

2015  
10th Anniversary  
of the  
UNESCO  
Convention  
on the  
Protection  
and  
Promotion  
of the  
Diversity  
of Cultural  
Expressions

SUMMARY

# RE | SHAPING CULTURAL POLICIES

A Decade Promoting  
the Diversity of Cultural  
Expressions for Development

2015

2005 Convention  
Global Report

# Foreword

For the first time at the global level, the recently adopted United Nations Sustainable Development Agenda for 2030 acknowledges the key role of culture, creativity and cultural diversity to solving sustainable development challenges. This recognition resonates with the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the 10th anniversary of which we celebrate in 2015.

Over the last decade, this landmark Convention – now ratified by 140 Parties – has changed the overall approach on culture and cultural goods and services. It recognized the sovereign right of governments to introduce policies to protect and promote the diversity of cultural expressions. It highlighted the dual nature of cultural activities, goods and services: they have both an economic and a cultural dimension – providing jobs and revenues, driving innovation and sustainable economic growth, and at the same time conveying identities and values, fostering social inclusion and sense of belonging. Today, we can witness the multiple advantages of this combination, as a force for both social and economic sustainability, as a driver to promote human rights and fundamental freedoms.

The new 2030 Agenda raises high expectations, and this is the importance of this first-ever UNESCO monitoring Report, to collect, analyse and disseminate information on the many different ways in which countries across the world are integrating culture into sustainable development policies and programmes. This report comes in timely support for the implementation of the new Agenda, to ensure effectiveness and maximize impact, helping countries to evaluate goals, resolve policy questions, and devise new measures that meet people's demands and needs.

It provides in-depth analysis of current trends, advances and challenges faced by all relevant policy actors – with examples of innovative policies and measures that address contemporary issues including: transnational mobility, artistic freedom, access to international marketplaces, the digital environment. It also provides – for the first time – an integrated monitoring framework in the field of culture with proposed indicators of change and progress.

My special thanks go to the Swedish Government and the Swedish International Development Cooperation agency for their generous support. Almost 20 years after the 1998 Stockholm Intergovernmental Conference on Cultural Policies for Development, this is another breakthrough contribution by Sweden to broaden the scope of global cultural policy analysis. This first biennial report makes a compelling case for placing the diversity of cultural expressions at the heart of sustainable all development efforts. With further support from Parties, donors and development partners, it is my intention to continue this publication on a regular basis.

New discourses and approaches are needed to guide cultural policy. These must be accompanied by commitments to institutional and structural change in all areas of governance and management of culture. They must build on reliable planning, data collection and analysis, monitoring and evaluation, as well as on evidence-based, participatory and transparent policy-making at the national level. This will require more integrated capacity development including through South-South and triangular cooperation. This report is a contribution to this global effort, and I am convinced it will inspire more actors to take action. Now is the time.



Irina Bokova  
Director-General of UNESCO

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# Executive summary

This Report presents the work of fourteen independent experts, as well as the Secretary of the Convention and the Principal Editor, who have analysed the implementation of the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*. Its purpose is to move forward the process of monitoring the Convention's implementation that was put in place by a mechanism of Quadrennial Periodic Reports (QPRs) approved by the Convention's Conference of Parties in 2011. The contributors have consulted the 71 reports submitted by Parties, but have also used data derived from other, non-official sources and have drawn upon their own expert experience.

The Introduction by the Secretary of the Convention explains the objectives of the Report, presenting the guiding principles and values that underpin the Convention as well as the main lines of a methodology to monitor its long-term impact. The Introduction is followed by a contribution from experts that places the present exercise in the context of five decades of cultural policy research and evaluation, beginning with UNESCO's efforts in the late 1960s, and considers that the Report 'is likely to be a milestone in the advancement of cultural policy research across the world'. The second chapter proposes a conceptual framework for an indicator system to monitor the implementation of the Convention. It proposes the following four implementation goals, each derived from the Convention's guiding principles:

- 1 Support sustainable systems of governance for culture
- 2 Achieve a balanced flow of cultural goods and services and increase the mobility of artists and cultural professionals
- 3 Integrate culture in sustainable development frameworks
- 4 Promote human rights and fundamental freedoms

The order of the sections that follow corresponds to the above. The first and paramount goal being to **support sustainable systems of governance for culture**; this challenge is addressed in the four chapters that make up the first section. The first of these chapters focuses on *policies and measures* to promote the diversity of cultural expressions. It underlines that Parties increasingly aim to strengthen the value chain of creation, production, distribution, dissemination and enjoyment of cultural goods and services. Technology is opening up channels for new voices and talent as well as new forms of citizen participation that are redrawing the boundaries between these links in the value chain and raising new questions for the design of new policies and measures. Yet many Parties also continue to report on policies and measures on domains that do not fall within the remit of the Convention, such as heritage. While many have reformed or revisited their cultural policies and have created new measures and mechanisms as a result, still more progress is required if the ambitious goals of the Convention are to be achieved. In particular, the establishment of participatory models between civil society and public sector officials to produce solid evidence for policy monitoring and impact assessment.

Chapter 2 is devoted to the *public service media* as producers, commissioners, distributors, disseminators and mediators of high-quality cultural content. There can be no media diversity without media freedom. Hence, freedom of information laws and their effective implementation are crucial. With the rise of digital networks and online platforms, fostering freedom online becomes vital as well. The quantum leap in access to media outlets and greater choices does not mean that the media content available via those outlets is necessarily freer, nor is a large number of platforms in itself a guarantee of diversity of content and expressions. Technology is opening up channels for new voices and talent, including those of citizen journalists and amateur film producers, who are redrawing the boundaries of journalism, and these need to be encouraged. Women are among these many voices, but gender equality has not increased in either media content or decision-making, where women remain excluded to greater or lesser degrees; it is therefore essential to take steps to remedy the situation.

The technological revolution has had profound impacts on the media as well as all aspects of the cultural value chain, hence Chapter 3 explores the implications of the rapidly evolving *digital environment*. Developing countries still have a long way to go before they reach the levels of digital access enjoyed by developed countries. However, over the last decade, there has been remarkable progress, particularly in terms of mobile connectivity. An increasing number of creators are using new technologies to generate online content. E-commerce is growing very rapidly – this can be an advantage for local cultural industries, but is also a risk for small and medium-sized players, given the advance of the big platforms. The boom in social networks since 2004 constitutes an opportunity for civil society participation, especially when it comes to sharing cultural content.

The Convention is a pioneer treaty for the importance it attaches to the contribution of *civil society* actors to its implementation. Chapter 4 analyses this dimension. The key finding is that a clear majority of Parties include civil society organizations in the policy making process. Yet there are insufficiencies in the capacity of both governments and civil society organizations to cooperate effectively. While many civil society organizations did participate in the preparation of the Quadrennial Periodic Reports, more civil society voices need to be involved. The ‘cultural watchdog’ role of civil society remains underdeveloped but the national Coalitions for Cultural Diversity, which already operate in 43 countries, could become a driving force to fill the gap.

