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Diversity of cultural expressions

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INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

**Third ordinary session
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Item 8 of the provisional agenda: Preparation of the operational guidelines on the exchange, analysis and dissemination of information (Article 19 of the Convention).

The Conference of Parties, in its Resolution 2.CP 7 adopted at its second session, requested the Committee to continue its work and prepare the operational guidelines for the implementation of the Convention, including Article 19 (Exchange, analysis and dissemination of information). This document outlines that provision and the issues surrounding its implementation.

Decision required: paragraph 15.

1. At its second ordinary session, the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter “the Convention”) requested the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter “the Committee”) to submit to it for approval at its next session (June 2011) draft operational guidelines concerning Article 19 of the Convention on the exchange, analysis and dissemination of information (Resolution 2.CP 7).
2. The Committee is invited to use this session to launch an initial discussion on the preparation of the draft operational guidelines on Article 19, which will be submitted to it for adoption at its next ordinary session based on the results of this preliminary discussion.
3. Article 19 of the Convention is addressed to the Parties and to UNESCO. The first paragraph calls on the Parties to agree to exchange information and expertise on the collection of data and statistics on the diversity of cultural expressions on the one hand, and, on the other, on best practices for its protection and promotion. The remaining three paragraphs of Article 19 concern UNESCO and require the Organization to:
 - (i) facilitate, through the use of existing mechanisms within the Secretariat, the collection, analysis and dissemination of all relevant information, statistics and best practices;
 - (ii) establish and update a data bank on different sectors and governmental, private and non-profit organizations involved in the area of cultural expressions;
 - (iii) pay particular attention to capacity-building and the strengthening of expertise for Parties that submit a request for such assistance.

The last paragraph of Article 19 refers to Article 9 -Information sharing and transparency- and states that the collection of information referred to in its provisions shall complement the information collected in compliance with the provisions of Article 9.

4. Moreover, in order to ensure the consistency of the draft operational guidelines on Article 19 it would be advisable that they take other provisions of the Convention into account. One of these provisions could be the above-mentioned Article 9, since the results of the implementation of Article 19 will be useful for the periodical reports which the Parties have to prepare regarding measures they have taken to protect and promote the diversity of cultural expressions. Another article which the draft guidelines should take into account is Article 6 on the rights of Parties at the national level, since the collection of information and data on the measures taken by Parties to protect and promote the diversity of cultural expressions will enable them to share information on best practices in the field. Furthermore, the draft guidelines should also take into account the operational guidelines approved by the Conference of Parties at its second session in June 2009 (Resolution 2.CP 7), in particular those on Articles 8, 11, 13, 14, 15 and 16 of the Convention.
 - 4.1. With reference to Article 8 which concerns the measures to protect cultural expressions, the operational guidelines provide that, where a special situation has been determined, the **Committee** may recommend measures including “(to) foster the dissemination of information on best practices of Parties in similar situations” (paragraph 10.1).
 - 4.2. Regarding Article 11 on the role and participation of **civil society**, the operational guidelines specify that it could make its contribution in the area of “... data collection in the field of the protection and promotion of the diversity of cultural expressions” (paragraph 6).
 - 4.3. Regarding Article 13 – Integration of culture in sustainable development, the operational guidelines state that “in order to better evaluate the role of culture in sustainable development, **Parties** are encouraged to facilitate the elaboration of statistical indicators, the exchange of information and the dissemination and sharing of best practices” (paragraph 9).

- 4.4. The operational guidelines on Article 14 – Cooperation for development, state that the role of the **UNESCO** Secretariat in this area “will notably consist in collecting information on best practices regarding cooperation for development to the benefit of the Parties” (paragraph 7).
- 4.5. With regard to Article 15, which concerns partnerships, the operational guidelines encourage the **Parties** “to share best practices, identified from reviews conducted on successful partnerships” (paragraph 7.3; c.f. also paragraph 8.2).
- 4.6. Finally, the operational guidelines for Article 16 – Preferential treatment for developing countries, make two references to the importance of sharing information and best practices in the implementation of this provision: firstly, with regard to the existing legal frameworks in this area (paragraph 3.3.2 (a) (ii)); and secondly, concerning the follow-up related to preferential treatment, where a reference is made to Article 19 (paragraph 7.3).

Exchange, analysis and dissemination of information	
Operational guidelines approved by the Conference of Parties (June 2009)	Responsible body
Article 8	Committee
Article 11	Civil society
Article 13	Parties
Article 14	UNESCO
Article 15	Parties
Article 16	Parties

5. **Article 19.1** provides that Parties agree to exchange information and share expertise concerning data collection and statistics on the diversity of cultural expressions as well as on best practices for its protection and promotion. It is therefore suggested that the Committee should launch a discussion on this topic. In 2010 the Secretariat plans to hold, after discussion of this agenda item, a three-hour briefing for the Parties on the collection of data and statistics, the preliminary work carried out by the UNESCO Institute for Statistics (UIS) on measuring diversity and the initial results with regard to possible approaches. At this information session, two experts in this field will present a status report on the subject and will take questions.

6. At this session the Committee is invited to consider the Convention provisions for which information will be exchanged, analyzed and disseminated through the periodical reports of the Parties. It will also be briefed on the measures taken by the Secretariat to comply with its obligations under Article 19 and which do not require operational guidelines to be elaborated.

7. Paragraphs 2, 3 and 4 of Article 19 are not intended for the Parties; they specifically address **UNESCO** and establish a set of responsibilities vested in the Organization to ensure consistent implementation of this provision.

