This same transition is taking place with the Internet as Facebook, Google, Amazon, Netflix and Apple, together with their Chinese counterparts Tencent/WeChat, Baidu and Alibaba, are increasingly in control of the social media, Internet search and e-commerce digital space.

Even when diverse materials are available online, search engines may not make them available to large numbers of people. Certainly, an individual who is motivated to search out new and diverse materials will be able to find a treasure trove of interesting cultural expressions from many cultures around the world. However, the algorithms and methods used by the dominant search engines are not conducive to providing a rich range of options, particularly those from outside the dominant cultures.

In the face of these developments, inevitably our governments will need to intervene to ensure there is reasonable access for all artists and for the rich global diversity of cultural expressions, and to ensure citizens can find them. And they may be prevented from doing so by this new generation of trade agreements.

I want to challenge everyone here. We need to reinvigorate the global cultural diversity movement. We are losing ground. We need to reengage in the trade debate, starting with the TPP and TISA. If you are in civil society, join me in this effort. If you are with a government agency, allocate funds for these efforts and call on your government to fulfill their commitments under the Convention 2005 as they negotiate trade agreements.

Our objective remains as described so eloquently by Mahatma Gandhi – “I do not want my house to be walled in on all sides and my windows to be stuffed. I want the cultures of all lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any.”