



EUROPEAN COMMISSION

Directorate-General for Education and Culture

Culture and media

Culture policy, diversity and intercultural dialogue

Open Call for tender EAC/09/2012 Preparatory Action "Culture in external relations"

**Contracting Authority: European Commission
Directorate-General for Education and
Culture**

Annex 1 - Terms of Reference

1. BACKGROUND INFORMATION

Enhancing the role of culture in the external relations of the EU represents one of the three pillars of the European Agenda for Culture issued in 2007¹. Since its adoption, the approach to the role of culture in external relations has significantly developed both within Member States and within the European Institutions: culture is more and more perceived as a strategic factor of political, social and economic development and not exclusively in terms of isolated cultural events or showcasing (like in the context of traditional cultural diplomacy).

The European Council of June 2008 recognised the value of cultural cooperation and intercultural dialogue at the highest level as an integral part of all relevant external policies and in addressing political processes and challenges.

The Council Conclusions on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States adopted in November 2008² outlined a strategic approach for culture and intercultural dialogue in the context of external relations. The document called on Member States and the European Commission to define comprehensive and consistent approaches by drawing up a European strategy for incorporating culture in external relations as well as specific strategies for regions and countries outside the Union. The document also specified that the experience of Member States should be used by encouraging synergies with a view to contributing to the complementarity of the activities undertaken by the Union with those of its Member States and initiating more activities and joint cultural projects at international level.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:287:0001:0004:EN:PDF>

² http://ec.europa.eu/culture/documents/icd_external_relations_en.doc.pdf

Since then, in terms of concrete developments, progress has been made in several areas, for example in the field of development policy, policy dialogue with emerging partners and cooperation in the framework of the Eastern Partnership³.

Furthermore, with the entry into force of the Lisbon Treaty on 1 December 2009 and the creation of a High Representative of the Union for Foreign Affairs and Security Policy and of the European External Action Service, the EU has acquired new competences in the external action area.

In this context, different processes have been launched and are ongoing on different levels confirming the interest and involvement of different actors (Member States, European Parliament, European Commission, civil society) in a reflection on the potential role of culture in the development of EU external relations:

- Member States: following the very first joint meetings between senior officials from Ministries of Foreign Affairs and Ministries of Culture in Pécs (June 2011) and in Lublin (October 2011), the European Commission has been mandated to set up an expert group to reflect on a common EU strategy towards third countries. During the first phase of its work in 2012, this group will focus on China, within the context of the 2012 Euro-China Year of Intercultural Dialogue and of the launch of the third pillar in EU-China relations on people-to-people dialogue. The European External Action Service is closely associated to the work of this group and co-chairs its meetings.
- European Parliament: following the adoption of the Schaake report and a corresponding Resolution on the cultural dimensions of EU external actions⁴, the European Parliament decided to launch a preparatory action in this field, of which this call for tenders should support the implementation.
- Civil Society: launched on 8 December 2011, the European initiative: "More Europe-External Cultural Relations" aims at convincing political actors of the important role of culture in external relations. The initiative, which is supported by a number of European Foundations and cultural institutes, centres on a series of different thematic debates to take place in various European capitals (Berlin, Paris, Copenhagen, Amsterdam...) and will close with a debate in Brussels in December 2012.

³ For more information, see Report from the European Commission on the implementation of the European Agenda for culture:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0390:FIN:EN:PDF>

⁴ www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2011-0239&language=EN&ring=A7-2011-0112

2. CONTRACT OBJECTIVES AND EXPECTED RESULTS

2.1. Overall objectives

The overall objective to which this Contract will contribute is to support ongoing policy reflection and development on strengthening the role of culture in external relations and to nurture future work in this area.

2.2. Specific objective

The objective of this Contract is to formulate recommendations for a strategy on culture in European external relations, which will build on synergies with other existing processes and will involve a high number of stakeholders in Europe and representatives of third countries, including cultural institutes and NGOs.

2.3. Deliverables to be produced by the Contractor

- Deliverable 1: Mapping of relevant existing resources, approaches and strategies regarding culture in external relations in Member States and in third countries covered by this Contract (see 3.1.2).
- Deliverable 2: Consultation process (see 3.2.2).
- Deliverable 3: Report on the mapping and consultation process (see 3.2.3).
- Deliverable 4: Conference to discuss the conclusions of the mapping and consultation process and contribute to building consensus at European level on the added value of a European strategic approach to mobilising the potential of culture in external relations (see 3.2.4).
- Deliverable 5: Final report identifying areas of strong EU added value for cultural cooperation in external relations and including strategic recommendations (see 3.2.5).
- Deliverable 6: Communication strategy and tools to ensure the visibility of the process and the ongoing sharing of its results to extend the debate to a wider audience (see 3.2.6).

