



UK Coalition for Cultural Diversity



**Globalisation: a threat to diversity of cultural expressions?
A Seminar on UNESCO's Convention For the Protection and
Promotion of Diversity of Cultural Expressions,2005**

The Seminar was convened by the UKCCD and hosted by the Global Policy Institute at London Metropolitan University, Jewry Street, EC3

Thursday May 22nd 2008

INTRODUCTION

This was the first of two seminars planned by the UK Coalition for Cultural Diversity to inform and identify key players about UNESCO's 2005 Convention for the Diversity of Cultural Expressions, and to mobilise civil society so that it may fulfil its intended role in the implementation of the Convention.

The period leading up to the second Conference of Parties, June 2009, will be critical and the seminars have been designed to anticipate the next two meetings of the Intergovernmental Committee, the administrative body for the Convention, which will be meeting in June and December respectively.

Participants included representatives from UNESCO's German Commission, the UK government and the Canadian High Commission, local government, creator's organisations, individual artists, academic and cultural institutions. Amongst the UK delegates there were representatives from France, Germany, Poland and Canada.

Papers were presented by four speakers in a session chaired by former MEP and Chair of the UKCCD, Dr Carole Tongue. The speakers were:

Holly Aylett, Director, UK Coalition for Cultural Diversity
Cecile Despringre, Federation European Film Directors Federation, (FERA)
Michael Helston, Head of International Unit, DCMS,
Christine Merkel, Head of the Division for Culture and Communication, German Commission for UNESCO

The presentations covered the background contexts and history of the drafting of the Convention; European action to translate the objectives of the convention into the competencies of the Union; the legal strength of the Convention; and its significance for developing countries.

These presentations will be posted on the Global Policy Institute website.

The second seminar in the series will take place on November 6th 2008 with the support of the Commonwealth Foundation.

SUMMARY FROM OPENING PRESENTATIONS

The Convention has come into being in record time, building on a consensus of concern to address the activity of the World Trade Organisation which is seeking to extend its liberalization of services into cultural sectors, thereby increasing the vulnerability of smaller states and developing countries in particular. There are now 85 signatories representing over half the world's population.

The Convention

- affirms the right of sovereign states to develop cultural policy
- recognises creative works as distinct from other products being vectors of meaning and identity
- makes exchange and collaboration with the developing world obligatory for all signatory states
- affirms the role of civil society in achieving its aims

During the main negotiations on the draft Convention, 2003 – 2005, the term, 'protection', was misinterpreted as protectionism, and debate led to the inclusion of a second term in the title, 'promotion'. The two related concepts of safeguarding and enhancement are now central to scope of the Convention.

Countries of the South have been involved from the beginning in motivating and drafting the Convention, reflecting concern over the uneven development of resources for creative industries, vulnerability in the face of international agreements such as those of the World Trade Organisation, and the imbalance of markets and exchange between developing countries and larger partners such as the European Union, the United States and Japan.

In the rubric of the Convention exchange and collaboration with the developing world are an obligation on all signatories, and articles 12-16 lay out specific provisions including the integration of culture in sustainable development, and examples for collaborative arrangements.

The period from now until June 2009 when the Conference of Parties next meets will be critical not least for input from civil society. 24 signatory states form the Intergovernmental Committee (IGC) which administrates the Convention, and Germany and France are amongst the European members. The IGC is currently putting in place structures and priorities for endorsement by the Conference. Criteria and priorities for the Convention's Cultural Fund and the means by which to facilitate the input of civil society are being prepared for June's meeting of the IGC.

With regard to the European Union, it will be critical to achieve connectivity between the different European directorates, and it will be necessary to reference the Convention's articles through all European Union policy.

Whilst article 20 urges "mutual supportiveness" between international treaties and the Convention, in relation to the Treaty of Europe, it is the Treaty which constitutes the primary European Law. From a legal point of view, therefore, the Convention's provisions will be considered as secondary by member states. The aim however

should be to develop the Treaty's legal requirements in such a way as to engage with the aims of the Convention.

The German UNESCO Commission worked with Foreign Affairs to make the Convention a focus of the German Presidency of the European Union in 2007. Article 9b requires that parties make sure that dissemination of information is organized and Germany the Foreign Office is allocating time and resources for this task.

Now that the Convention has been adopted, it will be the job of the creators' and cultural coalitions and civil society to monitor its implementation and to ensure that the Convention is not ignored or its ratification used as an alibi.

The Convention entered into force in this country in March 2008. The UK Government traditionally takes a "hands off" approach to cultural issues and it is government policy to look to the UK National Commission as its advisor on UNESCO Conventions. It is expected that the UK National Commission will consider its wide range of instruments and set out its priorities, but that it will seek advice on this Convention from civil society.

With regard to the Cultural Fund the UK Government will not make contributions until its function is clearer, and in general, with regard to its implementation in this country, creating the "political will" will be important.

An important obligation on the government will be to share best practice and particularly with developing countries. Some projects are already underway, such as the British Museum's exchange programme with African countries. One challenge will be to advance cultural agendas with the UK's Department for International Development.

