



United Nations  
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• Cultural Expressions

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• Diversité  
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الثقافي

• 联合国教育、  
科学及文化组织

• 文化表现形式  
多样性

# 7 CP

DCE/19/7.CP/12  
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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

**Item 12 of the provisional agenda:** Draft revisions to the Operational Guidelines on Article 9, "Information Sharing and Transparency"

In accordance with paragraph 7 of [Resolution 6.CP.9](#) this document presents draft revisions to the Operational Guidelines on Article 9, "Information Sharing and Transparency."

Decision required: paragraph 8

1. At its sixth ordinary session (June 2017), the Conference of Parties requested the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter “the Committee”) to revise the Operational Guidelines on Article 9, “Information Sharing and Transparency,” including the Framework for Quadrennial Periodic Reports on Measures to Protect and Promote the Diversity of Cultural Expressions (hereinafter “the Framework for Periodic Reports”) and the Sources and Statistics Annex, and to submit the results of the revisions to its seventh session.
2. The draft revisions to the Operational Guidelines on Article 9 aim to improve the clarity, relevance and flexibility for the preparation of Parties’ periodic reports. They also seek to harmonise the reporting framework with the Conventions’ Monitoring Framework, in order to improve the evaluation of the Convention’s impact on the ground. The rationale behind the revisions is presented in paragraphs 13-17 of Document DCE/17/11.IGC/8, which was submitted to the Committee at its eleventh session, and is summarised in paragraph 5 below. The revised Operational Guidelines and Framework for Periodic Reports would apply to the third reporting cycle, following their approval by the Conference of Parties in June 2019.
3. At this session, the Conference of Parties is invited to examine the draft revisions to the Operational Guidelines on Article 9, including the Framework for Periodic Reports, and consider them for approval.
4. The draft revisions were adopted by the Committee at its twelfth ordinary session (December 2018). They reflect the discussions held at the sixth session of the Conference of Parties and at the eleventh and twelfth sessions of the Committee, the results gathered during the first two cycles of periodic reporting (2012-2015, 2016-2019), and the views expressed during a working session held in Dakar (Senegal) on 20 March 2018 with the authors of the Global Report, the experts involved in capacity-building activities on policy monitoring, the field offices and the Secretariat.
5. The main recommendations stemming from the consultation process detailed below have been taken into consideration in the draft revisions to the Operational Guidelines and the Framework for Periodic Reports:
  - i. **Harmonise the Framework for Periodic Reports with the Monitoring Framework of the Convention** (presented in Document DCE/19/7.CP/INF.8) by reorganising it around the four goals of the Convention and the corresponding areas of monitoring. This will enable better monitoring for each area of the Convention and improve the transferability of information between the Global Report, periodic reports and the Policy Monitoring Platform.
  - ii. **Simplify the Framework for Periodic Reports and improve user-friendliness** to enable intuitive browsing and facilitate the preparation of Parties’ reports with clearly defined steps.
  - iii. **Align the Section on “Complementary data, information and statistics”** with the Monitoring Framework of the Convention to facilitate data collection and management in order to improve the relevance of information provided in periodic reports and reinforce synergies between the national and international levels in the monitoring of the Convention. The Section on “Complementary data, information and statistics” has been reorganised and now consists of a series of qualitative and quantitative questions incorporating a large part of the means of verification of the Convention’s Monitoring Framework.

- iv. **Elaborate more targeted questions** to obtain impact-related information, both in relation to specific policies and measures and to the implementation of the Convention in general.
  - v. **Promote greater flexibility** in the elaboration of the periodic reports. To this end, the new Framework for Periodic Reports allows Parties to provide more information on the thematic areas of the Convention that are relevant to their national cultural policies. Restrictions on the number of pages or characters have been removed.
  - vi. **Apply a similar structure to all sections of the Framework for Periodic Reports** in the electronic form. A single list of questions has been developed for each section of the Framework for Periodic Reports, facilitating more standardised data processing.
  - vii. **Provide a tool to Parties to facilitate the implementation of participatory policy monitoring processes.** An independent form targeting civil society organisations is included in the Framework for Periodic Reports to support and facilitate the involvement of civil society in the elaboration of Parties' periodic reports.
6. In the light of these recommendations, the draft revisions to the Operational Guidelines on Article 9 contained in Annex also take into account Resolution [6.CP 9](#) and Decision [11.JGC 8](#) to limit the number of formal changes.
  7. The revised Framework for Periodic Reports is Annexed to the guidelines. According to a practice common to all UNESCO Culture Conventions, this Framework will be developed as an online form and updated by the Secretariat as required.
  8. The Conference of Parties may wish to adopt the following resolution:

