

# **Article 14 of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions**

## **Operational guidelines**

### **Cooperation for Development**

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

#### **Cooperation for development: scope and objectives**

1. Article 14 sets out a non-exhaustive list of means and measures intended to foster the emergence of a dynamic cultural sector, to respond to the specific needs of developing countries with regard to the diversity of cultural expressions and to strengthen the link between culture and development:
  - measures aimed at strengthening of the cultural industries;
  - capacity-building programmes;
  - technology transfer;
  - financial support.
2. Given the links between Articles 14 and 16 (Preferential treatment for developing countries) as well as 18 (International Fund for Cultural Diversity), Parties should apply coherently and consistently the operational guidelines of these three articles.
3. Within the framework of their cooperation activities with developing countries, Parties are also encouraged to develop partnerships as stated in Article 15 of the Convention and with the provisions of Article 16 on preferential treatment.
4. Parties recognize the importance of the International Fund for Cultural Diversity (Article 18) as a multilateral tool for promoting and developing the diversity of cultural expressions in developing countries, underlining however, that the Fund shall not act as a substitute for means and measures used bilaterally or regionally to provide support to these countries.

#### **Orientations and measures**

5. Developing countries will endeavour to identify their priorities, specific needs and interests with regard to the protection and promotion of the diversity of cultural expressions and to produce an operational action plan in order to optimize international cooperation.
6. Cooperation for development between Parties and concerned partners may take, *inter alia*, but not limited to, the forms listed in Article 14 and should foster, in developing countries, an environment conducive to access to and creation, production, distribution/dissemination of cultural activities, goods and services. Paragraphs 6.1 to 6.5 present a non-exhaustive list of measures that could be taken to this end.

In the following domains the measures could in particular consist of:

## 6.1 *Strengthening of the cultural industries in developing countries*

- 6.1.1 setting-up and enhancing support mechanisms, including institutional, regulatory, legal and financial incentives for the production, creation, and distribution/dissemination of cultural activities, goods and services at the local, national and regional levels;
- 6.1.2 supporting the elaboration of export-oriented strategies for cultural activities, goods and services, while strengthening local enterprises and maximizing benefits for the artists, professionals and cultural practitioners in the cultural sector;
- 6.1.3 assist in increasing exchanges of cultural activities, goods and services between developed countries and developing countries and amongst the latter, and increase support to distribution networks and systems at the local, national, regional and international levels;
- 6.1.4 fostering viable local and regional markets for cultural activities, goods and services, in particular through regulatory action and cultural cooperation programmes and activities, as well as through social inclusion and poverty reduction policies that take into consideration the cultural dimension;
- 6.1.5 facilitating the mobility of artists and other cultural professionals and practitioners from developing countries and their entry into the territory of developed and developing countries through, *inter alia*, consideration of flexible short-term visa regimes in both developed and developing countries to facilitate such exchanges;
- 6.1.6 fostering the conclusion of co-production and co-distribution agreements between developed and developing countries and amongst the latter, as well as market access for co-productions.

## 6.2 *Capacity-building through exchange of information and training*

- 6.2.1 fostering contacts between all concerned artists, professionals and practitioners in the cultural sector and public administrators working in the different fields of the cultural sector of developed and developing countries through networks, cultural exchanges and capacity-building programmes;
- 6.2.2 supporting the exchange of information on existing and new business models and existing and new forms of promotion and distribution mechanisms on evolving information and communication technologies;
- 6.2.3 enhancing the entrepreneurial and business competences of professionals working in the cultural industries through management, marketing and financial skills development.

## 6.3 *Technology transfer in the areas of cultural industries and enterprises*

- 6.3.1 regular assessments of evolving technological needs in terms of both physical resources and skills development with the intention of progressively addressing these, notably through international cooperation, in addition to supplying fair and favourable conditions for technology transfer to developing countries;

- 6.3.2 facilitate access to new information and communication technologies with regards to production and distribution/dissemination and encourage their use;
- 6.3.3 support dialogue and regular exchanges between information and communication technology experts and governmental and non-governmental actors of the cultural sector;
- 6.3.4 take appropriate measures to facilitate joint development of technology for the benefit of developing countries.

#### 6.4 *Financial support*

- 6.4.1 integrating the cultural sector within framework plans for official development assistance;
- 6.4.2 facilitating and supporting the access of micro, small- and medium-sized enterprises, cultural industries, artists, professionals, practitioners of the cultural sector, to sources of public and private funding through appropriate measures, such as subsidies, low-interest loans, guarantee funds, microcredit, technical assistance, tax benefits, etc;
- 6.4.3 encouraging Parties to put in place measures, in particular, fiscal incentives to increase the contribution of the private sector to the development of technological innovations and the culture sector.

#### **The role of the Secretariat**

- 7. Given the role of UNESCO with regard to cooperation for development, Parties shall encourage the Secretariat to support and sustain the implementation and follow-up of the provisions of Article 14. This support will notably consist in collecting information on best practices regarding cooperation for development to the benefit of the Parties.