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para la Educación,  
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Объединенных Наций по  
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منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
科学及文化组织

## Diversity of Cultural Expressions

4 CP

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### CONFERENCE OF PARTIES TO THE CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

Fourth ordinary session  
Paris, UNESCO Headquarters, Room II  
11-14 June 2013

**Item 4 of the provisional agenda**: Adoption of the summary record of the third ordinary session of the Conference of Parties

This document contains in annex the draft summary record of the third ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions submitted for adoption by the Conference of Parties.

Decision required: paragraph 4

1. The Secretariat has prepared the draft summary record of the third ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The draft was published electronically on the Convention website (<http://www.unesco.org/culture/en/diversity/convention/>) in April 2013.
2. Parties and observers had been invited to submit comments to the Convention Secretariat. No comment had been received.
3. The draft summary record of the third ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions submitted for adoption by the Conference of Parties is annexed to this document.
4. The Conference of Parties may wish to adopt the following resolution:

#### **DRAFT RESOLUTION 4.CP 4**

*The Conference of Parties,*

1. *Having examined document CE/13/4.CP/4 and its Annex;*
2. *Adopts the summary record of the third ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions annexed to the above-mentioned document.*

## ANNEX

### Draft summary record of the third ordinary session of the Conference of Parties

#### Opening Ceremony

1. The third ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions opened on Tuesday, 14 June 2011 with an official ceremony chaired by Mr Francesco Bandarin, the Assistant Director-General for Culture, on behalf of Mrs Irina Bokova, Director-General of UNESCO.
2. It was attended by 375 participants including 288 participants from 94 Parties (93 States and the European Union (EU)). Also present were 49 representatives from 29 States not Parties to the Convention and 2 Permanent Observer Missions, 7 representatives from 4 intergovernmental organizations (IGOs) and 31 representatives from 16 non-governmental organizations (NGOs) with observer status. The Section for the Diversity of Cultural Expressions of UNESCO provided the Secretariat for the meeting.
3. In his opening remarks on behalf of the Director-General of UNESCO, the **Assistant Director-General for Culture** set out the priorities for action to be discussed by the Conference of Parties at this session: 1) to increase ratification, especially in the Asia Pacific region and Arab States; 2) to increase the Convention's visibility and to work towards a common understanding of its messages through knowledge-sharing; 3) to ensure the success of the pilot phase of the International Fund for Cultural Diversity (IFCD); and 4) to support Parties' request for assistance in the implementation of the Convention into national policies and programmes.
4. The opening remarks and video are available on the Convention website: [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Conv2005\\_3CP\\_ADG\\_speech\\_en.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Conv2005_3CP_ADG_speech_en.pdf).

#### Item 1 – Election of the Chairperson, Vice-Chairperson(s) and a Rapporteur of the Conference of Parties

##### Document CE/11/3.CP/209/1

5. The **Assistant Director-General for Culture** proceeded with the election of the Bureau comprising six persons, one for each electoral group, as established by UNESCO's General Conference. After recalling the members of the current Bureau, he noted that informal consultation between Parties had taken place and invited to present a candidate for Chairperson.
6. The delegation of **Cuba**, on behalf of the GRULAC (Group of Latin American and Caribbean Countries), proposed Marcello Vasquez-Bermudez of Ecuador as Chairperson, presenting his expertise in the field of cultural policies and the fields of competence of UNESCO, as well as his experience in chairing high-level meetings, as providing the necessary qualifications for this position. This proposal was supported by Croatia.

7. The **Assistant Director-General for Culture** confirmed the nomination by acclamation of Mr Vasquez-Bermudez as Chairperson and invited him to take leadership of the Conference of Parties and to take his place on the podium.
8. Mr **Vasquez-Bermudez** thanked the Parties for the privilege of being the Chairperson of the third Conference of Parties. He expressed his commitment to ensure that the outcomes of the meeting would lead to the successful implementation of the Convention. Recalling the morning's information session, he repeated the need to encourage further ratification so that the Convention could become a universal instrument. He then turned to the election of the remaining members of the Bureau and invited Parties to provide their nominations for the positions of Vice-Chairpersons and Rapporteur.
9. The delegation of **Croatia** congratulated the Chairperson on his election and, on behalf of Group II, informed the Parties that their Vice-chair would be Albania. The **Democratic Republic of Congo** nominated Kenya as Vice-Chairperson of Group V(a), and **Oman** nominated Qatar as Vice-chair of Group V(b). **India** recommended the Lao People's Democratic Republic as Vice-chair of Group IV. This recommendation was supported by China. The delegation of **Norway** congratulated the Chairperson on his election and proposed Mr Harris Pappis of Greece for the position of Rapporteur.
10. The **Chairperson** asked the Secretary of the Convention to read the draft resolution regarding the constitution of the Bureau.
11. Ms **Danielle Cliche, Secretary of the Convention**, read out draft resolution 3.CP 1.
12. After enquiring whether there were any objections to the draft resolution, the **Chairperson** declared it adopted. He called upon the Rapporteur to take his place on the podium and reminded the newly elected Bureau of a meeting to take place the following morning. He also informed Parties that those wishing to make a declaration during the General Debate are to submit, if possible, written statements to be handed in advance to the room clerk.

*Resolution 3.CP 1 was adopted.*

## **Item 2 – Adoption of the agenda**

### **Document CE/11/3.CP/209/2**

13. The **Chairperson** introduced the item and invited the Secretary to outline the items on the agenda of the third session.
14. The **Secretary of the Convention** read the list of working documents that had been prepared by the Secretariat and submitted to Parties on 13 May, within the statutory time limit prescribed by the Rules of Procedure. She said that they were available in the six official languages of UNESCO and bore the CE/11/3.CP/209 code followed by a number corresponding to the agenda item number and the number of each draft resolution. Information documents were also sent in English and French; these document codes commence with INF. She informed Parties that they could request copies of Convention-related documents from the room clerk.
15. The **Chairperson** thanked the Secretary of the Convention for this information. He then asked Parties whether the draft agenda could be adopted.

16. The delegation of **Mexico** congratulated the Chairperson on his election and stated that while Mexico did not have any additions or changes to the draft agenda, it requested that in the future, the Secretariat prepare a comprehensive report on its activities as is the practice of UNESCO's other culture Conventions. Recalling the Assistant Director-General for Culture's reference to activities funded by the European Union, made during the earlier information session, Mexico underlined the interest of Parties to be able to learn more about the activities being effectively carried out by the Secretariat to implement the Convention.
17. The **Chairperson** thanked Mexico for the suggestion and, observing that no other changes to the agenda were proposed, called on Parties to adopt the draft agenda.

