



United Nations  
Educational, Scientific and  
Cultural Organization

Organisation  
des Nations Unies  
pour l'éducation,  
la science et la culture

Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

Организация  
Объединенных Наций по  
вопросам образования,  
науки и культуры

منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
科学及文化组织

Diversity of  
Cultural Expressions

Diversité  
des expressions  
culturelles

Diversidad  
de las expresiones  
culturales

Разнообразие форм  
культурного  
самовыражения

تنوع أشكال التعبير  
الثقافي

文化表现形式  
多样性

# 7 CP

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## **CONFERENCE OF PARTIES TO THE CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS**

**Seventh session**  
**Paris, UNESCO Headquarters, Room II**  
**4-7 June 2019**

### **INFORMATION DOCUMENT**

This document presents in Annex the reports submitted by civil society organisations on the implementation of the Convention in different parts of the world and in different policy monitoring fields.

1. At its tenth session in December 2016, the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter “the Committee”), re-stated the fundamental role of civil society in implementing the Convention and raising its visibility. On the same occasion, the Committee invited civil society organisations (hereinafter “CSOs”) to present a report (oral and/or written) on the activities they carried out in 2017 (Decision 10.IGC 6).
2. At its eleventh session in December 2017, the Committee examined the diverse recommendations and proposals formulated in the civil society reports and took them into account in its discussions on its future activities for the 2018-2019 period. The Committee also requested the Secretariat to facilitate the participation of civil society in the work of the Convention’s governing bodies. (Decision 11.IGC 6).
3. Further to these decisions, the Secretariat invited CSOs to submit new reports to be considered by the Conference of Parties at its seventh session in June 2019. The five reports that were received are presented in Annex. They provide an overview of the activities undertaken by CSOs to implement the Convention and indicate the diversity of challenges and opportunities they have faced.
4. Four key themes emerge from the five activity reports. First, changes to the cultural value chain caused by the digital environment are highlighted in most of the reports. In particular, CSOs underline issues related to the remuneration of artists and cultural professionals, the discoverability of local cultural content online, and the lack of data transparency. Second, issues linked to the flow of cultural goods and the mobility of artists are frequently emphasized. Many CSOs mention the lack of cultural exemption clauses and preferential treatment in trade agreements, especially those that concern the digital environment. Third, growing threats to freedom of expression and artistic freedom are foregrounded. The threats mentioned by CSOs are diverse, multifaceted, and often region-specific. Fourth and finally, the importance of ensuring the sustainability of civil society is stressed in many of the reports, which point to the inequalities in the levels of support, infrastructure and capacities between civil society organisations in different parts of the world.
5. The Conference of Parties may wish to consider the information, recommendations, and proposals presented in the activity reports submitted by CSOs in 2017 and 2019. The recommendations put forward underscore those presented in the 2018 edition of the Global Report on the implementation of the Convention, *Re/Shaping Cultural Policies: Advancing creativity for development*, as well as the decisions and resolutions taken since 2008 by the Convention’s governing bodies. Among them are:
  - For Parties to support the effective and sustainable contribution of civil society in the work of the Convention’s governing bodies by, for example, covering the costs of travel of civil society organisations from the global South to participate in the governing body meetings as well as introducing agenda items on issues of common importance such as the mobility of artists, the integration of culture in development plans, and the impact of the digital environment on the cultural value chain. The issue of sustainability also requires Parties to provide public funding for CSOs in their own countries, training to develop their skills and competencies, and access to technology and infrastructure that can strengthen their capacity to fully participate in the implementation of the Convention.
  - For the Secretariat to work with Parties, CSOs, academic and research bodies to i) develop capacity building tools to raise awareness of the Convention and to launch global and regional advocacy campaigns that target specific groups; ii) continue its operational activities to make longer term (rather than short term) interventions that support participatory and evidence-based policy-making and provide technical assistance to countries to develop new legal, regulatory or policy frameworks in line with the Convention’s goals; iii) undertake research on civil society engagement in policy design and implementation as well as on emerging issues; iv) provide training to civil society actors on the operations of the Convention such as preparing IFCD applications or participating in periodic reporting.





## CIVIL SOCIETY REPORT - UNESCO 2005 CONVENTION

### OBSERVATIONS ON Digital access to information on arts & culture in Asia and Europe

*Since 2008, ASEF's arts and culture website – culture360.ASEF.org - has been enabling public access to relevant digital information on arts and culture for individual artists, arts organisations and policymakers across the 51 countries of the Asia-Europe Meeting (ASEM) region<sup>1</sup>. It remains the only website offering such a service in the ASEM context. The website is recognised particularly by professionals and experts in the sector, who consider it as an enabler of both cross-regional and intra-regional cultural cooperation. It has been acknowledged as a highly significant model in facilitating international cultural relations, an inspiration for other bi-regional or multilateral frameworks to follow.*

The following observations and recommendations are the result of 10 years of activity of this website and a number of evaluations, interviews and surveys with online users, cultural experts and stakeholders.

#### Trends observed:

- New technologies allow for higher digital distribution of information therefore improving the access and opportunities available for artists and arts professionals
- Despite the high number of digital information channels, regularly updated and publicly accessible content on the arts sectors in Asia and Europe is not easily available. This is often due to lack of funding and lack of long-term strategy for sustainability
- Artists and arts professionals are interested in accessing opportunities to collaborate and travel as well as to enhance their creativity and professional development
- Digital platforms can play an important role in supporting countries in the early stages of developing more formal approaches to cultural policy; or in highlighting cross-cutting issues such as creative cities or culture and sustainability.

#### Barriers and risks that still exist:

- A strong digital divide remains in terms of infrastructure and access to information

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<sup>1</sup> The **Asia-Europe Meeting (ASEM)** is an intergovernmental process established in 1996 to foster dialogue and cooperation between Asia and Europe. The 53 ASEM Partners are Australia, Austria, Bangladesh, Belgium, Brunei Darussalam, Bulgaria, Cambodia, China, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Korea, the Lao PDR, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mongolia, Myanmar, the Netherlands, New Zealand, Norway, Pakistan, the Philippines, Poland, Portugal, Romania, the Russian Federation, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the United Kingdom, Viet Nam, the European Union, and the ASEAN Secretariat. For more information, please visit [www.ASEMinfoboard.org](http://www.ASEMinfoboard.org)



between countries of Asia and Europe as well as intra-regionally (Asia-Asia/Europe-Europe)

- Technologies enable more available cultural information. However, more content can also mean lack of curated content. This leads to information overload which results in key information being overlooked
- Lack of information available in local languages creates language barriers and therefore lack of access to professional growth opportunities (e.g. festivals, trainings) and funding sources for cultural mobility (e.g. grants).

### **Recommendations to governments towards enhancing free digital access to cultural information:**

- Connectivity is now an emerging area for cooperation between Asia and Europe. There is a need for a long-term sustainable information infrastructure to deepen mutual understanding between these 2 regions. In global connectivity, learning is necessary.
- Digital platforms should collaborate with local partners on projects that contribute to the sustainability of the cultural ecosystem by providing face-to-face encounters as well as an equal online space for sharing of information and opportunities
- Digital platforms should allow for more spaces to give voice to all actors involved from any area/region, including distribution of locally relevant content
- There is a need to create more interest in cultural policy trends and analysis in a digestible form, particularly in Asia, which can be easily addressed by digital channels
- Different sectors – public and private – should collaborate to provide better connectivity and access to information on funding, cultural mobility and opportunities for collaborations.
- The key to digital communication is interaction. There is a need for a collaborative approach and process that allows for higher participation of civil society in the digital environment. Governments should invest and support digital platforms that allow for multilateral participation and equal access to information
- Digital technology should not only be a tool to better access but also a way to better express identity, values and meaning in society.

*This document draws from the experiences and voices of a community of 220,000 users as well as from several interviews conducted with artists, arts professionals and stakeholders between 2016 and 2018, as part of an external evaluation of [culture360.ASEF.org](http://culture360.ASEF.org). By providing free digital access to information on arts and culture in 51 countries of Asia and Europe, culture360.ASEF.org contributes to the pursuit of the Sustainable Development Goals (SDGs), in particular SDG 16.10.*



## **Proposal from the International Alliance of independent publishers / 2019** *Conference of the Parties on the second round of reports on the implementation of the Convention by civil society*

### **Public book policies in French-speaking sub-Saharan Africa and Latin America**

Since 2017, the International Alliance of independent publishers has initiated an important process of data collect and analysis of public book policies in French-speaking Africa and Latin America, in the context of the Biodiversity Observatory<sup>1</sup>.

In French-speaking Africa, data collection was done in 12 African countries (including Benin, Burkina Faso, Cameroon, Ivory Coast, Guinea, Madagascar, Mali, Niger, the Democratic Republic of Congo, Rwanda, Senegal, Togo) and was led by Cameroonian organization, Losange Consulting, and academic researcher, Luc Pinhas. [Read a mi-term presentation on the mapping of public book policies delivered at the Geneva Book Fair in May 2018.](#)

In Latin America, data was collected in 11 countries (namely Argentina, Bolivia, Chile, Colombia, Costa Rica, Guatemala, Honduras, Mexico, Peru, Uruguay, Venezuela), and was led by Andrés E. Fernandez Vergara, researcher in public policies, and Paulo Slachevsky, director of LOM publishing in Chile.

This work is made possible through the participation of book professionals, professional book collectives in the areas under study, and relevant ministries of Cultures.

#### **Outputs:**

- **A mapping, introducing all 23 countries under study**, legislative frameworks in place, book and reading support mechanisms in place, national professional collectives, etc.
- **A crosscutting analysis of public book policies** in Latin America and in French-speaking sub-Saharan Africa, published in the Biodiversity Observatory and in the academic journal *Biodiversity*<sup>2</sup>.

#### **Objectives:**

- Identify and make available data on in-country public book policies;
- Develop an overview of public book policies that is openly accessible, readable and reusable by professionals and public authorities;
- Enable dialogues and exchanges between professionals from numerous countries;
- Develop advocacy tools for independent publishers;
- Contribute to the implementation and consolidation of public book policies in developing countries (including for a greater circulation of books and ideas, appropriation of digital tools by book professionals, balanced relationships between the North and South...);
- Reaffirm the role of civil society (book professionals and particularly independent publishers) in the development and implementation of public book policies.

A major goal of this mapping exercise is for national professional publishers and associations to use and access the outputs of the research, to enhance a meaningful participation and contribution to **the co-production of public book policies in their country.**

A presentation of these results could thus be made available during the Conference of the Parties.

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<sup>1</sup> Biodiversity Observatory: <https://www.alliance-editeurs.org/-book-public-policies.189->

<sup>2</sup> *Biodiversity* journal: <https://www.alliance-editeurs.org/-biodiversity-journal.118->

## Freedom of publishing, an original study published in October 2019 (launch planned during the 2019 Frankfurt Book Fair)

Since the establishment of the International Alliance of independent publishers at the beginning of the 2000s, publishers – as custodians of freedom of speech alongside journalists, authors, bloggers, booksellers and artists – have acted as censorship watchdogs in their countries. However, we have been observing lately new forms of attacks on freedom of speech, including in contexts where pressure and public speech limitations are prevalent.

Freedom of publishing is a “category” of freedom of speech that can take several forms and exist through various means. Freedom of speech is the freedom to select an author, commission or choose manuscripts, format and publish them, distribute and commercialise them. In other words, all activities at the heart of the publishing profession.

Regardless of the context, geopolitical realities and forms of censorship encountered, independent publisher members of the Alliance are committed to circulate texts and ideas they defend, to make voices heard, some of them at times marginalised, and participate to the development of critical thinking and emancipation.

The Alliance has therefore commissioned a study on freedom of publishing, the very first of its kind. It is directed at professionals and the general public to introduce the hidden face of some books, in other words the various challenges encountered by books before they reach the hands of readers; to speak and introduce censorship from the viewpoint of publishers, and to raise awareness on insidious forms of censorship. However, although public opinion is generally aware of risks facing journalists and writers carrying out their duties, little is known about the ones taken by publishers. However, these are significant, as it touches on the freedom of speech of authors, freedom of publishing of publishers. This study will also be an advocacy tool for publishers and international institutions such as UNESCO.

