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Organización
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Организация
Объединенных Наций по
вопросам образования,
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منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
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Diversity of Cultural Expressions

2 IGC

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

**Second Ordinary Session
Paris, UNESCO Headquarters
8 – 12 December 2008**

DECISIONS

Item 2 of the Agenda: Adoption of the Agenda

Decision 2.IGC 2

The Committee,

1. *Having examined document CE/08/2.IGC/2 Rev.,*
2. *Adopts the Agenda of the session contained in the above-mentioned document.*

Item 3 of the Agenda: Adoption of the Summary Records of the First Extraordinary Session of the Committee.

Decision 2.IGC 3

The Committee,

1. *Having examined document CE/08/1.EXT.IGC/9,*
2. *Adopts the Summary Records of the First Extraordinary Session of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions.*

Item 4 of the Agenda: Draft operational guidelines on the promotion of international cooperation (Article 12 of the Convention)

Decision 2.IGC 4

The Committee,

1. *Having examined document CE/08/2.IGC/4 and its Annex,*
2. *Recalling Resolution 1.CP 6 of the Conference of Parties and Decision 1.IGC 5B of the Committee,*
3. *Proposes to the Conference of Parties that it not adopt operational guidelines on the promotion of international cooperation (Article 12 of the Convention), as Article 12 is self-sufficient.*

Item 5 of the Agenda: Draft operational guidelines on the integration of culture in sustainable development (Article 13 of the Convention)

Decision 2.IGC 5

The Committee,

1. *Having examined document CE/08/2.IGC/5 and its Annex,*
2. *Recalling Resolution 1.CP 6 of the Conference of Parties and Decision 1.IGC 5B of the Committee,*
3. *Submits to the Conference of Parties for approval the draft operational guidelines on the integration of culture into sustainable development (Article 13 of the Convention), as amended and annexed to this Decision.*

Annex to Decision 2.IGC 5

**Preliminary draft operational guidelines
Integration of culture in sustainable development
Article 13**

General considerations

1. Sustainable development is 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs' (Report of the World Commission on Environment and Development, 1987).
2. The economic, cultural, social and environmental aspects of sustainable development are complementary.
3. Protection, promotion and maintenance of cultural diversity are essential requirements for sustainable development for the benefit of present and future generations (Article 2.6 of the Convention), since they contribute to social and cultural fulfilment, individual and collective well-being, and to the maintenance of creativity and vitality of cultures and institutions.
4. The diversity of cultural expressions must be taken into account in the development process because it contributes to the strengthening of identity and social cohesion and to the building of inclusive societies that uphold the equal dignity of and respect for all cultures.

5. Culture should be integrated into national policies and plans and into international cooperation strategies in order to achieve human development goals¹ and notably poverty reduction.
6. The integration of culture into development policies at all levels (local, national, regional and international) makes it possible to:
 - 6.1 contribute to the protection and promotion of the diversity of cultural expressions;
 - 6.2 foster universal access, participation in and enjoyment of creation and production of cultural expressions, especially for disadvantaged groups;
 - 6.3 realize the full potential and contribution of cultural industries to sustainable development, economic growth and the promotion of decent quality of life through the creation, production, distribution and dissemination of cultural expressions;
 - 6.4 maintain social cohesion, fight violence through cultural activities that promote human rights and the culture of peace and reinforce the sense of social integration of youth;
 - 6.5 reinforce and improve development policies, inter alia, in the sectors of education, tourism, public health, security and urban planning.

