

Convention on the Protection and Promotion of the Diversity of Cultural Expressions

Adopted 20 October 2005

Entry into force 18 March 2007

UNESCO and Cultural Diversity

- By virtue of its Constitution, UNESCO aims: "to promote the free flow of ideas by word and image" and to preserve the "fruitful diversity of cultures...of the States Members of the Organization"
- Since 1946, UNESCO has:
 - promoted different approaches to cultural diversity
 - developed a legal framework accepted by the international community

UNESCO's normative action in the field of cultural diversity

7 conventions have been adopted including:

- Convention concerning the Protection of the World Cultural and Natural Heritage (1972)
- Convention for the Safeguarding of the Intangible Cultural Heritage (2003)
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

Convention on the Protection and Promotion of the Diversity of Cultural Expressions

- **On the basis of the definition of culture contained** in the UNESCO Universal Declaration on Cultural Diversity (2001),
- The 2005 Convention emphasizes:
 - the **equal dignity** of all cultures
 - the links between **culture** and sustainable **development**
- Development is based on the economic growth **and** the flourishing of social groups and individuals
- The Convention refers to **globalization**, which can lead us forward provided that we are able to recognize its full potential and to maintain control over all of its consequences and that it provides benefits for human beings

Preparation of the Convention: 2003-2005

- Independent expert meetings
- Negotiation and consultation processes with WTO, WIPO and UNCTAD
- Intergovernmental meetings of experts
- Adoption of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions on 20 October 2005: 148 votes in favor of the Convention, 2 against and 4 abstentions
- Entry into force: 18 March 2007

The 2005 Convention

- The text concerns **cultural expressions** and cultural activities, goods and services that convey identities, values and meanings
- The text underlines the **dual nature** (economic and cultural) of cultural activities, goods and services, and their vulnerability
- The text reaffirms the **sovereign** right of States to protect and promote the diversity of cultural expressions
- The text seeks to create a platform for international cultural **cooperation**

Definitions (Art. 4)

- Cultural diversity
- Cultural content
- Cultural expressions
- Cultural activities, goods and services
- Cultural industries

Guiding principles (Art. 2)

- Respect of **human rights** and fundamental freedoms
- **Sovereignty** of States
- **Equal dignity** of and respect for all cultures
- international **solidarity** and **cooperation**
- **Complementarity** of economic and cultural aspects of development
- Sustainable development
- Equitable **access**
- Openness and balance

Rights of parties at the national level (Art. 6, 7)

- Provide opportunities for domestic cultural activities and for independent cultural industries
- Provide public financial assistance
- Encourage non-profit organizations to stimulate creativity
- Ensure an environment which encourages individuals and social groups to create and distribute their cultural expressions and to have access to diverse cultural expressions

International cooperation for development

International cooperation lies at the heart of the Convention (Art. 12-19)

- Integration of culture in cooperation for sustainable development (Art. 13)
- Foster the cultural sectors of developing countries (Art. 14)
- Creation of an International Fund for Cultural Diversity (Art. 18)
- Preferential treatment for developing countries (Art. 16)

