

## Contribution of

### The Information Society Forum to the WTO Ministerial Conference in Seattle

#### Seattle Declaration

Brussels, November 1999

#### Cultural Implications of the Millennium Round -

Task Force on the General Agreement on Trade in Services of the Information Society Forum under the chairmanship of Jocelyn Hay

The Information Society Forum firmly believes that quality of life for all citizens in the Information Society will depend on the success of efforts by nations and the world at large to ensure sustainable development. While public debate has already focused on the needs for sustainable development in the environmental, social and economic spheres, the Forum calls the attention of the Member Countries of the World Trade Organisation to the importance of safeguarding cultural sustainability. An Information Society in which cultural practices are reduced to the status of commodities traded under pure market criteria will, the Forum warns, be one in which cultural diversity is so impoverished that innovation is stifled. Such an impoverished world of culture will not work in the economic or any other sense and is clearly not sustainable.

The Forum is aware of the significant impacts that the Millennium Round of international trade negotiations may have on cultural diversity. It appeals to all WTO Member Countries duly to take into account the needs of sustainable development in the cultural domain as much as in those of environment, labour and consumer protection and civil rights. The Forum will shortly report on the need for sustainability in all senses: here, its Task Force on the General

Agreement on Trade in Services of the Information Society Forum reports on the cultural issues.

1. The Information Society Forum is a group of some 140 independent experts from across the European Union and Eastern European countries. Members are drawn from a wide range of professions, such as academia, consumer groups, industry, trade unions, parliaments, public bodies and associations. The Forum advises the European Commission and EU Member States on a wide array of issues dealing with the social, societal, cultural and linguistic aspects of the Information Society. In the last two years it has worked intensively on the question of how to ensure sustainable development for the 21st century.

2. The Forum recalls that the development of the Information Society has an important cultural dimension. Asserting and enhancing cultural diversity and cultural identities and broadening participation in cultural life is one of the prerequisites of democracy. Our societies need to safeguard the fundamental Human Rights expressed in Article 27 of the Universal Declaration of Human Rights. It states that "everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits". The exercise of this right necessitates effective frameworks for safeguarding our cultural heritage.

3. In line with the 1982 Mexico City Declaration on Cultural Policies passed by the World Conference on Cultural Policies, and with declarations of subsequent intergovernmental conferences, the Forum takes a broad view of culture. It includes the whole complex of distinctive spiritual, material, intellectual and emotional features that characterise a society or social group. It comprises not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs. The Forum also concurs with the position held by some 140 UNESCO Member Countries, as expressed in their 1998 Action Plan on Cultural Policies for Development, which states that heritage must be understood as all natural and cultural elements, tangible or intangible, which are inherited or newly created, because through these elements social groups recognise their identity and commit themselves to pass it on to future generations in an improved and enriched form.

4. Globalisation propelled by technological innovation challenges the traditional parameters on which the wealth of cultural identities of our societies has been based. Information and communication technologies radically change the way people communicate with each other word-wide. As the Internet becomes a major resource for information, learning, communication and entertainment, the new global communications systems link cultures ever

more closely. But these developments also pose risks and challenges to cultural and linguistic diversity arising from the promotion of global cultural industries and international trade in cultural products.

5. Freely imparting and receiving information is at the heart of democracy. Information is an indispensable prerequisite for people to agree on commonly shared values and actively to participate in the cultural and social lives of their communities. The Forum emphasises that it is a well-established principle of the European Way for the Information Society to regard the media as crucial facilitators in promoting local, regional and national cultures and languages and in reflecting the needs of their audiences. Given the pervasiveness and impact of the audio-visual media in the daily lives of citizens, these media, including public service broadcasters, play a unique role in the exploration and preservation of the national heritage, and in the promotion of diverse cultural traditions and indigenous cultural identities.

6. The Forum believes that the further liberalisation of services sectors targeted by the Millennium Round will help foster prosperity and development on a world-wide basis. Open markets will contribute to stable and continued economic growth. At the same time, the global trade regimes must recognise the legitimacy of societies actively to promote and foster their cultural diversities and to support the unique role of the audio-visual media for the preservation of our cultural heritage through appropriate frameworks.

7. Against this background the Forum calls the attention of WTO Member Countries to the Action Plan on Cultural Policies for Development adopted in Stockholm on 2 April 1998 by the Intergovernmental Conference on Cultural Policies for Development convened by UNESCO and signed by 140 of its Member States. The Forum concurs with and reaffirms the findings and recommendations of the Action Plan, and in particular reiterates the following passages stating that the Intergovernmental Conference:

1. recognises the principle that sustainable development and the flourishing of culture are interdependent, and that cultural creativity is the source of human progress; and cultural diversity, being a treasure of humankind, is an essential factor of development;

2. recognises that the defence of local and regional cultures threatened by cultures with a global reach must not transform the cultures thus affected into relics deprived of their own development dynamics;

3. affirms that cultural policy, as one of the main components of endogenous and sustainable development policy, should be implemented in co-ordination with policy in other

social areas, on the basis of an integrated approach; and that any policy for development must be profoundly sensitive to culture itself;

4. affirms that cultural policies should promote creativity in all its forms, facilitating access to cultural practices and experiences for all citizens, enrich the sense of cultural identity and belonging of every individual and community and sustain them in their search for a dignified and safe future;

5. recommends to Member States to adopt and put into practice a broader vision of national cultural policy in accordance with the actual conditions in each country, and endeavour to encourage the participation of civil society, including the media;

6. recommends to Member States to promote the development and use of new technologies and new communication and information services, stress the importance of access to information highways and services at affordable prices and the equal use of languages, and encourage the use of new technologies in public services;

7. recommends to Member States the idea that cultural goods and services - in the definition of the Mexico City declaration referred to above - should be fully recognised and treated as being unlike any other form of merchandise.

For local, regional or national governments to support the production and use of such goods and services is not a threat to international competition or to open markets. On the contrary, it supports innovation and social and cultural development for the long term. All - including the traders in mass commercial culture - benefit from such support for innovation.

1. The Forum, therefore, appeals to all WTO Member Countries participating in the negotiations of the Millennium Round to

1. recognise the importance of cultural sustainability;

2. acknowledge that cultural goods and services are significantly different from other products;

3. acknowledge that domestic measures and policies intended to ensure access to a variety of indigenous cultural products and services are legitimate public interest objectives;

4. refrain from applying the General Agreement on Trade in Services to services related to the communication of audio-visual content to the public, which are directly linked to the cultural, political and social interaction and sustainable development of societies. The distinctive nature of these cultural content and services applies irrespective of technology

used and includes preceding stages of production and distribution of such content as well as its promotion and specific regulation.

5. honour the spirit of the Bern Convention and the letter of the majority of states' Authors' Rights laws, acknowledging the significance for the diversity of cultural expression of individual authors and artists having rights and responsibilities in their creations.