3. SCOPE OF THE WORK

3.1. General

3.1.1. Contract description

This Contract will include an analysis of the existing resources, strategies, positions and opinions regarding culture in external relations to be collected via a mapping followed by a consultation process involving relevant stakeholders in Europe and in third countries.

This process should be able to produce definitions on basic concepts (from public diplomacy to cultural cooperation) and draw conclusions and recommendations identifying areas of strong EU added value on a geographical basis which are meaningful from the

point of view of EU instruments. Focus should be placed on countries/regions which represent a clear priority for the EU's external action as specified in 3.1.2 and cover different types of countries.

This process should converge in a conference, to be organised by the contractor within the framework set by the Commission, leading to a final report to be submitted to the Commission.

3.1.2. Geographical area to be covered

27 European Union Member States, Croatia as an acceding country, countries covered by the European Neighbourhood Policy (ENP), and the following strategic partners of the EU: Brazil, Canada, China, India, Japan, Mexico, Russia, South Africa and the United States of America.

3.1.3. Target groups

Key stakeholders in the cultural and creative sectors, policy-makers at national, regional, local levels, diplomats, relevant NGOs.

3.2. Specific tasks

1) Produce a mapping of relevant existing resources regarding culture in external relations, with a focus on formulated strategies of Member States and third countries (see 3.1.2), studies, statistics on cultural exchanges between the EU and the third countries specified in 3.1.2, as well as processes running at EU level and any other relevant source that can prepare the ground for the consultation process.

This exercise should provide an overview of what has already been discussed/envisaged/undertaken/evaluated as regards a strategic approach to culture in external relations. It should take into account existing parallel processes as described in the background section and it should cover the following sectors: Intellectual exchange of ideas (including research and academic cooperation in humanities); Arts co-operation (in all art forms and delivery means); Heritage sector (including museums, libraries, tangible and intangible heritage and related tourism); Cultural and Creative Industries (music, publishing, cinema, audiovisual including new media, design and architecture). A collection of definitions on basic concepts (from public diplomacy to cultural cooperation) should also be part of this mapping exercise.

2) Building on the findings of the mapping exercise, design and carry out a comprehensive consultation process of relevant stakeholders both in EU Member States and the third countries specified in 3.1.2. The consultation should involve a representative and meaningful set of different typologies of countries and within these typologies a representative and meaningful sample of stakeholders for each sector falling within the scope described in point 1 above, ensuring a balance between representatives of the public and independent/private sector. The sample should also focus on high-level representatives of both diplomatic and cultural circles, ensuring a balance between the two areas. The consultation process could include bilateral and multilateral interviews, workshops as well as any other effective method to be proposed by the Contractor.

This consultation process should lead to an as comprehensive as possible understanding of:

- Member States actions/strategies vis-à-vis third countries within the geographic scope of this assignment;
- third countries strategies for international cultural cooperation with a particular focus on the EU (including perceptions and expectations of third countries vis-à-vis the EU in the field of culture);
- identification and assessment of the main forms of intervention, typologies of actions and tools used to implement/support the above-mentioned strategies both at the EU and third countries' level;
- vision on the contribution of culture to the development of external relations/policies and positioning of different actors vis-à-vis this topic;
- areas of strong added value for EU cooperation.

3) Produce a report on the mapping and consultation process including an analysis of the main results, providing a synthesis of the main conclusions and recommendations, highlighting good practices and including (as an annex) a detailed documentation of the overall consultation process. The report should include an executive summary of the main conclusions and be edited so as to be made publicly available and become a supporting document for the conference to be organised at the end of the process.

4) Organise a Conference in Brussels within the framework set by the Commission to discuss the conclusions of the mapping and consultation process and contribute to building consensus at European level on the added value of a European strategic approach to mobilising the potential of culture in external relations. The conference should gather around 150-200 participants, including representatives of the different groups of stakeholders targeted by the activities foreseen in this Contract as well as representatives of EU Institutions. Travel and accommodation costs of around 50 participants should be covered by the Contract. The Contractor will be in charge of all logistical and organisational aspects of the conference. The Commission will discuss the technicalities of the Conference with the Contractor as well as the list of people to be invited, and will give its final approval.

