



THE UNESCO CONVENTION ON THE PROTECTION
AND PROMOTION OF THE DIVERSITY OF
CULTURAL EXPRESSIONS

THE CAMPAIGN FOR CULTURAL DIVERSITY:
WHY IT MATTERS TO YOU.



"I am in favour of paying the relatively small price for maintaining diversity, rather than the large price of its loss."

– Wim Wenders, German filmmaker



A CAMPAIGN FOR CULTURE

ON MARCH 18, 2007, THE UNESCO CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS ENTERED INTO FORCE. FOR THE FIRST TIME IN MODERN HISTORY, THE RIGHT OF STATES TO ADOPT POLICIES TO PROTECT AND PROMOTE THEIR CULTURAL EXPRESSIONS WAS AFFIRMED IN AN INTERNATIONAL LEGAL INSTRUMENT.

Just ten years ago, it was virtually unimaginable that the distinctive nature of cultural goods and services and the right of countries to apply policies to support their cultural industries would be recognized by a convention in international law. The UNESCO Convention has been implemented in record time. How did governments and civil society achieve this remarkable feat?

CULTURE UNDER PRESSURE

The fact is that the treatment of cultural goods and services has gained importance as a leading international issue since the late 1980s. This was precipitated by growing pressure being exerted on countries to waive their right to apply cultural policies, and to put every area of the cultural sector on the table when negotiating international trade agreements.

The proliferation of trade agreements promoting absolute market liberalization dramatically increased the threat to the cultural industries. Countries wishing to retain their right to enforce cultural policies risked being marginalized and unable to maintain their position.

Another factor in this was the growing imbalance between the United States and other countries in terms of audiovisual exchanges. By way of example, in 2001 Hollywood's share of the international motion picture market was 80%¹.

Whether in the audiovisual or publishing sectors, this kind of imbalance has given rise to a steadily growing concern: that a very few cultures could well dominate at the global level to the detriment of all others.

TOWARDS A COUNTERWEIGHT TO TRADE AGREEMENTS

In many countries, the cultural milieu responded to this threat – notably by forming national coalitions for cultural diversity and working with governments that share their concerns to take this issue to the highest international forums.

It took less than 10 years for their efforts to bear fruit with the adoption of a new international legal instrument providing countries with a means of resisting the pressure from trade agreements: the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

This Convention does not mark an end, but rather a beginning. Enormous work remains to be done to promote cultural diversity, which entails not only ensuring that citizens have access to the books, movies, arts and entertainment from their own country, but also striving for a more balanced exchange of cultural goods and services between States. Far from being a protectionist instrument, the Convention urges States to take concrete steps to achieve the goals of cultural diversity, in particular by being open to international cooperation and exchanges.

1. *CNC Info*, No. 283, 2002, Paris: Centre National de la Cinématographie. Quoted in Allen J. SCOTT, "Hollywood and the World: The Geography of Motion-Picture Distribution and Marketing", *Review of International Political Economy*, 11 (1), Feb. 2004, p. 55



REALIZING THE CONVENTION'S POTENTIAL

The next few years will be crucial. If the Convention is to have true political and legal weight and international reach, it must, of course, be ratified by a significant number of countries from all regions of the world. It is also essential that creators, artists and the general public be made aware of the existence of this Convention, that they take ownership of it and use it as an actual tool to promote cultural diversity.

The Convention has been adopted; now it is up to each of us to make sure that it takes shape and thrives to its fullest potential.

The campaign for cultural diversity has just begun. Make it your campaign.



WHY IS THE CAMPAIGN FOR CULTURAL DIVERSITY SO IMPORTANT?

BECAUSE CULTURAL PRODUCTS ENCOMPASS VALUES, IDENTITY AND MEANINGS THAT GO BEYOND THEIR STRICTLY COMMERCIAL VALUE.

BECAUSE, IN THE ABSENCE OF CULTURAL POLICIES, THE CITIZENS OF MANY COUNTRIES WOULD NOT HAVE ACCESS TO BOOKS, MOVIES, MUSIC, THEATRE AND OTHER CULTURAL EXPRESSIONS THAT REFLECT THEIR OWN EXPERIENCE.

AND BECAUSE, IF THESE CULTURAL GOODS AND SERVICES CANNOT BE CREATED, PRODUCED AND CONSUMED IN THEIR COUNTRY OF ORIGIN, NEITHER WILL THEY CROSS BORDERS TO BECOME PART OF OUR WORLDWIDE CULTURAL LANDSCAPE AND, IN ESSENCE, OUR SHARED CULTURAL DIVERSITY.



Growing pressure is exerted on countries to waive their right to enforce cultural policies, and to put all aspects of the cultural sector on the table when negotiating international trade agreements.