The second section of the report relates to the goal of **a balanced flow of cultural goods and services and increase the mobility of artists and cultural professionals** worldwide. The mobility of artists and other cultural professionals (Chapter 5) is crucial to maintaining a heterogeneous world of ideas, values and worldviews. Access to international markets for artists and cultural professionals is also crucial to the promotion of sustainable cultural and creative industries and their potential contribution to human, social and economic development. Yet there is a big gap between the principles and ideals of the Convention and the reality as regards the mobility of artists and cultural professionals from the global South. The obstacles include increasing security, economic and political constraints, particularly in the global North. The Convention needs to be used more effectively in overcoming these constraints.

Chapter 6 analyzes the flows of cultural goods and services and argues that an equitable balance has not yet been achieved. However, from 2004 to 2013, the share of developing countries in the export of cultural goods increased continuously, especially in the visual arts, in which field the share imported from developing countries to developed countries almost doubled from 2004 to 2013. While fewer musical and audiovisual goods were imported, the share of books and press imported from developing countries increased during the same period. Flows of cultural services such as audiovisual media are still largely dominated by developed countries. The United States ranked first and accounted for 52.4% of global exports of cultural services in 2012, slightly lower than in 2004, at 58%. The remaining countries in this category are all developed countries in Europe and North America. The share of US exports of audiovisual and related services and reproducible rights to developing countries increased from 11.34% to 20.28% between 2004 and 2013. Over the same period, there was a slight increase in the intra-group export of cultural goods among the Andean Community (ANDEAN) member countries (12.3% – 18%) and a significant increase in trade among countries that are member of the Pan-Arab Free Trade Area (PAFTA), from 15% – 58%. But there was little exchange of cultural goods and services among members of the Economic Community of West African States (ECOWAS) or the South Asian Free Trade Agreement (SAFTA).

Protecting and promoting the diversity of cultural expressions must also rely on the influence of the Convention on other international legal treaties and agreements, notably in the trade arena. The subsequent chapter (Chapter 7) underlining this dimension finds that seven trade agreements concluded by the European Union since 2005 incorporate one or more explicit references to the Convention. There has also been an increase in the use of the ‘cultural exemption’ measure to exclude some cultural goods and/or services from trade agreements. Furthermore, the Protocols for Cultural Cooperation annexed to trade agreements have recognized the specificity of cultural goods and services (and also provide for preferential treatment as regards artists and cultural professionals, especially from the global South). Beyond the trade arena, since 2005 the Convention has been referenced in over 250 texts in dozens of international, regional and bilateral organizations.

Chapter 8 analyses how the Convention has had a positive impact on policies, plans and programmes for the benefit of culturally sustainable development: while clear progress has been made, many challenges remain with regard to **integrating a cultural dimension in sustainable development frameworks**. The chapter argues that the cultural and creative industries should be a major target for policy leading towards development that is both economically and culturally sustainable. There is considerable scope for donor countries to promote this objective through their Official Development Assistance (ODA) strategies and programmes. Every effort needs to be made to persuade planners to recognize the cultural context within which development plans are put into effect, as well as the dynamic role that the cultural and creative industries can play in meeting national economic and social objectives. An essential principle of culturally sustainable development is equity in the treatment of vulnerable groups in society; attention to this principle requires not only specifically targeted strategies to overcome disadvantage in access to cultural participation, but also vigilance to ensure that cultural policies in other areas do not have unintentional adverse side-effects.

The final section of the report is devoted to an integral principle of the Convention that has not been foregrounded in its implementation so far, namely the **promotion of human rights and the protection of the fundamental freedoms** of expression, information and communication. *Gender equality* is a key dimension here, for the Convention is unambiguous in calling for policies and measures that promote gender equality and that recognize and support women as artists and producers of cultural goods and services. As Chapter 9 on gender equality argues, while women are strongly represented in the creative sector in most parts of the world, they remain poorly represented in a number of cultural professions and in decision-making positions. This situation diminishes cultural diversity and deprives everyone of unhindered access to the creative potential of the female half of the artistic community. Many countries have taken steps to improve opportunities for women and even leverage women's contributions to the creative economy. However, the need to ensure gender equality in the cultural sector has not yet been adequately addressed. A major stumbling block is the paucity of sex-disaggregated data. Equally important is a holistic approach that recognizes the symbiotic relationship between gender equality, cultural rights and cultural diversity.

Finally, Chapter 10 is devoted to *artistic freedom*, which is germane not only to the being and creative practice of artists themselves but also to the rights of all cultural producers. It is a dimension of fundamental freedom that is essential to the wellbeing of citizens and societies at large. The chapter analyses the factors and forces, both governmental and non-governmental, which lead to restrictions to freedom of artistic expression and/or access to it. It reviews some of the measures cited by Parties in this domain, as well as other initiatives, both public and private, that bring succour to artists at risk. It also notes that the freedoms indispensable for artistic expression and creativity were the subject of the first UN Special Report on Freedom of Expression published by the UN Human Rights Council in March 2013.



The Report's Conclusions recapitulate the key findings of the report and chart out ways forward. Clearly, the 2005 Convention has enriched the panoply of policy making for the benefit of the diversity of cultural expressions, even in the case of Parties that already had well-defined cultural policy frameworks in place before it entered into force. Yet the imperatives of implementing the Convention have undoubtedly led to the development of new frameworks and/or mechanisms. These advances and innovations are promising, but they are insufficient. Considerable progress needs to be achieved. Such progress is well within the grasp of all the stakeholders, provided the lessons learned through the present exercise are applied, in particular the proposals put forward for data collection and indicator building that will make possible in the near future ever more meaningful monitoring, assessment and evaluation.

**MONITORING THE 2005 CONVENTION  
ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS**

GUIDING PRINCIPLES	Sovereign right of States to adopt and implement policies to promote the diversity of cultural expressions, based on informed, transparent and participatory processes and systems of governance is ensured			
GOALS	<b>SUPPORT SUSTAINABLE SYSTEMS OF GOVERNANCE FOR CULTURE</b>			
EXPECTED RESULTS	National policies and measures are implemented to promote creation, production, distribution and access with regard to diverse cultural goods and services and contribute to informed, transparent and participatory systems of governance for culture			
AREAS FOR MONITORING	<i>Cultural policies</i>	<i>Public service media</i>	<i>Digital environment</i>	<i>Partnering with civil society</i>
CORE INDICATORS	National cultural policies support creation, production, distribution and access to diverse cultural goods and services	Legislative base supports media freedom and diversity	Legislative base supports universal access to the Internet	Legislative and financial base support civil society
	Multiple government agencies participate in policy making	Goals of public service media are legally defined and guaranteed	Policies and measures encourage digital creativity and promote civil society participation in the digital environment	Civil society participates in the design and implementation of policies
	Parties actively support informed policy making processes	Public service media policies and measures serve the needs of all groups in society	Policies and measures support dynamic and diverse digital cultural industry markets	Civil society is actively involved in the ratification and promotion of the Convention

Equitable access, openness and balance in the flow of cultural goods and services as well as the free movement of artists and cultural professionals is facilitated

The complementarity of economic and cultural aspects of sustainable development are recognized

Respect for human rights and fundamental freedoms of expression, information and communication is guaranteed as a pre-requisite for the creation and distribution of diverse cultural expressions

