

# The Position of Culture in “Digitization of Everything”: Reflections on the International Round Table “Digital Single Market and Its Impact on Culture and Media in Croatia” 19–20 April 2018, Zagreb, Croatia

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Digitization, as one of today’s key factors of social transformation, has profoundly affected many industries. However, the full capacity of using, sharing and running digital technologies is best seen in businesses and economies. In the context of the European Union, the Digital Single Market (DSM) is largely tailored to the requirements of this sector, with an overall aim of using DSM’s potential to stimulate economic growth. Since the Strategy was adopted in 2015, the DSM has been envisaged as a single EU regulatory space with an established legal framework for the digital trade of goods and services. Two years after its implementation, the EU calls for new actions, identifying three areas that need further improvement: data economy, cybersecurity, and online platforms. The DSM is the first pillar of the Europe 2020 strategy, the European Commission’s agenda for growth and jobs. Although the EU had already proclaimed culture to be at the heart of European external relations in 2016, it seems that the digital culture is (still) not placed at the centre of the EU’s digital agenda. And this is the question that needs to be

challenged in the EU (cultural) policy debate.

One such rare opportunity to discuss the implications of the Strategy in the context of culture was provided in Zagreb, Croatia, within the framework of activities of the Jean Monnet's biannual project 'EU Competences and National Cultural Policies: Critical Dialogues' (September 2016 –August 2018). From 19 to 20 April 2018, Croatian and European researchers, cultural professionals and policymakers were gathered at the **international round table "Digital Single Market and Its Impact on Culture and Media in Croatia"**, organized by the Department for Culture and Communication of the Institute for Development and International Relations (IRMO) in Zagreb.

The challenges for cultural and media sectors in Europe are many, but the question which especially worries cultural and media professionals is, how does the DSM strategy influence the movement of "creative content" within the European Union's market? Two important dimensions are linked to this issue. The first is related to the existing gap between the supranational market principle, on which the DSM is built upon, and the territorial principles, within which the instruments of national cultural policies operate. The second is the position (and the benefit) of small Member States and their role in the DSM reform process. These were the key problems addressed during the two-days of panel discussions, which further placed emphasis on the multilayered issues of DSM's institutional and regulatory aspects, online platforms and media sustainability, copyright, authors' and users' interests, as well as the role of heritage in balancing culture and economy.

After the welcome notes delivered by Nina Tepeš, Faculty of Law, University of Zagreb; Aleksandra Uzelac, CULPOL coordinator; and Ivica Poljičak, State Secretary, Ministry of Culture, the introductory panel "Digital Single Market and its Impact on Culture and Media: Institutional and Regulatory Aspects" started with the video address by Mariya Gabriel, European Commissioner for Digital Economy and Society. The commissioner firmly stated that DSM needs a clear strategy, modernized rules and financial support. In addition, her address touched upon the role of Europeana, the European Commission's digital platform for cultural heritage, in the implementation of the DSM Strategy, which was also the central theme in one of the presentations held on the second day of the event. The introductory panel, moderated by Aleksandra Uzelac, IRMO, brought together two Croatian experts from the policymaking side: Anja Jelavić, Head of International Cultural

Cooperation and European Affairs Sector, Ministry of Culture of the Republic of Croatia and Božo Zeba, Acting Deputy Secretary of State, Central State Office for Development of Digital Society. The panel thus served as a great introduction to the topic of DSM, focusing on the legal aspects and situation in Croatia with regard to diverse initiatives and programmes that have been developed by Croatian policymakers within the DSM framework.

After this introductory panel, the first thematic panel “Online Platforms and Media Sustainability in Democratic Societies” gathered Damir Hajduk, Electronic Media Council; Božidar Abramović, Omnicom Media Grupa and Croatian Association of Communications Agencies (HURA); Dr Paško Bilić, IRMO; Ante Pavić, Forum TM, non-profit media; Saša Leković, Croatian Journalists’ Association; and moderator Jaka Primorac, IRMO. The panel explored how online platforms influence local media and communication industries in a political, cultural and economic sense. It raised a number of important issues such as: the consequences of the regulation of audio-visual media services and amendments to the audio-visual media services directive in Croatia; the sustainability of non-profit media; the role of online platforms in the rise of the digital advertising gap, etc. Particular attention was paid to the matter of finding possible ways of encouraging media pluralism in a digital age, and on the need to find systemic solutions for it. There is a critical turning point when new communication technologies destabilize the existing communication system and one must find new ways to fight for the creation of high-quality media content and journalistic independence. However, the burning question during the panel was that of the non-existence of media strategy in Croatia, which only encouraged further discussion among the public, and in this way concluded the first day of the round table.

The second day started with the keynote lecture, which captured most aspects of the challenges posed by the DSM framework, and provided a sort of systematic review of the key issues tackled at the round table. The lecture entitled “Culture and the (New) Single Market: Reproducing Regimes of Dominance or Rebooting the New Europe?” was held by Professor Katharine Sarikakis from the Department of Communication, University of Vienna, and moderated by Paško Bilić, IRMO. Professor Sarikakis also acts as chair of the administrative board of the Hellenic Public Service Broadcasting Corporation (ERT) in Greece. Having both a political science and media

background, in her lecture she skilfully linked discourses of academia and practice. She opened her lecture by drawing attention to the underlying context when speaking about the DSM framework. She emphasized that if we want to understand the DSM we need to look at the history of the construction of Europe itself, which has always been predominantly economic. The visions of what Europe should be have always clashed, and any form of political and cultural unity would require a public sphere, meaning citizens. Historically, the area of culture is seen as an area that strengthens European citizenship and identity, and is not constituting a core of any political action. Cultural governance (rather than governance of culture) is a complex system, and as such refers to arts, education, media, production, but also to the economics of cultural industries. The Europe of today is witnessing not crisis but crises, a sort of permanent state, which only leads to the constant shift of policy goals.

