



United Nations
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Организация
Объединенных Наций по
вопросам образования,
науки и культуры

منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
科学及文化组织

Diversity of Cultural Expressions

1.EXT.IGC

Distribution limited

CE/08/1.EXT.IGC/4
Paris, 1 April 2008
Original: English

INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

First Extraordinary Session
Paris, UNESCO Headquarters
24-27 June 2008

Item 4 of the Provisional Agenda: Operational guidelines: concept and modalities for partnerships (Article 15 of the Convention)

In Decision 1.IGC 5B adopted at its first ordinary session, the Committee invited the Secretariat to prepare preliminary draft guidelines on the concept and modalities for partnerships (Article 15 of the Convention). This document presents in Annex a draft of operational guidelines on partnerships, including a definition, principles, scope and partnering process.

Decision required: paragraph 3

1. Given that the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions is the first international instrument adopted under the aegis of UNESCO to include specific provisions on cross-sector collaborative arrangements, the Operational Guidelines of the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage cannot serve as a model in terms of the document's content. The Secretariat has therefore drawn on recent official UNESCO texts pertaining to partnerships, as well as on advice provided by specialized research institutions, such as the International Business Leaders Forum (IBLF). The Secretariat has also taken into account the comments made by the Committee at its first ordinary session, which took place in Ottawa in December 2007.

2. In addition to the draft Operational Guidelines on the concept and modalities for Partnerships, the Secretariat has prepared Information document CE/08/1.EXT.IGC/INF.4, which presents a detailed outline of the partnering process that may guide stakeholders initiating and developing partnership relationships in areas covered by the Convention.

3. The Committee may wish to adopt the following decision:

DRAFT DECISION 1.EXT.IGC 4

The Committee,

1. *Having examined document CE/08/1.EXT.IGC/4,*
2. *Recalling Resolution 1.CP 6 of the Conference of Parties and Decision 1.IGC 5B of the Committee,*
3. *Submits to the Conference of Parties for approval the Operational Guidelines on the concept and modalities for partnerships within the framework of the Convention as annexed to this Decision.*

Preliminary draft of the Operational Guidelines

Concept and Modalities for Partnerships

Chapter xxx: Concept and Modalities for Partnerships

1. The Convention's most explicit provision with regard to partnerships is Article 15 (Collaborative arrangements). Reference to partnerships is made, explicitly or implicitly, in other provisions of the Convention, more particularly in Article 12 (Promotion of international cooperation).

2. Article 15 – Collaborative arrangements

“Parties shall encourage the development of partnerships, between and within the public and private sectors and non-profit organizations, in order to cooperate with developing countries in the enhancement of their capacities in the protection and promotion of the diversity of cultural expressions. These innovative partnerships shall, according to the practical needs of developing countries, emphasize the further development of infrastructure, human resources and policies, as well as the exchange of cultural activities, goods and services.”

Definition and features of partnerships

3. Cross-sector partnerships are voluntary collaborative arrangements between two or more organizations from different parts of society, such as the private sector, government (at the local, national or regional levels), civil society, the media, academia, artists and artistic groups, etc., in which the risks and benefits are shared between the partners and the modalities of functioning, such as decision-making or allocation of resources, are agreed upon collectively by them.

4. Partnerships are relationships that are distinct from the project itself, as well as from other forms of working arrangements for project implementation.

5. In terms of area of impact and activities, projects on which partnerships are formed might be local, national, regional or international in scope. Regional or international partners might be involved in a partnership either to provide technical, legal or methodological assistance or when the project will include activities and/or will have impact also in their respective countries of origin.

6. The major principles underpinning successful partnerships include equity, transparency, mutual benefit, responsibility and complementarity.

Equity, as “an equal right to be heard” leads to respect among the partners and is based on the underlying assumption that all the partners involved are necessary for the goal to be achieved and that each partner has an important and unique contribution to make to the partnership that is recognized as such by the other partners.

Transparency includes openness to identifying, discussing and meeting challenges throughout the partnering process and fosters mutual understanding.

The principle of **mutual benefit** recognizes the need of all partners to meet both individual and mutual objectives of the partners and is essential for the sustainability of the partnership.