1989

Pressure grows during the Uruguay Round of negotiations for the General Agreement on Trade in Services (GATS). The list for the services sector includes intellectual property and, more specifically, cinematographic and audiovisual works.

1993

Immediately following the Uruguay Round, new multilateral negotiations are initiated, notably as part of the Multilateral Agreement on Investment (MAI) under the auspices of the OECD (abandoned in 1998), and by the WTO at its Seattle Summit and the Doha round of negotiations which began in 2001. Bilateral negotiations are also initiated, particularly by the United States, which put pressure on a number of countries to waive their right to adopt cultural policies.

1995

1998 1999

"Culture is not a product like any other!"

– Jacques Delors,
President of the European Commission

Several countries take strong positions in favour of excluding culture from the negotiations. A very large majority of countries agree not to make liberalization commitments for cinematographic and audiovisual services. But without full exclusion the question remains unresolved.

"Culture is not a commodity. Nations want to exchange their goods, but they want to retain their soul."

– Jacques Chirac,
President of France

Cultural professionals and political authorities mobilize around the initiative of implementing an international legal instrument that could offset the free trade agreements by affirming the right of States to define and implement cultural policies.

"Cultural works must be systematically carved out of international trade agreements."

– Jorge Semprun,
Spanish author

"Cultural works must be systematically carved out of international trade agreements."

CULTURAL DIVERSITY: A BRIEF HISTORY

2001

Adoption of the UNESCO Universal Declaration on Cultural Diversity.

May 21 is proclaimed World Day for Cultural Diversity for Dialogue and Development.

2003

Start of negotiations at UNESCO with the aim of adopting the Convention.

2005

The Convention on the Protection and Promotion of the Diversity of Cultural Expressions is adopted by UNESCO. It changes the landscape: for the first time, countries in favour of cultural policies are no longer on the defensive at the negotiating table. Now they can go on the offensive.

2007

2008

Now that the Convention has entered into force, we are facing a new beginning. If the Convention is to live up to its full potential, States must abide by their commitments and work to achieve the objectives set out in the Convention. It is also essential that the cultural sector maintain its advocacy and play a role in translating the Convention on the Protection and Promotion of the Diversity of Cultural Expressions into concrete action.

As professionals in the cultural sector come together within national coalitions for cultural diversity, they begin to play a key role in the campaign for the ratification of the UNESCO Convention. Coalitions are created in more than 40 countries, representing a total of more than 600 professional organizations. These coalitions launch an appeal to governments and to international bodies, raising awareness of the stakes involved in cultural diversity and of the need to adopt an international legal instrument ratified by the greatest possible number of countries.

"No UNESCO convention in the cultural field has ever been ratified by so many States in so little time."

– Koïchiro Matsuura,
Director-General of UNESCO

The Convention on the Protection and Promotion of the Diversity of Cultural Expressions enters into force on March 18, 2007. Three months later, the 56 Member States that ratified the Convention meet in Paris for the first Conference of the Parties to begin work on implementing the Convention.

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

The Convention adopted by UNESCO on October 20, 2005, functions as an international political and legal instrument to protect and promote the diversity of cultural expressions.

This instrument is equal in law to other international agreements and encourages all signatory countries to abide by its provisions when they sign new agreements or implement agreements they have already signed. However, in order to attain its full political and legal weight, the Convention ultimately needs to be ratified by at least 150 countries. There is still work to be done to reach this threshold.

OBJECTIVES OF THE CONVENTION

- **To reaffirm the sovereign right of States to adopt cultural policies**, while ensuring the free movement of ideas and works.
- **To give recognition to the distinctive nature of cultural goods and services** as vehicles of values, identity and meaning.
- **To define a new framework for international cultural cooperation**, the keystone of the Convention.
- **To create the conditions for cultures to flourish and freely interact** in a mutually beneficial manner.
- **To ensure that civil society plays a major role in the implementation of the Convention.**

"The UNESCO Convention is a piece of legislation which ensures freedom, since it is aimed at enabling governments to allow their cultures to thrive."

– Bertrand Tavernier,
French filmmaker



MONITORING ORGANS OF THE CONVENTION

- **The Conference of the Parties** is the supreme and plenary body of the Convention.
- **The Intergovernmental Committee** is responsible for promoting the objectives of the Convention as well as encouraging and closely monitoring its implementation in a spirit of transparency.

CULTURE AND DEVELOPMENT: THE INTERNATIONAL FUND FOR CULTURAL DIVERSITY

Parties are expected to take action to promote international cooperation for the benefit of developing countries. The overall objective is to enable developing countries to create, produce and disseminate their own cultural goods and services within their territory, which means supporting the emergence of strong cultural industries and the application of cultural policies. Cooperation with a view to fostering cultural diversity begins with this fundamental step.