Guidelines

7. Sustainable development is the result of a collection of policies and measures suited to national and local contexts that maintain the harmony of the local cultural ecosystem. For the sake of ownership and harmonization of development policies, when developing such policies, Parties shall endeavour to take into account the following elements.
 - 7.1 Since economic, environmental, social and cultural systems are interdependent and cannot be considered separately, sustainable development policies and measures should be formulated, adopted and implemented in concert with all the relevant public authorities in all sectors and at all levels. Thus effective coordination mechanisms should be established, particularly at the national level.
 - 7.2 Raising awareness among decision makers and their partners of the importance of the cultural dimension of development policies and sensitizing development policy managers from other sectors to cultural issues are essential for achieving the objectives of Article 13.
 - 7.3 The integration of culture into sustainable development policies entails acknowledgment, in particular, of:
 - 7.3.1 the fundamental role of education for sustainable development and the inclusion of culture in the different aspects of educational delivery to foster an understanding and appreciation of diversity and its expressions;

¹ 'Human development is a process of enlarging people's choices.', *Human Development Report*, UNDP, 1990, p.10

7.3.2 recognition of the needs of women, of the various social groups mentioned in Article 7 of the Convention, and of disadvantaged geographical areas;

7.3.3 the use of new technologies and the expansion of networked communication systems.

Measures related to the integration of the diversity of cultural expressions into sustainable development

8. In order to integrate and foster aspects related to the protection and promotion of the diversity of cultural expressions as elements of their sustainable development policies, Parties are encouraged to:
 - 8.1 provide the necessary conditions for creative abilities to flourish by taking into account the needs of all concerned artists, professionals and practitioners in the cultural sector with special attention to the needs of women, social groups and individuals in disadvantaged geographical areas;
 - 8.2 foster the development of viable cultural industries and in particular of micro, small, and medium enterprises working at the local level;
 - 8.3 encourage long-term investment in the infrastructure, institutions and establishment of legal frameworks necessary for the viability of cultural industries;
 - 8.4 raise awareness among public authorities and their partners, local stakeholders and the various components of society, of the challenges posed by sustainable development and the importance of taking into account its cultural dimension;
 - 8.5 build sustainable technical, budgetary and human capacities in cultural organizations at the local level by, inter alia, facilitating their access to financing;
 - 8.6 facilitate sustained, equitable and universal access to the creation and production of cultural goods, activities and services, particularly for women, youth and vulnerable groups;
 - 8.7 consult and include public authorities responsible for issues related to the diversity of cultural expressions, as well as civil society and representatives of the cultural sector involved in the creation, production, distribution and dissemination of cultural activities, goods and services;
 - 8.8 invite civil society to participate in the identification, elaboration and implementation of development policies and measures related to the cultural sector.
9. 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.

Item 6 of the Agenda: Draft operational guidelines on cooperation for development (Article 14 of the Convention)

Decision 2.IGC 6

The Committee,

1. *Having examined document CE/08/2.IGC/6 and its Annex,*
2. *Recalling Resolution 1.CP 6 of the Conference of Parties and Decision 1.IGC 5B of the Committee,*
3. *Submits for approval at the second ordinary session of the Conference of Parties, the draft operation guidelines on cooperation for development (Article 14 of the Convention), as amended and annexed to this Decision.*

Annex to Decision 2.IGC 6

**Preliminary draft operational guidelines
Cooperation for development
Article 14**

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.

Item 7 of the Agenda: Draft guidelines on the use of the resources of the International Fund for Cultural Diversity (Article 18 of the Convention)

Decision 2.IGC 7

The Committee,

1. *Having examined document CE/08/2.IGC/7 and its Annex,*
2. *Recalling Resolution 1.CP 7 of the Conference of Parties and Decision 1.EXT.IGC 6 of the Committee,*
3. *Submits to the Conference of Parties for approval the draft guidelines on the use of the resources of the International Fund for Cultural Diversity (Article 18 of the Convention), as amended and annexed to this Decision.*