According to Professor Sarikakis, the normalization and regulation of this state is much needed, despite the level of (un)successfulness of the undertaken action. Society needs to achieve media liberalization, have richer media spheres, richer public spheres, open political dialogue, access to more jobs, etc. At the same time, we are faced with major cuts in cultural funding due to the globalization of markets; the real question is, therefore, how to discuss the concept of the Digital Single Market, which is tailored to the economies of larger states. It seems that, in this sense, the EU is continuing with the defragmentation of culture. As was the case in the late 80s, when the Television without Frontiers Directive was adopted, which was the foundation of the European Union's audio-visual policy, the DSM Strategy is once again putting the emphasis on employment, enhancement of skills, and, most importantly, the place of the European Union in the world. For this reason, culture continues to be a luxury item, and not a human right. Instead of a conclusion, Professor Sarikakis underlined three areas that are neglected in the debates in terms of the creation of a new single market. The first is the role of archives, which have a renewed role in encountering so-called 'fake news' and political apathy, as well as the shrinkage of public spaces. The second area is that of children and youth, and the importance of developing "democratic informational digital skills". The third and final area is the issue of media ownership and media control, which are important for any discussion on the development of media pluralism in Europe in the future.

The second panel titled “Copyright, Authors’ and Users’ Interests: How to Foster Creativity?” questioned the limitations of the creativity and dissemination of online content and observed different business models required in a digital environment today. This panel brought together Croatian and European experts: Maja Bogataj Jančić, Intellectual Property Institute; Simone Schroff, Institute for Information Law, University of Amsterdam; Antun Tomislav Šaban, Croatian Composers’ Society; and Hrvoje Hribar, Federation of European Directors (FERA); and moderator Romana Matanovac Vučković, Faculty of Law, University of Zagreb. The speakers first discussed the new proposal for a Directive of the European Parliament and of the Council on copyright in the Digital Single Market, and underlined its possible negative side effects on education, science and research. The question of rights under collective management, so-called collective management organizations (CMOs) and their ability to develop pan-European repertoires in order to minimize the costs of the users and right holders, has been discussed within the EU copyright policy that tackles CMO policies from the view of competition. This panel also tackled the issue of the music and audio-visual copyright, which takes up the biggest share in the global copyright system, while the question of the adequacy of copyright in the context of the authors’ rights tradition in the European Union still remains. These are just some of the issues tackled in this panel, which showed how there are many shades of grey when talking of the relationship of culture, media and copyright.

The final panel entitled “Striking the Balance Between Culture and Economy: What Role for Heritage?” gathered Harry Verwayen, Europeana Foundation; Goranka Horjan, Ethnographic Museum; Vlatka Lemić, Croatian State Archives; Marianne Ping Huang, Aarhus University; and moderator Koraljka Kuzman Šlogar, Institute for Ethnology and Folklore Research. The panel focused on the implications for the intermediary institutions, in this case heritage institutions, in the EU’s attempts to harmonize the copyright reform. Apart from the cultural heritage sector and its role within the Intellectual Property Rights (IPR) reform, one of the problems tackled in this panel was insufficient use of digital contents in communicating cultural heritage – only 10% of cultural heritage has been digitized. Even though during the discussions it was stated that Europeana has not managed to be the driving force behind national institutions, nevertheless this platform undoubtedly has the most important role in the dissemination

of cultural content throughout the EU. During the panel, Croatian cultural professionals discussed the changing role of archives in relation to digital records management and e-government, but also the position of museums, especially in regard to the audience whose expectations are nowadays very high. The notion of digital cultural democracy and co-creation was the final topic discussed in the panel, which underlined the importance of creating knowledge and the need for digital social innovation, thus giving the audience food for thought and successfully rounding up the discussion.

After listening to the two days of discussions at this round table the conclusion we can draw is that the idea of culture has been pushed to the edge of the public and policy discourse, like many times before, only the context has changed and the EU discourse has become rather technical. The European Commission President Jean-Claude Juncker recently stated that both citizens and economy have gone digital. This has indeed already been done, but whether the DSM reform will bring benefits for the entire cultural sector or only for the 'big players' in the field of creative economy, depends on the continuing and joint effort of cultural professionals to make policymakers and politicians aware of the cultural contribution to the DSM and the broader Digital Agenda. The round table offered a rich and dynamic programme, very fruitful debates, and most importantly, served as a great platform for many interconnected researchers, policymakers and cultural professionals to express their thoughts on this complex issue, to which the answers are still not clear. In this round table, they jointly represented (at least temporarily) the voice of small EU countries such as Croatia. The event also affirmed the need and desire to promote such dialogue. For all the above reasons, hopefully the issue of cultural and media policies in the digital age will become the focus of many future debates on DSM reform, which will certainly arise within the EU.

More information about the round table programme can be found on the following link: <http://culpol.irmo.hr/round-table-programme-and-reader-are-available-online/>