For this reason, the Convention creates a Fund for Cultural Diversity aimed at supporting projects that are compatible with the objectives of the Convention. The Fund must be targeted to promote capacity-building projects and contribute to enduring impacts in the cultural field.

In particular, the Fund targets projects aimed at:

- helping to implement cultural policies in developing countries;
- enabling cultural industries to build up their production and distribution capacities;
- encouraging the exchange of information and expertise, training of cultural professionals, and transfer of technology and know-how;
- promoting exchanges between countries;
- helping to strengthen institutional and creative infrastructures.

WEIGHT OF THE CONVENTION IN RELATION TO TRADE AGREEMENTS

- **The Parties (individual States and regional economic integration organizations such as the European Union) undertake to refrain from commitments that are contrary to the principles of the Convention during new trade negotiations.**
- **Parties undertake to promote the objectives and principles of the Convention in other international forums.**
- **States undertake to exercise these rights and fulfill their obligations in a spirit of mutual supportiveness, complementarity and non-subordination to other international instruments.** States that are negotiating trade agreements can be subject to strong pressure to liberalize their cultural industries. If they have ratified the Convention, they can cite it in declining to make such commitments and remain free to adopt and implement cultural policies they consider necessary. However, the Convention is far from being a protectionist instrument. It calls on Member Parties to open their borders to other cultures and thereby to promote access by their citizens to a wide range of cultural content and artistic expressions from all regions of the world.

Specifically, States are encouraged to assist developing countries in nurturing their domestic cultural sector before promoting their export internationally. The Convention urges all Parties to adopt concrete measures to promote cultural diversity and to restore balance and diversity in the supply of cultural works.

OBLIGATIONS OF STATES

- **To endeavour:**
 - to foster and promote the creation, production, dissemination and distribution of cultural expressions;
 - to guarantee access for their citizens to the various cultural expressions within their territory as well as those from other countries all over the world.
- **To ensure information-sharing** and transparency by providing appropriate information in their reports to UNESCO on measures taken to protect and promote the diversity of cultural expressions.
- **To foster the public's understanding** of the importance of the diversity of cultural expressions through education and public-awareness programs.



- **To recognize the fundamental role of civil society** by encouraging its active participation in the Parties' efforts to achieve the objectives of the Convention.
- **To integrate culture into sustainable development strategies and strengthen international cooperation for the benefit of developing countries** by various means, such as: strengthening their cultural industries, building their capacity to develop and implement cultural policies, promoting technology transfer, and providing financial support and preferential treatment for their artists and other cultural professionals, as well as their cultural goods and services.

"Our t
do
"ex
sto
sta
us
the

"Our freedom of expression is at stake. Let us find the means of safeguarding it."

– Appeal by creative actors for cultural diversity signed by several hundred artists

core
and
it."

WHAT IS A CULTURAL POLICY?

SCREENING QUOTAS FOR MOVIES AND NATIONALLY TELEVISED PROGRAMS OR BROADCASTING REQUIREMENTS FOR MUSIC BY NATIONAL ARTISTS.

FINANCIAL ASSISTANCE PROGRAMS FOR THE PERFORMING ARTS, AND FOR THE PRODUCTION, EDITING AND DISTRIBUTION OF MOVIES AND BOOKS, PUBLIC RESOURCES FOR

PUBLIC RADIO AND TELEVISION, SUBSIDIES FOR PUBLIC THEATRES – THE LIST IS LONG, AND NO STATE IMPLEMENTS EXACTLY THE SAME POLICIES. FUNDAMENTALLY, EACH COUNTRY SHOULD HAVE THE RIGHT TO IMPLEMENT THE POLICIES IT CONSIDERS APPROPRIATE TO ENSURE CULTURAL DIVERSITY.



The International Federation of Coalitions for Cultural Diversity

The International Federation of Coalitions for Cultural Diversity (IFCCD) is the voice of cultural professionals around the world. Among the founding members of the Federation are 42 national coalitions for cultural diversity representing more than 600 cultural professional organizations.

The IFCCD was founded in Seville, Spain, on September 19, 2007, replacing the International Liaison Committee of Coalitions for Cultural Diversity. Its member coalitions represent creators, artists, independent producers, distributors, broadcasters, and publishers in the fields of books, motion pictures, television, music, performing arts, and visual arts.

The Federation is incorporated in Canada and has its Secretariat in Montreal. The French Coalition for Cultural Diversity represents the IFCCD at UNESCO in Paris.

