

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

**Fifteenth session  
Online  
8 – 11 February 2022**

**Item 9 of the provisional agenda:** Report on the feasibility study for the creation of a regular consultation mechanism of the Committee with micro, small and medium-sized cultural and creative enterprises

In accordance with its Decision 14.IGC 16 and Resolution 8.CP 13 of the Conference of Parties, the Committee is invited to consider the creation of a regular consultation mechanism with the micro, small and medium-sized cultural and creative enterprises involved in the implementation of the Convention. This document presents the findings and proposals from the feasibility study on the creation of such a mechanism with a view to informing the Committee's discussions and decisions on the next steps.

**Decision required:** paragraph 36

## I. Introduction

1. At its fourteenth session, in February 2021, the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter “the Committee”) invited the Conference of Parties to foster cooperation with micro, small and medium-sized cultural and creative enterprises in the implementation of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter “the Convention”), as one of the priorities of the Committee for 2022-2023, through the elaboration of a proposal for a regular consultation mechanism within the limits of the Secretariat’s resources ([Decision 14.IGC 16](#)).
2. At its eighth session, the Conference of Parties endorsed the Committee’s proposal and invited it to “continue supporting the good governance of the Convention, as well as to broaden and diversify the range of stakeholders involved in its governance at the international level, notably by (...) considering the establishment of a regular consultation mechanism with micro, small and medium cultural and creative enterprises involved in the implementation of the Convention, taking into account possible synergies with existing participation mechanisms” ([Resolution 8.CP 13](#)). During their discussions, Parties also referred to the importance of identifying relevant topics in the framework of these consultations, particularly in line with UNESCO’s global priorities and priority groups, in order to rally the enterprises and achieve an outcome that is beneficial to all stakeholders.
3. In accordance with [Decision 14.IGC 16](#) and [Resolution 8. CP13](#), and in order to nourish the Committee’s discussions, the Secretariat launched a feasibility study in June 2021 to examine the possibility of establishing a regular consultation mechanism with micro, small and medium-sized cultural and creative enterprises involved in the implementation of the Convention.
4. This document presents the main findings and proposals that have emerged from the feasibility study to inform the Committee’s discussion and decisions on the next steps to consider. It should be read together with information document DCE/22/15.IGC/INF.9, which contains the feasibility study in its entirety.

## II. Objectives and methodology of the feasibility study

5. The main objective of the feasibility study was to examine the practical modalities and possible costs of establishing a mechanism for regular consultations with micro, small and medium-sized cultural and creative enterprises, in line with the relevant provisions of the Convention, and to evaluate how those enterprises might contribute to the Committee’s work.
6. Following an open call for proposals launched by the Secretariat, the feasibility study was carried out by the European Creative Business Network (ECBN) and the cultural consulting firm 3Walks. The methodological approach drew on various Convention-related documents and analyses to collate the essential elements and identify the main challenges in implementing a consultation mechanism with micro, small and medium-sized cultural enterprises.
7. Surveys were also carried out in November 2021 with representatives of enterprises operating in the cultural and creative industries, civil society organisations (CSOs) and the UNESCO Secretariat, in parallel with a consultation of the Members of the Committee. These initiatives aimed to refine the reflection on both the feasibility and the objectives of such a mechanism in relation to the Convention.
8. Lastly, the feasibility study examined other existing mechanisms in place at UNESCO and in other international organisations to determine possible modalities for consultation, their respective advantages, and the various themes to be addressed.

