

# **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)
  - Convention for the Safeguarding of the Intangible Cultural Heritage (2003)
  - Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)



# 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





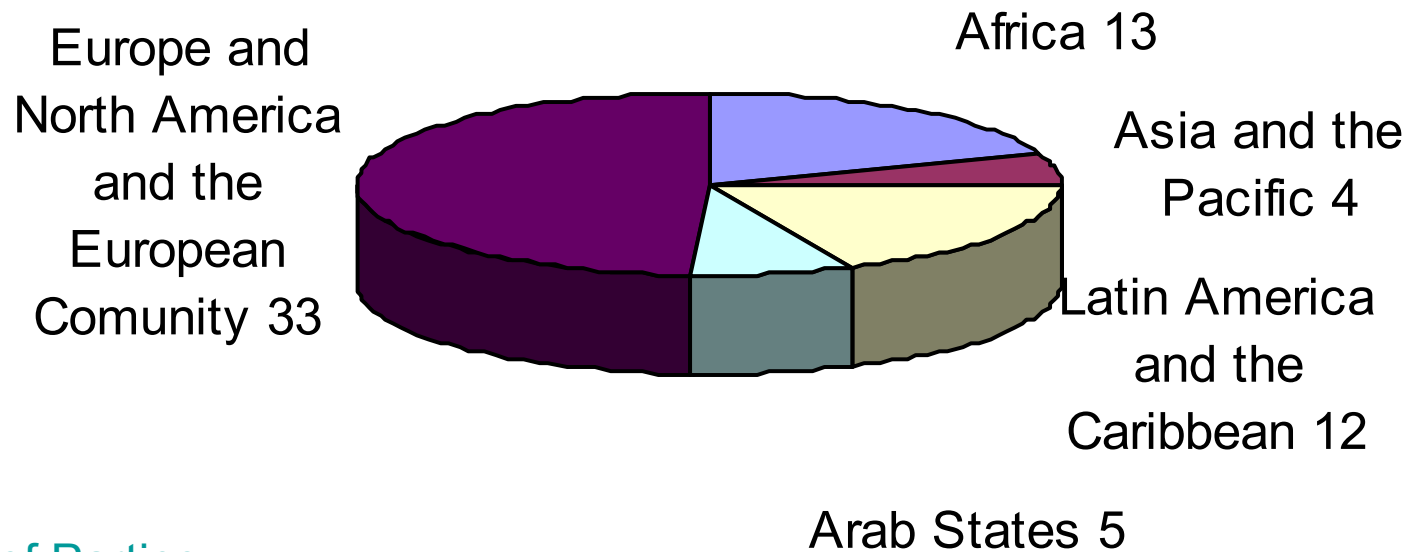
# Participation of civil society

- 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

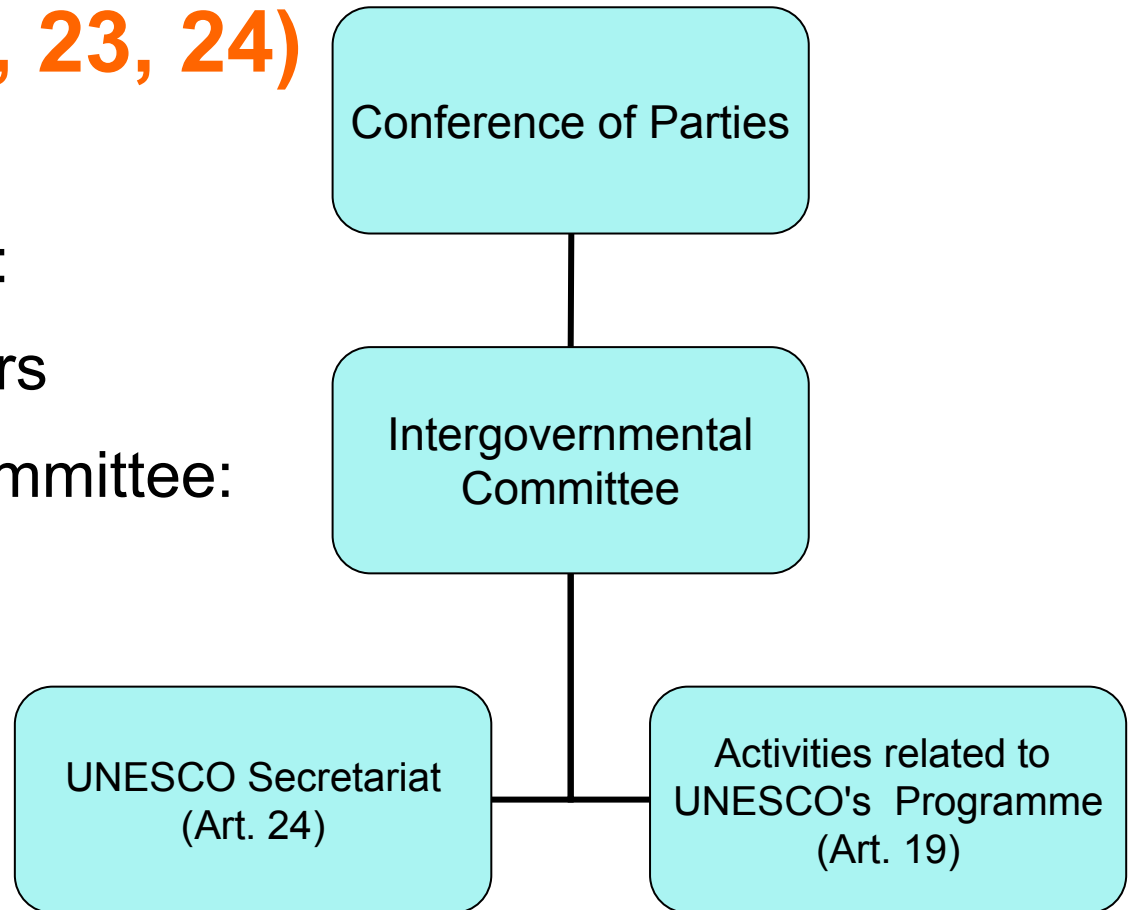


➤ [Full list of Parties](#)



## 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

Group I	Group III	Group V (a)
Austria: 2007-2009	Brazil: 2007-2009	Burkina-Faso: 2007-2009
Canada: 2007-2009	Guatemala: 2007-2009	Mali: 2007-2009
Finland: 2007-2009	Mexico: 2007-2011	Mauritius: 2007-2011
France: 2007-2009	Saint-Lucia: 2007-2011	Senegal: 2007-2011
Germany: 2007-2011		South Africa: 2007-2011
Greece: 2007-2011		
Luxembourg: 2007-2011		
Group II	Group IV	Group V (b)
Albania: 2007-2009	China: 2007-2009	Oman: 2007-2011
Croatia: 2007-2011	India: 2007-2011	Tunisia: 2007-2009
Lithuania: 2007-2011		
Slovenia: 2007-2009		

Members: Terms of office



## 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