"I do not want my house to be walled in on all sides and my windows to be stuffed. I want the cultures of all the lands to be blown about my house as freely as possible. But I refuse to be blown off my feet by any."

– Mahatma Gandhi

OUR MISSION

- **To support the ratification of the UNESCO Convention** on the Protection and Promotion of the Diversity of Cultural Expressions in order to ensure that this Convention obtains a minimum of 150 signatory States by 2011.
- **To ensure that the Federation participates actively in the implementation of the Convention**, notably by associating itself with the work of the Convention's monitoring organizations and by supporting any action that strengthens the application of the Convention at the national, regional and international levels.
- **To track and assess the implementation of the Convention** and to pool the monitoring work done by each individual coalition.
- **To ensure that all States and governments refrain from making any liberalization commitments with respect to the exchange of goods and services in all cultural sectors**, which could be contemplated during bilateral, regional or international trade negotiations.
- **To promote the exchange of information and dialogue about best practices in the area of cultural policies** at the national, regional and international levels.
- **To encourage and support the creation of new national coalitions** for cultural diversity in all regions of the world, and especially in countries which have not yet ratified the UNESCO Convention.
- **To promote the Convention to the general public**, to cultural professionals, and in the media by organizing international campaigns.
- **To distribute the latest information** on cultural diversity and trade negotiations.
- **To support national coalitions, upon request, in national awareness campaigns** with respect to specific issues that are compatible with the fundamental objectives of the Federation.

How to create a Coalition for Cultural Diversity and join the IFCCD

There are a number of different models for setting up and running a coalition for cultural diversity. However, certain fundamental elements are common to all coalitions.

A national coalition has an important role to play in the campaign for cultural diversity. It:

- **Is the principle voice of the cultural sector in debates on culture and trade, especially at the national level.**
- **Informs, raises the awareness of, and mobilizes member associations, the public, and, in particular, opinion leaders, as well as public authorities** with respect to the societal and commercial stakes at play in cultural diversity, and with respect to the coalition itself.
- **Strives to keep governments from making any liberalization commitments in terms of culture when negotiating trade agreements.**
- **Supports the government's resolve to assert its right to apply cultural policies**, and initiates a dialogue on the steps to be taken in order to make cultural diversity effective.
- **Cooperates with other regional coalitions** (Africa, Europe, the Americas, Asia), and also within linguistic zones (for instance, La Francophonie).

CREATING A NATIONAL COALITION FOR CULTURAL DIVERSITY

While some coalitions are legally constituted (with articles, by-laws or a constitution), others have opted for a more flexible model based on free association. For more information, please visit our Web site: www.ifccd.com.

Keys to a Coalition for Cultural Diversity's effectiveness and credibility:

- **A membership that includes a critical mass of the country's leading cultural organizations.** These organizations are essential to a coalition's success, since they represent the main categories of cultural professionals in a country, and already have credibility with the government – as well as structure, bodies and mechanisms guaranteeing a broad participation of their members in the democratic life of their organization.
- **A membership drawn from the principal cultural sectors of the country** – such as books, film, television, music, performing and visual arts.

- **The capacity to act independently as a non-governmental organization.**
- **The ability to speak in a unified, cohesive manner to public authorities on behalf of the country's cultural sector.** With respect to any action or position taken by a coalition in its campaign for cultural diversity – for example, working to increase overall government funding for culture, or to secure the creation of a Department of Culture – member organizations must share a consensus that these actions are important and need to be addressed on a priority basis. This is essential to the success of the coalition's mission.

JOINING THE IFCCD

Once established, any national coalition interested in joining the Federation is encouraged to contact the IFCCD Secretariat. Please see our Web page at www.ifccd.com for contact information.

"I do not defend protectionism, but I defend the right of any state to promote its culture."

– Joseph Stiglitz,
2001 Nobel Prize
Winner for
Economics

"Cultural diversity is the concern of all humanity. We must do everything necessary to ensure that the Convention is recognized and supported to by all."

– Rasmene Ouedraogo,
President of the International
Federation of Coalitions
for Cultural Diversity



www.ifccd.com

Secretariat:

154 Laurier Ave. West
Suite 240, Montreal, Quebec
Canada H2T 2N7
Tel.: +1 514 277-2666
Fax: +1 514 277-9994
coalition@cdc-ccd.org

Representation to UNESCO:

Coalition française pour
la diversité culturelle
11 bis rue Ballu
75009 Paris, France
Tel.: +33 (0) 1.40.23.45.14
Fax: +33 (0) 1.40 23.45.89
contact@coalitionfrancaise.org

Produced with the support of:



Patrimoine
canadien Canadian
Heritage