The study is led by sociologist Anne-Marie Voisard, who was head of legal affairs at Éditions Écosociété between 2008 and 2013, during the period when Canadian gold industries initiated a court injunction against the publishing house following the publication of *Noir Canada. Pillage, corruption et criminalité en Afrique*. She uses data from more than 60 interviews with independent publisher members of the Alliance based in Africa, Latin America, Europe, Asia, Oceania and the Arab world.

Collected testimonies provide a precise and concrete overview of the various attacks on freedom of publishing that independent publishers encounter in their respective countries, including in liberal democracies. Although state censorship, used in its most strict definition (examination of cultural production by an authority designated to do so) tends to regress, including in authoritarian regimes, independent publishers are now confronted to political control of speech that takes the shape of conservative measures (budget cuts in the fields of arts and culture, withdrawal of support for so-called ‘antinational’ work, reactionary revisions of textbooks, etc.). They must also resist the extension of the neoliberal market logic that threatens editorial freedom and bibliodiversity<sup>3</sup>.

More worrying is the proliferation and trivialisation of an openly misogynist, homophobic, racist, revisionist and xenophobic discourse that fosters fear, intolerance, exclusion and violence. Everywhere in the world, independent publishers bear witness to the threats on freedom of publishing against individuals, groups or communities, whether they act with or without the complacency or complicity of the State.

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<sup>3</sup> [Bibliodiversity](#) is cultural diversity applied to the world of books. Echoing biodiversity, it refers to the necessary access to a diversity of editorial productions by readers.

However, the study doesn't only list the attacks on freedom of speech, but also bears witness of the tenacity, energy and ingenuity of independent publishers in curbing censorship and defending freedom of publishing.

A presentation of the study could be made available during the Conference of the Parties.





## **International Arts and Entertainment Alliance (IAEA)**

Report of activities carried out in 2018 to implement

the 2005 UNESCO Convention for the Protection and Promotion of the  
Diversity of Cultural Expressions

19 February 2019

The International Federation of Actors (FIA), the International Federation of Musicians (FIM) and UNI MEI (UNI Global Union - Media, Entertainment and Arts) together form the *International Arts and Entertainment Alliance* (IAEA). These global trade union federations represent over 250 unions and guilds and hundreds of thousands of creative professionals worldwide working in the media, entertainment and arts sectors.

Through various joint and separate activities, FIA, FIM and UNI MEI have engaged with their members and non-governmental and governmental stakeholders in the sector to implement the objectives of the 2005 Convention for the Protection and Promotion of the Diversity of Cultural Expressions.

### **I. Sustainable Systems of Governance for Culture**

#### **• Regional Capacity Building for audiovisual guilds and unions in Latin America**

UNI MEI, FIA, the Swedish union Teaterförbundet (TF) and *Union to Union* (the Swedish trade union agency for sustainable development, democracy and decent work) have been working together for many years to address the challenges that unions and professional guilds in Latin America face in the audiovisual sector. Building stronger unions is essential to improve the livelihoods of the precarious workers that strive to make a living in film and audiovisual production. A new 2-year project kicked off in 2018, aiming at strengthening the capacity of these unions/guilds and make them more sustainable. A major focus of this project is gender equality. In December 2018 UNI MEI and FIA carried out a 2-day capacity building training on how to increase gender equality within audiovisual unions' structures and governance and rollout services designed to meet gender-specific requirements. This work is an important first step to promote additional gender equality in the workplace and to address sexual harassment in the audiovisual sector throughout the region.

The project also provided for a 3-day training in May 2018 on health and safety in film production in Colombia, aiming to raise Colombia's profile as a solid location for international film co-productions. The training, financially supported by the Swedish International Development Cooperation Agency (SIDA), was carried out with the assistance of the Directors' Guild of Canada and various Argentinean cinema unions and guilds.

#### **• Regional Capacity Building for musicians' unions in Latin America**

As part of its long-term commitment to Latin America, FIM held two main events in the region last year. On 10th-12th July, FIM convened a national seminar in San José, Costa Rica, to assess the progress made by the young local union, Union de Trabajadores de la Música (UTM) and continue to support its efforts. FIM liaised with the local UNESCO and ILO offices and sought collaboration from them both on gender equality. FIM also asked the former for support, especially on the UNESCO Recommendation on the Status of the Artists, and the latter for assistance on UTM's work on social dialogue. FIM spoke

to the Minister of Culture of Costa Rica to help UTM promote effective intellectual property rights for performers in the country. This initiative has since led to further productive national debate.

FIM also convened a regional workshop on gender equality in the music sector from 30th October to 1st November 2018 in Montevideo. With 8 participating countries, this event was designed to promote cohesion and gender equality. The meeting delivered an action plan to increase female participation in leadership roles and monitor gender-based challenges in the musical sector, together with a realistic action plan to stimulate gender equality in the sector, taking into account the unions' resources.

On 27th-29th November 2018, FIM held another regional workshop in Bogotá, Colombia, with ten participating countries to discuss topics such as developments on the UNESCO Recommendation of the Status of the Artist, copyright and related rights, occupational health and gender equality. Much attention was given to fostering independent national collaboration (where more than one union exists) as well as regional collaboration. Among the outcomes it is worth mentioning the unanimous adoption of the FIM regional gender equality action plan and policies.

- **Capacity Building for the actors' unions in South Africa**

FIA worked intensively to promote transnational trade union cooperation among actors' unions, with a special focus on South Africa. Professional actors in the country are *de facto* considered independent contractors, restricting their access to fundamental social and labour rights at work, including the right to unionize and bargain minimum terms collectively. Furthermore, the South African film and television industry, mostly servicing international productions, is fraught with widespread bullying and harassment, making sets extremely unsafe to work. Finally, audiovisual performers in the country are still denied intellectual property rights and protection, further limiting their chance to earn a decent living from their professional endeavours. FIA held a 2-day, high-level seminar in Johannesburg, aiming to share good practices, transnational trade union experience and solidarity, in the presence of key industry and government representatives. Thanks to the international counselling and advice, the South African Guild of Actors is now playing a prominent role in the fight against sexual harassment and the promotion of an ambitious copyright review, expected to deliver meaningful IP rights to performers in the audiovisual sector. The project is also financing a thorough enquiry into the professional status of actors in South Africa, which will to serve as a solid background for advocacy purposes.

- **Regional Capacity Building for musicians' unions in Africa**

FIM has carried out initiatives in Senegal, Ivory Coast, Kenya and Malawi. In those countries, activities have been focusing on operations and management of musicians' organisations and gender equality in the music sector. As a result of the involvement by FIM and SMF, the musicians' unions in the Ivory Coast and in Malawi have reviewed their constitutions and held their respective general assemblies.

In Senegal, the AMS has been working with the UNESCO Regional Office in Dakar on a gender policy in the music sector, with special focus on the fight against gender-based violence, gender pay gap in the music industry and female leadership both in the industry and the union. The AMS has engaged employers in the music sector with a view to negotiating and concluding a pilot collective bargaining agreement. Meetings were held with the ministries of culture and labour in order to clarify the legal framework that should apply to performers at work as well as possible incentives, in particular through tax reductions, to encourage music venue owners to conclude CBAs with the union. To date, the AMS has signed pre-negotiation agreements with 4 employers operating in 5 venues. In parallel, the AMS has been actively involved in stakeholder discussions held by the Government of Senegal about a future law on the status of the artist, stressing the need to formalize employment relationships in the music sector. The Dakar ILO-ACTRAV Office has been directly involved in these activities.

- **Supporting skills development of professional workers and artists in the European audiovisual and live performance sectors**

FIA, FIM, UNI MEI and the European Federation of Journalists (EFJ) have continued to work with European employers' associations in the audiovisual sector (EBU, CEPI) and the live performance sector (PEARLE\*) to hold thematic workshops in the context of the [Creative Skills Europe project](#), the European Platform for Employment and Training in the audiovisual and live performance sectors.

Through these meetings, unions and employers' organisations, as well as professional education and training bodies and higher education institutions in the audiovisual and live performance sectors have the opportunity to collect a vast amount of information on practices and models experimented across Europe, with a view to informing further skills development initiatives at national and European level. A workshop with sector stakeholders was held at the University of the Arts in Berlin on 22 and 23 March 2018 on training in the digital environment. The second meeting for 2018 focused on the role of dialogue between management and labour in skills development and was held on 4 and 5 June in Paris. The information of all workshops carried out in 2017 and 2018 is currently being channelled through a series of publications to be published in spring 2019.

- **Supporting independent and high-quality Public Service Broadcasting worldwide**

Throughout 2018, affiliates of UNI MEI in many countries have faced multiple attacks on the financial and editorial independence of public service broadcasting. Unfortunately, the number of countries where governments threaten the independence of public broadcasting as well as the intensity of these occurrences have significantly increased. UNI MEI has supported various campaigns and actions of media unions including in Argentina, Czech Republic, France, India, Romania, Spain, Switzerland, Turkey and Ukraine. In many instances, actions were coordinated with the International Federation of Journalists (IFJ) and in consultation with the European Broadcasting Union (EBU). The referendum held in Switzerland on March 2018 has shown strong support of citizens for high quality public service broadcasting to ensure unbiased information and diversity of programming. The campaign by the Swiss media unions in favour of the independence, quality and diversity of Swiss public broadcasting has been inspiring and the solidarity of unions affiliated to UNI, who took part in the campaign, was strong. Throughout 2018 UNI MEI and media unions from across the world also actively supported media unions in Turkey in their demands for sustainable and independent quality public broadcasting in Turkey.

- **Cultural Policies in the Age of Platforms**

Digital technology has profoundly changed the way that creative content is produced, distributed and enjoyed by a worldwide audience. Whilst these developments have brought about new opportunities for authors and performers, the prevailing business practices and longstanding intellectual property standards have prevented them from getting a fair share of the revenues generated by the on-demand use of their work. FIA, FIM and UNI MEI have strongly advocated, with other stakeholder partners, for improved contractual terms, more transparency and a proportionate share of all such revenues in the context of a major copyright revision in the EU. Without a modernised intellectual property framework and more equitable contractual practices, in fact, authors and performers in Europe are not likely to reap the benefits of the new economy.

## **II. Human Rights and Fundamental Freedoms**

- **Enhancing Gender equality and diversity in the European audiovisual sector**

FIM, FIA, UNI MEI and the EFJ, together with the European employers' associations in the audiovisual sector (ACT, AER, EBU, CEPI, and FIAPF) have launched a new project on gender equality in January 2018, which will run for 24 months. The project is co-funded by the European Commission and will map most recent initiatives and good practices in gender equality in the EU audiovisual sector since the 2011 adoption of the [Framework of Actions on Gender Equality in the EU Audiovisual sector](#). This Framework puts forward joint recommendations for actions of unions and employers' associations and their affiliates in the fields of gender portrayal, equality of pay, equality in decision making, gender roles in the work-place, and the reconciliation of work and private life. In the wake of the recent scandals that have shaken the audiovisual industry across the world, the project will therefore also highlight best practices to prevent and counter sexual harassment. It will further inventory positive initiatives in the field of diversity to combat discrimination based on age, sexual orientation, disability, ethnicity and nationality, religious belief and social origins. The outcome of the mapping research will be a handbook that will be published and disseminated in 2019. It will be designed as a concrete tool to further empower stakeholders and spread good practices amongst companies and professional organisations in the audiovisual sector across, and beyond, Europe.