*Resolution 3.CP 2 was adopted.*

### **Item 3 – Approval of the list of observers**

18. The **Chairperson** asked Parties to approve the list of observers and requested the Secretary of the Convention to read out the list of observers.
19. The **Secretary of the Convention** read out the list of the 24 Member States of UNESCO, who are non Parties to the Convention (Algeria, Angola, Belgium, Brunei Darussalam, El Salvador, Gambia, Ghana, Islamic Republic of Iran, Israel, Japan, Lebanon, Malaysia, Morocco, Myanmar, Pakistan, Philippines, Russian Federation, Saudi Arabia, Timor-Leste, Turkey, United Republic of Tanzania, United States of America, Venezuela, Zambia) and the two Permanent Observer missions to UNESCO (Permanent Observer Mission of the Holy See to UNESCO, Permanent Observer Mission of Palestine to UNESCO). She then read out the list of the four registered intergovernmental organizations (the *Assemblée Permanente de la Francophonie* (APF), the Council of Europe, *Organisation internationale de la Francophonie* (OIF) and the Latin Union). Finally, she read out the 16 registered civil society organizations (the African Arts Institute, Arterial Network, the Association for Culture and Sustainable Development in the Mediterranean, the Italian Association for Cultural Economics, the International Federation of Coalitions for Cultural Diversity, the International Federation of Women in Universities, the International Federation of Musicians, the International Federation of Arts Councils and Cultural Agencies, the International Network for Cultural Diversity, the International Theatre Institute, the Palais des Beaux-Arts of Brussels, *Traditions pour Demain*, European Broadcasting Union, United Cities and Local Governments, *Zone Franche* and Cultural Resources).
20. The **Chairperson** invited the Conference of Parties to approve the list of observers.

*Resolution 3.CP 3 was adopted.*

### **Item 4 – Adoption of the detailed summary record of the second ordinary session of the Conference of Parties**

#### **Document CE/11/3.CP/209/4**

21. The **Chairperson** introduced the item and noted that the Secretariat had not received any proposed amendments to the draft detailed summary record. He then asked whether the Parties wished to make any comments or amendments.

22. The delegation of **Canada**, first congratulating the Chairperson and the members of the Bureau on their election, announced that they had compiled a list of minor typographical mistakes, which would be directly submitted to the Secretariat.
23. The **Chairperson** thanked Canada and noted that the detailed summary record would be duly corrected. He then asked the Conference of Parties to adopt the summary record, including the corrections of Canada, and since there were no further amendments.

*Resolution 3.CP 4 was adopted.*

#### **Item 5 – General debate**

24. The **Chairperson** invited Parties to take the floor. All Parties congratulated the Chairperson for his election and the Secretariat and the Committee for their hard work.
25. The delegation of **Honduras** said that it had ratified the Convention on 31 May 2011. However, the delegate noted that even prior to ratification, Honduras had fully supported the principles of the Convention. He said that his country, proud of its rich pre-Colombian heritage and rich ethnic, linguistic and cultural diversity, recognized that culture was an engine of development and was the basis of national identity. For this reason, programmes and policies are designed to respect the multicultural and plurilinguistic identity of the country and to promote artistic and cultural expressions, such as regional councils for culture. He went on to highlight the importance of Articles 16 and 18 of the Convention, which provide a framework for South-South cooperation, cultural exchanges, and help to protect diversity and to promote the cultural expressions of countries.
26. The delegation of **Canada** introduced Ms Monique Gagnon-Tremblay, Minister of International Relations, Government of Quebec who welcomed the many achievements of the Secretariat and the Committee in respect to the Operational Guidelines and to the launch of the International Fund for Cultural Diversity (IFCD). To help the IFCD achieve its objectives to build cultural industries in developing countries, she announced a new contribution of US \$100 000 from the Government of Quebec and called on Parties to contribute to the IFCD as encouraged by Article 18 of the Convention. She went on to encourage UNESCO to continue to push for more countries to ratify the Convention, reminding the Conference of Parties that while 117 countries have ratified, only one ratification had occurred since the beginning of the year. She concluded her statement with a reminder of the objectives of the Convention to support Parties to establish measures to protect and promote the diversity of cultural expressions in their countries.
27. The delegation of the **Republic of Korea** reminded the Conference of Parties that Korea had only recently ratified the Convention and observed with great interest the achievements and impact of the Convention, especially in the Asia-Pacific region. To support the Convention, the delegation said that Korea would step up efforts to raise awareness of the Convention in the region. The delegation proposed that efforts should be more focussed on the relationship between culture and development, emphasising that the Convention provides a good basis to promote culture as an essential element for sustainable development and to increase awareness of the unique value of cultural goods and services making up the creative industries.

28. Recalling the objectives of the Convention, the delegation of **China** reiterated its support for the Convention and highlighted its active role in its promotion, including as a member of the Committee. It stressed the importance of the IFCD, and in this regard, announced that it was donating US \$50 000 to the IFCD.
29. Reminding the Conference of Parties that **Australia** was the 100<sup>th</sup> to ratify the Convention, the delegation announced its first contribution to the IFCD of US \$80 000. Australia then outlined activities and policies currently pursued in the country, which are in line with the aims of the Convention, such as: cultural programming, training to artists and cultural professionals, and protecting and promoting indigenous broadcasting and culture. The delegation went on to inform the Conference of Parties that a national survey had been carried out to encourage and promote the Convention nation-wide. It concluded by announcing the Australian government's intention to publish a new national cultural policy document in the near future.
30. The delegation of **Switzerland** explained how cultural differences provide for identity, cohesion and unity of its country. In order to protect this, the Swiss government has decided to prioritize cultural diversity in its cultural policy for the period 2012-2015, focusing on living traditions and digital culture. Reaffirming Switzerland's active commitment to the Convention, and stressing the importance of the quadrennial reports and the evaluations of the pilot phase of the IFCD, the delegation stressed that adequate resources were needed for their analyses and evaluation in order to assess the effectiveness of results. In respect to the reports, the delegation said that these will form the basis for future fundraising and visibility strategies and concluded by announcing the annual contribution of 50 000 CHF to the IFCD over the next two years and called on Parties to ensure the universality of the Convention.
31. The delegation of **Congo** reminded the Conference of Parties of the diverse ethnic, cultural and indigenous groups in its country and described the measures taken by the national government to protect cultural rights and to promote cultural industries. It stated that Congo was a candidate for the Committee and concluded by outlining how the Convention was helping his country in terms of providing expertise and increasing international cooperation.
32. The delegation of **Argentina** reaffirmed its commitment to the Convention and its implementation. It outlined public policies pursued to promote awareness of culture as a vehicle of social and sustainable development in Argentina such as: awareness-raising campaigns with local governments on public policies for cultural diversity; promoting broadcasting services, including broadcasting legislation and increasing access; and the establishment of the first four-day market for cultural industries in the country which brought together different types of cultural operators, 1700 companies and producers and which aimed to attract investments for the sector. In terms of implementing the Convention in Argentina, the delegation stated that cross-cutting measures in favour of cultural diversity have been established with the involvement of ministries responsible for Labour, Industry, Tourism and Foreign Affairs. It concluded with a call for more ratifications and Argentina's commitment to the Convention.
33. The delegation of the **European Union (EU)** expressed its commitment to the values of the Convention and thanked Parties for its work but called for greater joint efforts to promote ratification and implementation. It recommended that the best argument to be used to encourage ratification was to showcase how the Convention fosters closer cultural cooperation between countries, encourages more balanced cultural exchanges and strengthens governance in the cultural sector. The delegation went on to describe the EU's efforts to promote and implement the Convention within its Member States as well as with international partners. Finally, given the tasks involved in following-up on activities, such as the EU-funded Expert Facility project and the IFCD, it called on the

Director-General of UNESCO to reinforce the staff of the Secretariat so that it can meet these increased tasks and demands.

