

# BRIEFING NOTES FOR CULTURE COMMITTEE MEMBERS ON THE CONVENTION ON THE PROTECTION & THE PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS, 2005.

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[http://portal.unesco.org/culture/en/ev.php-URL\\_ID=11281&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/culture/en/ev.php-URL_ID=11281&URL_DO=DO_TOPIC&URL_SECTION=201.html)

## **1 Introductory Points**

The Convention was passed in October 2005 at UNESCO's 32<sup>nd</sup> Conference. Only USA and Israel voted against. There are now 105 signatory states, Haiti being last to ratify on 8<sup>th</sup> February 2010. One region, Europe, has also signed up.

The aim is for a minimum of 150 state signatories, approximating strength of other international agreements such as Kyoto Treaty.

There is concern over imbalance of representation in Arab World and in Asia/South Pacific. However with accession of Australia most of larger countries in Asia/South Pacific now represented.

UK ratified 7.12.07 & the Convention came into force in UK in March 2008

- Other UNESCO treaties deal with culture. This one specifically addresses creative works, and particularly those transformed by the digital technologies
- It safeguards the right of states to develop a national policy for culture
- It recognises that creative works have both a cultural and an economic value and that they are important vectors of identity and meaning
- It is a Right & Obligation on all signatories to promote greater exchange and support for creative works in the developing world.
- It stresses the critical role of civil society to achieve implementation

## **2 Some Key Articles**

*Article 9 – Information sharing and Transparency* Signatories have to report 4 years after ratification on measures taken, laws in place etc, nationally and internationally

*Article 11* recognises the role played by civil society and calls for measures to facilitate input.

There are now 46 coalitions in the International Federation of Cultural Coalitions (IFCCD) which has observer status, and plays the leading role in representing civil society and non governmental organisations at sessions of the Intergovernmental Committee. This country is represented through the UK Coalition for Cultural Diversity, (UKCCD), of which I am founding director.

*Articles 12-17* provide for increased dialogue with the developing world, and policy frameworks for cooperation and collaboration.

*Article 13* provides for integration of culture in sustainable development

*Article 18* provides for the International Cultural Fund

This is a voluntary contribution with a recommended contribution of 1% of dues payable to Unesco. (Canada went in at 5% (\$500,000) which would be a better benchmark.) It is now operative and 4 experts will assess projects submitted through the national commissions.

*Article 20 & 21 – Govern relationship to other instruments and promotion of Convention objectives in other international treaties*

### **3 Progress on Guidelines for Articles**

24 signatory states form the Intergovernmental Committee on 2 year rotation basis.

**2<sup>nd</sup> Conference of Parties (June 2009)** agreed following guidelines prepared through 4 sessions of Intergovernmental Committee, 2007-2009:

*Arts 7, 8, 17* - measures to promote and protect cultural expressions

*Article 15* - partnerships between public and private sectors and non-profit organizations

*Article 11* – role of civil society

*Article 13* – integration of culture in sustainable development

*Art 14* – cooperation for development

*Art 18* – use of resources of International Fund for Cultural Diversity

*Art 19* - preferential treatment for developing countries

### **Mandate for IGC 2009 – 2011**

*Article 9* – information sharing & transparency (includes data & statistics gathering)

*Article 19* – exchange, analysis and dissemination of Information viz information on Convention between parties

*Article 10* – education and public awareness – measures to raise public awareness

### **IGC3, December 2009**

*Article 9* – Discussion of parameters to inform recommendations from Secretariat. Experts at next IGC

*Article 10* - Visibility and Educational Awareness of Convention –draft operational guidelines accepted at IGC3. Feasibility study going ahead for a specific emblem.

*Article 18* – Established financial parameters for Fund and operational guidelines for experts to administer project applications

### **4 Recommendations to Culture Committee for action on Convention**

Since March 2008 the government's stance has been passive. Secretary of State at DCMS, Andy Burnham, in a letter to the UK Coalition for Cultural Diversity stated that the UK did not have to make any changes to legislation to ratify and that no new legislation was needed to meet objectives inscribed in the document. This is not the case either in Europe or in other European countries. However, without support/direction from UK NatCom and a strategy for implementation, this position is unlikely to change.

The Commonwealth Foundation is perhaps the sole agency in the UK to have taken an active interest since CHOGM 2007 in Uganda where the People's Forum, informed by the International Federation of Coalitions for Cultural Diversity urged ratification by all Commonwealth states. Since then, the Commonwealth Foundation supported the only cross sectoral conference of its kind based on the Convention and convened by the UK Coalition for Cultural Diversity; *International Development and Diversity of Cultural Expression*, Nov 2008,

**The Culture Committee might consider the following;**

1. Developing a strategy for the promotion of the Convention (Article 10) and the facilitation of civil society input with adequate resources (Article 11). This might include convening a meeting in 2010 for key stakeholders (from arts, local & national government, cultural institutions, and academia) to inform and consider implementation. It could be played out with regional partners e.g. in Scotland
2. Convening an intersectoral meeting of UK NatCom to build awareness and to consider implementation of Convention
3. Ensure Convention is given intersectoral consideration in the programme for the forthcoming meeting of Nat Coms in London, June 2010
4. Urging Government to meet its immediate obligations e.g. to inform Cultural Secretariat of a point of contact (art 28) and to consider making a contribution to the Cultural Fund now the guidelines are in place (art 18)
5. Supporting Government in preparation of a "White Book" (review of cultural policy and best practice) in key sectors of arts and creative industries as has been done in France, Switzerland & Germany. This to include civil society and develop markers for 2012 report, (Article 9)
6. Building and resourcing an extension of German National Commission U40 Programme which supports and capacitates young people to mobilise in support of the Convention
7. Initiating events to promote May 21<sup>st</sup> International Day of Cultural Diversity
8. Setting up a Culture and Development group to liaise with the Department for International Development and other partners such as the Commonwealth in advancing policies for development which observe the obligation of greater cultural exchange with the developing world (arts 12 – 16)
9. Recording instances/citations of the Convention in British trade and legal negotiations, and ensuring that key players in Department of Industry, (currently BIS), are aware of provisions of the Convention
10. Urging UK delegation to support greater allocation of resources for this Convention, both to publicise and to support role of civil society

### **Related Publications**

#### *Creative Britain*

Publication of *Creative Britain*, 2008 by DCMS in partnership with BERR & DIUS

This report proposes 26 initiatives to be matched by a budget of at least 70.5 million to boost access to creativity and the creative industry sector. However there is no reference to the Convention or to the way our creative industry sector might play a role in policy for overseas development.

[http://www.culture.gov.uk/reference\\_library/publications/3572.aspx](http://www.culture.gov.uk/reference_library/publications/3572.aspx)

#### *UNCTAD's Creative Economy Report, 2008*

[http://www.unctad.org/en/docs/ditc20082cer\\_en.pdf](http://www.unctad.org/en/docs/ditc20082cer_en.pdf)

This is a succinct statement of the value of the creative industries to development and the most comprehensive assembly of available statistics. However in the digital age the only way to track trade – through import and export records – does not reflect internet trade.

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