FIA, UNI MEI, the IFJ and FIM have also embarked on a new project, aiming to assist trade unions as they seek to collectively represent, and service, atypical workers. Performers and authors are often

hired as independent, freelance contractors, a status that is increasingly upheld to prevent them from forming trade unions and negotiating minimum terms and conditions. Several skilled trainers with a proven track record on organising platform workers and workers in the gig economy have undertaken to help selected unions develop a robust organising and outreach campaign, whilst a high-level experts committee has undertaken to advise the federations on legal strategies to straighten up the course of competition law as it equates precarious workers to undertakings.

- **Analysing the patterns and extent of sexual harassment in the live performance and audiovisual sector**

The International Labour Organisation (ILO) is currently discussing the possibility to set up an international legal framework to fight workplace violence and harassment. In June 2018, the ILO agreed a Convention will be debated and voted on at their 2019 annual conference. In view of the alarming situation regarding sexual harassment in the audiovisual and live performance sectors the IAEA (FIA, FIM and UNI MEI) developed a dialogue with the ILO and decided to analyse, with the help of ILO, the extent of sexual harassment in the sectors. As a first step of this work, the ILO and IAEA have developed in June 2018 a survey addressed to IAEA members. The survey should help IAEA and ILO to better understand the extent and patterns of sexual harassment in the sectors and identify practices and tools that help unions to address sexual harassment. Based on the results of the survey, ILO will provide an analytical summary report towards the beginning of 2019 which aims to guide sectors stakeholders on any future actions to address sexual harassment in the media, arts and entertainment sectors at national, regional and global level.

### **III. Flow of Cultural Goods and Services/ Mobility**

- **The double taxation of artists**

Double taxation has been on the table for several years in the European Live Performance sectoral social dialogue committee, which brings together EAEA (the European members of the IAEA) and PEARLE\*, respectively as representatives of workers and employers in the European live performance sector.

At the heart of the issue of double taxation, is article 17 of the OECD Model Tax Convention, allowing for the taxation of artists and sportspeople both in the country of performance and the country of residence. The issue arises when deductions are not made by the national tax authority to account for prior taxation that was perceived on artists revenues in the touring country.

An expert group of the European Commission investigated ways to tackle cross-border tax obstacles that individuals face within the EU. The Live Performance social dialogue committee was represented in the group by a tax expert, who was able to shed light on the concerns of the sector and have many of those concerns highlighted in the report. Moreover, the final report of the expert group proposed as one of the possible solutions the abolition of withholding taxes and the return to single taxation in the residence state, which the social partners feel would be the preferred option for the sector. The European social partners have continued the discussion with the European Commission, urging it to address this problem by calling on all member states to abolish taxation in the country of performance. The European social partners have also approached the OECD in order to open the debate on Article 17 of the Model Tax Convention. OECD was not willing to change this provision, whereas the European Commission acknowledged that this issue could be a matter of concern.

- **European visa code**

Acquiring touring visas for Europe can be a challenge for artists coming from other parts of the world, especially those from Africa. The Live Performance social dialogue committee adopted a statement in December 2018 in response to the revision of the European Visa Code. The statement highlights the specific needs of the sector when it comes to acquiring visas to the Schengen area and proposes several practical solutions that would respond to the need of touring artists and cultural workers.

- **Issues affecting the mobility of musicians and their musical instruments**

Musicians touring abroad with their musical instruments may face two series of challenges:

- Carrying musical instruments on plane

It is increasingly difficult for musicians, when traveling by plane, to bring their musical instruments on board, due to inadequate commercial policies. This affects their ability to work and earn revenues from their professional endeavours. Indeed, many instruments, even when put in appropriate travel cases (flight-cases), cannot be loaded on cargo holds without risking unrecoverable damage. Restrictions applying to the carrying of instruments on planes have become a serious hindrance to the mobility of artists throughout the world, either because it is just impossible to take the instrument on board or because the additional price to pay makes the travel too expensive. There is no industry-wide policy to rely upon and, even when airlines have specific policies, these are applied inconsistently, leading to uncertainty for travelling musicians. FIM together with PEARLE\*, the European employers' association in the live performance sector, managed to convince the European Parliament to introduce specific provisions as part of the revised Regulation (EC) no. 261/2004. However, the Council has released its position on this new matter yet. Therefore, the current Regulation continues to apply. FIM has developed an online rating tool for musicians, comparing airline policies re: the transport of musical instruments, and has awarded Air Canada twice in 2017 and 2018 as a model airline in this respect.

- CITES

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) can affect musicians when their instruments are made from protected woods and species (e.g. ivory, tortoise shells or whalebones). A musical instrument certificate (MIC) is required in these cases for international travels, affecting musicians' mobility. At the European sectoral social dialogue meeting of the live performance on March 2018, FIM and PEARLE\* presented a guide for musicians and ensembles travelling with musical instruments made from CITES-protected materials or species to assist them as they seek to travel abroad for professional reasons. This guide is available in English, French, German, Italian and Spanish.

FIM also worked together with PEARLE\* and music instrument makers' associations to raise awareness among CITES members around the issue of musical instruments.



## REPORT OF THE INTERNATIONAL FEDERATION OF COALITIONS FOR CULTURAL DIVERSITY (IFCCD) ON CIVIL SOCIETY ACTIVITIES

### 1. PRESENTATION OF THE IFCCD

The IFCCD was founded in Seville on September 19, 2007 to replace the International Liaison Committee of Coalitions for Cultural Diversity (ILC). This Committee was created in 2003 at the initiative of the Coalitions for Cultural Diversity to facilitate cooperation and the development of common positions and actions. In particular, the ILC encouraged the elaboration of UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions by coordinating the participation of civil society representatives and professionals from the cultural sector in international negotiation sessions. The entry into force of the UNESCO Convention on 18 March 2007 marked a new turning point for the work of ILC, which became the International Federation of Coalitions for Cultural Diversity (IFCCD).

The IFCCD was the first international organisation dedicated to promoting civil society perspective in the implementation of the Convention's aims. It has among its founding members 43 national coalitions for cultural diversity that bring together a total of more than 600 professional cultural organizations representing creators, artists, independent producers, distributors, broadcasters and publishers in the book, film, television, music, performing arts and visual arts sectors.

The Federation is incorporated in Canada and its General Secretariat is located in Montreal. The French Coalition for Cultural Diversity represents the IFCCD at UNESCO in Paris. The 6th IFCCD International Congress will be held in autumn 2019 in Africa.

### 2. INTRODUCTION

IFCCD members actively participated in the preparation of the report of civil society organizations, submitted in December 2017. At the time, a questionnaire collected contributions from about 70 civil society organizations in the fall of 2017.

Barely a year later, the IFCCD considers that this report is still relevant. In addition, since the IFCCD adopted an ambitious action plan at the Montreal Congress in October 2018, and given the tight deadlines for the production of the 2019 report, this report is intended to complement the 2017 report rather than replace the recommendations already made.

It is also noted that to date there has been no official response to the thirteen key recommendations of the first report. Nor is there a process in place for feedback from the Parties which is something we come back to below.

In this first IFCCD Report, we will focus on topics that were not specifically recommended in the 2017 report. We will also revisit the recommendations of the 2017 report on the topics that are priorities for the IFCCD and its members.

### 3. EMERGING PRIORITIES FOR THE IFCCD

#### 3.1. OVERSEE THE PROGRAMMING AND DISSEMINATION OF CULTURAL EXPRESSIONS ONLINE

The increasing access to cultural expressions online and the reconfiguration of actors' positions, particularly with the arrival of new global players taking advantage of cultural contents, have profoundly disrupted cultural ecosystems and value chains. While the intensity of impacts may vary from one State to another, the challenges of this transformation, which are many and complex, do not spare any territory.

The *Operational Guidelines on the implementation of the Convention in the digital environment* generally invite parties to adopt "policies and measures (which) shall aim to address all areas - creation, production, distribution, dissemination, access and enjoyment - taking into account the profound changes to the value chain and the arrival of new actors"<sup>1</sup>.

The IFCCD can only support all the recommendations of the operational guidelines and the Roadmap for the implementation of these guidelines. **Today, it stresses the urgent need to implement these new policies and measures.** In practice, except for the gradual implementation of directives in the European Union<sup>2</sup>, the presence of cultural expressions online does not currently benefit from any legal framework throughout the world. As access to cultural content increasingly passes through the Internet, many societies risk gradually losing much of the means they currently have to protect and promote the diversity of cultural expressions. This is particularly true for two types of measures, but not limited to them.

First, measures which promote the discoverability of cultural expressions, such as those that set quotas for the promotion of national content. Second, the revenues collected in the form of contributions, taxes or other charges from companies that benefit from the programming or broadcasting of cultural content.

**Most of the work needs to be done in each of the States to adapt existing legislation to the digital environment, or to adopt new legislation where the framework is non-existent or insufficient. Obviously, it is essential that civil society and especially organizations representing artists, creators and producers in the cultural sector be involved in the development of these laws.**

The European Coalitions for Cultural Diversity has been very active in promoting the principles of the Convention in the context of the development of the guidelines on Audiovisual Media Services and Copyright: production of information for cultural networks, recommendations on draft legislation, meetings with stakeholders and parliamentarians in Brussels, organisation of events, publication of press releases.

**The collaboration of States on these issues, as required by article 21 of the Convention, seems fundamental in several respects.** Metadata challenges, whether they are related to the proliferation of models or to how to identify national content, can pose obstacles to requirements for the discoverability of cultural expressions. **These issues would benefit from international collaboration. The publication of data on the diversity of cultural expressions is another area where transnational mobilization seems relevant.** We will get back to this point later.

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1 Article 10.

2 Those on audiovisual media services and copyright.

### 3.2. CULTURAL EXEMPTION AND FAIR TRADE

Unfortunately, almost 12 years after the entry into force of the Convention, culture continues to be liberalized in trade negotiations. Indeed, despite significant progress, an in-depth study of 59 trade agreements reveals that parties to the Convention do not systematically incorporate an exemption clause in their trade negotiations, nor other suggested provisions to protect and promote the diversity of cultural expressions<sup>3</sup>. This is all the more worrying as the digital environment is increasingly integrated into trade agreements, with clauses preventing parties from granting preferential treatment to national digital products, including cultural content. Only about one-third of the agreements studied include a cultural exemption (or exception) clause, the scope of which may vary from one agreement to another. In addition, only six of the agreements studied include provisions on articles 16 and 21 of the Convention.

IFCCD members in Africa also deplore a lack of general knowledge of the Convention on the part of their governments, as well as the absence of cultural exemption clauses in agreements signed by States on the continent. Representations had also been made by IFCCD representatives in Asia-Pacific to improve the mobility of artists in the context of the Transpacific Partnership negotiations, but had not been successful. Taking note of this assessment, **the IFCCD has decided to develop, in the coming months, tools to support civil society representations in trade negotiations.**

One of the main objectives behind the adoption of the 2005 Convention was specifically to protect cultural expressions from trade liberalization, while ensuring that these agreements promote the diversity of cultural expressions. This imperative is further reiterated in the Operational Guidelines on the implementation of the Convention in the digital environment, particularly in Article 19, of which we can mention two paragraphs here:

*19. Consistent with their obligations in Article 21 of the Convention to promote the objectives and principles of the Convention in other international fora, and in order to foster an integrated approach in the areas of culture, trade and investment in the digital environment, Parties are encouraged to promote:*

*19.4 the consideration of introducing cultural clauses in international bilateral, regional or multilateral agreements, namely provisions that take into account the dual nature of cultural goods and services, including preferential treatment clauses, with particular attention to the status of e-commerce that shall recognize the specificity of cultural goods and services;*

*19.5 the incorporation of explicit references to the Convention and these guidelines on the digital environment in trade and investment agreements, as well as provisions that enable their implementation, including the preservation of the capacity to design new public policies when necessary.*

**The inclusion of a chapter on "The Convention in other International Forums: A Crucial Commitment" in the 2018 Global Report of the Convention is already an important contribution to assist the parties in their trade negotiations, and a valuable source of information for civil society. We believe it would be appropriate to continue efforts in this direction. This could take the form of specific issues in the preparation of quadrennial reports, or the adoption of operational guidelines on the implementation of the Convention in trade agreements.**

At the Intergovernmental Committee meeting in December 2018, the German Commission for UNESCO, founder and coordinator of the German Coalition for Cultural Diversity, organized an interesting debate on "Fair Trade for Culture"<sup>4</sup>.