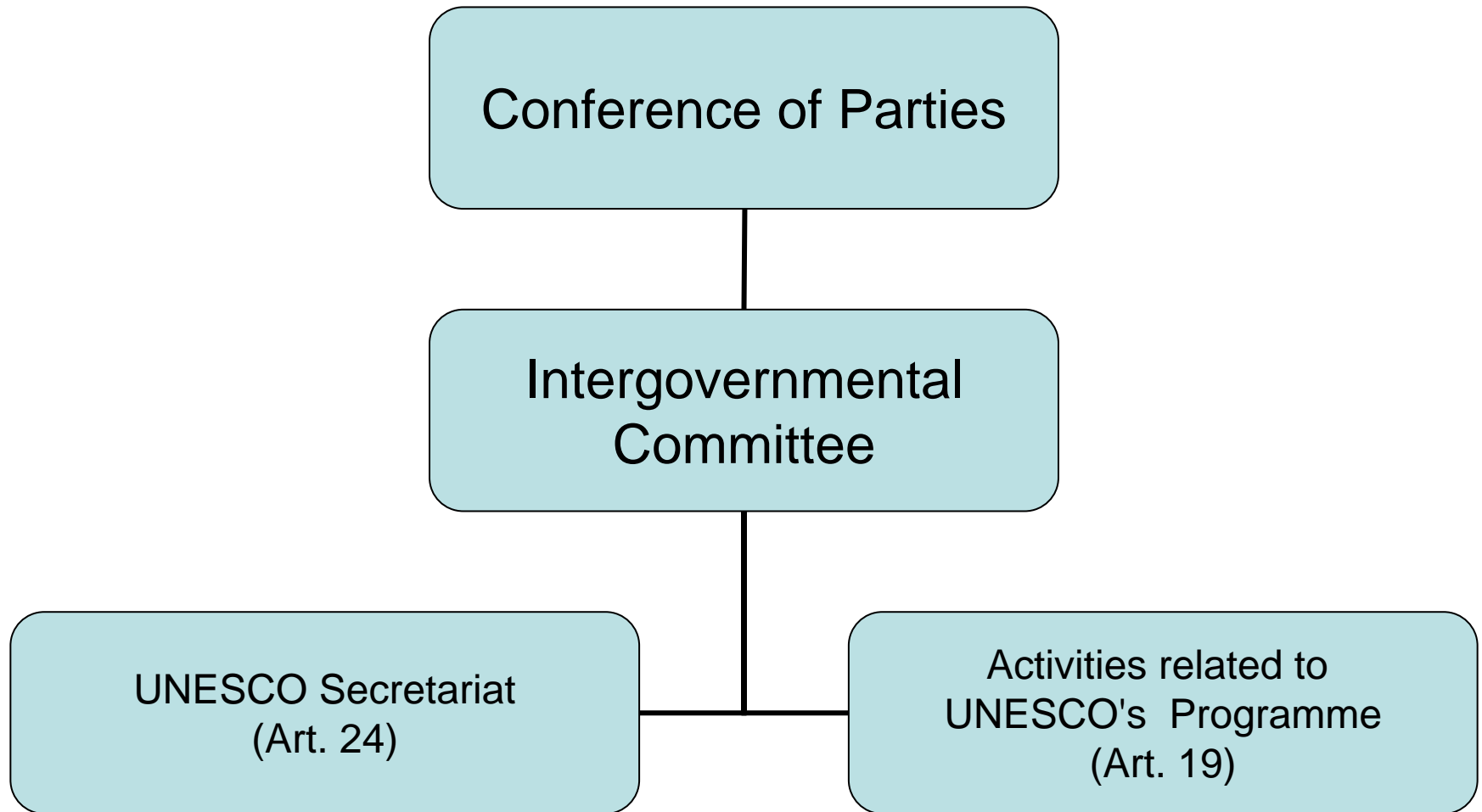
Participation of civil society

- The Convention acknowledges the fundamental role of civil society in protecting and promoting the diversity of cultural expressions (Art. 11)
- The Convention recommends innovative partnerships (Art. 15)

Organs (Art. 22, 23, 24)

- Conference of Parties: 1 meeting every two years
- Intergovernmental Committee: 1 annual meeting
- UNESCO Secretariat

UNESCO'S Role in the Implementation of the Convention



Follow-up

(Articles 9, 10, 19)

- Information sharing and transparency
- Exchange, analysis and dissemination of information
- Education and public awareness-raising

Relation to other instruments (Art. 20)

- Mutual supportiveness
- Complementarity
- Non-subordination

Nothing in this Convention shall be interpreted as modifying rights and obligations of the Parties under any other treaties to which they are parties

Measuring the diversity of cultural expressions

UNESCO shall facilitate the collection, analysis and dissemination of all relevant information, statistics concerning the diversity of cultural expressions (Art. 19)