Reports by The United Nations Conference on Trade and Development (UNCTAD), which contributes to the debate on globalization and its impact on developing world, were recommended as giving important guidelines concerning co-operation with the South.

It was stressed that policy for exchange and collaboration in the creative industries should build on the expertise of what already exists in the countries/ continents concerned and that strategies using the Convention should engage and reinforce policy development on the ground.

Evidence of mobilization around the Convention was identified in the Kampala Civil Society Statement to the 2007 Commonwealth Heads of Government Meeting, which calls on all members of the Commonwealth to ratify the Convention and the recent inclusion of cultural protocols by the European Union in economic partnership agreements with the Caribbean.

RECOMMENDATIONS FROM THE WORKING GROUPS:

Recommendations to UNESCO

Progress in setting up of the International Fund for Cultural Diversity was welcomed and it was recommended that

1. the fund's expenditure must be based on clear criteria
2. that the fund should be a multilateral with full involvement in its development from civil society grassroots organisations
3. that grassroots civil society organisations must be able to put forward projects to this fund, in particular to enable developing countries to adopt effective systems to strengthen their creative industries and to establish new distribution channels for creative goods and services. (These might include engagement in talks with private operators such as Google to ensure that a greater range of content is included in Google Search for example)

Recommendations to the European Union

1. The seminar welcomes the ratification of the Convention by the European Union and welcomes the European Unions' commitment to prepare a consultation document on the implementation of the Convention by the end of 2008.
2. Whilst welcoming the creation of a cross-DG inter service working group to discuss the integration of the UNESCO Convention aims into EU policy making it was recommended that progress reports on the work of this group should be periodically prepared and made available to civil society stakeholders
3. The EU Commission should create an automatic information alert system for all civil society stakeholders to inform them of any policy proposals that may have a potential impact on cultural diversity
4. The EU Commission should assess how the Convention should be reflected in impact statements attached to all relevant EU draft proposals
5. The EU should make a contribution both in policy and financial terms to the Convention's International Fund for Cultural Diversity. This could be coordinated with EU development expenditure currently allocated to cultural projects.
6. In its review of EU Communications' regulators, the EU should take into account the UNESCO Convention and its aims and objectives and make appropriate recommendations to those regulators

Recommendations to the UK government

The seminar welcomes the ratification of the UNESCO Convention by the UK government and calls on the UK Government

1. to work within the Commonwealth to encourage ratification by other member governments
 2. to actively contribute to the ongoing discussions developing criteria for expenditure from the International Fund for Cultural Diversity under the auspices of UNESCO
 3. to instigate a working group of civil servants and civil society stakeholders across departments such as the Department for Culture Media and Sport (DCMS); Department for International Development (DfID); Department of Business, Enterprise and Regulatory Reform (BERR); Department for Children Schools and Families (DfSF), and the Department for Innovation, Universities and Skills (DfUS) to facilitate discussion as to how the aims of the UNESCO Convention aims can be incorporated into policy making. A model might be the BERR Convergence Think Thank
 4. to facilitate the structures and means for consultation with relevant civil society stakeholders into such interdepartmental discussions
 5. to ensure that the aims and objectives of the UNESCO Convention are taken into consideration by regulators such as OFCOM when deliberating on new policy and the implementation of existing policy
 6. to ensure that the resources are available to disseminate information about the convention, to encourage dialogue with civil society and creators' communities and to gather information on "best practice" in cultural policy for the creative industries
7. The seminar welcomes the Creative Partnerships scheme set up in the 36 most deprived areas of the country and asks that these partnerships be extended to more areas.
8. It also welcomes the support of the Regional Development Authorities to bodies engaged in strengthening the creative industries in the regions of the UK
9. It is recommended that Local Authorities be encouraged to investigate how they may integrate the aims of the UNESCO convention into their community strategies whilst involving civil society stakeholders in their deliberations

Recommendations to the UK Coalition for Cultural Diversity

The work of the UKCCD in taking a leading role in promoting the Convention was welcomed and acknowledged. It was recommended that

1. a dual focus should be kept including both creators organizations and cultural organizations amongst membership, and that the views of individual artists should also be encouraged
2. UK Government and UNESCO should be lobbied to take an active role in resourcing feedback by civil society, and that resources were needed to ensure adequate dissemination of information about the Convention and the measures being taken to implement its objectives
3. UNESCO-UK should be urged to take an active interest in promoting this convention across its four committees, and to recognize its significance alongside earlier conventions also set up to deliver the aims of UNESCO's Declaration of Cultural Diversity
4. The UKCCD should explore ways to simplify the aims of the Convention to reach the broadest civil society base, and that the email newsletter, for example, might be renamed "Culture Watch"
5. in monitoring the implementation of the Convention the UKCCD might consider its role as a cultural watchdog
6. e-consultations might be used by key players/members with the infrastructure to enable quick response to relevant initiatives and policy reviews such as OFCOM
7. the UK's diaspora communities must be consulted and included and links made between the diasporas and countries of origin in approaching the Convention's focus on the developing world
8. the UKCCD and the International Federation of Coalitions of which it is part, should keep in touch with other organizations working on these agendas such as the International Network for Cultural Diversity (INCD)

June 1st 2008