5) Building on the results of the conference, produce a final report identifying areas of strong EU added value for cultural cooperation in external relations and including recommendations on how to develop a strategic approach at EU level in those areas in such a way as to meaningfully complement Member States' individual initiatives. This final report should also include an executive summary of the entire process, including main conclusions and recommendations, suitable for presentation to the general public, as well as a preliminary assessment of the impact of the preparatory action and the lessons to be learnt from it. The report should be edited so as to be made publicly available/widely disseminated.

6) Develop, propose and implement a communication strategy and the necessary tools to ensure the visibility of the process, communicate on its different steps and share ongoing results throughout the process with a view to extending the debate to a wider audience.

3.3. Contract management

3.3.1. Responsible body

The Directorate General for Education and Culture, Unit D1 "Culture policy, diversity and intercultural dialogue", is responsible for managing the contract.

4. PERSONNEL REQUIREMENTS

4.1. Overall requirements

The Tenderer remains free to propose any allocation of resources which they believe will best achieve the desired results.

4.2. Key experts

All experts who have a crucial role in implementing the Contract are referred to as key experts. One expert may have the skills and experience required to cover more than one role in the Contract. Equally, one role may be divided between two or more experts if the Tenderer believes that this will be the most effective way to achieve the desired results. The Tenderer should prove that all the key experts will be available throughout the duration of the Contract to perform the tasks for which they are proposed and have committed to devote the necessary time to the tasks they will be assigned. The team proposed by the Tenderer must have all the skills and experience described below:

Key expert 1: Team Leader

Qualifications and skills

Knowledge of the field to be covered by the Contract, including knowledge of the culture sector as a whole and knowledge of external relations issues, in particular with regard to the field of culture. Team management, team coordination and project management skills. Organisational skills. Communication skills. Language skills. Sound drafting and editing skills.

Professional experience

A minimum of 10 years' professional experience, which must include:

- experience both in the field of culture and in the field of external relations,
- a minimum of 5 years' professional experience in managing and leading teams.

Additional requirement

Attested availability for the duration of the Contract and commitment to devote the necessary time to the assignment.

All other Key experts:

Qualifications and skills

Knowledge of the field and of the geographical area to be covered by the Contract. Professional technical skills in conducting mappings and consultations and in developing and implementing communication strategies and tools. Project management skills. Communication skills. Organisational skills. Language skills. Sound drafting and editing skills.

Professional experience

Relevant professional experience in the field covered by this Contract. Relevant professional experience in conducting mappings and consultations and in implementing communication strategies, including developing and managing communication tools. Relevant professional experience in organising events.

Additional requirement

Attested availability for the duration of the Contract and commitment to devote the necessary time to the assignment.

4.3. Other experts

Local or thematic experts may be hired ad-hoc to carry out specific tasks as appropriate.

5. LOGISTICS AND TIMING

5.1. Location

Operational base for the project: the contractor's place of work and any other place(s) where the contractor is required to provide services within and, if necessary, outside the 27 EU Member States. A certain amount of travel may be necessary during the consultation process as well as for organising the conference in Brussels and for meetings with the Commission services. At least five meetings with the Commission services are indicatively scheduled (see 5.4) but more may be necessary depending on progress in the implementation of the contract.

5.2. Facilities to be provided by the Contractor

The Contractor shall ensure that experts are adequately supported and equipped. In particular they shall ensure that there is sufficient administrative, secretarial, translation and interpreting provision as necessary, to enable experts to concentrate on their primary responsibilities.

5.3. Commencement date and Period of execution

The actual commencement will take place after the entry into force of the Contract. The period of execution of the tasks will be 19 months.

5.4. Time Schedule

The indicative time schedule is as follows:

T0	Contract start
T0 + 1 week	Submission of draft inception report
T0 + 3 weeks	Kick-off meeting
T0 + 4 weeks	Submission of final inception report
T0 + 4 months	Meeting to present and discuss results of mapping exercise and proposed approach and methodology for the consultation process
T0 + 5 months	Launch of consultation process
T0 + 8 months	Mid-term meeting on consultation process
T0 + 11 months	End of consultation process
T0 + 13 months	Submission of draft report on mapping and consultation process (interim report)
T0 + 14 months	Meeting to discuss draft mapping and consultation report and conference preparations
T0 + 15 months	Submission of final mapping and consultation report as supporting document for the conference
T0 + 17 months	Conference in Brussels
T0 + 17.5 months	Submission of draft final conclusions and strategic recommendations stemming from the process and building on the results of the conference
T0 + 18 months	Final meeting to discuss draft conclusions, recommendations and assessment of the impact of the pilot action followed by submission of final conclusions and strategic recommendations
T0 + 19 months	Possible dissemination activities of final conclusions (if necessary)
T0 + 21 months	Submission of the final technical report

6. REPORTS

6.1. Reporting requirements

Each report will be submitted in one original copy and in a Word-compatible electronic format in English. The Commission will comment on all reports within 45 calendar days. In the absence of observations from the Commission within the deadline, the report will be considered as being approved.

