The 2005 Convention and measuring the elusive diversity of cultural expressions

Adopted 20 October 2005
Entry into force 18 March 2007
UNESCO and Cultural Diversity

• Since 1946, UNESCO has:
  - Promoted different approaches to cultural diversity as enshrined in its constitution
  - Developed a legal framework accepted by the international community

• 7 conventions adopted including:
  - Convention concerning the Protection of the World Cultural and Natural Heritage (1972)
Preparation of the Convention: 2003-2005

• 3 Independent expert meetings
• Negotiation and consultation processes with WTO, WIPO and UNCTAD
• 3 Intergovernmental meetings of experts
• **Adoption on 20 October** 2005: 148 votes in favor, 2 against and 4 abstentions
• **Entry into force: 18 March** 2007
The 2005 Convention

- Concerns **cultural expressions** and cultural activities, goods and services that convey identities, values and meanings
- Underlines the **dual nature** (economic and cultural) of cultural activities, goods and services, and their vulnerability
- Reaffirms the **sovereign** right of States to protect and promote the diversity of cultural expressions
- Seeks to create a platform for international cultural cooperation
Definitions (Art. 4)

- Cultural diversity
- Cultural content
- Cultural expressions
- Cultural activities, goods and services
- Cultural industries
Guiding principles (Art. 2)

- Respect of human rights and fundamental freedoms
- Sovereignty of States
- Equal dignity of and respect for all cultures
- International solidarity and cooperation
- Complementarity of economic and cultural aspects of development
- Sustainable development
- Equitable access
- Openness and balance
Rights of parties at the national level (Art. 6, 7)

- Provide opportunities for domestic cultural activities and for independent cultural industries
- Provide public financial assistance
- Encourage non-profit organizations to stimulate creativity
- Ensure an environment which encourages individuals and social groups to create and distribute their cultural expressions and to have access to diverse cultural expressions
International cooperation for development

At the heart of the Convention (Art. 12-19)

- Art 13 Integration of culture in cooperation for sustainable development
- Art. 14 Foster the cultural sectors of developing countries
- Art. 16 Preferential treatment for developing countries
- Art. 18 Creation of an International Fund for Cultural Diversity
Participation of civil society

- Art 11 Fundamental role of civil society in protecting and promoting the diversity of cultural expressions
- Art 15 Recommends innovative partnerships
Ratification Status

67 ratifications as of 30 August 2007

- Europe and North America and the European Comunity 33
- Africa 13
- Asia and the Pacific 4
- Latin America and the Caribbean 12
- Arab States 5

Full list of Parties
Organs (Art. 22, 23, 24)

- Conference of Parties:
  1 meeting every two years
- Intergovernmental Committee:
  1 annual meeting
- UNESCO Secretariat
First Conference of Parties
UNESCO, 18-20 June 2007

• Adopted rules of procedure
• Set date for the Second Conference of Parties: June 2009
• Elected the 24 members of the Intergovernmental Committee
• Set date and venue for First Intergovernmental Committee: Ottawa, Canada (10-13 Dec 2007)
• Requested the IC to submit to the next ordinary session of the results of its work on the operational guidelines for the implementation and application of the provisions in the Convention, in particular Arts 7, 8, 11 to 17 and 18
## States Parties elected to the Intergovernmental Committee

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Follow-up (Art. 9, 10, 19)

- Information sharing and transparency
- Exchange, analysis and dissemination of information
- Education and public awareness-raising
Article 19

Exchange analysis and dissemination of information. UNESCO shall facilitate, through the use of existing mechanisms within the Secretariat the collection analysis and dissemination of all relevant information, statistics concerning the diversity of cultural expressions and best practices for its protection and promotion ...
Measuring the diversity of cultural expressions

- Limited experience and knowledge nationally and internationally on how to collect this kind of information
- Central challenge: clarify “cultural expressions”” their “diversity” & the notion of “vulnerability”
- Little information already available
- Launching a long-term & inclusive research agenda to serve the Convention purposes
Focus on ????

- on the **suppliers of cultural products & services** groups that require protection and promotion of their activity i.e. creative input of indigenous peoples; *which other fault lines other than ethnicity? Domestic vs. foreign?*
- on the **structures** that allow the creation, production and distribution of cultural expressions
  - *What does public spending in arts and culture and structure of cultural equipment tell us i what about size of industry players – right mix of big medium and small?*
- on the **availability and diversity of products**
- on **consumer patterns and preferences**
Focus on Relationships between

- The **people** that express themselves and communicate those expressions
- The **structures** and cultural equipment
- The **products**

Keep in mind **what** are we measuring and **why**?
Long-term process

• Two different and simultaneous processes:
  – Conceptualization of the problem: how can diversity of cultural expressions be measured
  – Analysis of data to be collected and submitted by countries
    • The new Framework for Cultural Statistics

• How UNESCO Secretariat will do the follow up of the Convention implementation
Possible outcomes

• Identify what is being done / Identify existing data and statistical standards that would allow international comparisons

• Where are the missing links and needs to be developed

• Blueprint of a research agenda < info the Intergovernmental Committee