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# TOWARDS A RENEWAL OF PUBLIC CULTURAL POLICY

France has a rich cultural and artistic landscape and is home to an abundance of vibrant creative spirit, a reality that owes much to a long, drawn-out process that has resulted in the development of various cultural instruments and policies. The intervention of the State, and later the regional authorities, in the cultural sphere since the 1950s has been governed by two democratic requirements, these being to perform public service missions and fight cultural inequalities, and to create and sustain an environment conducive to freedom of creation for artists.

Cultural goods and services cannot be considered as mere commodities since they convey values, content and meaning.

Despite the density and the number of policies put in place, economic, social and cultural inequalities still remain, and are even worsening. Our regulation systems have proven their effectiveness over recent decades but they must now be open to reform in order to incorporate and anticipate economic, social and technological changes.

The goal and ambition of true cultural democracy can only be achieved through a renewed increase in its accessibility, even by means of new channels. Equal access (both regional and socio-cultural) and cultural exception and diversity must be key points of reference in achieving this ambition, which will imply a political commitment that must result in the introduction of a framework law for an actual public cultural and audio-visual service.

With this in mind, the ESEC has outlined a series of recommendations for renewing public cultural policies:

## BREATHING NEW LIFE INTO THE PUBLIC CULTURAL AND AUDIO-VISUAL SERVICE

In order to ensure balanced regional cultural development, the ESEC would ask that the State guarantee a reduction in regional inequalities, in terms of the presence of cultural institutions and organisations, in an attempt to promote artistic creation whilst reinforcing

**The economic significance of culture in terms of the GDP has almost doubled since the 1960s**

**Cultural activities account for 3.2% of the GDP**

**1 in every 2 French citizens partakes in some form of amateur cultural activity during their lifetime**

**Public funding per capita stands at €2.55 in Picardie as opposed to €28.85 in the Île-de-France region, where it is concentrated in Paris (€113.69 per inhabitant as opposed to €3.41 outside of Paris)**

**Turnover of the performing arts industry: €8.4 billion over 260,000 jobs**

**Turnover of the music industry: €8.6 billion over 240,000 jobs**

**Turnover of the cinema and audio-visual industries: €19.3 billion over 280,000 jobs**

and strengthening the role of DRACs ('Regional Departments for Cultural Affairs').

Promoting the public cultural service requires a commitment on the part of the State with regards to regulating the cultural offering and supporting artistic creation.

In terms of the public audio-visual service, the ESEC deems it necessary to find new methods of funding and to consider sharing revenue from the production of works of fiction since public channels must be able to benefit from co-production shares in the works they finance.

## FUNDING CREATION AND SHARING VALUE

It is important to ensure that all those who benefit from broadcasting it, including catch-up television and video on demand services, contribute to the funding of creation.



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- The ESEC is in favour of introducing of a broad-based tax at a moderate rate on connected devices. This tax could be used to fund new formats and support digital cultural services that are committed to pursuing cultural diversity objectives.
- In order to involve the giants of the digital sphere in supporting creation from a fiscal perspective, the ESEC is in favour of taxing the profits they generate in the region and introducing a tax for companies practising an exclusive form of personal data acquisition.
- With regards to sharing value, the ESEC would like to see artists and authors receive a fair wage and for the public authorities to encourage professional agreements regulated by law.
- The ESEC would like to see a consolidation of the private copying levy (RCP – Rémunération pour copie privée) and for copies made from cloud computing services to be taken into account when calculating the RCP.

### **STRUCTURING EMPLOYMENT AND COLLECTIVE BARGAINING**

- Despite their contribution to the economy, artistic professions are nevertheless somewhat precarious.
- As far as the ESEC is concerned, structuring employment is the major issue for the cultural sector and it is important to...
- Promote permanent employment in the performing arts and audio-visual sectors by renewing certain customary fixed-term contracts as permanent contracts;
- Continue to pursue a social structuring approach through the negotiation of collective agreements and the consolidation of welfare cover;
- Fighting illegal or abusive practices in the field of employment by limiting assignment agreements and combating black market labour;
- Actively promoting gender equality.

### **DEVELOPING ACCESS TO WORKS, CREATION AND CULTURAL PRACTICES**

- Access to cultural goods is one of the objectives of cultural policy. As far as the ESEC is concerned, this should involve the following:
- Reviving image, cinema and Internet-related education systems both during and outside of school time in order to train young people in understanding images and enable them to understand our regulation systems;
- Facilitating online sharing and creation by supporting the emergence of independent digital cultural services as opposed to the platforms run by the major operators and by reinforcing the legal framework surrounding free licenses;
- Sustaining and adapting the media chronology to encourage the circulation of works and discourage illegal practices;
- Promoting and supervising amateur practices by reforming the 1953 decree on amateur practices and by strengthening associations that develop such practices.

### **WORKING ON STRUCTURING BUSINESSES AND FORMS OF POOLING IN ORDER TO GUARANTEE CULTURAL DIVERSITY**

- The concentration of businesses, whether in the performing arts, cinema or audio-visual sectors, reduces the diversity of cultural expressions.
- The ESEC recommends that anti-concentration systems be put in place where the production and broadcasting of cultural works are concerned.
- The ESEC would like to see a greater pooling of CNC (National Film and Moving Image Centre) support funds and better support for Art et Essai independent art houses.
- The ESEC recommends a reform of the CNV (Centre National de la chanson, des variétés et du jazz) with the aim of supporting the music industry as a whole. This would be funded from revenue generated by the tax on connected devices and the tax on television distribution services.

### **PROMOTING A CULTURAL EUROPE AND ENSURING THE SUSTAINABILITY OF CULTURAL EXCEPTION**

- The ESEC would like the exemption of notification of cultural aid to extend to aid granted to artist creation and performance venues and aid granted to artists and companies. It would also like aid granted to digital networks to be considered as cultural aid.
- The ESEC would like to see the standardisation of VAT rates across Europe with the aim of putting an end to the fiscal imbalances that penalise French and European companies in relation to the Internet giants. It would also like the principle of technological neutrality to apply to cultural goods.
- The ESEC believes that culture is not a marketable good. It recommends that cultural exception be promoted and, in order to achieve this, that culture be excluded from any international commercial negotiations. It believes that the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions should be made a cornerstone of the defence of cultural exception.