34. The delegation of **Greece** noted that its membership of the Committee was expiring and thanked the Committee members for their cooperation. The delegation reminded the Conference of Parties of the importance of national implementation strategies and described the actions implemented by the Hellenic Ministry of Culture and Tourism in this regard, such as: ratification advocacy with regional neighbours and partners, and encouraging the inclusion of the Convention in bilateral agreements on cultural cooperation and in cultural cooperation action plans. It then described an important initiative, a regional network of cooperation in the field of books and translation, which will promote the implementation of the Convention and cultural diversity in South East Europe.
35. The delegation of **Latvia** explained that while Latvia had ratified the Convention in 2007, it had begun to enact policies favouring cultural diversity prior to ratification. Given the growing importance of cultural industries and the role of cultural institutions, it stated that the implementation of the Convention could serve to guide agreements and inter-institutional and inter-sectoral cooperation. Giving the example of initiatives to support Latvian creative industries, the delegation stressed the need for the involvement of representatives of civil society and the private sector. In addition, it endorsed the EU's statement. Furthermore, the delegation informed the Conference of Parties that Latvia had launched a study on the implementation of the Convention in the Baltic Sea region. It concluded by stressing the importance of National Commissions for UNESCO in implementing and raising awareness of the Convention at national level.
36. The delegation of **Bangladesh** reminded the Conference of Parties that Bangladesh had ratified the Convention in 2007 and was continuing to work on its implementation. Activities undertaken to promote cultural and creative industries include a special fund for employment in cultural activities, and the organization of the third cultural festival in Dhaka. The delegation said that language is an important expression of cultural diversity and living heritage, and shared its concern that half of the world's 6000 languages are in danger. For this reason, it called upon Member States to celebrate International Mother Language Day. Furthermore, the delegation called on greater international efforts to help protect cultural diversity and heritage since national initiatives may not be sufficient.
37. The delegation of **Norway** reminded the Conference of Parties that the success of the Convention depended on the actions of Parties to implement the Convention as an instrument of policy making both domestically and internationally. Emphasising the Convention's utility as a framework for the design and implementation of policies in the cultural field, especially for cultural industries, it noted the need for the existence of minimum organizational and institutional infrastructure to create favourable conditions for these industries. It concluded by stating its preference for a more extensive presentation of recommended projects for the IFCD and for a more detailed summary of the evaluations. Such an approach may help to ensure transparency and to attract future partners and donors.
38. The delegation of **Ecuador** reminded the Conference of Parties of Ecuador's ratification of the Convention in 2006. As part of the government's recognition of culture as an integral part of sustainable development, it highlighted the elaboration of public policies for culture, in particular the inclusion of two culture-specific mechanisms in the 2008 Constitution of the country which protect and promote cultural and creative identities and expressions. Describing the current historic challenge of protecting local communities in a globalized world, it reinstated the importance of international cultural

cooperation and, specifically, of public policy in the field of culture which promotes well-being. To this end, the delegation indicated that Ecuador is developing new legislation that takes into account the cultural diversity of the country, protects cultural rights, and promotes social participation in cultural life. It concluded by observing the importance of international standard-setting instruments for national legislation and that, given this, the Conference of Parties' outcomes would play an influential role in the future implementation of public policies in culture in Ecuador.

39. The delegation of **Germany** provided an overview of Germany's activities during its membership of the Committee, which is coming to an end, highlighting its active role in the elaboration of the Operational Guidelines. It went on to state that Germany had integrated the Convention into national policies. The Delegate from the German Commission explained that Germany began to implement the Convention in 2007, which coincided fortuitously with the German Presidency of the EU. She noted that implementing the Convention requires a long process involving the complicated task of bringing different stakeholders together, and re-examining existing policies in the governance of culture. To this end, Germany produced in 2010 a white paper on cultural diversity which will serve as a first draft for future national strategies. Germany had also actively invested in capacity-building activities of the under-40 generation, and in the formation of an international network of young professionals. To conclude, she presented two challenges to the Conference of Parties: 1. the need for developing a joint monitoring and evaluation of culture, such as indicators and statistics, and 2. digitization and participation.
40. The delegation of **Zimbabwe** underlined that the Convention had been recognized as a mechanism for promoting culture for development during the 2006 Summit of the African Union Heads of States and Government and in the resulting document, the Charter for Cultural Renaissance. As a result, the Convention had created high expectations in Africa, notably for cultural exchanges between developed and developing countries through Article 16, which acted as an incentive for ratification, and for the IFCD. He agreed that implementing the Convention was the next priority.
41. The delegation of **India** went on to describe the vast cultural and linguistic diversity of India, which is protected in the Constitution and public policies. It reminded that India was among the first countries to ratify the Convention in 2006 and has actively participated in earlier Conferences of Parties and made regular contributions to the IFCD. It remarked that facilitating artists' mobility and the participation of NGOs and civil society were two aspects of the Convention that were important for developing countries.
42. The delegation of **Mexico** explained how cultural diversity is crucial for the social and human development of the country, as expressed in its Constitution. For this reason, Mexico was among the first countries to ratify the Convention and had already enacted policies to protect and promote cultural diversity. Acknowledging the achievements of the Committee, the delegation stated that more work is needed to ensure that the Convention is fully operational through universal ratification. It called on the Secretariat to support Member States of UNESCO who have not yet ratified, to address capacity building and training of cultural operators, and to encourage contributions to the IFCD. Reminding that Mexico regularly contributed 1 per cent of its dues to UNESCO to the IFCD, the delegation called on all Parties to follow suit.
43. The delegation of **France** said that it supported the statement made by the EU. Recalling the fifth anniversary of the Convention, the delegation reminded of the progress made, notably how the approach to culture has changed since there now exists a growing international appreciation of the unique value of cultural goods and services, and that these needed to be protected. Noting the rapid rate of ratification of

the Convention, the delegation called for continued progress towards universal ratification. It went on to call for significant increase in resources, both budgetary and human, to be allocated to the Secretariat so that they can support Parties to implement programmes and mechanisms promoting cultural policies, especially in developing countries. Finally, the delegation proposed that an inventory of the types of frameworks and agreements in which the Convention is implemented may be a useful exercise to widely disseminate its standards and principles.