## DRAFT RESOLUTION 7.CP 12

*The Conference of Parties,*

1. *Having examined Document DCE/19/7.CP/12, its Annex and Information Document DCE/19/7.CP/INF.8;*
2. *Recalling its Resolution [6.CP 9](#);*
3. *Approves the revised Operational Guidelines on Article 9 as annexed to this Resolution;*
4. *Requests the Secretariat to update its printed and online publications, the electronic form for the reporting cycle 2020-2023 and all other related material accordingly.*

## ANNEX

### Operational Guidelines of Article 9 “Information Sharing and Transparency”

#### DRAFT REVISIONS

#### Article 9 – Information Sharing and Transparency

*Parties shall:*

- (a) provide appropriate information in their reports to UNESCO every four years on measures taken to protect and promote the diversity of cultural expressions within their territory and at the international level;*
- (b) designate a point of contact responsible for information sharing in relation to this Convention;*
- (c) share and exchange information relating to the protection and promotion of the diversity of cultural expressions.*

#### Quadrennial Periodic Reports of the Parties to the Convention

1. Each Party submits, the fourth year following the year in which it deposited its instrument of ratification, acceptance, approval or accession, and every fourth year thereafter, a report to the Conference of Parties for its examination in accordance with Article 22.4 (b).
2. The reports shall provide relevant information on policies and measures Parties have taken to protect and promote the diversity of cultural expressions within their territory and at the international level, as well as on the impact and results of these policies and measures.
3. The information and data provided in these reports shall facilitate an exchange of experiences and best practices in order to contribute to the implementation of the Convention and its follow-up.
4. The reports shall be written in language consistent with the United Nations Charter and the 2005 Convention with a view to encourage dialogue and mutual respect among Parties and avoid politicisation.

#### Format and Content of Reports

5. The Parties will provide information according to the format approved by the Conference of Parties and contained in the framework for reports annexed to these Guidelines. It is understood that the Conference of Parties may decide to adapt the framework, taking into account the timetable it has set itself in conformity with Article 9 (a).
6. The quadrennial periodic reports provide qualitative and quantitative information and analyse how, why, when and with what impact, policies and measures, based on the guiding principles set forth in Article 2 of the Convention, to protect and promote the diversity of cultural expressions have been introduced. The reports also provide statistical evidence, as much as possible, as well as best examples of measures and experiences Parties wish to share.
7. In preparing their reports, Parties will consider the implications of the Convention on the governance of culture and integrated policy-making for the creative sector. Parties are encouraged to form inter-ministerial working groups, involving various governmental institutions responsible for arts and culture, education, trade, industry, tourism, labour, social and economic development, finance, planning, investment, communications and other governmental institutions concerned, to compile their reports. They are also encouraged to ensure that different government tiers, such as regions and cities, contribute to the preparation of the report.

8. In accordance with the Operational Guidelines for Article 16 of the Convention concerning preferential treatment for developing countries, developed countries will describe how they have implemented their obligations in conformity with this Article. In their turn, developing countries will report on the needs assessment they have carried out and the measures implemented to enhance their benefit from preferential treatment.
9. For each reporting cycle the Conference of Parties may establish, through a corresponding resolution, one or more thematic focus areas in order to address current policy issues and respond to changing contexts.
10. In accordance with the UNESCO Global Priority Gender Equality, the reports shall include information on the measures taken in order to facilitate and promote access for and the participation of women as creators and producers of cultural expressions, as well as the participation of women in the cultural life of societies.
11. Pursuant to the new UNESCO Operational Strategy 2014-2021 for Youth, the reports of the Parties shall include information on the measures taken in order to facilitate and encourage the participation of youth in cultural life as creators, producers and beneficiaries of cultural activities, goods and services.
12. Information shall be presented in a clear and concise manner.