8. UNESCO is currently implementing **Article 19.2**. In accordance with this article, the emphasis is on UNESCO's role as a facilitator in the collection, analysis and dissemination of information, statistics and best practices relating to the protection and promotion of the diversity of cultural expressions through existing mechanisms within the Secretariat. These mechanisms include UNESCO's Institute for Statistics (UIS). The work under way is based primarily on the development of methodological standards, data collection and analysis, and lastly capacity-building. The cultural statistics programme involves more particularly:

- (a) The review of the 1986 Framework on Cultural Statistics to reflect cultural changes over recent years as well as the needs and specific characteristics of developing countries. This review has been completed and is being presented to all UNESCO Member States in parallel with the 35th session in October 2009. In order to facilitate implementation of the new framework, UIS has developed a three-point strategy: the development of a series of methodological textbooks, the organization of regional training workshops on the new framework, and technical support at the national level for a limited number of countries for the effective implementation of the new framework.
- (b) The collection of data on cultural statistics which reflects the realities of culture today, including the relaunch in 2007 of the global cinema survey, which provides insight into trends in film production and distribution. This study established indicators preparing the ground for a relevant initial study to measure diversity in cultural expressions.
- (c) The development and study of models for measuring diversity. Since 2007, and in cooperation with UNESCO's Culture Sector, UIS has been leading a group of experts in exploring approaches and models for measuring the wide variety of cultural expressions. Some initial, encouraging results have been obtained. The ultimate goal is to develop the tools and indicators needed to implement the Convention.

Due to the complex nature of the subject and the general lack of statistics on culture, this constitutes substantive work, as very few countries regularly collect data in this area.

9. Furthermore, other mechanisms are likely to be needed in the future for the implementation of Article 19.2. Firstly, the Convention Secretariat needs to post information on its website, including the contact details of the Parties responsible for sharing information on the Convention, along with the periodical reports of the Parties, including the drafting stages. In addition, another mechanism that will enable UNESCO to implement Article 19.2 is the Global Alliance for Cultural Diversity platform, a programme funded by a Spanish funds-in-trust. The Organization will thus be able to harness the website of the Global Alliance for Cultural Diversity, a platform for discussion, information and dissemination of best partnerships practices in cultural industries.

10. **Article 19.3** calls upon UNESCO to establish and update a data bank on different sectors and governmental, private and non-profit organizations involved in the area of cultural expressions. This ambitious goal requires substantial resources. It is worth noting that there are public and private structures around the world which collect, at a national and international level, information on cultural expressions by means of integrated online platforms.

11. The Secretariat has tasked a senior expert with drafting a concise report entitled "Article 19 – Exchange, analysis and dissemination of information: Culturelink network's twenty years of experience". The report has been submitted to the Committee as information document CE/09/3.IGC/211/INF.7 and is available in the two working languages of the Committee. It provides an overview of the long and successful experience of the Culturelink cultural network, created in 1989 on the joint initiative of UNESCO and the Council of Europe, in the collection, analysis, exchange and dissemination of information and research in the areas of cultural development, cultural policies and international cultural cooperation. Originally intended as a global network, Culturelink, given the considerable costs, has been unable to achieve this in full.

12. The report clearly highlights the main difficulties and challenges in terms of content and the costs involved in creating and managing a mechanism for collecting and disseminating information in the cultural sector. The difficulties and challenges relating to content include:

- (a) the establishment of a conceptual framework for the mechanism and its priorities;
- (b) the position of the mechanism in the global cultural sphere;
- (c) its size and possible, viable ways of exchanging and disseminating information between members;
- (d) decentralization to the regional level, taking into account inequalities between members (e.g. with regard to Internet access);
- (e) due consideration for the rapid development of new information and communication technologies, to enable the mechanism to function properly;
- (f) information management and monitoring (collection, organization, continuous updating).

Moreover, the costs are all the higher given the need to ensure that the activities of the mechanism for collecting and disseminating information are balanced and continuous, the need to invest in technology and to provide funding for qualified staff in order to ensure its long-term future. In addition, the report notes an increase in the number of mechanisms for the collection and dissemination of information over the past two decades and the fact that they address issues that are key to Article 19. One option could be to bring together the approaches taken by structures which are independent of one another (e.g. Development Gateway and the Compendium on Cultural Policies), and then to work out a common approach. Initially, Parties and civil society could provide any relevant information on the mechanisms for collecting information; this would enable the Secretariat to prepare a report and consider an alternative way of equipping itself appropriately as soon as possible.

13. With regard to **Article 19.4**, which states that UNESCO shall pay particular attention to capacity-building and the strengthening of expertise for Parties that submit a request for assistance in collecting information, the Organization is unable to guarantee this commitment, other than to encourage requests for this type of project, which could be submitted to the International Fund for Cultural Diversity (IFCD) (hereinafter “the Fund”). The projects would thus be able to benefit, for example, from the Secretariat’s expertise in organizing training activities. Moreover, the guidelines on the use of the resources of the Fund, approved by the Conference of Parties at its second session (June 2009), state clearly that the Fund may be used to provide support, including expertise (paragraph 6), and that it is to be used in particular for capacity-building (paragraph 6.1.2).

14. The Committee’s comments and recommendations will enable the Secretariat to continue to prepare the operational guidelines on Article 19, paragraphs 1 and 5, and prepare a preliminary draft for the Committee’s next session in December 2010.

15. The Committee may wish to adopt the following decision:

DRAFT DECISION 3.IGC 8

The Committee,

1. *Having examined document CE/09/3.IGC/211/8,*
2. *Recalling Resolution 2.CP 7,*
3. *Requests the Secretariat, on the basis of the discussion at its present session, to continue its work on this issue and to submit to it for consideration at its next session preliminary draft operational guidelines on Article 19 of the Convention.*