



“Advancing Preferential Treatment for Culture”

Regional Workshop

Programme
6-7 November 2019

Venue: Hotel Hilton, Barbados

Background Note

On the occasion of the launch of the Study “Culture in the CARIFORUM-European Union Economic Partnership Agreement: Rebalancing trade flows between Europe and the Caribbean?”, UNESCO is organizing a two-day workshop on preferential treatment for intergovernmental and governmental officials as well as culture and trade professionals from Barbados, Dominican Republic, Jamaica, Saint Lucia and Trinidad and Tobago, all Parties to the 2005 Convention on the protection and promotion of the diversity of cultural expressions.

CARIFORUM-European Union Economic Partnership Agreement concluded in October 2008 between CARIFORUM States and the European Union and its Members States, was one of the first North/South regional trade agreement compatible with WTO rules seeking to effectively improve market access opportunities and ensure wider and more balanced exchanges, with the inclusion of a Protocol on Cultural Cooperation largely inspired by the 2005 Convention objectives. The study reveals that the opportunities arising from the CARIFORUM-EU EPA provisions have not been fully exploited and that its Protocol on Cultural Cooperation has yet to be activated – especially in the areas related to the movement of artists and audio-visual co-productions.

Organized within the framework of UNESCO’s *Aschberg programme for artists and cultural professional*, the aim of this workshop is to acquire an in-depth understanding of the commitments on preferential treatment that flow from Article 16 of the 2005 *Convention*, assess and discuss its potentialities and implications for the Caribbean region.

Article 16 on preferential treatment contains one of the most binding commitments in the 2005 Convention. Since it requires developed countries to facilitate cultural exchanges with developing countries, this obligation is key to the system of international cooperation set up under the Convention. Its implementation contributes to the achievement of several objectives of the

Convention, among which are the reaffirmation of the link between culture and development, the recognition of the distinctive nature of cultural goods and services as vehicles of identity, values and meaning, as well as the promotion of dialogue among cultures with a view to ensuring wider and balanced cultural exchanges in the world.

The Q&A sessions, after each presentation, will serve to contextualize the various issues discussed, and see how they relate to the challenges faced in the Caribbean region.

The workshop will be facilitated by Véronique Guèvremont, Professor at the Faculty of law, Laval University (Québec, Canada) and holder of the UNESCO Chair on the diversity of cultural expressions, and Mira Burri, Senior Lecturer and Managing Director for Internationalisation at the Faculty of Law, University of Lucerne (Switzerland). The workshop will also involve representatives of the CARIFORUM-EU EPA Implementation Unit and Keith Nurse, World Trade Organization Chairholder and Principal/CEO of the Sir Arthur Lewis Community College, Saint Lucia.

Objectives of the workshop

The specific objectives of the workshop are:

- i. To put in perspective the concept of “preferential treatment” as used in Article 16 of the Convention and understand the scope of the commitments that flow from that provision;
- ii. To discuss what constitutes a preferential treatment measure in the areas of culture and trade;
- iii. To agree how to formulate specific requests for preferential measures to be put in place in the context of the EPA implementation; and
- iv. To discuss the findings and recommendations put forward in the UNESCO EPA impact study, assessing benefits and challenges in implementation.


Expected results

- Participants share a common understanding of Article 16 of the Convention on preferential treatment and the way it can be implemented, including in the digital environment;
- Participants grasp the potentialities of the *Cultural Cooperation Protocol* attached to the *CARIFORUM-European Union Economic Partnership* to stimulate cultural exchanges, in particular the exportation of their cultural goods and services towards developed countries;
- Participants exchange learning experiences, discuss new emerging challenges and map future avenues for stimulating cultural cooperation between their countries and other Parties to the 2005 Convention.

Participants

See provisional list attached.