### **Ensuring a Participatory Process**

13. In preparing their reports, Parties shall conduct multi-stakeholder consultations involving governmental and non-governmental actors, in order to capture the entire range of existing levels of engagement and sources of information.
14. In conformity with Article 11 of the Convention and the operational guidelines on the role and participation of civil society, Parties ensure the involvement of civil society in the preparation of the reports according to jointly-agreed modalities. The reports shall indicate the way in which civil society participated in the drafting process.
15. Parties are encouraged to cooperate with specialised bodies at local, national, regional and international levels to collect information and data requested in the framework of the quadrennial periodic reports.

### **Submission and Dissemination of Reports**

16. Upon request of the Conference of Parties, the Secretariat invites Parties to prepare their quadrennial periodic reports, at the latest six months before the date set for submission. To this end, the Secretariat refers to the points of contact appointed by the Parties and to the Permanent Delegations to UNESCO as well as the National Commissions for UNESCO.
17. Parties submit reports to the Secretariat in one of the working languages of the Committee (English or French) in electronic form and on paper, if an electronic signature has not been included. In order to facilitate the processing of data and information, Parties should give priority to the use of the online platform for the submission of reports. For purposes of information sharing, Parties are encouraged to submit their reports in additional languages, whenever possible.
18. Upon receipt of the reports of the Parties, the Secretariat registers them, acknowledges their receipt and transmits them to the Committee.
19. The Secretariat forwards to the Committee before its ordinary sessions preceding every two Conference of Parties (i.e., every four years) a report monitoring the implementation of the Convention at the international level on the basis of the information and data derived from the quadrennial periodic reports and other sources. The report will indicate transversal issues as well

as challenges identified in the reports to be addressed in the future implementation of the Convention.

20. In accordance with Articles 22.4 (b) and 23.6 (c) of the Convention, quadrennial periodic reports, after deliberation by the Committee, are forwarded to the Conference of Parties for review. These reports are accompanied by the Committee's comments and the monitoring report prepared by the Secretariat.
21. To facilitate the exchange of information relating to the protection and promotion of the diversity of cultural expressions, quadrennial periodic reports are made public on the website of the Convention before each session of the Committee at which they have been considered.

### **Points of Contact**

22. Upon ratification, Parties designate a point of contact responsible for sharing information on the Convention at the national level and, via the Secretariat, at the international level. If the point of contact changes, the Parties shall notify the Secretariat as soon as possible.
23. Points of contact are communication channels through which information about the Convention can be disseminated to relevant Ministries and public agencies. Points of contact shall be in a position to respond to queries about the Convention from the public.
24. Parties shall involve the points of contact in gathering relevant information, coordinating the inputs from different governmental and non-governmental sources, and drafting their quadrennial periodic reports.

## Annex - Framework for Quadrennial Periodic Reports on Measures to Protect and Promote the Diversity of Cultural Expressions

### Structure

Quadrennial periodic reports (hereinafter "reports") are divided into five sections.

Number	Section	Sub-section
1	General information	Technical information
		Executive summary
2	Policies and measures	<b>Goal 1</b> – Support sustainable systems of governance for culture <ul style="list-style-type: none"> <li>• Cultural and creative sectors</li> <li>• Media diversity</li> <li>• Digital environment</li> <li>• Partnering with civil society</li> </ul>
		<b>Goal 2</b> – Achieve a balanced flow of cultural goods and services and increase the mobility of artists and cultural professionals <ul style="list-style-type: none"> <li>• Mobility of artists and cultural professionals</li> <li>• Flow of cultural goods and services</li> <li>• Treaties and agreements</li> </ul>
		<b>Goal 3</b> – Integrate culture in sustainable development frameworks <ul style="list-style-type: none"> <li>• National sustainable development policies and plans</li> <li>• International cooperation for sustainable development</li> </ul>
		<b>Goal 4</b> – Promote human rights and fundamental freedoms <ul style="list-style-type: none"> <li>• Gender equality</li> <li>• Artistic freedom</li> </ul>
		<b>Emerging Transversal Issues</b>
3	Achievements and challenges	Results achieved
		Challenges encountered
		Solutions found
		Next steps
4	Civil society	Technical information
		Measures and initiatives
		Achievements and challenges
5	Annexes	