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<sup>3</sup> Guèvremont Véronique and Ivana Otašević (2017), Culture in treaties and agreements : implementing the 2005 Convention in bilateral and regional trade agreements, UNESCO, 123 pages

<sup>4</sup> See the Conference Report prepared by Jordi Baltà Portolés, available on the German Commission website: <https://www.unesco.de/kultur-und-natur/kulturelle-vielfalt/kulturelle-vielfalt-weltweit/fair-trade-culture>



**We encourage the parties to continue this reflection. This issue could be further developed in the context of future meetings in order to strengthen the principles of the Convention and implementation of SDGs (e.g. 8 and 10). It would be wise to take into account the concept of "fair trade" and sustainable supply chains in other sectors to understand the benefits, as well as the specificities and challenges for the cultural sector.** While fair trade initiatives can play a very positive role in transforming mindsets, consumer behaviour and production conditions, it would be important at the same time to continue to aim for a profound transformation of trade principles in order to ensure fair trade.

### 3.3. REMUNERATION OF ARTISTS, CREATORS AND CULTURE PROFESSIONALS

In their report in 2017, civil society organizations addressed the issue of the remuneration of artists in recommendation 8 (Support for skills development of artists and cultural professionals). It referred to "fair and equitable remuneration for artists and cultural professionals; transparency in the distribution of income between digital distributors, Internet service providers (ISPs) and rights holders". For the IFCCD, support for skills development and remuneration issues are two areas that each deserve specific attention.

Artists, even in Europe, who contribute to the production of cultural goods and services still suffer from significant precariousness. Already, in many countries, project-based funding generated a significant proportion of non-standard employment (contract, temporary or part-time) and self-employment rather than regular hiring. This precariousness tends to increase with digitization and has impacts on working conditions, social protection and remuneration<sup>5</sup>.

For example, in the music sector, although it is quite difficult to know in what proportion artists' revenues have been affected, it takes one million streams for a song to generate \$4,000 of income, based on a rate of about \$0.004 per listening<sup>6</sup>. These revenues are then distributed throughout the whole production chain.

In addition, the data indicates that revenues for the entire music industry worldwide fell significantly from the late 1990s to 2014, and that they have been slowly increasing since 2014<sup>7</sup>. This has many impacts, of course, for companies in the sector, particularly for independent producers who invest significant sums in the development of musical content. These revenue losses also result in a decrease in the number of projects that can be supported or the resources available to promote them. In short, digitization has an impact on the entire value chain, and it also affects the diversity of expressions that emanate from it.

States can also contribute to improving the living conditions of artists, creators and cultural professionals. Moreover, the Operational Guidelines on Measures to Promote Cultural Expressions stipulate that "Parties are encouraged to develop and implement policy instruments and training activities in the field of culture". These tools may take the form of "Financial support: e.g. development of financial support programmes including tax incentives that provide assistance for the creation, production, distribution and dissemination of domestic cultural activities, goods and services"<sup>8</sup>.

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5 See, for example, the most recent (2019) ILO study on the subject Challenges and opportunities for decent work in the culture and media sectors : [https://www.ilo.org/sector/Resources/publications/WCMS\\_661953/lang--en/index.htm](https://www.ilo.org/sector/Resources/publications/WCMS_661953/lang--en/index.htm)

6 Spotify rate in 2018: <https://www.digitalmusicnews.com/2018/01/16/streaming-music-services-pay-2018/>

7 As reported by ADISQ: [https://adisq.com/medias/pdf/fr/Examen\\_of\\_the\\_Canadian\\_legislative\\_framework\\_for\\_intervention\\_ADISQ.pdf](https://adisq.com/medias/pdf/fr/Examen_of_the_Canadian_legislative_framework_for_intervention_ADISQ.pdf), with particular reference to data from IFPI, State of the industry, 2018: <https://gmr.ifpi.org/state-of-the-industry>

8 Article 2.3. [https://en.unesco.org/creativity/sites/creativity/files/convention2005\\_operational\\_guidelines\\_en-.pdf#page=4](https://en.unesco.org/creativity/sites/creativity/files/convention2005_operational_guidelines_en-.pdf#page=4)

The 2018-2019 consultation on the status of the artist, the conclusions of which will be shared at the 2019 General Conference, should provide an important update on the conditions of artists. Developing the capacity to provide a clearer picture of artists' current remuneration is important, and it will also be necessary to closely monitor technological developments in the cultural sector. As described by the Canadian Coalition for the Diversity of Cultural Expressions in its discussion paper on artificial intelligence, the development of artificial intelligence could lead to a decrease in income-generating activities in the cultural sector, causing significant social and cultural economic impacts<sup>9</sup>.

#### 3.4. FEEDBACK FROM THE SECRETARIAT AND PARTIES TO CIVIL SOCIETY REPORTS

Civil society organizations have several opportunities to report on their actions and to communicate their priorities and recommendations on specific issues (e. g. consultation on the status of the artist) or more generally, when invited to participate in the drafting of the quadrennial report, although this consultation is not common practice in all countries. In fact, civil society organizations are frequently asked to produce reports of all kinds and they agree to devote time to them in order to contribute to the evolution of the many discussions that concern them.

That is why it is important to **identify the best ways to encourage feedback from the parties on recommendations from civil society**. The IFCCD is available and ready to collaborate with the secretariat to identify the best opportunities for dialogue.

#### 4. FOLLOW-UP TO THE CIVIL SOCIETY REPORT 2017

##### 4.1. SUPPORT THE PARTICIPATION OF CIVIL SOCIETY

Recommendation 3 of the 2017 report of civil society organizations emphasized the need for "measures to facilitate the effective participation of civil society in the work of the governing bodies". Various options are available to the parties to support this objective. **The first is to support, in particular financially, the participation of independent and representative representatives of civil society in the Convention's bodies**. For the IFCCD, participation in these meetings is a prerequisite for civil society to play its role in the implementation of articles 14 and 16 of the Convention, among others.

**In order to be able to assess the real extent of civil society participation in the meetings, it would be useful to publish a register of representatives (name and organisation) per country who actually participated in the meetings.**

The second is **to support representative civil society organizations such as the IFCCD and its members, which are dedicated to mobilizing civil society to achieve the objectives of the Convention**, by supporting the participation of delegates in the Convention's bodies, organizing training activities, conferences, generating studies and providing forums for debate to coordinate and advocate for the diversity of cultural expressions. This is the direction that the governments of Quebec and Canada have chosen to take by supporting the Canadian Coalition for the Diversity of Cultural Expressions, which notably provides the IFCCD secretariat.

The lack of support for national coalitions has resulted in the disappearance of many of them. For example, in Latin America, of the 11 coalitions that were active, there are only a few left (Chile, Paraguay), while elsewhere efforts are currently being made to revitalize dormant coalitions (in Mexico and Argentina).

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<sup>9</sup> See the document online: <https://cdec-cdce.org/en/ethical-principles-for-the-development-of-artificial-intelligence-based-on-the-diversity-of-cultural-expressions/>

We have no doubt that the support of the parties and UNESCO would have a decisive effect in ensuring the participation of civil society in the implementation of the Convention. However, **this support must be continuous** in order to ensure the quality of their contribution and leadership's renewal. Experience shows us that interesting results can be achieved if at least one, ideally two people can be identified to carry out monitoring, research, coordination of civil society organisations and contribution to the revision of public policies.

As a third option, we can recall recommendation 4 of the 2017 report, which **proposed "that Parties take more action to harness the full potential of CSOs in working papers and discussion structures"**. The role of the national contact points is fundamental in this regard, particularly in promoting civil society participation in the preparation of the quadrennial reports, but our members have highlighted the absence of national contact points in some countries many times in the past.

**Finally, the development of multi-stakeholder initiatives, such as a capacity development programme, a series of seminars, developed for and by the parties, civil society and researchers represent a fourth option.** This type of initiative can include training components, but also collaborative workshops on specific topics to propose solutions, implement pilot projects, etc. We are thinking, for example, of subjects such as the mobility of artists, cooperation policies, trade negotiations or the quest for data and the production of statistics.

This vision is inspired by the Canadian Coalition, in collaboration with the Togolese Coalition for Cultural Diversity, the Beninese Coalition for Cultural Diversity and the Arterial Network. It involves the submission of a joint request for a training activity on the margins of the next IFCCD congress: "Meeting the challenges of digital technology to promote French-speaking cultural expressions". If accepted, this project will promote the pooling and sharing of knowledge on the issues related to the dissemination and visibility of cultural content online (importance of metadata, functioning and impact of recommendation algorithms, challenges posed by the development of artificial intelligence, etc.), in a context of the growing evolution of the African continent in terms of the use of information and communication technologies.

In the past, the U40 Network played an important role to involve and empower young cultural experts in the context of the Convention. The independent civil society network was a concrete step towards the implementation of the Convention, by stimulating debates and ideas to better formulate cultural policies for cultural diversity throughout the world. There is an appetite to revitalize the network in collaboration with IFCCD, the German Commission for UNESCO, UNESCO Chairs as well as the UNESCO Secretariat and other actors.

#### 4.2. FREEDOM OF ARTISTIC EXPRESSION

Freedom of artistic expression continues to be a major issue for the international cultural community and represents a clear obstacle to the diversity of cultural expressions, as recalled in Article 2 of the Convention. While there has been some recent progress in legislative amendments to support freedom of artistic expression in recent years, the 2005 Convention's global report published in 2018 also shows an increase in attacks on artists of 378% from 2014 to 2016 for a total of 430 attacks<sup>10</sup>.

Rights violations appear to be systematic in some countries and concentrated in some regions. However, Freemuse's 2018<sup>11</sup> report "The State of Artistic Freedom" reveals a number of emerging and worrying trends. Indeed, the report notes that violations of freedom of artistic expression are increasingly spreading in the countries of the North.

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<sup>10</sup> See Chapter 10, Promoting the freedom to imagine and create, p. 210.

<sup>11</sup> Online : <https://freemuse.org/wp-content/uploads/2018/05/Freemuse-The-state-of-artistic-freedom-2018-online-version.pdf>

For example, six of the top 10 censoring countries are members of the G20<sup>12</sup>. Another trend is the involvement of social media and online platforms in new forms of censorship or exchanges between Internet users leading to arrests or persecution.

**Here again, we recall recommendations 12 and 13 of the 2017 report of civil society organizations, which aim to "assist countries to develop legal frameworks and instruments to promote and monitor artistic freedom of expressions" and to "abolish prior-censorship bodies".** We could also take up some of the proposals submitted by Sara Whyatt in the 2018 World Report, such as **the inclusion of this issue in the Convention's periodic reporting process or the establishment of a United Nations Action Plan on the Safety of Artists.** It should also be recalled, as Garry Neil did in his 2015 report<sup>13</sup>, that the United Nations Special Rapporteur in the field of cultural rights recommended that Member States "[ should review critically their legislation and practices imposing restrictions on the right to freedom of artistic expression and creativity, taking into consideration relevant international human rights law provisions and in cooperation with representatives of independent associations of artists and human rights organizations ".

Finally, it is important to highlight the work done by civil society organizations, whether to document cases of violations, support victims or develop educational programmes to reduce the occurrence of attacks, by some governments, particularly those that set up shelter cities and by many other actors (academics, lawyers, etc.) who play an essential role on this important issue.

#### 4.3. MOBILITY OF ARTISTS

There are still major obstacles to the mobility of artists and cultural professionals between nations and regions that hinder exchanges and cooperation, as well as the achievement of a balanced flow of goods and services. The IFCCD would like to recall recommendation 9 of the 2017 report of civil society organizations, which called for

Parties, in cooperation with UNESCO and CSO, [to] organise a conference with the aim of devising a global action plan to address the challenges that prevent or restrict the mobility of artists and cultural professionals and to identify measures necessary to address the increasingly restrictive global environment, with due respect to balanced and legitimate measures to promote local employment and labour standards. The results of this conference shall be presented in a report to inform Parties and cultural ministers' options for action.