Within 20 calendar days of receiving the Commission's observations, the Contractor will submit the report in definitive form, taking full account of these observations, either by following them precisely, or by explaining clearly why they were not followed. Should the Commission still not consider the report acceptable, the Contractor will be invited to amend the report until the Commission is satisfied.

6.2. Inception report

The inception report shall be submitted within 1 week after the entry into force of the contract. It shall include at least the following:

- Detailed work plan and timetable for implementing the work;
- Methodology and timetable for the mapping and consultation process;
- Proposed communication strategy and timetable to implement it.

6.3. Interim report

The interim report shall be submitted within 13 months after the entry into force of the contract. It shall include at least the following:

- complete information on the progress achieved towards the results (in particular results 1, 2 and 5 described in point 2.3 of the terms of reference);
- a synthesis of the findings of the mapping and consultation process and an analysis of the main results;
- an executive summary of the main conclusions and recommendations of the mapping and consultation process;
- a detailed documentation of the overall consultation process;
- problems encountered, solutions found or proposed, and impact on future work;
- a detailed timetable and methodology for completion of the work.

6.4. Final technical report

The final technical report shall be submitted within 21 months after the entry into force of the Contract. The report shall include at least the following:

- comprehensive information on all the activities carried out in pursuit of the results set out in point 2.3 of the terms of reference;
- problems encountered, solutions found and their impact on the outcomes achieved;
- an executive summary of the entire process not exceeding 10 pages, including main conclusions and recommendations, suitable for presentation to the general public;
- as assessment of the impact of the pilot action and the lessons to be learnt from it, with key conclusions and policy recommendations identifying areas of strong EU added value for cultural cooperation in external relations and recommendations on how to develop a strategic approach at EU level in those areas in such a way as to meaningfully complement Member States' individual initiatives.

7. TENDER PRICE

The price must be quoted in Euros.

The price must be for a fixed amount and will be firm and final.

The maximum budget available for this contract is EUR 500,000.

The price must cover all tasks, including all travel and subsistence expenses foreseen by the Tenderer for the execution of the tasks. Such travel and subsistence costs will not be reimbursed separately, even if the costs prove to be different from the Contractor's initial estimate.

Tenderers must provide a full estimated breakdown of prices, by filling in the form in Annex 5, Price (estimated price breakdown). The purpose of this is to help the Contracting Authority to judge the realism of the offer. In the event that the Tenderer is awarded the Contract, only the total price will be binding.

The Tenderer must sign each page of the completed form in Annex 5, Price (estimated price breakdown). The signature of the tender commits the Tenderer vis-à-vis the Contracting Authority.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities. The amount of VAT should be shown separately if the Tenderer believes that they are obliged to charge VAT. VAT will not be taken into account during the consideration of the prices of the different tenders.

The costs incurred in preparing and submitting tenders are borne by the Tenderers and cannot be reimbursed.

8. TERMS OF PAYMENT

See Art. I.4 of the draft Contract (Annex 2).

8.1. Guarantee for Pre-Financing

The Contracting Authority will require the Contractor to provide a guarantee to cover the full amount of the pre-financing:

- if this exceeds 50.000 €or
- where the Contracting Authority decides not to require proof of the financial, economic, technical and professional capacity of the tenderer (the candidate).

However, where the Contractor is a public body, the Authorising Officer responsible may, depending on their risk assessment, waive that obligation.

The guarantee shall be supplied by a bank or an authorised financial institution. It may be replaced by a joint and several guarantee by a third party. The guarantee shall be

denominated in Euro. It shall have the effect of making the bank or financial institution or the third party stand as irrevocable collateral security, or first-call guarantor of the Contractor's obligations.

The guarantee shall be released when the pre-financing is cleared by the payment of the balance, in accordance with the terms of the Contract. The guarantee must remain valid until payment of the balance is made, and shall not be subject to any calendar expiry date.