## Guidelines for writing reports

The following guidelines shall be taken into consideration when collecting information and data, and writing reports:

- (i) Declarative statements shall be supported by facts and explanations.
- (ii) The reports shall be written in language consistent with the United Nations Charter and the 2005 Convention with a view to encourage dialogue and mutual respect among Parties and avoid politicisation.
- (iii) Information and analysis are to be derived from a variety of sources and be illustrated with examples and, whenever possible, with data.
- (iv) Long historical accounts are to be avoided.
- (v) Means of verification, presented as quantitative and qualitative questions, relating to any of the 11 areas of monitoring of the Convention, shall, as far as possible, receive answers and be justified.
- (vi) While it is not mandatory to report policies and measures in each of the 11 areas of monitoring, it is highly recommended that as many areas of monitoring as possible be covered, so as to provide a coherent and comprehensive picture of the work carried out at the national level to implement the Convention.
- (vii) The description of the policies and measures should be clear and succinct, focusing on priority lines of action and, where possible, achieved impact;
- (viii) Intangible cultural heritage is not covered by the scope of the 2005 Convention and should therefore not be covered in this report.
- (ix) Parties that have already submitted a quadrennial periodic report on the implementation of the Convention will report on policies and measures, achievements and challenges faced during the four years following their previous report.

## Technical procedures for submission and follow-up of reports

The following procedures shall be respected:

- (i) Parties submit the reports in English or French (the working languages of the Committee) and, when possible, in other languages, using the electronic form prepared for this purpose by the Secretariat based on the Framework for Periodic Reports.
- (ii) The report shall conclude with the original signature, which may be electronic, of the official designated to sign on behalf of the Party.
- (iii) If the online form has not been signed electronically, the original signed version(s) is (are) sent to the following address: UNESCO, Section of the Diversity of Cultural Expressions, 7 place de Fontenoy, 75352 Paris 07 SP, France.

## 1. General information

### Technical information

### Executive summary

Parties shall provide a one-page summary in their reports, describing the main objectives and priorities of their current cultural policy, in direct relation with the Convention.

The summary is not an introduction to the report or an annotated table of contents.



The summary is submitted to the Committee and the Conference of Parties in accordance with Articles 22.4 (b) and 23.6 (c) of the Convention.

## 2. Policies and measures

- *The “Policies and measures” section is the core of the periodic reports. Its structure is based on the Monitoring Framework of the Convention so as to promote a systematic follow-up of the implementation of the 4 goals of the Convention.*
- *Thus, the “Policies and measures” section covers the 11 areas of monitoring of the Convention. An identical structure is proposed for each area of monitoring, including:*
  - *a brief introduction on the type of information that Parties are invited to provide;*
  - *means of verification, presented as qualitative and quantitative questions, allowing for systematic data collection on the implementation of the area of monitoring at the national level;*
  - *a narrative presentation of the key policies and measures implemented for each area of monitoring.*
- *For each policy or measure, specific questions are included concerning their link with the IFCD and the UNESCO Operational Strategy on Youth 2014-2021.*
- *For further information on the types of measures to be reported, a list of innovative examples is available on the Policy Monitoring Platform on the Convention’s website.*



### Goal 1 – Support sustainable systems of governance for culture



### Cultural and creative sectors

Parties shall provide information on policies and measures adopted to support cultural and creative sectors and protect and promote the diversity of cultural expressions within their territory, at the national, regional or local levels, at the different stages of the cultural value chain: creation; production; distribution/dissemination; participation/enjoyment.

Parties shall also provide information on the mechanisms of inter-ministerial cooperation, as well as cooperation between national and local/regional government authorities, established to promote the diversity of cultural expressions.