**Parties could collaborate with CSOs to facilitate the mobility of artists and their work, and in particular to reduce administrative procedures related to visas for artists and cultural practitioners, while respecting balanced and legitimate measures to promote local employment and labour standards.**

It is with this objective in mind that the European Coalitions for Cultural Diversity co-signed a letter, initiated by other cultural organisations and addressed to decision-makers, calling for changes to the European Union's visa policy in order to facilitate the mobility of artists who come to perform there.

#### 4.4. ACCESS TO DATA AND MEASUREMENT OF THE DIVERSITY OF CULTURAL EXPRESSIONS

While data are one of the largest sources of wealth creation in the world, data on the cultural sector have never been so difficult to obtain, as Lydia Deloumeaux noted in the 2018 World Report<sup>14</sup>.

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<sup>12</sup> See the report on page 27.

<sup>13</sup> Full Analytic Report (2015) on the implementation of the UNESCO 1980 Recommendation concerning the Status of the Artist prepared by Mr Garry Neil. Online: [https://en.unesco.org/creativity/sites/creativity/files/analytic-report\\_g-neil\\_sept2015.pdf](https://en.unesco.org/creativity/sites/creativity/files/analytic-report_g-neil_sept2015.pdf)

<sup>14</sup> See «Chapter 6, Persistent imbalances in the circulation of cultural goods and services».

At recent meetings, IFCCD members shared observations on the matter. On the one hand, there is less and less data to capture the "traditional" reality, and very little data to capture reality online. Moreover, qualitative data, which are essential for assessing the diversity of cultural expressions, are even more difficult to obtain. It also noted that the necessary and colossal work of registration of metadata on digitized content is paramount for obtaining data, an area in which international consultation is deficient, but nevertheless essential. Other issues include the privacy of data, the limitations of national agencies' resources and the lack of transparency of online service platforms that do not disclose usage data. Admittedly, there are increasing demands for more transparency in this area on several levels.

Dealing with global players, we must stress the relevance of developing global tools. Clearly, **UNESCO and the bodies of the 2005 Convention have an essential role to play in making progress in this area. Recommendation 6 of the 2017 Civil Society Report is worth recalling:**

*Support for synergies between university, statistical institutions and CSO need to be increased to gather data on the sector, CSO activities and corporate organisations. There should be transparency in the data and information gathering processes which inform the QPR, even when produced by private institutions. We welcome the agreement to include indicators in the QPR framework to monitor the mobility of artists and cultural professionals, freedom of expression and the balanced flow of goods and services and recommend that CSOs should participate fully in the gathering and monitoring of data for future policy.*

*We also suggest extending the monitoring work to a regular monitoring of the implementation of the 1980 UNESCO Recommendation concerning the Status of the Artist.*

*Partnerships should be established or expanded further with international organisations, private sector and government agencies such as WTO, OECD, UNCTAD, ILO and WIPO, to inform the global monitoring report, particularly on issues of flows and consumption of cultural goods and services, on and off-line, the status of the artist, and trends in mobility of artists and cultural professionals, notably between the North and South as well as South-South cooperation.*

*Increased support is needed for the development of national cultural policy profiles (such as the European Compendium of Cultural Policies, OIF country profiles & Trends and World CP model), and the facilitation of review by CSOs and Parties to build robust information systems (maintained on online platforms and publicly accessible) at the national level and also, to support the QPR process.*

## CIVIL SOCIETY 2019 GLOBAL REPORT

### I. INTRODUCTION

For the first time since the adoption of the Convention, in December 2017, civil society presented activity reports on its contribution to the implementation of the Convention in accordance with Article [11](#). Those reports also followed the first Civil Society Forum (June 2017), which provided an opportunity for civil society delegates to meet, to discuss key issues and priorities, also with Parties, and to present results orally during the 6th Conference of Parties.

[Decision 6 of the 11 IGC](#) welcomed the civil society reports and engaged in taking them into account in its discussions on future activities for the 2018-2019 period. In the same decision, the IGC also encouraged Parties to support, financially or otherwise, the increased and balanced participation of representatives from civil society organizations in the meetings of the governing bodies and involve civil society in policy making and implementation at country level. Parties requested the Secretariat to facilitate the participation of civil society in the work of the Convention's governing bodies.

Civil society was invited to submit new reports to the 7th Conference of Parties in 2019.

A majority of civil society organizations regularly or recently involved in the work of the governing bodies of the Convention confirmed their will to coordinate their efforts in exploring new models of governance within civil society to better input the statutory meetings within the Convention. This Civil society decision is based, among others, on existing models and procedures within other UN agencies and fora involving dialogue with civil society, as well as on previous decisions taken by civil society during the 2017 Forum and other meetings<sup>1</sup> on the margins of the Intergovernmental Committee meetings in December 2017 and 2018.

Therefore, since the 11th IGC in December 2017, the community of NGOs active within the 2005 Convention has set up an interim steering committee. As an exploratory measure and model, this steering committee is composed of two representatives from each of the 6 regional groups of UNESCO and two representatives of the international organizations, thus 14 members.

These coordinating efforts were communicated to the Bureau of the IGC in December 2018 during the preparatory meeting with civil society representatives and the Bureau, with the request for an extended deadline compared to the one initially announced by the Secretariat (19/2/2019) in order to make this coordination possible. Civil society organisations agreeing in joining this coordination efforts believe that this will improve their capacity to formulate informed and inclusive recommendations to Parties, while respecting diversity of views, and therefore to facilitate their follow up in synergies with the governing bodies.

Despite the absolute lack of financial and technical means for facilitating any form of coordination within civil society, as well as the need to better establish a permanent and structural dialogue with the Secretariat and the governing bodies between meetings in the preparation of activities related to civil society, the CSO interim steering committee<sup>2</sup> engaged on its own means (voluntary contributions and work) to facilitate data collections, information and dissemination of calls to report on civil society activities for the implementation of the Convention in 2018. Those data collections were organised by mobilising the CSO plenary composed by those organisations that manifested their will to further exchange and coordinate their efforts within the Convention.

This call was answered by more than **40 civil society organisations**, including international networks, regional and national NGOs. The diversity of actors and organisations consulted is key to

<sup>1</sup> Civil society organisations thank the Secretariat for the logistic support of these meetings at UNESCO headquarters.

<sup>2</sup> Cultura Contra Conflict, Culture Funding Watch, Banglanatak dot com, Groupe de Travail sur la Politique Culturelle en Algerie, Crear en Libertad, Asocijacija Nezavisna kulturna scena Srbije, International Theatre Institute, International Music Council, Arterial Network, Canadian Coalition for Cultural Diversity, Culture et Développement, Chilean Coalition for Cultural Diversity, Nhimbe Trust.

secure that a large set of main challenges and good practices identified by civil society can be reported to Parties in order to engage in a concrete dialogue on the work priorities that could facilitate the creation and the improvement of conditions for civil society to contribute to the protection and the promotion of a diversity of cultural expressions.

## **II. METHODOLOGY**

After the confirmation on the 7th of February of the extended deadline requested by the steering committee to the Secretariat in order to be able to implement the strategy to collect civil society reports by means of a coordinated action, more than 30 full reports were received within six weeks; 10 additional reports were received, however still uncompleted and therefore couldn't be integrated in this overview.

In December 2018, civil society organisations met in plenary sessions and decided to adopt the same methodology that was developed to produce the first CSO reports in 2017 in order to

- Facilitate the monitoring of the evolution of challenges and opportunities reported by civil society
- Facilitate the information sharing with the larger CSO community by replicating the same format for reporting the civil society activities
- Consider the short time available to produce new reports only 14 months after the important work provided by the CSO community for their first reports in 2017 and secure CSO effective contribution to the reporting exercise
- Reach out to grassroots organisations through different means of communication

To collect the activity reports of CSOs in the field of the Convention, two representatives of each regional group were invited to mobilise civil society organisations of their region, once again following the 2017 report methodology.

Based on the activity reports received the editorial team composed by a task force within the steering committee prepared a general overview in order to monitor the follow up on the recommendations of the 2017 CSO reports and identify trends in their implementation in the field by the governing bodies of the convention, national commissions and civil society itself. For each goal, the evolution in activities and main findings between 2017 and 2019 have been developed.

The general findings identified in this overview have been shared with all contributors and a larger database of more than 250 contacts and are presented to Parties after approval by the community.

## **III. OVERVIEW OF THE CSO's ACTIVITY REPORTS BY GOAL**

### **III. a) GOAL 1: Support sustainable systems of governance in culture**

- From the questionnaires received, around 50% of CSOs made references to GOAL 1 and listed concrete activities.
- Different artistic or cultural genres are represented by CSOs referring to GOAL 1, such as music, theatre, festivals, media, heritage, publishing, visual arts, literature.

## **Main evolutions since the 2017 report:**

*In general, findings of CSOs' activities in 2018 under GOAL 1 are comparable with the findings in the CSOs' Activity Report 2017.*

*Thematic areas* in which CSOs implemented activities in 2018 (similar to 2017) were challenges for cultural diversity in the digital environment, intellectual property rights, cultural policies at national and local level to fund the diversity of cultural goods and services, and policies and measures that support a favourable environment for artistic and cultural creation, production and distribution.

Activities<sup>3</sup> under GOAL 1 include, among others: Tanzania Intellectual Property Conference; Mexico, governance focus on cultural rights via networking; Bosnia, urban governance initiatives; Poland, efforts in collecting data and closer cooperation with members; Latvia, initiatives to review the new tax system which changes governance; Peru, further activities and interventions within the Peruvian Alliance for Cultural Organisations; Europe/World, launch of a call to action on gender and culture strategy in international relations and cooperation for development strategies, including references to the 2005 Convention monitoring framework and participatory governance model for culture<sup>4</sup>.

*However, there are some new notions/observations that can be made from 2018 CSOs' activities under GOAL 1. These are the following:*

- Several activities of CSOs under GOAL 1 have a stronger focus on cultural governance at local and regional level (as sub-national systems of governance for culture). This activity approach is connected with community engagement and commitment to local actors in and outside the cultural sector. In this context, Open Cultural Governance is used by CSOs for advancing ideas and projects during conferences, workshops or via direct project development in regions and cities.
- Another new phenomenon under GOAL 1 is a stronger focus of CSOs' activities on digital governance and media governance in the context of recent developments in Digital Single Market (DSM), particularly in Europe.
- Furthermore, an additional observation under GOAL 1 is that more CSOs' activities explicitly focus on creative industries and request an enabling environment for creative entrepreneurship.

## **Challenges under Goal 1**

In addition to the main challenges already identified in the CSO Activity Report 2017 under GOAL 1 (see page 14)<sup>5</sup>, the following additional challenges can be highlighted, particularly under recognition of the above mentioned new activities:

- In the context of the digital shift, the need for appropriate regulation to support digital governance and media governance
- The need for frameworks that support local and regional actors and related structures, networks, etc.
- The need for an enabling environment for the actors and subsectors of the cultural and creative industries

## **Solutions or Recommendations under Goal 1**

<sup>3</sup> For the full list of activities and their descriptions please refer to annexe I and II

<sup>4</sup> Initiated by Culture et Développement (France), Africalia (Belgium), Arterial Network (Africa), British Council, UCLG (Committee on Culture), International Music Council, Interarts Foundation, UNESCO (Liaison Office, Brussels) and their associated partners : ACP Secretariat, Bozar, CISAC, European Coalitions for Cultural Diversity, ICOMOS, More Europe, UCLG-Africa, Observatory of Cultural Policies in Africa and Culture Action Europe.