**ACHIEVE A BALANCED FLOW OF CULTURAL GOODS AND SERVICES AND INCREASE THE MOBILITY OF ARTISTS AND CULTURAL PROFESSIONALS**

**INTEGRATE CULTURE IN SUSTAINABLE DEVELOPMENT FRAMEWORKS**

**PROMOTE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS**

Preferential treatment measures are implemented to facilitate a balanced flow of cultural goods and services and to promote the mobility of artists and cultural professionals around the world

Sustainable development policies and international assistance programmes integrate culture as a strategic dimension

International and national legislation related to human rights and fundamental freedoms is implemented and promotes both artistic freedom and the social and economic rights of artists

**Mobility of artists and cultural professionals**

**Flow of cultural goods and services**

**Treaties and agreements**

**National sustainable development policies and plans**

**International sustainable development programmes**

**Gender equality**

**Artistic freedom**

Legislative base ensures freedom of movement

Legislative base supports flows of cultural goods and services

Parties promote the objectives and principles of the Convention in other forums

Culture is integrated into national sustainable development policies and plans

Culture is integrated into international sustainable development programmes

Legislative framework guarantees gender equality in cultural arena

Legislative base supports freedom of expression

Policies and measures support mobility from the global South

Policies and measures support international flows of cultural goods

Convention explicitly referenced in international and regional treaties and agreements

Policies and measures support regional equity in the distribution of cultural resources

Technical assistance programmes strengthen human and institutional capacities in the cultural and creative industries in developing countries

Policies and measures support women as creators and producers of cultural goods and services

Policies and measures promote and protect artistic freedom

Non-governmental initiatives facilitate mobility from the global South

Policies and measures support international flows of cultural services

Policies and measures implement international and regional treaties and agreements that refer to the Convention

Policies and measures support equity in access to cultural resources by vulnerable groups in the community

Financial assistance supports creativity in developing countries

Policies and measures promote the opportunity for women to access cultural activities, goods and services

Policies and measures promote the social and economic rights of artists



# New trends in policy making

Nina Obuljen Koržinek

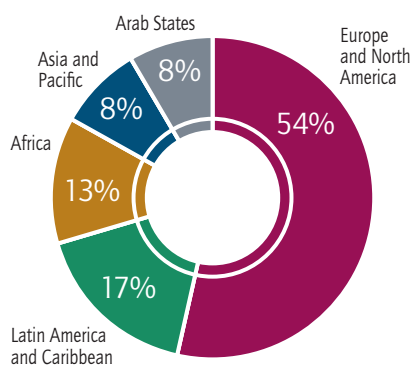


## KEY MESSAGES

- »»» *Cultural policies and measures increasingly aim at strengthening the value chain of creation, production, distribution/dissemination and access.*
- »»» *A key advance achieved by the Convention has been to broaden the understanding of cultural policy to include measures and mechanisms other than those normally included under the remit of ministries of culture.*
- »»» *Process of reporting on cultural policies and measures is improving current communication and information systems among Parties to the Convention.*
- »»» *Participatory models between civil society and public sector officials are required to produce solid evidence for policy monitoring and impact assessment.*
- »»» *While the majority of reporting Parties have indicated reform of their cultural policies and/or have created new measures and mechanisms as a result of adopting the Convention, more progress is required if the ambitious goals of the Convention are to be achieved.*

### Share of Parties who have submitted Quadrennial Periodic Reports by region (2012-2014)

Source: QPRs



*Our greatest asset is the talent of our people and the sense of our work is to generate opportunities for their talent to shine. We make education the engine of social change and understand it in a broad sense including science, technology, entrepreneurship, innovation, sports and culture.*

*On the basis of the principles of the rule of law and transparency, we have democratized the access to public resources, creating opportunities through calls and competitions for artists and cultural managers to make their dreams come true by accessing grants for creation, professionalization, cultural exchanges, mobility and endowment. We have strengthened the cultural movement through the creation of the Departmental Councils of Arts and Culture, where with the participation of 19,067 artists, 88 councillors were selected to build 8 Departmental Plans of Arts and Culture for 2014 - 2020. These are working roadmaps that clearly define where we are going in Antioquia. This is also what we have done in Medellín.*

*Today, with Educational Parks in 80 municipalities of Antioquia, we open the door to opportunities with spaces for gathering and education, where cultural activities and events can flourish and promote both cultural learning and practice*

**Sergio Fajardo**

Governor of Antioquia, Colombia

# New voices: encouraging media diversity

Christine M. Merkel



## KEY MESSAGES

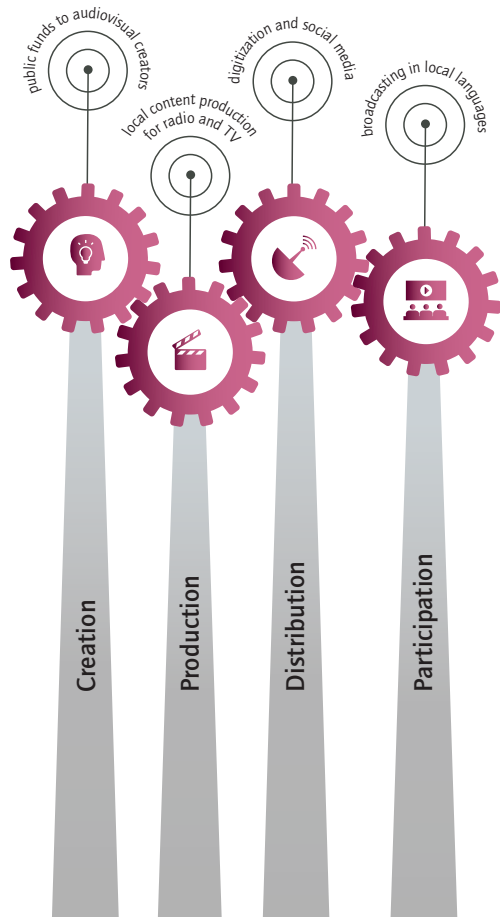
- »»» *Public service media can be crucial enablers and drivers of the diversity of cultural expressions – as producers, commissioners, distributors, disseminators and mediators of a vibrant array of high-quality cultural content whatever the means and technologies used.*
- »»» *There can be no media diversity without media freedom. Hence freedom of information laws and their effective implementation are crucial. With the rise of digital networks and online platforms, fostering freedom online becomes vital as well, in a substantially changed media ecosystem.*
- »»» *The quantum leap in access to media outlets and greater choices does not mean that the media content available via those outlets is necessarily 'freer'. A large number of platforms is in itself no guarantee of diversity of content and expressions.*
- »»» *Technology is opening up channels for new voices and talent, including those of citizen journalists and amateur film producers, who are redrawing the boundaries of journalism: all these need to be encouraged.*
- »»» *Women are among these many voices, but gender equality has not increased in either media content or decision-making, where women remain excluded to greater or lesser degrees. Steps should be taken to remedy the situation.*