In good partnering practices, all partners should take **responsibility** for maintaining the commitment and the motivation of all the other partners.

Complementarity aims to ensure the right combination of partners and capacities.

The scope of partnerships

7. In conformity with Article 15, partnerships initiated under the Convention should be in accordance with the assessed needs of developing countries. Parties to the Convention should therefore undertake a needs analysis within their countries, in consultation with stakeholders from the relevant cultural industries and sectors, to identify cultural expressions or areas in greatest need of attention within a particular cultural industry. On the basis of this analysis, Parties can decide to support appropriate partnerships, either as a partner or as a motivator, drawing on assistance from international counterparts, where desired or appropriate.

8. Partnerships should focus primarily on one or more links in the cultural value chain (**creation, production, distribution, dissemination and access** to cultural expressions). Where an initiative focuses on only part of the chain, it is important to ensure connection with initiatives in other parts of the chain.

9. Partnerships might include, but will not be limited to, one or more of the goals outlined below:

- 9.1 Capacity-building for cultural operators and associated stakeholders (technical/artistic, business management, marketing/market information and access).
- 9.2 Institution building for cultural practitioners and operators and associated stakeholders (infrastructure, facilities, associations/co-operatives/unions).
- 9.3 Advocacy and policy elaboration (by increasing awareness of diverse goods and services, sustaining initiatives taken by cultural entrepreneurs through access to credit or other incentives).
- 9.4 Protection of cultural goods and services, cultural practitioners and operators or cultural industries deemed at risk in compliance with Article 8.
- 9.5 Fostering and mainstreaming protection and promotion of diversity of cultural expressions within educational institutions and in the framework of development activities.
- 9.6 Creating local markets.
- 9.7 Accessing international markets.

The Partnering Process

10. The partnering process includes four phases:
 - 10.1 creation and relationship building (scoping and building);
 - 10.2 implementing, managing and maintaining;
 - 10.3 reviewing, evaluating and revising;
 - 10.4 sustaining outcomes.

11. Assessment of the needs in developing countries across the value chain, conducted with the participation of relevant stakeholders, to identify priority areas for development and investment, should be the initial step of the first phase of the partnering process.

12. The partnership-building activities in the first phase, which, in addition to needs assessment, include also partner identification, partner internal assessment, identification of objectives etc., are essential for ensuring a solid foundation for the partnership.

13. The needs assessment should also determine whether a partnership is the appropriate approach to reaching the desired objectives. In cases where rapid action and/or complete ownership of decision-making and results are required, partnership may not be a suitable approach. In such cases, a long process of negotiation and coordination and/or shared ownership of decision-making and results are not deemed acceptable.

14. Building an effective partnership takes a large investment of time and other resources by all partners, which are referred to as the **transaction costs** (the cost of partnering). To ensure sustainability of the partnership, the transaction costs of partnering should not become greater than the benefits or value to the partners stemming from the partnership. Partners should therefore try to estimate the cost/benefit **before** entering into the partnership and then monitor or track these throughout the process.

The role of the UNESCO Secretariat

15. During an initial period of four years the UNESCO Secretariat, using its platform for developing public-private partnerships in support to cultural industries, the Global Alliance for Cultural Diversity, will serve as an international **initiator and motivator**. It will:
 - i) carry out advocacy so as to promote cross-sectoral partnerships among various stakeholders;
 - ii) facilitate partnership-building by establishing and maintaining on its web page, an internet platform devoted to collaborative partnerships for the development of cultural industries in developing countries;
 - iii) provide information on existing and prospective partners in the public and private sectors as well as the not-for-profit sector (including data on needs, projects and case studies of best practice);
 - iv) provide links to useful management tools;

16. Headquarters and Field Offices would have shared responsibility in their respective geographical remits (UNESCO Headquarters for partnerships where most actors are global players; Field Offices for partnerships where the main activities take place at national or regional level).

17. In addition, programme specialists in the Division of Cultural Expressions and Creative Industries shall submit innovative cross-sectoral projects to donors in its fields of competence, viz. book publishing, music, crafts and design. In parallel, the existing Anti-Piracy Training Programme for the protection of cultural expressions will be developed.