44. The delegation of **Senegal** reminded that its term of office as a Committee member would expire at the end of the Conference of Parties. The delegation then went on to recall the ways in which the Convention promoted cultural diversity, such as through articles 16 and 21. The delegation then said that, while achievements have been made, new challenges have arisen, especially given the different commercial and economic context of Africa. For this reason, it advocated that reflection was needed on how to ensure the Convention can anticipate and respond to future challenges. Firstly, the delegation proposed an African strategy of implementation rather than national strategies, and hoped that African Union will become a Party to the Convention as EU. Secondly, it called on African states to contribute to the IFCD. Thirdly, it underlined the importance of South-South cooperation. Finally, the delegation concluded by saying that universal ratification should benefit all Parties and that a plan be established to rise to the challenges of digitization of culture and truly benefit from culture.
45. The delegation of **Kenya** went on to state that Kenya was actively implementing the Convention by promoting cultural industries and that the Convention helped to confirm the links between culture and development, especially in developing countries. In respect to ratification, it suggested that more concerted efforts should be made to promote and raise awareness of the Convention in Africa at the national level. It welcomed suggestions from Parties in this regard.
46. The delegation of **Italy** supported the statement made by the delegation of the EU. Reaffirming the Convention's importance for development and for broadening the definition of human rights to include culture, the delegation stressed Italy's contribution to its implementation. This includes, notably, the UNESCO World Forum on Culture and Cultural Industries, focusing on the future of the book. The delegation went on to suggest that greater synergy between public and international stakeholders in cultural industries could help to strengthen the IFCD. In respect to sustainable development, the delegation stated that the Convention and other UNESCO culture Conventions will be highlighted during the Rio + 20 Conference. In order to boost awareness of the Convention, the delegation proposed the creation of an emblem, possibly via an open international competition for schools. To conclude, the delegation noted the important challenge of ensuring that all cultures can express themselves in a globalized world.
47. The delegation of **Tunisia** congratulated the Parties for the success of the Convention to date and proposed to strengthen the Convention through its greater use in bilateral cooperation. The delegation stated that for Tunisia, the Convention helped to implement ten projects in the field of culture over the past six months.
48. The delegation of **Saint Lucia** provided two observations on the earlier statements made by Parties. Firstly, it supported France in strengthening the Secretariat of the Convention, as well as other existing Conventions. Secondly, the delegation expressed its concern that, as those of Mexico and Senegal had previously noted, some countries had not made contributions to the IFCD and called upon developed countries with greater resources to demonstrate their good will by providing contributions, especially as the IFCD depended on voluntary contributions, unlike funds linked to other Conventions.

**[Observers]**

49. The **United Cities and Local Governments' Association** provided an outline of Agenda 21, its declaration on culture, and called upon UNESCO and the Committee for greater inclusion of local governments in policy making. It regretted the absence of local governments in the Operational Guidelines. It concluded by calling on UNESCO to support its push for culture to be seen as a fourth pillar of sustainable development during the Earth Summit in Rio in 2012.
50. The **Parliamentary Assembly of the Francophonie** described its commitment and activities to cultural diversity and to implementing the Convention. These activities include a parliamentary conference on the diversity of cultural expressions held in Quebec in February 2011, with the support of UNESCO and the Parliament of Quebec. This conference resulted in a Declaration on the Commitment of Parliamentarians from the Francophonie to the promotion and protection of the diversity of cultural expressions. This Declaration calls upon parliamentarians to implement the articles of the Convention in national legislation, to contribute to the IFCD, and to support measures to give preferential status to performers and artists, and cultural goods and services from developing countries.
51. The **Chairperson** thanked all of the Parties for their constructive contributions during the general debate and provided an overview of the main topics covered, including the challenges of the future of the Convention, the Operational Guidelines, ratification, contributions to the IFCD, strengthening the Secretariat of the Convention, and implementing policies emphasising the link between culture and development.

**Item 6 – Report of the Committee on its activities and decisions to the Conference of Parties**

**Document CE/11/3.CP/209/6**

52. The **Chairperson** called on Ms Nina Obuljen, Chairperson of the fourth ordinary session of the Committee, to present the Report of the Committee.
53. The **Chairperson of the Committee** took the floor and explained that she would only provide a synthesis of the Committee's reports on its activities and decisions over the past two years. This included the preparation of draft Operational Guidelines on 3 articles of the Convention, as requested by Resolution 2.CP 7. These Guidelines cover articles 9, 10 and 19 and are submitted to Parties for their approval during the third session of the Conference of Parties. She next highlighted the launch of the pilot phase of the International Fund for Cultural Diversity (IFCD) as a major achievement of the past two years. She stated that while 23 Parties contributed US \$2.3 million since June 2009, there was a need to increase efforts to attract more funding in order to ensure the IFCD's success. With this in mind, a questionnaire prepared by the Secretariat, at the request of the Committee, was sent to Parties to collect ideas on mechanisms implemented at the national level to raise resources for the IFCD. Many interesting ideas were collected through this exercise. Ms Obuljen said that the Committee underlined that a professional fundraiser should be hired to assist in their implementation. 31 projects from 24 developing countries were approved for funding at the fourth session of the Committee (December 2010), which represents a significant step forward. Taking stock of lessons learnt during the pilot phase, the Committee decided to apply additional criteria for the second call for projects. The evaluation of the pilot phase will be shared with the next Conference of Parties in 2013. In respect to

ratification of the Convention, she provided an analysis of the ratifications since the last Conference of Parties, geographical representation and strategies to promote the ratification of the Convention. In addition, the Committee discussed the possible appointment of a public personality to promote the Convention and the creation of an emblem. Reminding the Conference of Parties that the Secretariat of the Convention was among the smallest in the Culture Sector, and that additional resources were needed for the Secretariat to meet increasing demands, she stated that the Committee had decided at its last session to request the Director-General to increase resources in the next C/5 for the implementation of the Convention and to adopt whatever measures possible to reinforce the staff of the Secretariat. She concluded by thanking the outgoing members of the Committee for their dedication.

54. The **Chairperson** thanked Ms Obuljen for her concise report and highlighted the many achievements made, in particular the operational guidelines and the launch of the pilot phase of the IFCD. Since no Parties had questions on the Committee's report, the Chairperson turned to the draft resolution 3.CP 6.

*Resolution 3.CP 6 was adopted.*

## **Item 7 – Approval of the Operational Guidelines for the implementation of the Convention**

### **Document CE/11/3.CP/209/7**

55. The **Secretary of the Convention** reminded the Conference of Parties that, in compliance with its Resolutions, the Committee was submitting draft Operational Guidelines for articles 9, 10 and 19 and for measures to ensure visibility of the Convention.
56. The delegation of **Cuba** proposed amendments to the draft Operational Guidelines on measures to ensure the visibility and promotion of the Convention. The delegation proposed adding "digital tools" in paragraph 8.2 and to refer to the fact that workshops and conferences should be organized to promote the Convention in each country. With regard to the Guidelines for the quadrennial periodic reports (Article 9), it recommended adding Spanish as a language of submission in paragraph 10(e) in order to make it easier for many developing countries, which need to translate their documents into French and/or English. In addition, it recommended wording changes to paragraph 2.2 of the "Draft Framework for Quadrennial Periodic Reports on Measures to Protect and Promote the Diversity of Cultural Expressions" and that paragraph 2.5 on statistics be modified since it would be too challenging for many developing countries.
57. In response to Cuba's intervention, the delegation of **Canada** supported by Tunisia noted that the Guidelines were the result of significant Committee discussions and consensus building and thus should not be reopened for discussion. In response, the delegation of **Cuba** agreed but stated that it would like to see its comments reflected in the report.
58. The **Chairperson** thanked Cuba for its flexibility. He then opened the floor to discussion of the Guidelines on the visibility and promotion of the Convention and Article 9 of the Convention regarding information-sharing and transparency. Given that no observations were made on the visibility and promotion of the Convention, the guidelines for these measures were adopted.

59. In respect to Article 9, the delegation of **Bangladesh** proposed that in the future a model format for reporting be provided in order to assist Parties.
60. The **Chairperson** remarked that the Annex to the Guidelines on Article 9 provides information requested by Bangladesh. Since no other observations or amendments were proposed, the Chairperson declared that Operational Guidelines on articles 9, 10 and 19 and on the promotion and visibility of the Convention could be adopted.