*The boosting of creativity and diversity of cultural expressions in the media must be supported by public policies that encourage an environment of new voices, new ideas and new approaches. Everyone has the right to exercise their freedom of expression on equal terms, since the exchange of ideas and public debates consolidate democracy. This requires plurality and diversity of voices, which imply the exclusion of censorship and the inclusion of historically marginalized groups. We have said on several occasions that states should promote clear and precise regulatory frameworks that promote diversity and pluralism in the audiovisual media, as well as recognize and encourage the three key sectors of communication: commercial, public and community media. Knowing the current situation of the diversity of expressions and representations in the media is essential if we are to progress on these issues. Hence the importance of this first Monitoring Report on the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.*

### Edison Lanza

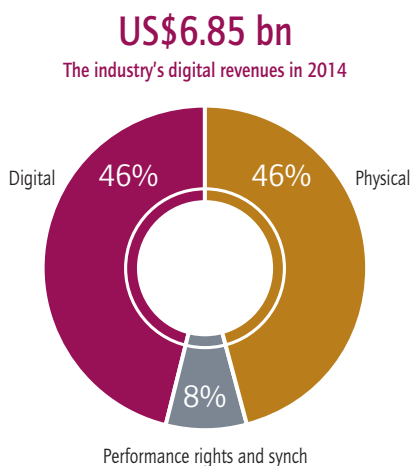
*Special Rapporteur on the Freedom of Expression of the Inter-American Commission on Human Rights (CIDH)*





### Share of global recording industry's digital revenue in 2014

Source: IFPI, 2015



## Challenges of the digital age

Octavio Kulesz

### KEY MESSAGES

- »»» *Developing countries still have a long way to go before they reach the levels of digital access enjoyed by developed countries. However, over the last decade many regions in the global South have shown remarkable progress, particularly in the field of mobile connectivity.*
- »»» *An increasing number of creators are making intensive use of new technologies to generate online content on platforms such as YouTube and Wikipedia, among many others.*
- »»» *There is accelerated growth taking place in e-commerce, which can be an advantage for local cultural industries, but also a risk for small and medium-sized players, given the advance of the big platforms.*
- »»» *The boom in social networks since 2004 constitutes an opportunity for civil society participation, especially when it comes to sharing cultural content.*



*Digital industries have an incredible potential in Africa, but are still very much in their infancy and require considerable investment in terms of time, money and expertise. What is now required is to focus our energies on the emergence of the creative tech sector to help realize the continent's digital destiny. There is already a generation of young people learning to code and build technology products in their spare time, and the skills they have acquired need to be reinforced, so as to empower young people across Africa for the task of building our common digital future.*

*Digital and tech will most certainly be the main catalysts for change in the coming decade. They will allow people to have better access to culture, education, banking, news, healthcare and more. The creative industries in particular have been totally transformed by digital technologies. Without the internet, Nollywood - Africa's most popular form of entertainment - would have remained shackled, left to fester, pirated on VCDs in markets. Now, the content can be enjoyed by millions more and the creatives behind the movies can finally be fairly remunerated for their work.*

*The new technologies will give the continent a voice- a means of connecting Africans, not only with each other, but with the rest of the world.*

**Jason Njoku**

CEO of iROKO Partners

# Partnering with civil society

Helmut K. Anheier and Olga Kononykhina



The adoption of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions in 2005 was an immense source of hope for civil society in Burkina Faso and in Africa in general. The creation of numerous national coalitions for cultural diversity has meant the return of culture professionals and organizations to the political scene, not just in terms of visibility but also by participating in public debate and the implementation of programmes and activities. In Burkina Faso, the Coalition has a monitoring role and also makes proposals for improvement. We try as much as possible to maintain dialogue with authorities and ensure that the principles of the Convention guide the elaboration of cultural policies. Civil society all over the world must discuss what citizens expect from culture. This Convention gives us the means to do so; let us seize this opportunity.

### Rasmané Ouedraogo

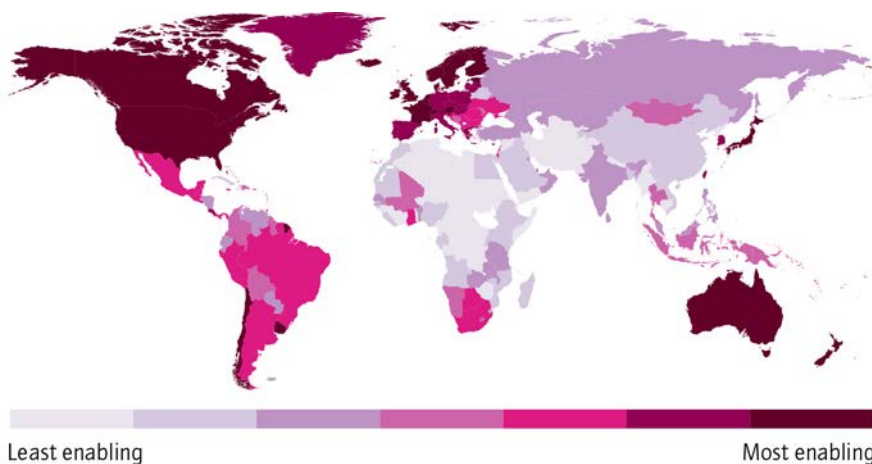
President of the National Coalition for Cultural Diversity, Burkina Faso

## KEY MESSAGES

- »» Civil society is actively engaged in the Convention's implementation, particularly through activities to raise awareness of its objectives and principles.
- »» Sustained state-civil society collaboration required for policy design and implementation faces strong challenges such as: insufficiencies in the capacity of national and local governments as well as civil society organizations to cooperate effectively, lack of financing and qualified human resources and lack of awareness about the Convention in civil society in general.
- »» Many civil society organizations participated in the preparation of the Quadrennial Periodic Reports (QPRs); overall, however, the diversity of civil society voices is still insufficient and should be increased.
- »» Civil society's role as 'cultural watchdog' remains underdeveloped; however, the Coalitions for Cultural Diversity, which already operate in 43 countries, could become a driving force to fill such gaps nationally as well as internationally.

## Civil society Enabling Environment Index, 2013

Source: EEI, 2013



# Minding the gaps: promoting mobility

Mike van Graan and Sophia Sanan

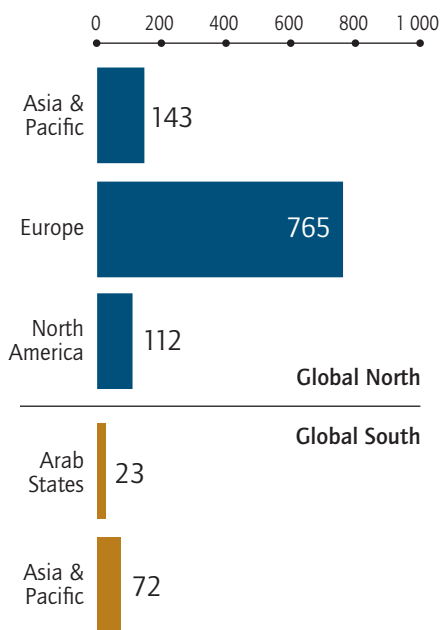


## KEY MESSAGES

- »»» *The mobility of artists and other cultural professionals is crucial to maintaining a heterogeneous world of ideas, values and views.*
- »»» *Access to international markets for artists and cultural professionals is also crucial to the promotion of sustainable cultural and creative industries and their potential contribution to human, social and economic development, particularly in the global South.*
- »»» *There is a vast gap between the principles and ideals of the 2005 Convention and the world realities concerning the mobility of artists and cultural professionals from the global South. Indeed, implementation of the Convention so far does not yet appear to have contributed to increasing such mobility.*
- »»» *The obstacles to the mobility of artists and cultural professionals include increasing security, economic and political constraints, particularly in the global North; hence the Convention needs to be used more effectively in countering these constraints in a spirit of international solidarity.*
- »»» *Information, funding and other opportunities that can promote the mobility of artists and cultural professionals need to be gathered and shared by all Parties.*

