New Convention on Diversity of Cultural Expressions

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On 20 October 2005, the General Conference of UNESCO adopted a Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The Convention seeks to protect and promote the diversity of cultural expressions and to create the appropriate climate for cultures to thrive. Other key goals are to strengthen awareness of and respect for such diversity at all levels and to encourage intercultural dialogue. The Convention also aims to stress the linkage "between culture and development for all countries, particularly for developing countries" and to "give recognition to the distinctive nature of cultural activities, goods and services as vehicles of identity, values and meaning". It sets itself the task of upholding both State sovereignty and international cooperation in the promotion of cultural diversity.

Article 2 sets out the Convention's "Guiding Principles": respect for human rights and fundamental freedoms; [State] sovereignty; equal dignity and respect for all cultures; international solidarity and cooperation; the complementarity of economic and cultural aspects of development; sustainable development; equitable access, and openness and balance.

The definitional framework for the Convention is provided in Article 4, which describes "cultural expressions" as "those expressions that result from the creativity of individuals, groups and societies, and that have cultural content".

The promotion and protection of cultural expressions are each given separate consideration in the context of States Parties' relevant rights and obligations (Articles 7 and 8, respectively). In more general terms, a range of possible measures for States to attain the objectives of the Convention are explored in Article 6 and these measures implicate both the regulatory and allocative capacities of States.

A number of procedural priorities are identified as being important for the pursuit of the Convention's goals: information-sharing and transparency; education and public awareness; participation of civil society, and promotion of international cooperation (Articles 9-12, respectively). The Convention also underscores the importance of States Parties' commitment to the integration of culture in their development policies at all levels with a view to maintaining and enhancing the diversity of cultural expressions (Article 13), as well as to "cooperation for

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sustainable development and poverty reduction, especially in relation to the specific needs of developing countries, in order to foster the emergence of a dynamic cultural sector" (Article 14).

Article 18 of the Convention provides for the establishment of an "International Fund for Cultural Diversity" which is to be financed by, inter alia, voluntary contributions by States Parties, "funds appropriated for this purpose by the General Conference of UNESCO", contributions from miscellaneous sources and "any interest due on resources of the Fund". The administration of the Fund is one of the tasks to be carried out by an Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions, which is to be set up pursuant to Article 23 of the Convention.

In accordance with Article 29, the Convention will enter into force three months after its ratification by 30 States.

Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted on 20 October 2005

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