*Resolution 3.CP 7 was adopted.*

## **Item 8 – Pertinence and feasibility of appointing public persons to promote the Convention**

### **Document CE/11/3.CP/209/8**

61. The **Chairperson** gave the floor to the Secretary of the Convention to introduce item 8.
62. The **Secretary of the Convention** underlined that the document provides a summary of the suggestions, costs, mandate and modalities of the proposal to appoint public persons to promote the Convention. She also provided a synthesis of the discussions of the fourth session of the Committee, which decided that the appointment of a public figure was both premature and costly, and that Parties could choose the appropriate mechanism to promote the Convention.
63. The delegation of **Tunisia** reconfirmed that each Party's right to decide their mechanism of choice to promote the Convention. In response, the delegation of **Saint Lucia** argued that the Conference of Parties was required to make a decision, even if it is a confirmation of each Party's right, since this was one of the proposals provided by the Committee after its deliberations on the issue as mandated by the Conference of Parties.
64. The proposal by Tunisia was supported by **Brazil** that proposed to replace "decides that each Party shall be entitled" to "invites each Party to determine the most appropriate mechanism to promote the objectives of the Convention". This amendment was supported by Saint Lucia, Canada, Luxembourg and the Congo.

*Resolution 3.CP 8 was adopted as amended.*

## **Item 9 – Fundraising strategy for the International Fund for Cultural Diversity (IFCD)**

### **Document CE/11/3.CP/209/9; CE/11/3.CP/209/INF.5; CE/11/3.CP/209/INF.7REV**

65. The **Chairperson** asked the Secretary of the Convention to introduce the documents.
66. The **Secretary of the Convention** reminded the Conference of Parties that, at its second session, it had mandated the Committee to elaborate an innovative fundraising strategy for the IFCD; their recommendations and actions are contained in the document CE/11/3.CP/209/9. She provided a summary of this document and of the actions undertaken by the Committee, which include: the Director-General launching the first appeal in March 2010 to all Convention stakeholders for annual voluntary contributions equalling one per cent of their contribution to UNESCO, and the Committee requesting all Parties to the Convention for contributions. In total, US \$3.8

million has been raised since 2007; of which US \$1.3 million following the Director-General's appeal. In addition, the Committee discussed whether Committee membership eligibility should be contingent on contributions to the IFCD. Moreover, a questionnaire was sent to Parties asking for information on actions undertaken at the national level to raise money for the IFCD; 19 responses were received. Several proposals were made: organization of special fundraising events whose proceeds would go towards the IFCD; a more formal recognition of global events that promote diversity of cultural expressions through an international label or accreditation; online fundraising campaigns targeting organizations and individuals; twinning or sponsorship of events linked to a particular cultural industry; organization of art auctions whose proceeds would go towards the IFCD. She went on to present the information document CE/11/3.CP/209/INF.5 which contains an outline of the terms of reference for the implementation of a fundraising strategy. She concluded with a reminder that both the Conference of Parties and the Committee recognized that a successful fundraising strategy is closely linked with the Convention's visibility, the successful implementation of funded projects and the commitment of Parties and all Convention stakeholders.

67. The delegation of **Saint Vincent and the Grenadines** thanked the Secretariat for the documents provided. It suggested that in the future financial documents be presented to Parties which would provide information on the financial situation of the IFCD.
68. Since no other Party or Observer asked for the floor, the **Chairperson** suggested that the draft resolution be examined one paragraph at a time.
69. While no proposals were made for paragraph one, the delegation of **Tunisia** proposed that "diversity of approaches" be changed to "different approaches" in paragraph two. No other proposals were put forward for the remaining paragraphs.
70. The delegation of **Zimbabwe**, supported by Grenada, Saint Lucia, Mexico, China, Viet Nam, France, Cameroon, the Netherlands, Poland, Tunisia, Lao People's Democratic Republic and Greece, proposed that the draft resolution should include an explicit encouragement or call to Parties to contribute to the IFCD, in line with the spirit of paragraph 6.
71. The delegation of **Mexico** proposed that the resolution refer to paragraph 7 of Article 18 of the Convention, in which Parties are encouraged to "provide voluntary contributions on a regular basis". This proposal was accepted with amendments proposed by the delegation of **Netherlands**, supported by Poland, Brazil, Lao People's Democratic Republic and Greece, to change "calls upon" to "invites".
72. The **Chairperson** responded to two observations during the debate. In response to the delegation of Viet Nam's question on the definition of "Parties", the Chairperson clarified that international organizations in the sense of Article 27.3 of the Convention were included, and the term was therefore not restricted to States. Furthermore, in response to the delegation of Tunisia's observation that a distinction should be made between regular and one-off contributions, the Chairperson stated that this would be duly recognized.

*Resolution 3.CP 9 was adopted with amendments.*

**Item 10 – Submission and dissemination of quadrennial periodic reports of the Parties to the Convention**

**Document CE/11/3.CP/209/10**

73. The **Chairperson** asked the Secretary of the Convention to introduce item 10.
74. The **Secretary of the Convention** reminded the Conference of Parties that quadrennial periodic reports on the measures Parties have taken to protect and promote the diversity of cultural expressions at the national and the international level were required under subparagraph (a) of Article 9 of the Convention. She went on to inform the Conference of Parties that the document prepared by the Secretariat contains information on the modalities and submission requirements for the reports. She reminded the Conference of Parties that the third session of the Committee had decided that reports should be submitted four years after ratification and every four years thereafter. Given this, reports from 94 countries that had ratified the Convention between 2005 and 2008 are due in April 2012 and 11 reports are expected in April 2013 for those countries who ratified in 2009. She provided further details of the modes of submission, including languages, format and accompanying documents as specified in paragraph 12 of the Operational Guidelines. The Secretariat will transmit to the fourth session of the Conference of Parties in 2013 an analytical summary, the Committee's comments and executive summaries prepared by Parties; the latter will be translated into the six working languages of the Conference of Parties. At this session, the Conference of Parties is to decide on the modalities of dissemination of the reports.
75. After noting that no Parties had any observations, the **Chairperson** informed the Conference of Parties that a group of countries had presented amendments to the draft resolution and invited any of the Parties co-sponsoring the amendment to introduce it.
76. The delegation of **Austria**, supported by Mexico, on behalf of the EU and 26 of its Member States, introduced the amendment to paragraph 7 of the draft resolution which addresses the timetable in rendering public the quadrennial reports. Given that, according to the present timetable, reports would not be publicly available until June 2013, the group of countries felt that it would be more appropriate for documents to be made available after the Committee meeting in December 2012 rather than after the Conference of Parties six months after.
77. The delegation of **Armenia** announced that it had made its first contribution to the IFCD and that its first quadrennial report would be submitted in 2012. While taking note of the lack of resources of the Secretariat, the delegation requested assistance in the elaboration of the report, such as training.
78. The delegation of **Switzerland** requested clarification on the process to be followed by Parties once the reports had been examined by the Committee, specifically whether the reports needed to be formally approved.
79. The **Secretary of the Convention** explained that the reports need to be first submitted to the Committee and then to the Conference of Parties.
80. The delegation of **Kenya** proposed an amendment to the wording of paragraph 7, from "at which it has considered them" to "at which it has been considered". A subsequent wording amendment was proposed by the delegation of **Norway**.