### Number of public and private funding sources for the mobility and development of artists by region

Source: On the Move, 2015



Over the last four decades, the Arab region has suffered from poor governance. This has been recently aggravated by the wave of political strife that has engulfed the region and a humanitarian crisis with millions of displaced populations. At AFAC, it is our belief that an engaged, active and open cultural scene can counter such events and produce deep and long-lasting change in civil society, acting as a multiplier effect for other forces of change and revival. Cross-cultural collaborations to promote diversity, openness and tolerance are hampered though by long-standing barriers to free expression and movement. Arab artists face innumerable travel impediments and restrictions, both financial as well as political. Furthermore, the lack of legislation and funding for distribution of cultural production drastically limits the access to audiences, thus reducing its impact. Film documentaries dealing with crucial topics and acclaimed at international festivals are banned from being screened in public theatres. Quality critical publications struggle for survival and are incapable of reaching a sustained mode of operation. Enhancing cultural exchange and developing distribution channels for Arab cultural production in the region and beyond is extremely important. This will require the support and awareness of local governments and will greatly benefit from the implementation of the 2005 Convention.

**Oussama Rifahi**

Executive Director of the Arab Fund for Arts & Culture

# Striking a balance: Flows of cultural goods and services

Lydia Deloumeaux



Share of exports of cultural goods between developed and developing countries (excluding China and India) 2004-2013

	Developed countries	Developing countries without China and India
2004	85.7%	14.3%
2005	84.9%	15.1%
2006	84.8%	15.2%
2007	83.2%	16.8%
2008	81.5%	18.5%
2009	81.5%	18.5%
2010	78.9%	21.1%
2011	79.4%	20.6%
2012	79.7%	20.3%
2013	80.5%	19.5%

Source: Based on UN Comtrade, DESA/ UNSD, April 2015

## KEY MESSAGES

- »»» *The total value of exports worldwide of cultural goods was US\$212.8 billion in 2013. Developing countries share represents 46.7% which is a marginal increase from 2004. Only China and India are significantly competing with developed countries in the global market.*
- »»» *The total value of exports worldwide of cultural services was US\$128.5 billion in 2012. Developing countries share represents only 1.6%. Developed countries dominate this world share with 98%, in particular due to the increase in the flows of electronically transmitted audiovisual and artistic related services.*
- »»» *Within the framework of South-South cooperation, the levels of trade among developing countries have increased, but provisions relating to specific preferential treatment measures for cultural goods and services in such free trade agreements remain rare.*
- »»» *Evidence shows that new policies in trade exchanges, whether at individual, institutional or industry levels, can help achieve a more balanced flow of cultural goods and services. Discussing indicators, policy measures or instruments relating to trade and culture will be critical to monitor the impacts of the Convention.*



Cultural content is laden with values and meaning and must be valorized by political decision-makers, cultural actors and civil society. They must take pride of place in public debate. When I founded the Timitar Festival of Amazighe culture and world music 12 years ago, I was driven by a determination to promote Moroccan and international cultural diversity. The half a million people who attend this festival each year show the public interest in these forms of artistic expression. Morocco's 'Visa for Music', the first market for African and Middle Eastern music, sprang from the same desire to encourage closer international cooperation. Promoting African and Middle Eastern music around the world; facilitating artistic mobility; supporting the development of national cultural sectors; contributing to the improvement of conditions for artists in the South; strengthening North-South and South-South relations in the cultural sector: these are the urgent priorities. The celebration of the tenth anniversary of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions invites us to pursue our efforts. Together, we can develop a more balanced flow of cultural goods, as well as new platforms for meetings and exchanges, which will be the pillars of our creative diversity for the future.

**Brahim El Mazned**

Director Visa for Music Festival

# Promoting the Convention in international forums

Véronique Guèvremont

## KEY MESSAGES

- »» Seven trade agreements concluded by the European Union (EU) since 2005 incorporate one or more explicit references to the Convention. Given that the EU has 28 member states and that the 7 agreements have been concluded with 26 other States, together they implicate 55 States as well as the EU itself, 50 of which are Parties to the Convention.
- »» The promotion of the objectives and principles of the Convention in other international forums is not limited to the trade arena. Since 2005, it has been referenced in over 250 texts in dozens of international, regional and bilateral organizations.
- »» Since 2005, there has been an increase in the use of the 'cultural exemption' measure to exclude some cultural goods and/or services from the trade agreements.
- »» New trade instruments have emerged in the past ten years, namely, Protocols for Cultural Cooperation annexed to trade agreements. These Protocols recognize the specificity of cultural goods and services, but also provide for the attribution of preferential treatment to promote the mobility of artists and cultural professionals, especially from the global South. The Protocol for Cultural Cooperation annexed to the EU and Central America free trade agreement may be seen as a best practice in this regard.

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from 1 to 16 October 2005 at its 31st session • Affirming that cultural diversity is a defining characteristic of humanity • Conscious that cultural diversity forms a common heritage of humanity and should be cherished and preserved for the benefit of all • Being aware that cultural diversity opens a rich and varied world, which increases the range of choices and nurtures human capacities and values and therefore is a major asset for sustainable development • Emphasizing that cultural diversity is a source of inspiration, stimulating action in favour of democracy, tolerance, social justice and mutual respect between peoples and cultures • Indispensable for peace and security at the local, national and international level • Considering the importance of cultural diversity for the full realization of human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other internationally recognized instruments • Emphasizing the need to incorporate culture as a strategic element in national and international development policies, as well as in international development cooperation, taking into account the United Nations Millennium Declaration, which sets its special emphasis on poverty eradication • Taking into account that culture has diverse forms across time and space and that this diversity is a reflection of the uniqueness and plurality of the identities and cultural expressions of the peoples and societies making up humanity • Recognizing the importance of traditional knowledge as a source of intangible and material wealth, and in particular the knowledge systems of indigenous peoples, and its positive contribution to sustainable development, as well as the need for its protection and promotion • Recognizing the need to take measures to protect the diversity of cultural expressions, including their contents, especially in domains where cultural expressions may be threatened by the possibility of protection or control • Emphasizing the importance of culture for social cohesion • In general, and in particular its potential for the enhancement of the status and role of women in society • Being aware that cultural diversity is strengthened by the free flow of ideas, and that it is sustained by constant exchanges and interaction between cultures • Emphasizing thus freedom of thought, expression and information, as well as diversity of the media, enable cultural expressions to flourish within societies • Recognizing that the diversity of cultural expressions, including traditional cultural expressions, is an important factor that allows individuals and groups to express and to share with others their ideas and values • Noting that linguistic diversity is a fundamental element of cultural diversity and highlighting the fundamental role that education plays in the protection and promotion of cultural expressions • Taking into account the importance of the vitality of cultures, including for persons belonging to minorities and indigenous peoples, and in particular their freedom to create, disseminate and distribute their traditional cultural expressions and to have access thereto, as is to benefit from their own development • Emphasizing the vital role of cultural interaction and creativity, which nurture and renew cultural expressions and enhance the role played by the individual in the development of culture for the progress of society and to recognize the importance of intellectual property rights • Supporting those involved in cultural creativity • Being convinced that cultural activities, goods and services have both an economic and a cultural nature, because they convey identities, values and meanings, and must therefore not be treated as mere means of commercial value • Noting that while the processes of globalization, which have been facilitated by the rapid development of information and communication technologies, offer unprecedented conditions for enhanced interaction between cultures, they also represent a challenge for cultural diversity, namely, in case of free of movement between two good power relations • Being aware of UNESCO's mandate to ensure respect for the diversity of cultures and to recommend such international agreements as may be necessary to promote the free flow of ideas and images • Referring to the provisions of the international instruments adopted by UNESCO relating to cultural diversity and the exercise of cultural rights, and in particular the Universal Declaration on Cultural Diversity of 2001 • Adopts this Convention on 20 October 2005