<sup>5</sup> [https://en.unesco.org/creativity/sites/creativity/files/sessions/11igc\\_6\\_civil\\_society\\_reports\\_en.pdf](https://en.unesco.org/creativity/sites/creativity/files/sessions/11igc_6_civil_society_reports_en.pdf)



The two recommendations under GOAL 1, made in the CSOs Activity Report 2017, are still relevant:

*Recommendation 7: Increase the coordination within UNESCO Sectors and UN agencies for the Convention.*

*Recommendation 8: Support for skills development of artists and cultural professionals.*

Based on the review of CSOs' activities under GOAL 1 in 2018 the following specific recommendations for the support of sustainable systems of governance for culture can be stressed:

- In the interest of better governance, improvement and professionalisation of cooperation and communication between national UNESCO commissions and CSOs (2-way communication and cooperation).
- Better funding of CSOs by national and local/regional governments in the interest of sustainable governance systems for CSOs.
- Strengthen public policies for the promotion and dissemination of creative industries as a source to build citizenship, as a basis for sustainable development, and as a source of employment, entrepreneurship and to support young talent in the country to boost cultural entrepreneurship.

### **III.b) Goal 2: Achieve a balanced flow of goods and services, and increase the mobility of artists and cultural professionals**

- 17 CSOs' responses reported activities related to GOAL 2, making the statistical share of this goal around 50%.
- Basically all artistic genres and sectors are represented including music, heritage, visual arts, publishing, theatre etc. Types of CSO have also been diverse and include NGOs, foundations, networks, unions etc., which have national, regional and international presence.

#### **Main evolutions since the 2017 report**

Thematic areas compared to the 2017 report have increased in scope and include, in addition to capacity building, support to creation, visa regulations, funding and freedom of movement, copyrights.

- Reported activities under GOAL 2 include both hard and soft activities including festivals, conferences, training, networking, research/data collection and advocacy.
- Advocacy and policy influencing at national, regional and international levels have seen a significant focus increase among CSOs, both from the global south and north, and this could be interpreted as a positive sign towards maturity and capacity development across sectors. Advocacy related activities referring to GOAL 2 are closely linked to policy formulation and awareness raising among decision makers and have targeted national, regional and international policy makers (European Agenda for Music work, Arterial work with the African Union, Visa Code EU etc). Hence significant efforts have been made for research and data collection. New partnerships in particular with research and academia have been built.
- In some regions of the world there is increased mobility of artists, as well as an improvement of international aviation rules related to transport of musical instruments.

New emphasis is being noticed in relation to entrepreneurship and private sector support and engagement as an effective means to promote goods and services exchanges and circulation. The 2018 reports also show an increase of activities related to organisation of labs, incubators, specific markets and business festivals and fora.

#### **Main Challenges under Goal 2**

Challenges identified under the 2017 report remain valid. The current reports highlight:

- Lack of structured dialogue with policy makers as well as weak cross-policy sector harmonisation.
- Acute lack of data and information across sectors.
- Alarming trend among decision makers and stakeholders such as radio and TV to allow economic aspects in decision and policy making to prevail.
- Lack of awareness about the 2005 Convention and, in particular, among young graduates since it is incorporated in curricula.
- Lack of funding for advocacy, research and data collection.
- Copyright violation with regards to digital markets.

### **Solutions or Recommendations under Goal 2**

Based on the review of CSOs' reports in *2018 the recommendations* can be summarised as follows:

- Call for more regional and international structured advocacy approaches, which can be reached through support to advocacy work and networking.
- Additional support to facilitate collaboration both among cultural entrepreneurs, actors and artists from different regions as well as collaboration with a larger spectrum of stakeholders to include public and private sectors.
- More support to data collection and evidence based research.
- More efforts to 1) explore and use the potential of new technologies in favour of GOAL 2 objectives, as well as 2) prevent its negative impact related to copyright for example.

### **III.c) GOAL 3: Integration of culture into sustainable development frameworks**

- 21 CSOs made reference to GOAL 3 and listed concrete activities.
- Sustainable development challenges addressed include gender issues, urban issues and urban planning, economic development, decent jobs, worker rights, environmental action, peace, prevention of violence, social cohesion.

### **Main evolutions since the 2017 report**

Activities of CSOs in 2018 remains largely similar to that of 2017.

- Awareness raising initiatives through film, new media, festivals, music, art etc. An example is film festival on social issues by Fédération Tunisienne des Ciné-Clubs (FTCC), film, music, video art festival by Art Centre NOASS, exhibition and panel discussions by CRVENA on gender issues, investment in developing audiovisual content by EBU
- Capacity building in the artistic, cultural and emerging creative sector by development of cultural industries and cultural tourism (e.g. Polish Music Council, Contact Base, CRVENA)
- Art installation and performance for advocacy on sustainable development challenges (e.g.: *I am Valbona* by Art Kontakt, gender issues by Fundación Fil-Armonía Acordes de Esperanza)
- Promote and develop scientific knowledge through research and publications, conferences and seminars (e.g. research on culture and economics by Associazione per l'Economia della Cultura, study on technology and art by CCIC, round table on culture and media by IRMO)
- Activities for better monitoring and assessment of new developments in cultural and creative sector (e.g. Vrystaat Arts Festival and the University of the Free State (UFS) worked on understanding interconnections of technology, interdisciplinary, and experimental arts and impact on communities; crafting and implementation of the European Agenda for Music (International Music Council)
- Networking activities for building a collective voice: CRVENA supporting activists in urban planning, building green environment with research, technical and production support; Contact Base building youth network for countering violent extremism using digital and cultural media

- Partnership with local authorities: Culture et Développement develops several strategic plans for culture notably at local level in Africa based on multi-stakeholders dialogue and partnership through international cooperation
- Arterial Network Zimbabwe has undertaken Creative Harare Project, which promotes cultural and creative spaces and industries in the city of Harare.

### **Main Challenges under Goal 3**

When compared with the challenges faced by CSOs in the 2017 report, we find that problems of scarcity of funds, inadequate governance systems, lack of evidence, are again mentioned. Other challenges are: lack of structured dialogue between policy makers and cultural stakeholders; lack of relevant national policies for creative industries; digital shift; conflict arising out of ethnicity; lack of understanding of aspects of culture beyond aesthetics.

- The weakness and paucity of structured dialogue between policy makers and cultural stakeholders poses a challenge in achieving Goal 3. People at large in developing countries are not aware of the UNESCO Convention and the role of culture in sustainable development. Lack of institutional understanding and expertise in the field of cultural developments, the standard of education when it comes to culture and lack of legal and institutional frameworks for valuation of professionals employed in creative industries is of great concern.
- CSOs from the developing countries have shared that their countries do not have accessible national policies and measures that promote creation, production, distribution and access with regard to diverse cultural goods and services. Public policies for the promotion and dissemination of creative industries as a source to build citizenship and as a basis for sustainable development need to be strengthened.
- There are gaps in dialogue between communities due to identity and ethnic conflict, this point was raised mainly by the CSOs of Africa. There is currently focus on the artistic aspect of cultural diversity, but culture also includes lifestyles, value systems, traditions and beliefs, and promotion of this will help communities divided by ethnic conflict to come closer together.
- Most CSOs are challenged by resource inadequacy and access to finance.
- Lack of evidence due to unavailability of data and lack of research and collaboration between the academic sector, statistical organizations and the creative sector is a critical gap.
- There is lack of awareness/capacity to effectively understand and leverage the digital shift and its impact on business models.

### **Solutions or Recommendations under Goal 3**

The 2017 CSO report had suggested measures like raising of awareness on the role of culture in sustainable development across sectors, capacity building and research to find more data and evidence. Apart from these, CSOs mention in their 2018 reports the need for increased networking, decentralization of initiatives for the creative sector, and the importance of cultural education.

- Cooperation with other cultural associations and independent institutions supporting art and culture should be increased.
- Capacity building and supporting policy development to use new technologies, following the best international trends in technology and culture is recommended.
- UNESCO, Parties and CSOs should collaborate to raise awareness of the importance of culture in sustainable development processes and of the Convention for Governmental agencies and organizations working on international cultural relations.
- UNESCO should focus on investing additional resources into improving the use of civil society research and information in its work and be more engaged with policy opportunities and exchanges.
- The importance of cultural education must be recognized as it is the bedrock of culture related developmental work.
- Policy should be decentralised to local governance level while, at the national level, resource equity and policy alignment may be ensured.

### **III.d) GOAL 4: Promote human rights and fundamental freedoms**

- The majority of CSOs reports made reference to GOAL 4 and listed concrete activities.
- The different CSOs working on Goal 4 mentioned issues relating to conflict, restrictive government policies, lack of awareness among people, artists' security as hurdles in promoting human rights and fundamental freedom.

#### **Main evolutions since the 2017 report**

When comparing to the activities by CSOs in 2017, we find certain commonalities such as campaigning, advocacy and research documentation. Activities including independent communication channels and capacity building of women in the cultural sector have been undertaken by CSOs in 2018 to meet Goal 4.

- Campaigning and advocacy and the creation of networks to enhance synergies and share knowledge. Art Kontakt has taken up a project, "Videmokraci", (video production and dissemination) which works with activists, youth and students.
- Research, documentation, publications and conferences have been undertaken by most of the CSOs to address issues related to Goal 4.
- Some of the organizations have focused on providing short-term residencies for artists at risk. Training platforms and access to a deeper understanding of the sector and of relevant approaches for action have been established and broadened.
- Training sessions aimed at strengthening leadership capacities of women in the cultural sector were held by organizations like Arterial Network.
- Free and independent public communication channel (web radio) is being used as a playground for artistic experiments with sound, voice, music, dramaturgy and performing by CRVENA.

#### **Challenges under Goal 4**

- Conflict: Identity and ethno-political conflicts in Africa are a barrier to the expression of cultural diversity. The outbreak of war (in the Sahel, for example) is accompanied by a low level of cultural actors in general and the lack of structuring of the sector. Peace, which is a fundamental right along with freedom, is not experienced.
- Restrictive government policies regarding the diversity of cultural expressions and the importance of promoting fundamental freedoms: censorship regulations, cyber-security measures and stipulations of public order and security. The participatory systems of governance for culture (that calls for the inclusion of minorities and disadvantaged groups) is threatened. Indeed trends show an increased number of cases where the expressions of those minorities and disadvantaged groups is not respected (references were made by CSOs from Eastern Europe, Africa and Asia). As a consequence, no structured cultural policy targeting racial, religious, ethnic, linguistic minorities; in the case of disadvantaged minorities, often the primary need is considered to be food, shelter, health, etc. (NGOs from Africa, Asia, Eastern Europe). Another consequence of the government's low respect for cultural diversity is the lack of respect for the freedom of expression.
- In addition to restrictive government policies and regulations which negatively impact artistic freedom of expression, where there are instances of legal actions against such oppressive measures, the judiciary is usually not independent in many African countries when government is involved. So parts of the key challenges include: - artists' lack of access to justice in the domestic environment when government is involved in litigations; - knowledge gap in the arts and culture sector regarding the use of various international legal instruments and mechanisms developed by regional and international human rights bodies.
- Citizenship: The desire of citizens to become involved in the policies (including cultural) of their country is, in certain regions, neither encouraged by the government nor spontaneously

manifested at the level of the population (NGOs from Latin America, Eastern Europe, Africa, Asia). This lack of participation in public life, combined with the lack of education regarding cultural diversity creates a climate of intolerance, at the population level, that makes difficult the various expressions of cultural diversity.

- Security of artists: Threats to the security of artists and cultural professionals perceived to be acting in defiance of regulations in less democratic countries, limits the will to interact with creative works that have a critical commentary on government policies/activities.
- Artistic freedom is threatened in all parts of the globe. Government and religion are the principle violators of artistic freedom. Art in the online and digital space continues to challenge authorities and corporations who are quick to react by closing down expression.