*Resolution 3.CP 10 was adopted with amendments.*

## Item 11 – Future activities of the Committee

**Documents: CE/11/3.CP/209/11 and CP/11/3.CP/209/INF.6**

81. The **Chairperson** invited the Secretary of the Convention to present the item.
82. The **Secretary of the Convention** provided an outline of the possible future activities of the Committee, which include implementing the Convention; promoting the visibility of the Convention; continuing the pilot phase of the IFCD; elaborating a fundraising strategy; analyzing and disseminating the quadrennial periodic reports; and ensuring a geographic balance in the ratification strategy. She proceeded to provide details on some of these activities:

*Implementing the Convention:* She explained that, upon the request of the Committee, the Secretariat had prepared an information document (CP/11/3.CP/209/INF.6) which provides lists of the Convention Articles that, according to the Conference of Parties, required Operational Guidelines, those they decided did not require Guidelines, as well as those Articles for which the Conference of Parties had not yet made a decision as to whether they required Guidelines. The Conference of Parties was invited to decide at the current session whether the Committee should draft Operational Guidelines for other Articles of the Convention.

*Promoting the visibility of the Convention:* Since the Committee had recognized the importance of promoting the visibility of the Convention, it requested the creation of an emblem for the Convention to be included on the agenda of the fifth session of the Committee to be held in December 2011.

*The pilot phase of the IFCD:* Based on the experience gained during the first funding cycle of the pilot phase, the Committee had taken decisions on the second funding cycle concerning the number of submissions, the process of examining submissions and the financial capacity of the IFCD. She reminded the Conference of Parties that, as decided at the Conference of Parties' second session in 2009, the pilot phase will end in June 2012. An evaluation of the pilot phase will be presented to the sixth session of the Committee in December 2012, when it will review the Guidelines on the use of the IFCD. Proposals for amendments may be submitted to the Conference of Parties in June 2013.

*Quadrennial Periodic Reports:* the Committee will examine the first 94 country reports at its sixth session in December 2012 and may also consider measures to collect and disseminate best practices contained within them.

### [Observers]

83. Mr **Gary Neil**, representative of the **International Network for Cultural Diversity**, provided a statement addressing Articles 20 and 21 of the Convention. Reminding the Conference of Parties of the Convention's recognition that cultural goods and services have both an economic value and cultural meaning, he encouraged the Conference of Parties to consider these two Articles in the workplan of the Committee's future activities in order to provide States with practical measures to effectively protect cultural policies during bilateral trade agreements. Two measures already proposed include: 1. for the Committee to monitor the impact of such trade agreements on the diversity of cultural expressions; and 2. for the Convention's Secretariat to research and regularly report on these issues.
84. Since there were no further requests for the floor, the **Chairperson** turned to the examination of the draft resolution. He announced that an amendment had been

proposed by a group of countries, and requested a representative from this group to introduce the amendment.

85. The delegation of **Saint Lucia**, on behalf of the Francophone Group (Albania, Andorra, Cambodia, Canada, Mauritius, Senegal and the EU and 26 of its Member States), explained that the group proposed the deletion of the original paragraph 4 and its replacement by a new text in which the Committee is given the mandate by the Conference of Parties to elaborate Guidelines for the emblem of the Convention. In respect to the other Articles that may require Operational Guidelines, the amendment also proposed requesting the Secretariat to prepare a compendium of “good practices” based on examples of when and in which context the Convention is cited in international fora. The Committee would then be requested to examine the compilation and to present its conclusions to the Conference of Parties at its next session. Proceeding to speak then only on behalf of Saint Lucia, the delegation outlined two further amendments. The first concerned the proposed deletion of paragraph 6 since it said that additional Operational Guidelines may be deemed necessary in the future, and therefore it preferred to keep the decision open on that issue. The second concerned the review of the Operational Guidelines of the IFCD. The delegation stated that the Conference of Parties needed to provide the Committee with a mandate to review the Guidelines based on the experiences and results of the evaluation of the pilot phase. Finally, it concluded by stressing that the evaluation of the IFCD should address the level of access civil society has to submit project proposals via National Commissions.
86. The delegation of **Germany** proposed a wording amendment to paragraph 4, which addresses the issue of “creating an emblem in a cost effective manner”.
87. The delegation of **China** first thanked Parties who contributed to the draft resolution and then went on to propose amendments to paragraph 4. Reaffirming their ongoing support for an emblem, and in particular the creation of an emblem via an international competition which could serve to promote the visibility and awareness of the Convention. The delegation expressed its concern over the procedural complexities since the fourth session of the Committee had already decided to put it on the agenda of the fifth session. Any Conference of Parties decision would thus nullify the Committee’s discussions to date.
88. The **Chairperson**, while recognizing the work of the Committee, reminded Parties that the Conference of Parties was the supreme decision-making body, which is responsible for setting the activities of the Committee.
89. Expressing its full support for the Chairperson’s intervention, the delegation of **Saint Lucia** expressed its view that there were no procedural issues involved since the Conference of Parties was giving the Committee a mandate to proceed in the creation of an emblem. In addition, the delegate shared with the Conference of Parties the findings of the feasibility studies on this issue which found that an international competition to create an emblem was the most expensive option. Given this, the delegate stated that Saint Lucia would not support an international competition and added that such an option would not contribute to promoting the Convention.
90. The delegation of **Tunisia** expressed its opinion that the text of the draft resolution was too technical for a document of the Conference of Parties. It said that the Conference of Parties should provide the framework of work for the Committee, which is responsible for the technical implementation of the Convention. For this reason, it proposed the deletion of paragraph 2, which provides too many details that the Committee should further elaborate.

91. The delegation of **Switzerland** supported the Chairperson's position and stated that the Conference of Parties should discuss the details of the emblem since the Committee had been acting without a mandate on this issue up to now. Furthermore, the delegation went on to state that as there was a general consensus on the need for the creation of an emblem in a cost-effective manner, the idea of an international competition, as suggested by the delegation of China, was too expensive and unless the latter was willing to cover the costs, other options proposed by the Secretariat should be explored.
92. The delegation of **Mexico** expressed its support regarding the authority of the Conference of Parties over the Committee. It said that it was the responsibility of the Conference of Parties to decide on the viability and details of the creation of an emblem, and to request the Committee to prepare the Operational Guidelines. Finally, it concluded by supporting the other Parties in their opposition to an international competition to create an emblem.
93. The delegation of **France** began its statement by agreeing with the position of Saint Lucia, Switzerland and Mexico on the sovereignty of the Conference of Parties over the Committee. The delegation went on to support the position of Switzerland, Germany and Mexico on creating an emblem in the most economic way given the limited available resources.
94. The delegation of **Luxembourg** expressed its support for the proposals by Switzerland and Germany on the principle of cost-effectiveness when creating an emblem as well as for the position of Saint Lucia, Mexico, France and Switzerland on the sovereignty of the Conference of Parties.
95. The delegation of **Albania** agreed with the position of the Chairperson and other Parties on the sovereignty of the Conference of Parties. In addition it expressed support for the Swiss and German amendments that the creation of an emblem be carried out in a cost-effective manner, although not through an international competition, a view which they had already shared as a member of the Committee.
96. The delegation of **China** responded to the issues raised by other Parties in respect to its earlier statement. The delegation began by outlining the conflicts over procedures that it had identified in relation to paragraph 4. It said that it agreed with the statements of other Parties that the Conference of Parties had the supreme sovereignty in decision-making, and stated that its earlier intervention was intended to clarify the division of responsibilities between the two bodies. In addition, the delegation explained that the option of an international competition for the creation of an emblem was cited as an example rather than as a proposal. Finally, the delegation supported Tunisia's statement that the Conference of Parties should provide the general principles for decisions. It recommended keeping paragraph 7, which invites the Committee to continue its work on the emblem, as it currently stands.
97. The delegation of **Brazil** expressed its support for the position of Tunisia that details on the process of establishing an emblem should not be discussed at the Conference of Parties since the Committee was already undertaking this work. Similar to China and Tunisia, it proposed that no changes be made to paragraph 7 and that the new paragraph 4, as amended by Germany and Switzerland on cost-effectiveness, should be retained.
98. The delegation of **Saint Vincent and the Grenadines** expressed its support for the Swiss and German amendments. It also concurred with the arguments of Saint Lucia and Mexico against opting for an international competition to create an emblem. It added that it doubted the Secretariat had the financial resources to manage an