### III. General observations from the feasibility study

9. **The Convention provides for the promotion of multi-stakeholder consultations.** Article 23.7 stipulates that the Committee, in accordance with its Rules of Procedure, “may invite at any time public or private organisations or individuals to participate in its meetings for consultation on specific issues.” Similarly, bilateral, regional, and international cooperation is regarded as an effective means of creating conditions conducive to the promotion of the diversity of cultural expressions, in particular through the strengthening of partnerships with and amongst civil society, non-governmental organisations and the private sector (Article 12 of the Convention). Consequently, and in accordance with Article 15 of the Convention, Parties are encouraged to develop innovative partnerships with a focus on the practical needs of developing countries, among others.
10. **Consultation mechanisms can take several forms**, depending on the issues involved, the desired scale of participation, and the target audiences. They can include surveys, contributions in the form of periodic reports, hearings during public or restricted meetings, and the organisation of debates. The Civil Society Forums of the 2005 Convention (see document DCE/22/15.IGC/11) and of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage are two examples. UNESCO, in the framework of its strategic transformation, has also conducted a global survey entitled “The World in 2030”, which enabled more than 15 000 respondents from around the globe to share their views on the priorities and challenges facing the modern world. As for the mechanisms in place outside UNESCO, the European Union, for instance, consults its member States on specific issues through the Open Method Coordination programme. Moreover, the Organisation for Economic Cooperation and Development (OECD) highlights the advantages of regularly consulting its member states on public policy development in the Middle East and North Africa Region (MENA).
11. Small and medium-sized enterprises (SMEs), for the purposes of this study, are defined as enterprises with fewer than 50 employees and an annual turnover and/or balance sheet total of no more than EUR 10 million. A micro-enterprise, in the SME category, is defined as an enterprise with fewer than 10 employees and an annual turnover and/or balance sheet total of no more than EUR 2 million. By that definition, the study considers individual entrepreneurs as micro-enterprises.
12. **A mechanism specific to micro, small and medium-sized cultural and creative enterprises would appear appropriate** insofar as it would address the lack of representation of such structures. Indeed, after reviewing their membership of – or participation in – CSOs, the study found a large percentage of micro, small and medium-sized cultural and creative enterprises to be working in networks, mostly confined to their own sectors of activity, with an almost equally large share working in a disconnected manner in terms, at least, of the possible connections to be made through a CSO.
13. When they do belong to a CSO, it is mainly a matter of an organisation operating within their own sector and, less frequently, focused on the wider cultural and creative sectors. Examples of the networks or CSOs cited include the Austrian Film Academy, the Architect Council of Thailand and the European Theatre Convention. This observation lends weight to the view that micro, small and medium-sized cultural and creative enterprises tend to connect more with actors in their respective sectors.
14. On this basis, the study concludes that it is difficult to claim that micro, small, and medium-sized cultural and creative enterprises are adequately or significantly represented among CSOs admitted as observers in the meetings of the governing bodies of the Convention. This implies that some micro, small and medium-sized cultural and creative enterprises may not currently be indirectly involved in the consultation mechanisms already in place with the Committee and civil society organisations.
15. **The individual cultural enterprises considered represent none but themselves.** Contrary to a representative organisation, a cultural enterprise, regardless of its size, has no calling to represent any others in the cultural and creative sectors on account of the diversity of those

sectors and the often-divergent nature of the interests involved. The study recommends that “second-level representatives”, such as professional associations and chambers of commerce, be included in the consultation so as to steer clear of overly narrow realities.

16. **The consultation themes are key to a successful process.** The identification and selection of micro, small and medium-sized cultural and creative enterprises to be consulted can only be properly established when the objectives and themes of the consultation are clearly defined. In this respect, the study notes that the expectations are highly diverse, reflecting the inherent diversity of the cultural and creative sectors. The study further notes that while some themes might be very specific to a link in the cultural value chain, some enterprises may commit to a consultation mechanism that addresses matters closely related to their activities and interests.
17. Climate change and sustainable development emerged as important themes for micro, small and medium-sized cultural and creative enterprises consulted for this study. The theme of digital technology and all its associated challenges was also frequently raised. Another strong trend was the economic dimension of the cultural and creative enterprises’ activities. Issues linked to the operating environment of micro, small and medium-sized cultural and creative enterprises were also raised, including freedom of artistic expression, intellectual property rights, support for artists, preferential treatment, etc. Lastly, issues related to the evaluation of the effectiveness of public policies, on the one hand, and the impact of the products and processes of the cultural and creative sector on the other hand, were also cited, as were other matters as context-specific indicators for gauging levels of cultural diversity, in accordance with the goals of the Convention.
18. **What the enterprises expect in return.** The study notes that micro, small and medium cultural and creative enterprises show a strong interest in gaining high levels of visibility by being able to use the Organisation’s logo or through the creation of a UNESCO label, as well as in accessing networking opportunities that enable them to bring local realities to the fore in the global cultural agenda. Furthermore, they regard future consultations as an opportunity to capitalise on their knowledge, expertise and skills to contribute to the diversity of cultural expressions, and to access spaces for networking and exchange with a view to having a positive influence on public policies.
19. At the same time, careful consideration should be given to obtaining a return on their contribution to prevent them from feeling aggrieved. Some enterprises have indicated a willingness to participate in the consultation mechanism free of charge, as long it does not require them to invest too much of their time
20. **Regarding the consultation format,** the data gathered for the purposes of this study suggest that micro, small and medium-sized cultural and creative enterprises would prefer working online. While acknowledging the benefits of in-person meetings, some have expressed concern about the carbon footprint of international travellers and an awareness of the need for the cultural and creative sectors to contribute actively to a green transition.
21. The study also suggests that the bottom-up process of ResiliArt debates – which are organised by a range of different actors, with the main results being submitted to the Committee – and platforms such as the World Economic Forum (WEF) should be examined as possible models for the development of a bottom-up consultation mechanism. Online consultations could serve as the preparatory stages.
22. In general, the individuals interviewed for the study, particularly those representing micro, small and medium-sized cultural and creative enterprises, stressed the important of ensuring a quality process that is more than a mere “consultation for consultation’s sake”, with **more in-depth thinking and iterative exchanges with the Committee.**