### Media diversity

Parties shall provide information on the efforts made to protect the editorial independence and freedom of the media, uphold regulations on media concentration, and support access to diverse content for all groups in society.

They are also required to report on the policies and measures adopted to support the diversity of cultural content in all types of media (public, private and community-based).

### Digital environment

Parties shall provide information on policies and measures that support digital creativity, local cultural industries and markets, for instance by promoting fair remuneration for creators or by modernising cultural industries in the digital environment.

They shall also report on initiatives to improve access to digital culture and to diverse cultural expressions in the digital environment.

### Partnering with civil society

Parties shall provide information on measures targeting civil society organisations<sup>1</sup> involved in the promotion of the diversity of cultural expressions and providing, *inter alia*: public funding to achieve the objectives of the Convention; opportunities for networking with public authorities and other civil society organisations; training opportunities to acquire skills; spaces for dialogue with government authorities to design and monitor cultural policies.

## Goal 2 – Achieve a balanced flow of cultural goods and services and increase the mobility of artists and cultural professionals



### Mobility of artists and cultural professionals

Parties shall provide information on policies and measures, including preferential treatment as defined in Article 16 of the Convention,<sup>2</sup> aimed at promoting the inward and outward mobility of artists and other cultural professionals around the world.

They shall also report on operational programmes implemented to support the mobility of artists and cultural professionals, particularly those moving to and from developing countries, through programmes for South-South and triangular cooperation.

### Flow of cultural goods and services

Parties shall report on policies and measures, including preferential treatment as defined in Article 16 of the Convention, to facilitate a balanced exchange of cultural goods and services throughout the world, and to regularly monitor the evolution of these exchanges.

Such policies and measures include, *inter alia*, export and import strategies, North-South and South-South cultural cooperation programmes and aid for trade programmes as well as foreign direct investment into the cultural and creative industries.

### Treaties and agreements

Parties shall report on the ways in which cultural goods and services are treated in trade and investment agreements to which they are signatories or which are under negotiation at the international, regional and bilateral levels and provide information on the introduction of cultural clauses related to e-commerce and digital products.

<sup>1</sup> For the purposes of this Convention, civil society means non-governmental organisations, non-profit organisations, professionals in the culture sector and associated sectors, groups that support the work of artists and cultural communities (see paragraph 3 of the Operational Guidelines on the Role and Participation of Civil Society).

<sup>2</sup> Article 16 of the Convention stipulates that preferential treatment is to be granted by developed to developing countries, through appropriate legal and institutional frameworks to achieve, *inter alia*, the emergence of a dynamic cultural sector in developing countries and wider and more balanced cultural exchanges. Preferential treatment is understood as having both a cultural and a trade component. It creates an obligation for developed countries in favour of developing countries with regard to persons (artists and cultural professionals) and cultural goods and services.

Parties shall also report on the initiatives undertaken to promote the objectives and principles of the Convention in other treaties and agreements as well as in declarations, recommendations and resolutions



### Goal 3 – Integrate culture in sustainable development frameworks



#### National sustainable development policies and plans

Parties shall provide information on policies and measures designed to integrate creativity and cultural expressions as strategic elements in national sustainable development planning and sustainable development policies. Information shall also be provided on how these measures contribute to achieving economic, social and environmental outcomes and ensuring equitable distribution and access to resources and cultural expressions.

Typically, these measures are implemented by agencies responsible for economic growth, environmental sustainability, social inclusion and culture. The measures should reflect this interdependence and indicate the establishment of dedicated coordination mechanisms.

#### International cooperation for sustainable development

Parties shall report on policies and measures that are designed to integrate culture as a strategic element in international and regional cooperation and assistance programmes for sustainable development, including South-South cooperation, in order to support the emergence of dynamic creative sectors in developing countries.

Such policies and measures are generally implemented by international cooperation agencies and/or ministries and agencies in charge of foreign affairs and culture. The measures to be reported should include, where appropriate, the establishment of coordination mechanisms.