international competition, and in light of this, stated that resources should be focused on current and future projects.

99. The delegation of **Italy** began its statement by agreeing to the Swiss and German amendment to paragraph 4 regarding cost-effectiveness. It then suggested that an international competition organized through UNESCO-affiliated schools could be a cost-efficient manner to create an emblem and to promote the Convention among young people.
100. The delegation of **Cameroon** began its statement with a question concerning the use of the term “principles” in paragraph 6. It stressed the importance of creating an emblem as soon as possible since the emblem was the best means of promoting the Convention. In addition, it also stated that the focus should not rest solely on cost efficiency.
101. The delegation of **Austria** reminded Parties that the Conference of Parties had never discussed the creation of an emblem, which was a Committee proposal. It said that since the Conference of Parties is the supreme decision-making body of the Convention, the principle of creating an emblem should be expressed explicitly in the resolution and that implicit recognition of the Committee’s work in this regard be also expressed. For this reason, and in support of other Parties who had expressed the same view, Austria supported the new paragraph 4, with the amended wording of Switzerland and Germany on cost-efficiency.
102. In respect to paragraph 4, the delegation of **Viet Nam** added its support for the proposal of Saint Lucia as supported also by France, Switzerland, and the other Parties.
103. The delegation of **Republic of Korea** said that if the Conference of Parties were to approve the principle of creating an emblem; the details of the process should be left to the Committee. Furthermore, the delegation supported Brazil’s suggestion that paragraph 4 be deleted and that the content of paragraph 7 be further elaborated.
104. The delegation of **Canada** expressed its support of the proposal made by Germany on the necessity for cost-efficiency in creating the emblem, especially given the limited resources available for other activities.
105. The delegation of **Grenada** supported the position of the Chairperson and other Parties on the issue of the sovereignty of the Conference of Parties in decision-making process, citing Article 22 paragraph 4(d) of the Convention.
106. The **Chairperson** informed the Conference of Parties that, after discussion with the Secretariat, paragraph 4 had already been discussed during previous sessions. He asked the Secretariat for the background and context of these debates.
107. Ms **Galia Saouma-Forero, representative of the Director-General**, reminded that the issues raised by the Parties concerning the emblem had already been discussed in Committee sessions. Recognizing the need for an emblem, three options with cost estimates on how to create an emblem were provided. Given this, the Committee decided at its December 2010 session that the three options should be submitted to the Conference of Parties for approval.
108. The delegation of **Greece**, supported by Monaco, insisted on maintaining paragraph 4 as amended, and concluded by emphasizing the need to create an emblem in a cost-effective manner.

109. Supporting Brazil, Tunisia, China and Korea, the delegation of **Democratic Republic of Congo** proposed the deletion of paragraph 4 since the content is addressed in paragraph 7 and was thus repetitive.
110. The delegation of **Norway** agreed with the amendments to paragraph 4 proposed by Germany and Switzerland on cost-effective mechanisms to create an emblem. The delegation added however that it would have preferred to have the Committee's deliberations prior to taking a decision in order to be better informed on the financial repercussions of such a decision.
111. The delegation of **Hungary** expressed its support for maintaining paragraph 4 but queried whether paragraph 7 should not be modified in order to avoid repetition.
112. In light of the other statements, the delegation of **Tunisia** recommended that paragraph 4 is maintained but that the details concerning the emblem contained in paragraph 7 should be deleted. Maintaining paragraph 4 would thus legitimate and provide a mandate for the work of the Committee, ensure procedural clarity and highlight the importance of the emblem for the Conference of Parties.
113. The **Chairperson** provided an overview of the main lines of discussion on paragraph 4, highlighting that there was a consensus over the need of an emblem. He said that most Parties preferred including a specific reference to a decision taken by the Conference of Parties in paragraph 4 which would provide a mandate for the Committee to work on the emblem. In addition, he noted that there was general support for the cost-efficiency criteria in the creation of an emblem. Furthermore, he reminded the Conference of Parties that there was a request for the Secretariat to develop Operational Guidelines for the use of the emblem. Finally, he stated that there was debate on whether paragraph 4 should be deleted and/or the reference to the emblem in paragraph 7 of the resolution.
114. Moving on to paragraph 5, the **Chairperson** opened the floor to discuss the amendment proposed by the delegations of Albania, Andorra, Cambodia, Canada, Mauritius, Saint Lucia, Senegal and the EU and 26 of its Member States concerning the preparation of a compendium of good practices on the implementation of Article 21. In addition, he presented Brazil's amendment to paragraph 5, supported by Argentina, Honduras, and Cuba, which proposed that a general reference should be made to Section V, that contains both articles 20 and 21.
115. The delegation of the **EU** said that it recognized the close links between articles 20 and 21. However, it said that there were serious issues with Brazil's proposed amendment since the Secretariat could not be requested to present a compendium of cases for all of Section V of the Convention since the Secretariat does not have access to the internal consultations necessary to collect and publish information on the implementation of Article 20. For this reason, the EU said that it was opposed to the Brazilian amendment.
116. The delegation of **Tunisia** said that the request in paragraph 5 for a compendium of examples of when the Convention is cited was too large a task for the Secretariat. It recommended the inclusion of a reference to encouraging civil society to assist the Secretariat in order to alleviate the workload.
117. The delegation of **Brazil** suggested that it may have a different understanding of articles 20 and 21 since although in agreement with the EU's statement, it did not feel that the Secretariat's workload would be enlarged by the proposed amendment. Seeking clarification, the delegation requested the advice of the Legal Advisor on this

issue. It also asked the Secretariat for information on how it would elaborate the compendium of cases.