Annex to Decision 2.IGC 7

**Preliminary Draft Guidelines on the use of the resources
of the International Fund for cultural diversity
Article 18**

Objectives and general aspects

1. The purpose of the Fund is to finance projects and activities decided by the Committee on the basis of guidelines determined by the Conference of Parties, notably to support cooperation for sustainable development and poverty reduction in order to foster the emergence of a dynamic cultural sector in developing countries, in accordance with Article 14 of the Convention (Article 3 of the Financial Regulations of the Fund).
2. The Fund will be managed as a Special Account pursuant to Article 1.1 of its Financial Regulations and, given its multi-donor nature, cannot receive tied or earmarked contributions.
3. Use of the Fund's resources must be consistent with the spirit and provisions of the Convention. Pursuant to articles 18.3 (a) and 18.7, Parties shall endeavour to provide voluntary contributions on an annual basis. The Committee encourages Parties to provide contributions on an annual basis, the amount being at least equal to 1% of their contribution to UNESCO budget. The resources of the Fund will be used in favour of developing and least-developed countries. Public development aid which is not tied may be used to finance the activities of the Fund for projects and programmes decided by the Committee in accordance with the provisions governing UNESCO Special Accounts.
4. In managing the Fund, the Committee shall ensure that the use of the resources:
 - 4.1 meets the programmatic priorities established by the Committee;

- 4.2 meets the needs and priorities of beneficiary developing countries, especially least-developed countries, including, *inter alia*, promotion of South-South and North-South-South cooperation;
 - 4.3 contributes to achieving concrete and sustainable results as well as structural impacts, where appropriate, in the cultural field;
 - 4.4 respects the principle of ownership by the beneficiaries;
 - 4.5 respects, to the extent possible, an equitable geographic distribution of the resources of the Fund and gives priority to States Parties who have not yet benefited or who have benefited the least from these resources;
 - 4.6 satisfies the principle of financial accountability, as understood within the UN system;
 - 4.7 satisfies the need for funds to be spent principally on programmes and ensuring minimum overhead costs;
 - 4.8 avoids spreading resources too thinly or supporting sporadic activities;
 - 4.9 complements other international funds covering similar fields without, however, compromising the Fund's possibility to provide funding to projects that have already received or could receive financial assistance from a third party.
5. These guidelines will apply during a pilot phase lasting 36 months from the date of their approval by the Conference of Parties. During this phase, effective management mechanisms will be put in place and tested in accordance with the administrative and financial regulations of UNESCO. An evaluation of these mechanisms, their results and the effectiveness of the management of the Fund will be carried out six months before the end of the pilot phase. The findings of this evaluation will be submitted to the Committee with a view to a possible revision of the guidelines.

Fields of activity

6. The use of the Fund may take the form of legal, technical, financial or material support, or the form of expertise, and will be allocated:
 - 6.1 For programmes/projects:
 - 6.1.1 introducing cultural policies, where appropriate, and strengthening the corresponding institutional infrastructure;
 - 6.1.2 capacity-building;
 - 6.1.3 strengthening of the existing cultural industries;
 - 6.1.4 creating new cultural industries.
 - 6.2 for special situations as laid down in articles 8 and 17 of the Convention and the operational guidelines relating to them.

- 6.3 for preparatory assistance. Such assistance may be requested to identify the specific needs of developing countries that are Parties to the Convention and to prepare their requests for assistance.
- 6.4 for assistance for participation, within the limits of funding decided by the Committee. This assistance may cover:
 - 6.4.1 the cost of participation of public or private organizations or individuals from developing countries invited by the Committee to its meetings for consultation on specific issues in conformity with Article 23.7 of the Convention;
 - 6.4.2 the cost of participation at the meetings of the organs of the Convention by government experts from least-developed countries that are members of the Committee, upon their request.
- 6.5 for the evaluation of programmes/projects by an expert panel, to be constituted by the Committee, before their submission for examination to the Committee.
7. Programmes/projects and requests aimed at offsetting a deficit, repaying a debt or paying interest or relating solely to the production of cultural expressions will not be eligible for assistance from the Fund.
8. At each of its sessions, on the basis of the funds available in the Special Account, the Committee will draw up a budget for each of the above-mentioned types of assistance.