#### **IV. Proposals for the creation of consultation mechanisms**

23. In light of the general observations outlined above, the feasibility study proposes three scenarios to establish a consultation mechanism with micro, small and medium-sized cultural

and creative enterprises. These scenarios take into account such factors as the consultation format, frequency, and themes. Each option has advantages and disadvantages, in particular in regard to the available human and financial resources, as reflected in the details presented in Annex to this document.

24. The differences between the three proposed scenarios relate mainly to the nature of the process and, to some extent, to the various actors involved. The selection criteria and other factors are deemed applicable to all three scenarios. Further, while the thematic dimension is central to the second scenario, the third proposes a geography-based approach.

### **Scenario 1**

25. The first scenario recommends the establishment of a **Forum of micro, small and medium-sized cultural and creative enterprises**, to be held online every two years, before the sessions of the Conference of Parties and in parallel with the Civil Society Forum. The Forum could involve the participation of representatives not of individual enterprises, but also of their representative organisations, such as trade associations, chambers of commerce, etc., with a view to raising the level of representativeness in comparison with the great diversity characterising the cultural and creative enterprises, including in terms of their size and interests.
26. The online Forum could be preceded by an online consultation held on a newly developed dedicated platform, which would involve a larger number of micro, small and medium-sized cultural and creative enterprises, thereby extending and enhancing the consultation while balancing the benefits of an online meeting with the increased participation of cultural and creative sector actors.
27. The outcomes and recommendations emerging from the Forum would be submitted to the Committee for its consideration every two years.

### **Scenario 2**

28. The second scenario recommends the **setting up of thematic focus groups** on issues on which the Committee might wish to consult micro, small and medium-sized cultural and creative enterprises. The focus groups, which would abide by the principle of equitable geographical representation, would work at regular meetings held online over a specified period of time. Representatives of the thematic focus groups would meet online once every two years – perhaps on the margins of the Civil Society Forum – to articulate their findings and recommendations before submitting them to the Committee. Discussions between the Committee and the representatives of the thematic focus groups could take place during the sessions of the Committee.
29. This scenario is based on the assumption that micro, small and medium-sized cultural and creative enterprises tend to have more in common with others in their respective fields of activity, regardless of their geographical setting, than they do with enterprises in the same country but operating in another cultural industry. This assumption emerges from the constatation that it is easier for peers in the cultural and creative sectors, such as designers and filmmakers, to develop a common language in an age of digitized communications and highly interconnected cultural and creative markets.

### **Scenario 3**

30. The third scenario resembles the second in terms of the consultation process, the difference being that thematic focus groups would be replaced by **geographical focus groups with cross-cutting themes**. Established in accordance with UNESCO's regional distribution, the focus groups would carry out their work at regular meetings held online over a specified period of time, and their representatives would meet online once every two years – for instance, on the margins of the Civil Society Forum – to articulate their findings and recommendations before submitting them to the Committee. Discussions between the Committee and the representatives of the geographical focus groups could take place during the sessions of the Committee.

