

Article 11 of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions

Operational Guidelines

Role and Participation of Civil Society

Approved by the Conference of Parties at its second session (June 2009)

Chapter xxx: Role and participation of civil society

1. The Convention's most explicit provision with regard to civil society is Article 11 (Participation of civil society). Reference to civil society is made, explicitly or implicitly, in several other provisions of the Convention, including Articles 6, 7, 12, 15, 19.
2. Article 11 – Participation of civil society

Parties acknowledge the fundamental role of civil society in protecting and promoting the diversity of cultural expressions. Parties shall encourage the active participation of civil society in their efforts to achieve the objectives of this Convention.

Definition and roles of civil society

3. For the purposes of this Convention, civil society means non-governmental organizations, non-profit organizations, professionals in the culture sector and associated sectors, groups that support the work of artists and cultural communities.
4. Civil society plays an essential role in the implementation of the Convention: it brings citizens', associations' and enterprises' concerns to public authorities, monitors policies and programmes implementation, plays a watchdog role, serves as value-guardian and innovator, as well as contributes to the achievement of greater transparency and accountability in governance.

Contribution of civil society to the implementation of the provisions of the Convention

5. Parties should encourage civil society to participate in the implementation of the Convention by associating it by appropriate means on cultural policy-making and by facilitating access to information relating to the protection and promotion of the diversity of cultural expressions, and facilitating the strengthening of capacities in this field. Parties could foresee the provision of *ad hoc*, flexible and effective mechanisms in this regard.
6. The potential of civil society to act as an innovator and change-agent in the implementation of the Convention should be fully utilised. Parties should encourage civil society to bring new ideas and approaches to the formulation of cultural policies, as well as to the development of innovative cultural processes, practices or programmes that help achieve the objectives of the Convention.

The contribution of civil society could be exercised in the following areas:

- support to Parties, as appropriate, in the elaboration and implementation of cultural policies;

- capacity-building in specific domains linked to the implementation of the Convention and carrying out data collection in the field of the protection and promotion of the diversity of cultural expressions;
- promotion of specific cultural expressions by giving voice to groups such as women, persons belonging to minorities, and indigenous peoples, so as to ensure that all stakeholders' special circumstances and needs are taken into account when formulating cultural policies;
- advocating the widespread ratification of the Convention and its implementation by governments, as well as in assisting Parties to promote the objectives and principles of the Convention in other international forums;
- input in the establishment of periodical reports of Parties, within their field of competence. This input would give more responsibility to civil society and would encourage transparency in the elaboration of the reports;
- cooperation for development at local, national and international levels, by initiating, creating or being associated to innovative partnerships with the public and private sectors as well as with civil society of other regions of the world (Article 15 of the Convention).

Contribution of civil society to the work of the organs of the Convention

7. Civil society is encouraged to contribute to the work of the organs of the Convention according to the modalities to be defined by these organs.
8. The Committee may consult at any time public or private organizations and individuals on specific issues in accordance with Article 23(7) of the Convention. In such cases, the Committee may invite them to attend a specific meeting of the Committee, regardless of whether the organization or group has been accredited to participate in the sessions of the Committee.
9. Civil society organizations authorised to participate as observers in the Conference of Parties and the Intergovernmental Committee, according to the Rules of Procedure of the respective body, may:
 - maintain the dialogue with Parties in an interactive manner with regard to their positive contribution to the implementation of the Convention, preferably, as appropriate, before the sessions of the organs;
 - participate in the meetings of these bodies;
 - be given the floor by the Chairperson of the respective body;
 - submit written contributions relevant to the work of the respective bodies when authorized by the Chairperson, to be circulated to all delegations and observers by the Secretariat to the Convention as information documents.

Participation of civil society in the International Fund for Cultural Diversity

10. The elements concerning this participation are addressed within the framework of the operational guidelines on the use of the resources of the Fund.

Annex

Set of criteria for admission of civil society representatives at the meetings of the organs of the Convention

1. Civil society organizations or groups could be admitted to attend the sessions of the organs of the Convention, according to the procedure established by the Rules of Procedure of each organ, if they comply with the following criteria:
 - (a) have interests and activities in one or more fields covered by the Convention;
 - (b) have a legal status in compliance with the established rules of the jurisdiction in the country of registration;
 - (c) are representative of their respective field of activity, or of the respective social or professional groups they represent.
2. The request for admission shall be signed by the official representative of the organization or group¹ and will be accompanied by:
 - (a) a copy of its statutes or bylaws;
 - (b) a list of members or, in the case of non-membership entities (e.g. foundations), a list of board members;
 - (c) a brief description of their recent activities, which also illustrates their representativeness in the fields covered by the Convention.

¹ This does not apply to NGOs maintaining official relations with UNESCO.