### Goal 4 – Promote human rights and fundamental freedoms



#### Gender equality

Parties shall describe policies and measures taken to promote gender equality<sup>3</sup> in the culture and media sectors. Parties shall present, *inter alia*, policies and measures aiming to support women as creators, producers and distributors of cultural activities, goods and services, as well as women's access to decision-making positions. They shall also report on the policies and measures that support women as beneficiaries of diverse cultural expressions and citizens fully participating in cultural life.

Parties shall also report on efforts to generate up-to-date data on progress made towards gender equality in the culture and media sectors.

<sup>3</sup> Gender equality is a global priority of UNESCO. According to Article 7 of the Convention, Parties are encouraged to “pay due attention to the special circumstances and needs of women.”

## Artistic freedom

Parties shall report on policies and measures adopted and implemented to promote and protect artistic freedom of artists and their audiences.<sup>4</sup>

Parties shall thus highlight actions taken to protect and promote: the right to create without censorship or intimidation; the right to have artistic activities supported, distributed and remunerated; the right to freedom of association; the right to the protection of artists' social and economic rights; and the right to participate in cultural life.

## Emerging transversal issues

In this sub-section, Parties report on the emerging transversal issues identified by the governing bodies of the Convention for each reporting cycle.

A resolution of the Conference of Parties will determine the transversal issue(s) to be reported on for each four-year reporting cycle.

This sub-section also enables Parties to present any other policies and measures that directly contribute to the implementation of the Convention and that would not be covered by one of the 11 monitoring areas of the Convention.

## 3. Achievements and challenges

In this section of the reports, the Parties shall share information on:

- the main results achieved in implementing the Convention;
- the main implementation challenges encountered or foreseen;
- the solutions found or envisaged to overcome those challenges;
- the steps planned for the next four years towards the implementation of the Convention and the priorities identified for that period.

## 4. Civil society

- *This section is intended to promote cooperation with civil society in the preparation of periodic reports. It is the subject of a separate electronic form focused on the protection and promotion of the diversity of cultural expressions by civil society organisations.*
- *The electronic form can be downloaded and sent to civil society organisations involved in the drafting of the periodic report.*
- *It is recommended that a working meeting be convened with key civil society organisations involved in the implementation of the Convention, so that they can collectively complete the different sub-sections of the form.*
- *If this participatory approach is not possible, Parties can send the electronic form to the civil society organisations and then consolidate the various contributions into the final periodic report submission form.*

## Technical information

### Measures and initiatives

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<sup>4</sup> Article 2 of the Convention states in its first guiding principle that “cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed.”

- *The section “Measures and initiatives” targeting civil society organisations has the following structure:*
- *a brief introduction on the type of information that civil society organisations are invited to provide;*
  - *means of verification, in the form of qualitative and quantitative questions;*
  - *a narrative presentation of key measures and initiatives for the protection and promotion of the diversity of cultural expressions that civil society organisations have participated in and/or pursued.*

This sub-section is intended to encourage civil society to present information on what it is doing to implement the Convention.

In accordance with its role and responsibilities defined in Article 11 of the Convention and its Operational Guidelines, civil society is encouraged to report, *inter alia*, on:

- the levels of organisation and structuring of civil society organisations concerned by the 2005 Convention;
- opportunities for training and mentoring with public authorities and other civil society organisations;
- participation in mechanisms for dialogue and consultation with public authorities and/or other sectors of civil society to contribute to the design and/or implementation and/or monitoring of public policies;
- activities to promote the diversity of cultural expressions;
- public funding to implement programmes and projects supporting the diversity of cultural expressions;
- specific initiatives to promote artistic freedom and the mobility of artists and cultural professionals.

### **Achievements and challenges**

In this sub-section, civil society organisations can share information on:

- the main results achieved in implementing the Convention;
- the main implementation challenges encountered or foreseen;
- the solutions found or envisaged to overcome those challenges;
- the steps planned for the next four years towards the implementation of the Convention and priorities identified for that period.

## **5. Annexes**

In this section, Parties can upload documents that provide additional information on the actions undertaken in the last four years to promote the implementation of the four goals of the Convention (strategic documents, policies, laws, statistical studies, impact assessments of their action, etc.).