Incorporation of a reference to the Convention



Adoption of a cultural protocol



Inclusion of a cultural exemption



Use of positive lists of specific commitments



Formulation of some reservations



Ways to implement the Convention in bilateral and regional trade agreements



Let us salute UNESCO's initiative to commemorate the tenth anniversary of the important Convention on the Promotion and Protection of the Diversity of Cultural Expressions. As the European Commissioner for Trade, I encouraged the preparation of this text and I was proud that the European Union subsequently played a very active role in the drafting process. This was a decisive step in a long story. Recalling that 'culture is not a piece of merchandise like any other,' the European Commission of the 1990s under Jacques Delors was opposed to the inclusion of the cultural industries in the Uruguay Round that liberalized international trade. But as well as this 'defensive' attitude, an international instrument was needed as a reference point to complement the trade rules and to affirm the freedom of each state to foster creativity and cultural expressions as it sees fit. UNESCO rose to the challenge and excelled in its role. Anyone who works towards a more 'civilized' globalization must be delighted with the outcome. It does not involve enclosing cultures within their national or local boundaries; on the contrary, the Convention helps to share them in a balanced way – it encourages cultural exchange and the free movement of artists, and seeks to regulate the concentration of the cultural industries and to ensure that they respect pluralism and the diversity of creativity. It is for this reason that the monitoring of the implementation of the Convention is crucial.

**Pascal Lamy**

Former Director-General of the World Trade Organization

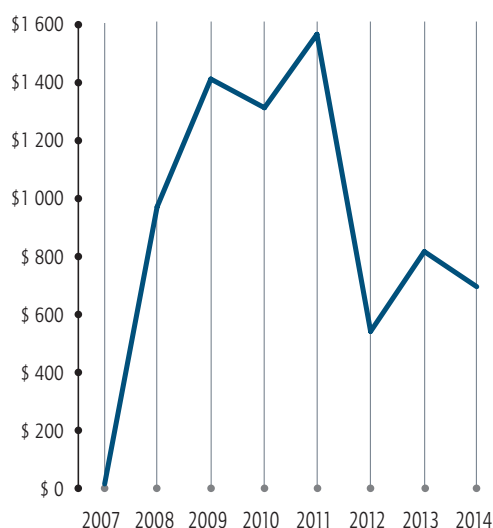
# Culture in sustainable development

David Throsby



Total received contributions to the International Fund for Cultural Diversity: 2007-2014 (\$US thousands at current prices)

Source: <http://en.unesco.org/creativity/ifcd/fundraising/donations/parties>



## KEY MESSAGES

- »» Implementation of the sustainability provisions of the Convention can be interpreted as the formulation of strategies to achieve culturally sustainable development, a concept that brings together the cultural and economic dimensions of development in a framework emphasizing growth, equity and cultural integrity in the development process.
- »» The cultural industries can be a major target for policy leading towards development that is both economically and culturally sustainable; policy initiatives to support the growth of these industries can yield significant long-term economic, social, cultural and environmental benefits.
- »» There is considerable scope for donor countries to promote the integration of culture in sustainable development in the global South through their Official Development Assistance (ODA) strategies and programmes; a particular avenue for such assistance is through technical assistance and expertise to help overcome disadvantage in recipient countries' access to new information and communications technologies, and to promote the connectivity essential for developing countries' participation in international markets for their cultural goods and services.



The European Union has a strong interest and role in culture, both inside the EU and externally. The EU as a signatory to the 2005 UNESCO Convention is fully committed to the principles of this treaty.

Culture can be viewed as a public good par excellence. Through culture, we can promote and strengthen principles and values such as freedom of expression, democracy, tolerance, social justice and mutual respect. Citizens' participation in cultural life improves social cohesion and community empowerment. The creative sector is a factor of inclusive and sustainable growth across the world, at national and regional levels. Cultural activities can also provide a livelihood to vulnerable, marginalized groups.

The important role of culture in international cooperation and development is reflected in the various actions that the EU is financing to promote cultural and creative industries, notably in the Mediterranean region and in the African, Caribbean and Pacific countries. We are particularly conscious of the catalytic role that cultural programmes and projects can have in embedding concepts of freedom of expression, equality (including gender equality) and the free flow of ideas.

The EU has supported the Convention's implementation with the objective of strengthening cultural governance in 13 developing partner countries. I am pleased that this has been instrumental in developing cultural policies in these countries and raising awareness of the importance of such policies and of the Convention itself.