#### **Solutions or Recommendations under Goal 4**

- Promotion and dissemination of creative industries as a source to build citizenship and peace
- Education of the population on cultural diversity, on acceptance of the other, tolerance, on the 2005 Convention. Inclusion of formal education programmes in schools on music, art, culture for creative thinking and innovation.
- Cultural governance: Promoting the increase of civic participation in all cultural policy design, implementation and evaluation processes across the world. Good cultural governance promotes diversity of expression, while securing the fundamental social infrastructure needed to advance all the other goals of the Convention. Good governance of civil society in the field of the 2005 Convention can be a chain link of this global cultural governance and the consolidation of civil society in general.
- Strengthen follow up mechanisms that monitor how state and non-state actors respond to recommendations highlighted in reports that are published on the 2005 UNESCO Convention.
- UNESCO may focus on investing additional resources into fighting discriminations of women, LGBTI and minorities within cultural rights; improve the use of civil society research and information in its work; be more engaging on policy opportunities and exchanges together with Parties; and provide developments on its cultural rights work to civil society organizations throughout the year.
- More trainings for local cultural activists and advocacy organisations active in the African culture sectors to learn from practical guides on how to take complaints to UN Treaty Bodies and civil society actors taking cases on their behalf.

#### **III.e) REGIONAL PERSPECTIVES AND FINDINGS**

Africa's CSO activity reports show areas of concern that persist and that represent key challenges to the implementation of the 2005 Convention in Africa :

**Lack of political will:** Nearly 80% of African countries have ratified the 2005 Convention, but a lack of understanding of the 2005 Convention among public authorities, result in a lack of political commitment to the 2005 Convention.

**Lack of tangible results:** Africa has benefited most (46%) as a region from the International Fund for Cultural Diversity (IFCD). However, there are few concrete benefits like greater political and public funding support.

**Poor understanding and integration of culture in development policies:** the culture and the development have each an impact on the other, so the development and cultural strategies must to be better informed that the default position (the economic contribution of the cultural and creative industries in development).

**Limitations of the 2005 Convention as a trade-related document:** The emphasis of the 2005 Convention on trade in creative goods and services is incompatible or inconsistent with conditions in many African countries. With high levels of poverty, the creative and cultural industries face major challenges to be sustainable within local markets.

**Underdeveloped value chain:** There is no shortage of the “raw material” of talent but there is little investment in the creation, production, dissemination, consumption and evaluation, i.e. in all levels of the value chain within and across the creative and cultural industries.

**Informal nature of the African cultural economy:** artists in most African countries operate within the informal economy and actively resist forms of regulation in order to avoid paying tax; collecting statistics to inform policy-making and collecting revenues from the cultural economy are more difficult.

**Ineffective intellectual property regimes:** poverty on the African continent means that the market demand for creative goods is at much lower prices than those set by producers. In this context, piracy flourishes and this infringement of copyright rights is under-policed.

**Lack of capacity:** One of the key challenges on the continent is the absence of skilled and experienced human resources within government and in all levels of the value chain in the creative and cultural industries. Few training institutions in this field.

**Lack of resources:** the lack of financial resources from the public and private sectors in most African countries creates an unhealthy dependence on international funding.

**Outdated or irrelevant cultural policies:** many countries have outdated cultural policies or embrace policy themes that emanate from Global North conditions because the latter may come with resources. Cultural policies more adapted to the African context are needed.

**War-related conditions:** the security challenge in the Sahel region makes the development of cultural policies and the expression itself of the different artistic expression very difficult.

Regarding the **Arab countries**, we had reports from Maghreb and one from the Middle East. We need to pursue for feedback from the civil society from this region. The responses that we had from the North of Africa show mostly a crisis of participation and involvement of young people in community life; the need of skill development for the professionalization of the culture sector (need of training in project management, fundraising, administrative and financial management: common need for Eastern Europe, Africa, Arab countries, Asia), difficulty of funding and a subsequent will of greater support from the state for the culture field.

A common trend in the region is the lack of explicit cultural policies, incoherence of development programmes and their impact on local ecosystems. Lack of data and transparency is being also pointed as one of the major barriers to sustainable development of cultural and creative industries. The restrictive understanding of capacity building as trainings instead of adopting an empowerment approach is also a topic that is of interest in North Africa. Empowerment aims at supporting local ecosystem by investing both in HR and institutional service providers who would then be locally available, affordable and of good quality in country. Hence the need for supporting professionalisation of services in support of cultural and creative industries in a more structured and sustainable manner.

The CSOs from **Asia** flag the lack of national policies that promote the creation, production, distribution and access to diverse cultural goods and services ; the civil society is not actively invited in building a transparent and participatory system of governance for culture.

The national policies are restrictive in terms of diversity of cultural expressions because they do not favor certain “ideologies” ; in the aspect of the mobility – the artist and cultural professionals who prescribe to the ideology of the current political state are favored.

Like the NGOs of Africa, there is need of awareness on the Convention and of the role of culture in sustainable development (at the level of government, civil society etc); this results in a lack of support for creative entrepreneurship and cultural industry and negatively affects cultural governance. The digital sector is also challenged by this lack of awareness. Capacity building and supporting policy development is needed to leverage availability of digital technology to strengthen the creative sector. More collaboration is required between the academic sector, statistical organizations and the creative sector, such collaboration can result in evidence building through sharing data and networking.

The reports of CSOs from **Latin America and Caribbean** show a general concern about civil participation and engagement in the field of cultural policy (cultural governance). Civil participation and diverse cultural expressions strengthen and sustain cultural governance. Thus, the promotion of creative industries through concrete public policies related to the diversity of expressions is a means

to built citizenship. This system also ensures strengthening of multistakeholder dialogue and knowledge exchange.

Professionalization of the culture sector, funding and awareness are also areas of concern. Programs and infrastructure are needed for the development of local talents and the integration of artistic education in the formal education (as well as programming, video games) is seen as a part of solution.

It is also important to talk, concerning Latin America and Caribbean, about the application of the Convention to the sector of artists, creators, producers and to the link between the State and the independent sectors; about studies on culture and the economy in the chain of production in the performing arts and the cultural industries, copyright and status of the artist, which is nonexistent, about the regulation on the programming of the digital TV channels and about the conditions for the diffusion of the cultural and identity programming, about the valorization of the organized layers of civil society in the field of culture such as the national coalitions for cultural diversity or associations dedicated to various cultural expressions. The lack of support for national coalitions, the lack of knowledge of the Convention on the part of the governments, and the lack of interest in general that most of the Governments show for culture is also notable.

Greater awareness on the contribution of the creative industries to social welfare and human development can lead to improved financial support.

One of the most important subjects of concern in the CSO reports from **Eastern Europe** is the gap between the policymakers and the civil society. Dialogue with civil society is not a priority of the political class. The structural dialogue between policymakers and different cultural and artistic sector is also weak and the consequence is a fragility of quantitative data in this field. In some countries of Eastern Europe, the problem is further accentuated by huge lacuna of facilities for artistic activities, of cultural policy, action plan and budget at all levels of governance; lack of institutional understanding and expertise in subjects concerning the new trends in culture; lack of educational institutions and alternative programs for education of professionals employed in creative industries; no programs for any kind of support of individual artists.

There is a competition between governmental cultural institutions and CSOs in providing content. Some CSOs request UNESCO to support independent cultural action to ensure balanced conditions of working when competing with public institutions.

This aspect is also visible in the area of funding as there is unequal access to public funds for arts and culture. The CSOs do not have financial support, or a regular and predictable source of earning money. Very often, the tax system does not encourage the private sector to fund cultural and artistic activities.

This gap between policymakers and civil society is the expression of a democratic deficit and low levels of participation from people at large and more specifically from young citizens or disadvantaged groups. The public service media in Central and Eastern Europe has challenges like lack of political independence, deficit of gender equality in management and content, underrepresentation of minorities in media and also by a lack of comprehensive national media literacy strategy.

CSOs in **Western Europe and North America** highlight concerns on:

**The impact of digital technologies on the cultural industries and on the diversity of cultural expressions** : for example with its focus on the digital and data economy, the DSM reform in Europe has implications for cultural trade, i.e. the trade of digital cultural goods and services.

**Sustainability of small and medium cultural organisations**: concern are raised on the workflow related to the “call for projects” structure of funding instruments requesting permanent mobilisation in fundraising including for ongoing and permanent activities that request to be adapted to a “project oriented” approach. In some cases lack of facilities for artistic activities, inadequate financing and inequality in accessing public funds for arts and culture are mentioned. Pauperization of the artistic and creative professional work across Europe is seen as a challenging trend while the narrative of the impact of the creative economy on GDPs is promoted at the forefront of new business models for the sector. However those models may apply to a very restricted number of players and be less transferable notably to the not for profit sector.

**Public service media**: progressive reduction of funding for Public Service Media and, more in general, for cultural initiatives, across Europe and **crisis of the traditional business model** of media and cultural production and distribution (printed media, cinema, radio, tv).

**Intellectual Property and personal data in the digital sphere:** lack of protection of personal data in Europe over the internet platforms (CSO expressed the hope that the situation will improve after the entry into force of GDPR legislation adopted by the European Union) and violation of intellectual property rights by the Internet platforms. One solution submitted by the European Broadcasting Union could be the introduction of regulation and fair protection of IP rights and creative works in the global Internet.

**Unfair remuneration of artists and creators:** unfair practices are recorded notably by the new actors entering the media arena.

**Other concerns are:** the impact of culture in fostering social cohesion, gender issues and digitalization, fair cooperation and trade, the negotiation of the commercial treaties taking into account the cultural exemption. "The Convention in other International Forums: A Crucial Commitment" in the 2018 Global Report of the Convention is an important contribution to assist the parties in their trade negotiations, and a valuable source of information for civil society. Efforts should continue in this direction. Finally, artistic freedom is being shut down in every corner of the globe, including in the traditionally democratic West.

### **Transversal topics:**

Subjects like low level of budget and funding, freedom of expression or gender equality and discrimination, are common to all regions but with diverse contextual understanding. The gender equality challenge in Africa is more focused on the access of women to the professions of the creative industries; in Europe the debates center more on remuneration gaps and gender equality in decision-making positions. The freedom of expression is more a systemic problem in regions like Asia, Africa, Arab countries, Eastern Europe whereas Western Europe reports more specific, individual cases of repression.

**Some International Organizations** chose in their activity reports, to focus on very specific themes Freedom of expression and artistic freedom: According to the questionnaires the principal violators are governments and religious groups, across the world. The women, the LGBT, the cultural or ethnic minorities are still facing discrimination. In Western Europe, the priority for these groups is to address illegitimate legislations and policy measures inconsistent with international human rights (Freemuse).

Cultural exemption: Among the 59 agreements that represent an implementation of Articles 16 and 21 of the Convention in bilateral and regional agreements concluded since the adoption of this instrument, six agreements were successful in jointly implementing these two provisions; however only three agreements to include explicit references to the Convention, to grant a particular status to certain cultural services, among others concerns. As underlined in the study "Culture in Treaties and Agreements"<sup>6</sup>, civil society agrees that Parties must be particularly aware of the commitments they make for the liberalization of electronic commerce.

Art in online and digital space: the adaptation of business practices and intellectual property standard in the context of digital technologies is also in INGOs areas of interest and attention has been drawn to the fact that the public service media benefits from the involvement of specific NGOs struggling for fundamental transformation due to the impact of digital technology on the audiences and supporting independent and high-quality public service broadcasting worldwide.

The international NGO dedicated to **the performing arts (ITI)** that replied to the questionnaire focuses its report on the objective 4 dedicated to the human right and highlights the need for better cooperation and communication between their members (civil society organisations) and the UNESCO national commission of UNESCO in many countries; the international NGO dedicated to **music (IMC)** focuses on the respect of five basic music rights (freedom of musical expression, access to music education, access to participation and information, access to media and structures, right to just recognition and fair remuneration) and the **CCIC** international platform notes that a lot of emphasis is put today on the artistic aspect of cultural diversity, whereas culture is not reduced to

<sup>6</sup> <https://en.unesco.org/creativity/sites/creativity/files/dce-policyresearch-book1-en-web.pdf>



art, but includes lifestyles, value systems, traditions, beliefs, aspects that also deserve their attention under the 2005 Convention.