Beneficiaries

9. Entitled to benefit from the Fund:
 - 9.1 For programmes and projects:
 - 9.1.1 all developing countries which are Parties to the Convention;
 - 9.1.2 all State Parties to the Convention which have determined the existence of special situations on their territory in conformity with articles 8 and 17 of the Convention and related operational guidelines;
 - 9.1.3 non-governmental organizations coming from developing countries that are Parties to the Convention, which meet the definition of civil society and criteria regulating admission of its representatives at meetings of organs of the Convention as mentioned in the operational guidelines relating to the role and participation of civil society;
 - 9.1.4 international non-governmental organizations, which meet the definition of civil society and criteria regulating admission of its representatives at meetings of organs of the Convention as mentioned in the operational guidelines relating to the role and participation of civil society, and which present projects with impact at the sub-regional, regional or inter-regional level;

- 9.1.5 micro, small and medium enterprises of the private sector active in the cultural field of developing countries that are Parties to the Convention, to the limit of available funds from contributions provided by the private sector, in full conformity with the domestic laws of the Parties concerned;
- 9.1.6 representatives of vulnerable groups and other social groups identified in the Convention.
- 9.2 For participatory assistance:
 - 9.2.1 public or private organisations or individuals from developing countries, in conformity with Article 23.7 of the Convention;
 - 9.2.2 governmental experts from least-developed countries, which are members of the Committee.
- 9.3 For preparatory assistance:
 - 9.3.1 developing countries, in conformity with paragraph 6.3 of the present operational guidelines.

Procedure for the submission of funding requests

- 10. Funding requests are sent to the Secretariat of the Convention in French or English on the appropriate forms.
- 11. Funding requests are submitted to the Secretariat of the Convention:
 - 11.1 Through the National Commissions or other official channels designated by the States Parties:
 - 11.1.1 for their own requests;
 - 11.1.2 for special situations;
 - 11.1.3 for national NGOs;
 - 11.1.4 for the private sector active in the cultural field;
 - 11.1.5 for vulnerable and other social groups identified in the Convention.
 - 11.2 directly for INGOs whose programmes/projects are supported in writing by the States Parties beneficiaries concerned.
- 12. Requests for funding shall include:
 - 12.1 a brief summary of the programme/project;
 - 12.2 a programme/project outline (title, objectives, activities and expected results including the cultural and social impact, beneficiaries, and a commitment to submit a report on the execution of the programme/project);
 - 12.3 the name and address of the entity or representative that will hold financial and administrative responsibility for implementation of the programme/project;

- 12.4 a work schedule and time frame;
 - 12.5 a detailed budget, including the amount of funding sought from the Fund, as well as other sources of financing. Partial self-financing should be encouraged to the extent possible;
 - 12.6 any information relating to the status of completion of earlier funding requests from the Fund.
- 13. All funding requests must reach the Secretariat of the Convention by 30 June each year to enable their evaluation by the Committee at its ordinary session before the end of the year.
 - 14. Requests for assistance for participation (6.4.2) must reach the Secretariat of the Convention at least two months before each Committee meeting. These requests will be subjected to a technical evaluation by the Chairperson and the Secretariat subject to the approved budget.

Selection and approval of requests

- 15. Requests are selected as follows.
 - 15.1 at the national level, the National Commissions or other official channels designated by the Parties shall ensure that projects are relevant, meet the country's needs, and have been subject to consultation among stakeholders;
 - 15.2 upon receiving the requests, the UNESCO Secretariat will perform a technical evaluation to ensure that the applications are complete and therefore admissible;
 - 15.3 an expert panel will be appointed for a two-year period by the Committee, drawn from a database of experts proposed by States Parties. The panel will be selected on the basis of criteria of equitable geographical distribution, representation, as well as complementarity of expertise. It will be responsible, after a technical examination of the programmes/projects, for preparing recommendations for the Committee in view of the examination of the programmes/projects by it. As a rule, the experts will consult electronically.
- 16. To facilitate the decision-making of the Committee, the recommendations of the expert panel will be accompanied by a detailed presentation, including:
 - 16.1 a brief summary of the programme/project presented in the request;
 - 16.2 the potential impact and expected results;
 - 16.3 an opinion on the amount to be financed from the Fund;
 - 16.4 the relevance/appropriateness of the programme/project to the objectives of the Convention as well as to the fields of activity of the Fund (paragraphs 4 to 7 included);
 - 16.5 an assessment of the feasibility of the programme/project proposed, the relevance and effectiveness of its modalities of execution, as well as the expected structural impacts, where appropriate.