**Neven Mimica**

European Commissioner for international cooperation and development





## Women as creators: gender equality

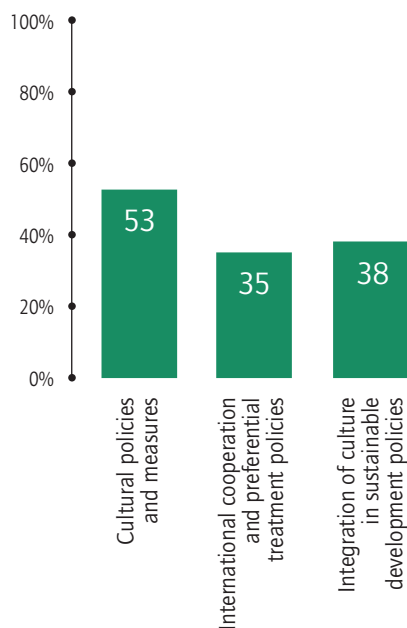
Ammu Joseph

### KEY MESSAGES

- »» Women are strongly represented in the creative sector in most parts of the world. However, they remain poorly represented in a number of cultural professions and in decision-making positions in many cultural organizations and industries.
- »» The multiple obstacles in their paths to participation and progression in cultural endeavours are not just unfair to women and violative of their cultural rights. They essentially diminish cultural diversity and deprive everyone of unhindered access to the creative potential of the female half of the artistic community.
- »» Many countries have taken steps to improve opportunities for women and even leverage women's contributions to the creative economy. However, the need to ensure gender equality in the cultural sector has not yet been adequately addressed.
- »» A major stumbling block in the way of efforts to tackle gender imbalance in the cultural sphere is the paucity of sex-disaggregated data. Yet only an information-based approach can effectively challenge existing gender-based biases and barriers.
- »» Equally important is a holistic approach that recognizes the symbiotic relationship between gender equality, cultural rights and cultural diversity. The mission to protect and promote the diversity of cultural expressions cannot succeed unless gender equality is recognized as a central concern that must be integrated into all attempts to achieve this goal.
- »» Both the letter and the spirit of the 2005 Convention uphold the principle of gender equality as a cornerstone of human rights in general and cultural rights in particular. The Convention is unambiguous in calling for policies and measures that promote gender equality and that recognize and support women as artists and producers of cultural goods and services.

### Share of Parties that have included women as targets of policies by type of policy measure

Source: QPRs, 2012-2014



As an African woman, as a creator and as an ambassador for UNICEF, I measure every day the gender gap. We represent more than half of the population, yet far too often our voices are muted and our contributions disregarded. A lot can be done to improve the situation, and culture is one of the ways we can help move this in a positive way. The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions can help achieve this objective. In recognizing and supporting women as creators and producers of cultural expressions, it is a powerful tool that can be used by governments to facilitate access, participation and artistic freedom for women. Listen to what women have to say, give them tools to emancipate, help them reach new frontiers, give them confidence, encourage them to create, treat them with respect. These are simple attitudes that will change the way women will feel on a daily basis. This empowerment will vastly improve their vision of the world, and – I hope – inspire young women anywhere to do as I did, to find their voice, to be proud of their heritage, to contribute to the renewal of their cultures and share them with the world. This would benefit humanity as a whole and make the world a far better place.

**Angélique Kidjo**

Singer and vice-president of the Confédération Internationale des Sociétés d'Auteurs et Compositeurs (CISAC)

# Challenges of artistic freedom

Ole Reitou



## Violations of the right to freedom of artistic expression (2010-2013)

Source: ARTICLE 19, 2010-2013

### Grounds for restricting artistic expression



35.7%  
Political criticism



22.4%  
Sex, sexuality and nudity



16.6%  
'Traditional' or religious values



10.8%  
Offence or insult

4.9% Insult against state symbols  
4.7% National security  
1.8% Public order  
0.7% Privacy

## KEY MESSAGES

- »»» *Recognition and protection of artistic freedom is germane not only to the being and creative practice of artists themselves but also to the rights of all cultural professionals.*
- »»» *Fundamental freedoms are an essential ingredient of the wellbeing of citizens and societies, in the dynamics of social development and for the stability of the arts and cultural and creative industries sectors.*
- »»» *Restrictions to artistic freedom and access to artistic expressions generate important cultural, social and economic losses, deprive artists of their means of expression and livelihood, and create an unsafe environment for all those engaged in the arts and their audiences.*
- »»» *In 2014, Freemuse registered 237 attacks on artistic expression. However, threats to artistic freedom are under-reported in comparison to threats to journalists and other media professionals. This leads to a limited picture of the true scale of the challenge to creative free expression, in particular the physical threat to socially engaged artists and practitioners.*



Artistic expression is not a luxury, it is a necessity- a defining element of our humanity and a fundamental human right enabling everyone, individually and collectively, to develop and express their humanity and world view. Explicitly covered in the two main international Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights, and the Universal Declaration of Human Rights, artistic freedom had received little attention in human rights forums when I took up the issue in 2013. Threats to artists and artistic expressions were evident, but few artists engaged with the UN human rights system.

Having consistently addressed this question since then, I am pleased to note a growing realization of the crucial role artists and artistic creativity play in our societies, and the vitality of ensuring that artistic voices are not silenced by different means. Cultural expressions do not only entertain; they contribute to social debates and invite us to think. The growing engagement of various stakeholders around artistic freedom is encouraging. Much still needs to be done, however, to ensure access to and participation in artistic endeavours, especially in public spaces. Catalyzing ongoing critical thinking about the 'identity, values and meanings' we wish to choose for our lives, artistic expressions and creativity can play a significant role in many arenas, from social reconciliation processes to everyday life. This chapter on the status of artists is therefore an invaluable tool that will help to guide our future actions on the matter.

### Farida Shaheed

Former UN Special Rapporteur in the field of cultural rights

## GOAL 1

**SUPPORT SUSTAINABLE  
SYSTEMS OF GOVERNANCE  
FOR CULTURE**

## GOAL 2

**ACHIEVE A BALANCED FLOW  
OF CULTURAL GOODS AND  
SERVICES AND INCREASE THE  
MOBILITY OF ARTISTS AND  
CULTURAL PROFESSIONALS**

# Key findings

- New cultural policies, measures and mechanisms have been implemented over the past ten years to support the creation, production, distribution and access to diverse cultural goods and services. Technology is opening up channels for new voices and talent as well as new forms of citizen participation that are redrawing the boundaries between these links in the value chain and raising new questions for the design of new policies and measures.
- There are two emerging policy fields which are important enablers and drivers of the diversity of cultural expressions: public service media and digital technologies. It has become clear that the policy and perhaps even legislative scope of the Convention needs to be broadened to include freedom of information laws, telecommunication policy, questions of e-commerce as well as internet governance.
- In terms of governance systems, participation of multiple civil society stakeholders in policy design and implementation is crucial. The role of civil society as a 'cultural watchdog' remains underdeveloped and the diversity of civil society voices is still insufficient. Both should be enhanced. Partnerships between civil society and public sector officials are required to generate the robust evidence required for informed policy monitoring and impact assessment that is lacking in many regions of the world.
- Countries in all parts of the world are taking action to support the development and growth of their creative sectors. New policies are being designed and supported by action plans, funding and new structures. However, on the global level, there is a long way to go before a balance in the flow of cultural goods and services is achieved. New data produced by the UNESCO Institute of Statistics (UIS) show that the export of cultural goods worldwide reached approximately US\$212.8 billion in 2013 and that the developing countries' share represented 46.7%. If China and India are excluded from this category, however, the great majority of developing countries would be seen to still play only a marginal role in the export of cultural goods. The data also show that cultural services reached approximately US\$128.5 billion in the same period. This includes films, music or books downloaded from the internet, dance or music performances etc. The share of developing countries remained dismal: only 1.6%! Therefore, there is a new urgency for countries to introduce preferential treatment measures before the Convention's goals can be achieved.
- While some countries have adopted measures to ease restrictions on creative professionals, artists are still unable to travel freely in some parts of the world. This regrettable situation blocks the balanced flow of cultural goods and services. Policies to encourage the mobility of artists and other cultural professionals, especially those from developing countries, are crucial so that they can expand their access to new markets and seize opportunities for collaboration.
- The Convention appears to have had a positive impact with the implementation of new trade frameworks and agreements over the past ten years, namely, Protocols for Cultural Cooperation annexed to trade agreements that recognize the specificity of cultural goods and services and improve access of cultural goods and services from developing countries to regional and international markets. However, the impact that these will have on achieving balanced worldwide flows of cultural goods and services remains unclear.