#### IV. CONCLUSIONS

In the CSO activity reports collected in 2019, the importance of the following up with Parties on the recommendations made in 2017 by civil society is emphasized, calling for an open exchange during the 7th Conference of Parties between civil society, Parties and the Secretariat on the implementation of those key recommendations, notably on

1. **Rec. 1 and 11 on awareness raising:** « A global campaign to educate stakeholders on the Convention », with a focus on two recurring aspects in the reports : a) the relation between culture and development and b) the digital shift. **A greater involvement of civil society representatives in the design for the awareness raising campaigns on the convention is once again suggested.**
2. **Rec. 3 and 9 on mobility** (of professionals and artists): in particular, despite several invitations to Parties to further contribute financially and/or otherwise to the participation of civil society representatives from different regions, notably from the South, to the work of the governing bodies, no or little improvements have been observed. **Therefore civil society calls for including the challenge of mobility in the point of the agenda dedicated to civil society of the 13th IGC (cultural professional mobility and mobility facilitation measures to participate to the governing bodies).**
3. **Rec. 4 on « Reinforcing the contribution of civil society to the governing bodies » and in the work with the Secretariat:** In the last year, on the occasion of the organisation of round tables on civil society at the IGC, the 2019 CSO Forum implementation, and the preparation of points on the agenda of the 7th Conference of Parties, civil society representatives noticed that civil society's direct implication in the preparation of those points has weakened after 2017 for several reasons. Therefore proposals have been made to reintroduce further participatory methods and tools to secure the greatest possible level of ownership and contribution from civil society to those activities, in dialogue with the Secretariat. 2019 civil society reports also show that participatory processes in the design and evaluation of national and regional policies would request further commitment and implementation from Parties on the field and monitor within the Convention, beyond QPR. Dialogue and information sharing between UNESCO national commissions and civil society is also still very weak. **Civil society therefore is available for increased co-designing of the next CSO Forum and for a systematic involvement of a large base of civil society organisations in research, articles and any other report on the implementation of article 11. It also remains open to dialogue with Parties on how to improve CSO participation in QPR.**
4. **Rec. 5 on the sustainability of CSO's:** concentration of means on bigger institutions and organisations to reduce administrative workload by national and international donors, concentration on « trendy subjects » in funding mechanisms that may reduce a diversity of cultural contents and lead to in some cases to standardization, precarious jobs and remuneration remain a key challenge for civil society organisations and representatives. This, despite increased opportunities for creation and dissemination notably through NTIC. Sustainability is also related to recommendations 8 and 10 of the 2017 civil society global report. **The challenge of the “Sustainability” for the sector and the diversity of its organisations could be integrated as a key point in the future work plan of the IGC, in partnership with civil society, UNESCO Chairs, and the Category II Centers** (in line with recommendation 6 of the 2017 report : « Measures to strengthen and support policy research, data gathering and sharing »)
5. **On artistic freedom and freedom of expression:** In the last years new relevant attempts to freedom of expression and association were recorded by civil society in different regions, including the closure of cultural NGOs and artists' murders. Therefore 2017 recommendations number 12 : « **Assist countries to develop legal frameworks and instruments to promote and monitor artistic freedom of expressions**” and Rec. 13 : « **Abolish prior-**

**copyright bodies » remain a key concern for civil society that invites Parties to organise a conference on this topic on the margins of the next meetings of the governing bodies.**

**To conclude, in order to maximise the impact of civil society reporting within the work of the governing bodies, civil society recommends that**

- a global civil society report could be submitted every four years to the Conference of Parties while civil society may produce yearly a list of activities, ad hoc thematic and/or regional focuses, on the occasion of the IGC for the point on the agenda dedicated to civil society, including a follow up of previous recommendations.
- A joint work plan to follow up on 2017 and 2019 civil society recommendations is established jointly by civil society and the governing bodies to be integrated in the annual work plan and agenda of the IGC. Regular meetings are organized between civil society representatives delegated by civil society and the Secretariat between two sessions of the IGC (civil society recommends meetings every 3 months, including a follow up exchange on decisions made by Parties and civil society participation after each of those sessions).
- Main activities implemented by the Secretariat regarding civil society should continue to be developed in close cooperation with civil society representatives delegated by civil society, following procedures established by civil society and in dialogue with the Secretariat in order to ensure ownership and insight from the field as well as a diversity of viewpoints
- A space is created to coordinate with actions and/or programmes initiated by UNESCO in the framework of the 2005 Convention such as the experts facility, IFCD etc.

**Civil society organisations would like to thank Parties' decisions and the facilitation by the Secretariat that allowed to create a space for civil society to express, notably through this report, its concrete contributions for the protection and the promotion of a diversity of cultural expressions as well as its challenges and recommendations to further secure those contributions in the short and long term.**

This table lists the activities described by NGOs in their activity reports.

Activity	NGO
"Déliter la violence et ouvrir des chemins de paix"	CCIC (Centre Catholique International de Coopération avec l'UNESCO)
#grajmywszkole (let's play in the school) project	Polish Music Council
: Ségou' Art / Festival sur le Niger	Fondation Festival sur le Niger
« Puissances technologiques et éthique de la finitude humaine. Comment concilier grandeur de l'Homme et homme augmenté ? »	CCIC (Centre Catholique International de Coopération avec l'UNESCO)
14ème Edition Festival sur le Niger	Fondation Festival sur le Niger
African Union Plan of Action for the Creative and Cultural Industries Review	Arterial Network
African Women Cultural Leadership . This is training meant to empowe woen creatives. Over 115 women from Cote d'Ivoire, Kenya and Zimbabwe were trained	Arterial Network
African Women in Cultural Leadership Training	Arterial Network Zimbabwe
Artvizem	Art Kontakt
Benches-books	Open Space Foundation
Big Data initiative	EBU - European Broadcastin Union
Building Capacities in theatre through Strategic Management in the Art of Theatre (SMART)	India Foundation for the Arts
Centre Culturel Korè	Fondation Festival sur le Niger
Collaboration with colleagues from Africa	Open Space Foundation

Co-organisation of public events synergies between Culture and Gender policies at the European Development Days in 2018 in partnership with 15 organisations worldwide	Culture et Développement
Creation and support of creative works that promote human rights, fundamental freedoms and human rights	Nhimbe Trust
Creation of enabling platforms in the promotion of fundamental freedoms through advocacy and lobbying	Nhimbe Trust
Creative Harare Project	Arterial Network Zimbabwe
Creativity Wronged report	Freemuse
Cultural Network Marketing platform design	Creatividad y Cultura Glocal A.C.
Developing an online marketplace for East African creative goods and services	Culture and Development East Africa (CDEA)
Développement de l'économie locale	Fondation Festival sur le Niger
DTI - Digital transformation initiative	EBU - European Broadcastin Union
EBU support to cooperation in the audiovisual field	EBU - European Broadcastin Union
Ecole de production cinématographique en Bolivie	Traditions pour Demain
Engaging youth in building peace and promoting cultural diversity	Contact Base
European Agenda for Music	International Music Council
Festival du cinéma Filmar en América latina, Genève	Traditions pour Demain
Festivals and Cultural Exchange	Contact Base
Foire de Ségou	Fondation Festival sur le Niger

Governance for Culture	Asabe Shehu Yar'Adua Foundation
Governance for Culture	ASABE SHEHU YAR'ADUA FOUNDATION
Grantmaking in the arts and culture sector - 45 grants	India Foundation for the Arts
Hermanas Mirabal Chamber Orchestra	Fundación Fil-Armonía Acordes de Esperanza
Hosting 2nd Mashariki Creative Economy Impact Investment Conference	Culture and Development East Africa (CDEA)
Human Right	Asabe Shehu Yar'Adua Foundation
Human Right	ASABE SHEHU YAR'ADUA FOUNDATION
I am Valbona	Art Kontakt
IMC statement in favour of freedom of artistic expressions and creativity	International Music Council
Injection of culture lens perspectives in public policy formulation, implementation and monitoring to amplify convention goals	Nhimbe Trust
interculturalité dans les écoles	centre catholique international de coopération avec l'UNESCO
International contemporary and video art festival Waterpieces	Art Centre NOASS
Ki-Katuni Critical Debates	Culture and Development East Africa (CDEA)
Le réseau des festivals de cinéma thématiques	Fédération Tunisienne des Ciné-Clubs (FTCC)
Les langues locales/minorées	International Alliance of Independent Publishers
Liberté d'éditer	International Alliance of Independent Publishers
'Listen to the silenced' - EU Parliament event	Freemuse

Mapping of Mexican Diversity of Cultural Expressions	Creatividad y Cultura Glocal A.C.
Mise sur pied d'une plateforme de coopération et d'échanges culturels en Afrique "Art Connect Africa"	Regroupement des Professionnels des Arts et Culture d'Afrique Centrale "RE.P.A.C"
Not Just History	Open Space Foundation
offrir une scène à des artistes handicapés , l'art un facteur de sociabilisation	centre catholique international de coopération avec l'UNESCO
Open Government for Culture	Asociación Civil Solar
our journal "Economia della Cultura"	Associazione per l'Economia della Cultura
Pan-African Creative Exchange (PACE)	Vrystaat Arts Festival
Participation au Conseil des orientations stratégiques et des perspectives au CNCI (Centre national de cinéma et de l'image).	Fédération Tunisienne des Ciné-Clubs (FTCC)
plaidoyer	centre catholique international de coopération avec l'UNESCO
Politiques publiques du livre	International Alliance of Independent Publishers
Programme for Innovation in Artform Development (PIAD)	Vrystaat Arts Festival
promotion and implementation the European Agenda for Music in Poland	Polish Music Council
Promotion of cultural industries and creative enterprise	Contact Base
Propriété intellectuelle sur le savoirs traditionnels - OMPI	Traditions pour Demain
Public Awareness and Outreach through Artistic and Cultural Presentations via Grant Showcases, IFA Open Houses and MaathuKathes (Conversations)	India Foundation for the Arts

Radio RED Antenna	Association for culture and art CRVENA
Rasa Šulca's solo exhibition PARASOMNIA	Art Centre NOASS
Recherche et développement	Fondation Festival sur le Niger
Regards de femmes	Fédération Tunisienne des Ciné-Clubs (FTCC)
Regional meetings - North Africa/West Africa/Southern Africa	Arterial Network
Rostrum+	International Music Council
seminars	Associazione per l'Economia della Cultura
Signing an agreement with the Dominican Coaching Society,	Fundación Fil-Armonía Acordes de Esperanza
State of Artistic Freedom 2018 and 2019	Freemuse
Sustainable Development	Asabe Shehu Yar'Adua Foundation
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Syndicalization	Association for culture and art CRVENA
Technical assistance and cooperation with Yopougon Municipality (Abidjan	Culture et Développement
Territoires Associés, le développement par la culture	Culture et Développement
The international round table 'Digital Single Market and Its Impact on Culture and Media in Croatia'	IRMO - Institute for Development and International Relations
The Media Pluralism Monitor	IRMO - Institute for Development and International Relations
the project, music as a means of social inclusion	Fundación Fil-Armonía Acordes de Esperanza
Transmaking	Association for culture and art CRVENA

UNESCO 2005 Convention and the Diversity of Cultural Expressions in Mexico	Creatividad y Cultura Glocal A.C.
Videmokraci	Art Kontakt
Vrystaat Literature Festival	Vrystaat Arts Festival
Where do poems come from? by the Russian text group Orbita	Art Centre NOASS

(the full reports shared by each civil society organisation will follow merged in annex II:  
[https://drive.google.com/file/d/1YZ0i6LUCK6m\\_5a\\_7WAjzqMPx6OhdPBy5/view?usp=sharing](https://drive.google.com/file/d/1YZ0i6LUCK6m_5a_7WAjzqMPx6OhdPBy5/view?usp=sharing))