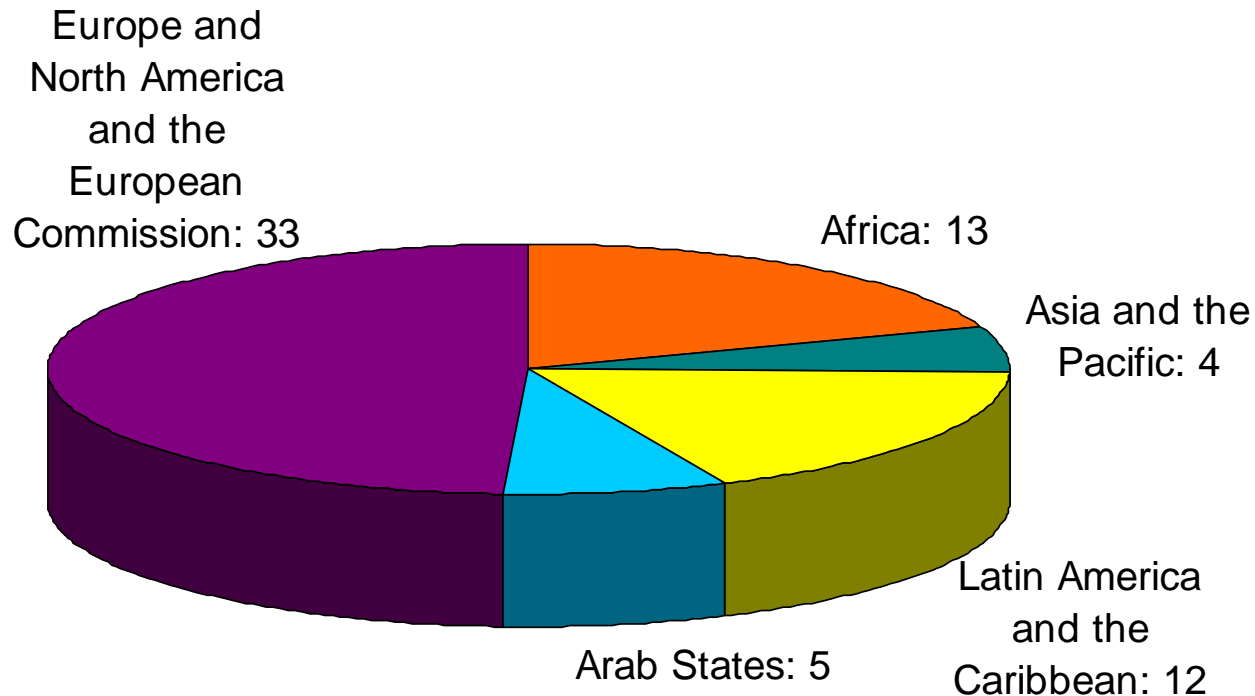
- BUT: UNESCO has limited experience and knowledge on how to collect this kind of information; and little information available
- Necessity to launch long-term research to serve the objectives of the Convention

Conclusion

- The Convention allows the rehabilitation of public action in favor of cultural diversity
- The Convention is a **political tool** for Parties and **advocacy tool** for civil society
- The approach of the Convention integrates the perspective of openness to other cultures and the expansion of exchanges

Ratification Status

67 ratifications as of 30 August 2007



[> Full list of Parties](#)

First Conference of Parties

UNESCO, 18-20 June 2007

- Adopted its rules of procedure
- Set date for the Second Conference of Parties: June 2009
- Elected the 24 members of the Intergovernmental Committee, respecting geographical distribution
- Set date and venue for First Intergovernmental Committee: Ottawa, Canada, from 10 to 14 December 2007
- Asked the Intergovernmental Committee to submit to the next ordinary session of the Conference of Parties the results of its work on the operational guidelines for the implementation and application of the provisions in the Convention, paying particular attention to Articles 7,8, 11 to 17 and 18

States Parties elected to the Intergovernmental Committee

Members: Terms of office Members: Terms of office Members: Terms of office

Group I

Austria: 2007-2009
Canada: 2007-2009
Finland: 2007-2009
France: 2007-2009
Germany: 2007-2011
Greece: 2007-2011
Luxembourg: 2007-2011

Group II

Albania: 2007-2009
Croatia: 2007-2011
Lithuania: 2007-2011
Slovenia: 2007-2009

Group III

Brazil: 2007-2009
Guatemala: 2007-2009
Mexico: 2007-2011
Saint-Lucia: 2007-2011

Group IV

China: 2007-2009
India: 2007-2011

Group V(a)

Burkina-Faso: 2007-2009
Mali: 2007-2009
Mauritius: 2007-2011
Senegal: 2007-2011
South Africa: 2007-2011

Group V(b)

Oman: 2007-2011
Tunisia: 2007-2009