Evaluation

17. Any programme/project may be evaluated *ex-post facto* at the request of the Committee with regard to its efficiency, and the achievement of its objectives relative to the resources spent. Evaluation of funded programmes/projects should present lessons learned, as well as the impact of these programmes/projects on cultural policies. The evaluation should showcase how experience gained could benefit other projects, with a view to compiling a knowledge base of best practices. Evaluation should be undertaken systematically for programmes/projects submitted in the pilot phase of implementation of these guidelines (see paragraph 5 above).

Reporting

18. The applicants shall submit a mandatory descriptive, analytical and financial report on the execution of the programme/project and the realization of expected results. The report must be presented to the Secretariat six months after the conclusion of the project/programme as foreseen within the time frame. No financial contributions for new projects will be allocated to applicants who have not submitted this report.
19. Under the Financial Regulations applicable to the Special Account for the Fund, the UNESCO Comptroller is responsible for maintaining the Fund's accounting records and submitting the annual accounts to the UNESCO External Auditor for audit.

Item 8 of the Agenda: Reports of the Experts on preferential treatment for developing countries (Article 16 of the Convention)

Decision 2.IGC 8

The Committee,

1. *Having examined document CE/08/2.IGC/8 and its Annex,*
2. *Recalling Resolution 1.CP 6 of the Conference of Parties and Decision 1.IGC 5B and 1.EXT.IGC 7 of the Committee,*
3. *Taking note of the Committee's debate on this issue at this session and underlining the importance of early implementation of preferential treatment for developing countries,*
4. *Requests the Secretariat to send to Parties to the Convention at the latest by 19 December 2008 a questionnaire concerning the elaboration of the operational guidelines on Article 16 of the Convention, to be completed and returned to the Secretariat before 31 January 2009,*
5. *Requests the Secretariat to consult civil society having interests and activities in the fields covered by the Convention, by sending the questionnaire to the NGO-UNESCO Liaison Committee,*
6. *Requests the Secretariat to present to the Committee at its next session preliminary draft operational guidelines on Article 16 of the Convention in the light of the replies to the questionnaire received by the Secretariat.*

Item 9 of the Agenda: Date(s) of the next session(s) of the Committee

Decision 2.IGC 9

The Committee,

1. Decides to convene a second extraordinary session at UNESCO Headquarters in Paris from 23 to 25 March 2009,
2. Further decides that the agenda of this extraordinary session will be the following in order of priority:
 - (i) examination of draft operational guidelines on Article 16,
 - (ii) examination of all documents needed to be presented to the Conference of Parties,
 - (iii) examination of possible alternatives for fundraising for the Fund, including innovative financial mechanisms,
 - (iv) examination of measures to increase the visibility and promotion of the Convention, including possible draft operational guidelines.

Decision 2.IGC 12

The Committee,

1. Decides to convene its third ordinary session at UNESCO Headquarters in Paris in December 2009.

Item 11 of the Agenda: Election of the members of the Bureau of the third ordinary session of the Committee

Decision 2.IGC 11

The Committee,

1. Recalling Article 12.3 of its Provisional Rules of Procedure,
2. Further recalling Article 48 of its Provisional Rules of Procedure,
3. Decides to suspend, exceptionally for this election, the application of Article 12.1 of its Provisional Rules of Procedure providing non immediate re-eligibility of the members of the Bureau,
4. Elects Vera Lacoecilhe (Saint-Lucia) as Chairperson of the Committee,
5. Elects Mouhamed Konaté (Senegal) as Rapporteur of the Committee,
6. Elects Croatia, India, Luxembourg and Oman as Vice-Chairpersons of the Committee.