Provisional agenda

Day 1 Wednesday 6 November 2019		
	Schedule	Facilitator
09:00 – 9:15	<p>Welcoming remarks</p> <p>Russell King, Trade in Service and Investment Specialist, CARIFORUM-EU EPA Implementation Unit</p> <p>Danielle Cliche, Secretary of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions</p>	
09:15 – 9:45	<p>General presentation</p> <p>Presentation of the programme and learning objectives of the workshop,</p> <p>Introduction of participants</p> <p>Short self-presentation by each participant.</p>	Véronique Guèvremont & Mira Burri
9:45 – 10:15	<p>Putting in perspective the 2005 Convention on the protection and Promotion of the Diversity of Cultural Expressions</p> <p>What is the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and why is it considered a milestone in international cultural policy? Why was a provision on “Preferential Treatment” introduced in the Convention? How does the Convention help to position culture in the 2030 Agenda on Sustainable Development and in global trade discussions?</p> <p>Q&A</p>	Danielle Cliche
10:15-11:00	<p>Preferential treatment in international relations: a historical perspective</p> <p>Where does the notion of “preferential treatment” come from? What does it mean “to give a preferential treatment” in the context of international relations? What are the new emerging issues (digital, copyright, etc.)?</p> <p>Q&A</p>	Mira Burri

11:00 - 11:15	<i>Coffee break</i>	
11:15 - 12:30	<p>The 2005 Convention: a framework to promote preferential treatment for culture</p> <p>What is the scope of Article 16? How does it relate to the other obligations of the Parties? What are the conditions to meet to qualify a measure as a “preferential treatment” under the 2005 Convention? What is the cultural dimension of preferential treatment measures? How does preferential treatment contribute to the achievement of the objectives of the 2005 Convention? Is the preferential treatment relevant for cultural exchanges in the digital environment? How can preferential treatment measures be applicable to the digital environment?</p> <p>Q&A</p>	Véronique Guèvremont
12:30 - 13:45	<i>Lunch</i>	
13:45 - 14:45	<p>The 2005 Convention: a framework to promote preferential treatment for culture (continued)</p>	Véronique Guèvremont
14:45 - 15:45	<p>Preferential treatment in trade agreements</p> <p>How does Article 16 of the Convention relate to existing WTO agreements and bilateral or regional trade agreements? What is the EPA’s Protocol on Cultural Cooperation? What is its relevance in the current context? What is the context for implementing the Protocol in the European Union?</p> <p>Q&A</p>	Mira Burri
15:45 - 16:00	<i>Coffee break</i>	
16:00 - 17:00	<p>The CARIFORUM-European Union Economic Partnership Agreement: putting in practice preferential treatment</p> <p>What are the preferential treatment measures in the CARIFORUM-EU EPA? What were the expectations? How have these measures been implemented to date? What is the institutional setup currently in place to implement the EPA in signatory countries?</p> <p>Q&A</p>	Russell King, Adam Wisniewski & Keith Nurse

Day 2 Thursday 7 November 2019		
	Schedule	Facilitator
09:00-11:00	<p>Charting the way forward: Advocating for preferential treatment for the Caribbean region</p> <p>Participants discuss current and possible future activities, funding programmes and initiatives to rebalance trade flows. Have creative industry actors been sufficiently mobilized in the call for preferential treatment? What is the way forward?</p> <p>Break-out groups</p>	Keith Nurse
11:00 - 11:15	<i>Coffee break</i>	
11:15-12:30	<p>Charting the way forward: Advocating for preferential treatment for the Caribbean region (continued)</p> <p>Debriefing session</p>	Keith Nurse
12:30 – 13:45	<i>Lunch</i>	
13:45-15:30	<p>Preferential treatment: benefits and challenges</p> <p>Participants discuss benefits and challenges arising from the implementation of preferential treatment measures for the Caribbean region. What have we learned from previous trade agreements, beyond the EPA? Exchange of experience and best practices.</p> <p>Q&A</p>	Véronique Guèvremont & Mira Burri
15:30 - 15:45	<i>Coffee break</i>	
15:45-16:30	<p>Sharing information: periodic reporting under the 2005 Convention</p> <p>Parties to the 2005 Convention report every four years on its implementation. Participants will discuss collection of information and data on policies and measures to achieve a balanced flow of cultural goods and services and the mobility of artists.</p> <p>Q&A</p>	Danielle Cliche
16:30 – 17:00	Conclusions	Danielle Cliche Russell King