### GOAL 3

#### INTEGRATE CULTURE IN SUSTAINABLE DEVELOPMENT FRAMEWORKS



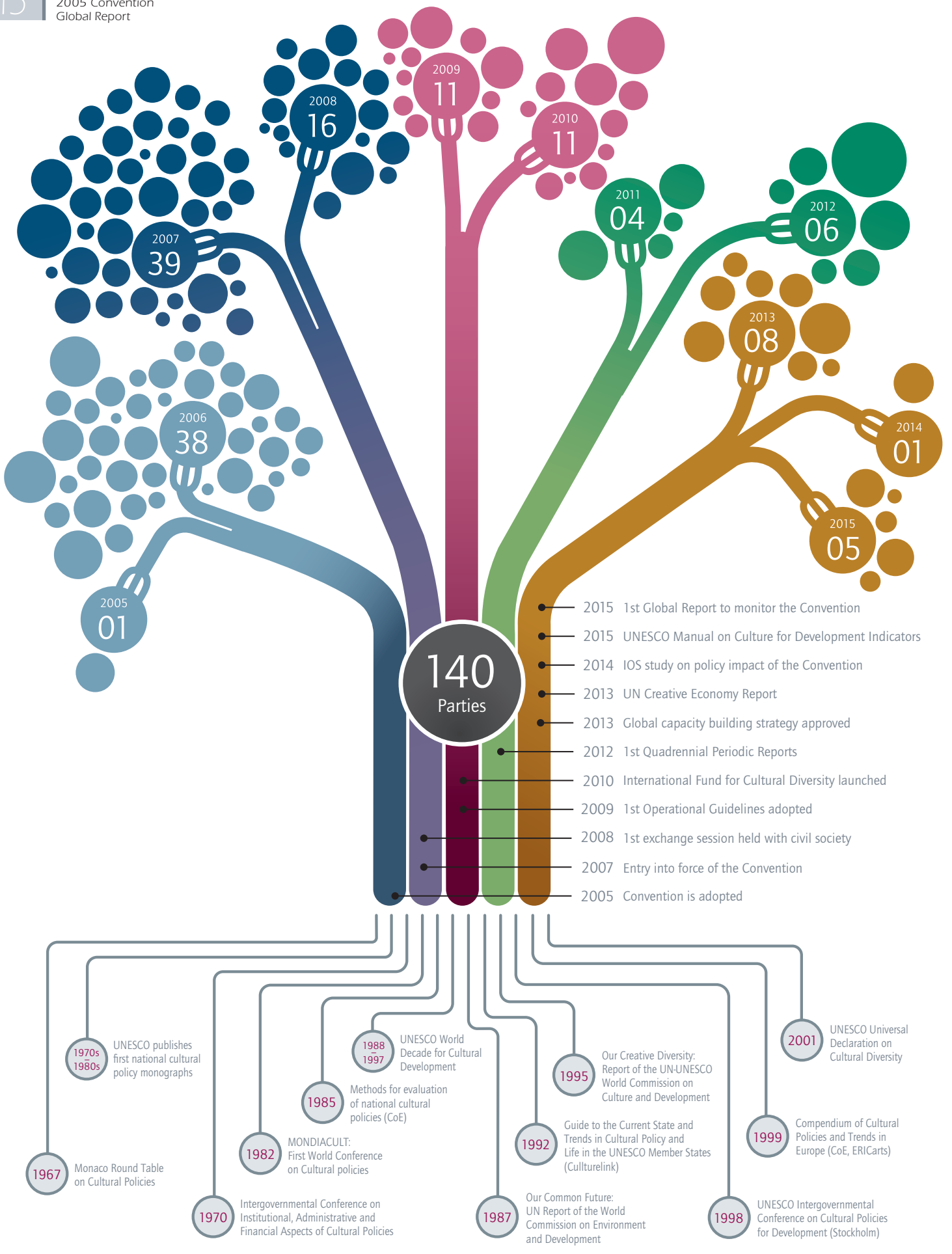
- Both the 2005 Convention and the recently adopted 2030 Agenda for Sustainable Development make a commitment to create conditions for inclusive and sustained economic growth, shared prosperity and decent work for all.
- The cultural and creative industries can be a major enabler of policy leading towards development that is both economically and culturally sustainable. Policy initiatives to support the growth of these industries also yield significant long-term social, cultural and environmental benefits, equity in the distribution of cultural resources, and fairness, justice and non-discrimination in access to cultural participation.
- Support for culture through international development assistance frameworks and programmes has decreased since 2005, however, and this is therefore a global challenge.

### GOAL 4

#### PROMOTE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS



- Supporting and defending fundamental freedoms of expression, information and communication for artists and cultural professionals is a prerequisite for the creation, distribution and access to a diversity of cultural expressions. In 2014, Freemuse registered 237 attacks on artistic expression around the world.
- Restrictions to artistic freedom and access to artistic expressions generate major cultural, social and economic losses, deprive artists of their means of expression and livelihood, and create an unsafe environment for all those engaged in the arts and their audiences.
- While women are strongly represented in the creative sector in most parts of the world, they remain poorly represented in a number of cultural professions and in decision-making positions in many cultural organizations and industries. New policies and measures are needed to recognize, support and promote women as creators and producers of cultural expressions, and as citizens participating in cultural life.





United Nations  
Educational, Scientific and  
Cultural Organization



Diversity of  
Cultural Expressions

# RE | SHAPING CULTURAL POLICIES

Anniversaries are a time for reflection and planning.

The 10th anniversary of the UNESCO 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions provides its Parties and non-governmental stakeholders with a significant opportunity to recall its origins, critically review the achievements and, on this basis, form an ambition for the implementation of the Convention for the next ten, twenty, even thirty years.

One of the questions asked during this anniversary year is whether or not the implementation of the Convention reflects the vision of its authors. In other words, has it led to the positive changes its drafters envisaged? What steps have been taken to reach the four main goals of the Convention: support sustainable systems of governance for culture; achieve a balanced flow of cultural goods and services and increase the mobility of artists and cultural professionals; integrate culture in sustainable development frameworks; and promote human rights and fundamental freedoms.

This new Global Report series presents evidence on the implementation of the Convention goals, with a proposed set of indicators to monitor change and progress over time. Based on the quadrennial periodic reports submitted so far by Parties, as well as other sources, this maiden edition is a first effort to take stock and share information on the challenges encountered, in particular in emerging policy areas, such as digital, public service media, preferential treatment as well as gender and artistic freedom. It investigates how cultural policies may have been re-shaped as a result of efforts to implement the Convention.

This Report is also intended to provide evidence for the implementation of the United Nations 2030 Sustainable Development Agenda.

<http://en.unesco.org/creativity/>

2005 Convention  
Global Report

2015