31. The human and financial costs related to each scenario are presented for the Committee's consideration in Annex to this document.

## **V. Next steps**

32. At this session, after having examined this document and the full feasibility study contained in information document DCE/22/15.IGC/INF.9, the Committee is invited to decide on the approach and future actions that it wishes to see the Secretariat undertake in the framework of this process.
33. In view of the complexity of the process and the time required to establish a regular consultation mechanism, the Committee may also wish to consider its future activities and its workplan for 2022-2023, as well as the Secretariat's human and financial resources.
34. To inform its decision-making, the Committee might wish to consider the fact that, while many of the representatives of micro, small and medium-sized cultural and creative enterprises consulted in the framework of the feasibility study have shown a genuine interest in the prospect of a regular consultation mechanism, some have shared experiences where they felt that their contributions were instrumentalised or made part of an "illusion of legitimisation", with no real or intended impact. In this context, they are hoping for the establishment of a reliable process based on serious discussions, which may culminate in tangible results that will benefit all of those involved.
35. Some of the micro, small and medium-sized cultural and creative enterprises consulted have struggled to understand the scope and expected outcomes of the consultations, owing mainly to the fact that the Convention and the work of its governing bodies seems alien to them. To address this confusion, the feasibility study suggests adapting the language and wording of the Committee to that of the enterprises and vice versa as a prerequisite for the successful development of a consultation process that is seen as mutually beneficial by all stakeholders.
36. The Committee may wish to adopt the following draft decision:

### **DRAFT DECISION 15.IGC 9**

*The Committee,*

1. *Having examined document DCE/22/15.IGC/9 and its Annex, together with document DCE/22/15.IGC/INF.9,*
2. *Recalling its Decision 14.IGC 16 and Resolution 8.CP 13 of the Conference of Parties,*
3. *Takes note of the findings presented in the feasibility study for the creation of a regular consultation mechanism of the Committee with micro, small and medium-sized cultural and creative enterprises;*
4. *Recognizes the relevance of a consultation mechanism with micro, small and medium-sized cultural and creative enterprises;*
5. *Decides to continue to reflect on the establishment of such a mechanism;*
6. *Requests the Secretariat, drawing on the observations presented in the feasibility study and the deliberations held at the current session, to propose an appropriate draft mechanism and to present the outcome at its sixteenth session.*

**ANNEX**

**Establishment of a regular consultation mechanism with micro, small and medium-sized cultural and creative enterprises – Estimated costs**

*These estimates do not take into account the time spent by Secretariat staff on the management and monitoring of the mechanism*

<b>ESTIMATED COST - Scenario 1</b>	<b>USD Year 1</b>	<b>USD Year 2</b>	<b>USD TOTAL</b>
<b>Human resources</b>			
Consultant – consultation mechanism coordinator	30 000	30 000	60 000
Consultant – Committee-enterprise mediation	17 000	17 000	34 000
Consultant – Evaluation	12 000	12 000	24 000
<b>Communication</b>		12 000	12 000
<b>Online platform (to be developed)</b>	56 500		56 500
<b>In-person meeting (50 participants)</b>			
Interpretation	-	5 600	5 600
Follow-up (translation, etc.)	-	4 000	4 000
Logistics (room, technical support, etc)		5 000	5 000
<b>TOTAL</b>	<b>115 500</b>	<b>85 600</b>	<b>201 100</b>

<b>ESTIMATED COST - Scenarios 2 &amp; 3</b>	<b>USD Year 1</b>	<b>USD Year 2</b>	<b>USD TOTAL</b>
<b>Human resources</b>			
Consultant – Consultation mechanism coordination	30 000	30 000	60 000
Consultant – Committee-enterprise mediation	17 000	17 000	34 000
Consultant – Evaluation	12 000	12 000	24 000
<b>Communication</b>		12 000	12 000
<b>Online platforms (existing)</b>	9 000		9 000
<b>In-person meeting (50 participants)</b>			
Interpretation	5 600	5 600	11 200
Follow-up (translation, etc.)	4 000	4 000	8 000
Logistics (room, technical support, etc)	5 000	5 000	10 000
<b>TOTAL</b>	<b>82 600</b>	<b>85 600</b>	<b>168 200</b>