118. The **Legal Advisor** underlined that both articles 20 and 21 include obligations on Parties. Since the Secretariat can only act effectively if Parties inform them on their initiatives within international fora (which refers to meetings organized by the UN family, the World Trade Organization (WTO) and international organizations), then it is up to Parties to define the task they would like to request from the Secretariat.
119. The **representative of the Director-General, Ms Galia Saouma-Forero**, indicated that since Parties are asking for a compendium, they would necessarily agree to send information for Article 20 and to determine what information is relevant in respect to Article 21. She said that such arguments had been used when this issue had been discussed at other meetings and conferences with Parties. She concluded by reiterating that the Secretariat can only gather information provided to it by Parties.
120. The delegation of **Luxembourg** expressed its support for the statement by the delegate of the EU. For this reason, it did not agree that a compendium would be appropriate for Article 20 and therefore did not want any amendments to paragraph 5.
121. The delegation of **Germany** supported the EU statement and requested that an explicit reference is made that the compendium applies only to Article 21.
122. The delegation of **Tunisia** questioned the purpose of preparing a compendium since even if all Parties were to contribute their initiatives, it was not yet determined what the impact of such a list of case studies would be. It proposed instead that, given the current ratification rate of the Convention and the dynamic nature of Article 21, it might be more effective to establish a permanent seat at international organizations, such as the WTO, in order to promote the Convention and its' recognition of the diversity of cultural expressions.
123. The delegation of **Zimbabwe** said that, given the content of Article 21, the reference to the Secretariat was inappropriate. It proposed that the wording be altered accordingly.
124. Italy, Poland, the Netherlands, Finland, Norway, Hungary, Congo, and France joined Luxembourg and Germany in supporting the EU's statement that paragraph 5 on Article 21 remain unchanged.
125. The delegation of **Brazil** maintained its position that the two articles should be treated as a section and that paragraph 5 should, therefore, refer to both articles. It said that other countries had acknowledged the interlinks between the two articles and asked the Conference of Parties to hear the positions of countries from other regions.
126. The delegation of **Senegal** informed the Conference of Parties that this issue had been discussed with the Francophone group and that their conclusion had been that the Secretariat was the best placed to act as a focal point of information on Article 21. Based on this, it said that it did not want the paragraph to be amended.
127. The **Chairperson** provided a summary of the debate on paragraph 5 identifying two main positions: Parties who support the original proposal and Parties supporting Brazil's amendment to refer to the whole of Section V. In order to facilitate a consensus, he proposed a solution: include a reference to the implementation of Section V as well as a request to the Secretariat to establish a compendium specifically on Article 21. Brazil and EU supported the proposal. Paragraph 5 was adopted.

128. Discussion moved to paragraph 6, which concerned Articles without Operational Guidelines. The delegation of **Saint Lucia** had earlier proposed the deletion of this paragraph. Albania, Cameroon, Tunisia, Lao People's Democratic Republic, Mexico, Saint Vincent and the Grenadines, Germany, and Canada supported Saint Lucia's proposal.
129. The **Chairperson** declared that there was a consensus for paragraph 6 to be deleted.
130. In respect to former paragraph 6(a), the delegation of **Hungary**, supported by Tunisia, Norway, Zimbabwe, Congo, Honduras, and Switzerland, said that it was important to stress and maintain the reference to the Convention when speaking about promotion and visibility, since these issues go beyond just the emblem.
131. The **Chairperson** declared paragraph 6(a) adopted and, since no other observations were made, (b), (c), and (d) were thereby adopted.
132. In respect to (e), the delegation of **Germany** said that debate on the implementation of the Convention should be maintained since it helped to ensure the success of the Convention and should be ongoing. For this reason, it preferred that (e) not be deleted.
133. As one of the countries proposing its deletion, the delegation of **Luxembourg** said that the Committee addresses the implementation of the Convention when it discusses the annual reports of activities of the IFCD and, in light of this, the specific reference made in (e) suggests that a half-day session be organized to discuss financial and human resources. The delegation concluded that for this reason, the proposed paragraph is not clear or useful for the Committee.
134. The delegation of **Albania**, supported the statement of Luxembourg, adding that the responsibilities and mandate to the Committee entailed in (e) were already included in Article 23 of the Convention and, therefore, no additional mandate was required.
135. The **Chairperson** thanked the Parties for their explanations and, since no further observations were proposed, announced the amendment as adopted. Turning to the original paragraph 7 on elaborating terms of reference for the evaluation of the IFCD pilot phase, he invited the Conference of Parties to consider the additional paragraph proposed by Saint Lucia, supported by Switzerland, Mexico and Honduras, on requesting the Committee to review the guidelines on the IFCD, based on the evaluation of the pilot phase.
136. The delegation of **Canada**, supported by Hungary and Lao People's Democratic Republic, proposed a refinement of the paragraph recommending integrating elements of the Norwegian amendment into paragraph 8 and proposed wording.
137. The delegation of **Tunisia** said that the Conference of Parties needed to make a decision on the level of detail contained in the paragraph 8, that is, whether the resolution should only refer to the work of the Committee in analyzing the evaluation of the IFCD pilot phase or also refer to the preliminary work conducted by the Secretariat in preparing the report and analysis of the evaluation.
138. Supporting the proposed amendment of Canada, the delegation of **France** said that it adequately addressed the concerns of Norway and clearly explained the evaluation process of the Operational Guidelines of the IFCD.
139. The delegation of **Norway** stated that it preferred to retain the original paragraph 8 and to have its amendment as a separate paragraph.

140. Responding to the proposed amendment of Canada, the delegation of **Germany** proposed that it be specified that the results be submitted at the “fourth” rather than the “next” session of the Conference of Parties.
141. The delegation of **Switzerland** also supported the amendment by Canada but suggested that Norway’s amendment be included in the preceding paragraph since it added value to the text proposed by Saint Lucia.
142. The delegation of **Luxembourg** expressed its support for the amendment proposed by Canada and said that the proposal by Norway implied carrying out an additional process of evaluating and revising the terms of reference of the IFCD at the end of the pilot phase, which was not originally foreseen.
143. Agreeing with Switzerland, the delegation of **Saint Lucia** said that its proposal on paragraph 7 complemented Norway’s proposed amendment and supported the latter’s inclusion. Saint Lucia added that Norway’s proposal would not involve a complicated process and that the Secretariat already had begun preparations for the evaluation, which may involve including the help of IOS.
144. The **Chairperson** stated that there was an important consensus for the paragraph proposed by Saint Lucia, as amended by Canada, and for the paragraph proposed by Norway, which would precede that of Saint Lucia.
145. In respect to the original paragraph 9, the delegation of **Albania** proposed an amendment that included a reference to two decisions taken at the fourth session of the Committee (4.IGC 10B and 4.IGC 16) that requested the Director-General to strengthen the Secretariat of the Convention.
146. France, Saint Lucia and the Lao People’s Democratic Republic expressed its support for the amendment proposed by Albania, as amended by Zimbabwe. The delegation of **Saint Lucia** reminded the Conference of Parties that strengthening the Secretariat was also a conclusion of the recent Executive Board.
147. Supporting the amendment, the delegation of **Grenada** proposed that a specific reference be made to the Programme and Budget of UNESCO (36 C/5) in order to have a specific deadline.
148. The delegation of **Tunisia**, also supporting the amendment, stressed its importance given the current growth of the Convention, which requires reinforcing the Secretariat.

*Resolution 3.CP 11 was adopted as amended.*

## **Item 12 – Election of the members of the Committee**

**Documents: CE/11/3.CP/209/12REV and CE/11/3.CP/209/INF.3REV**

149. The **Chairperson** asked the Secretary of the Convention to provide details on the procedure for the election.
150. The **Secretary of the Convention** said that at the first Conference of Parties, 24 Members were elected to the Committee in accordance with Article 23.1 and 23.4 of the Convention. According to Rule 16 of the Rules of Procedure of the Conference of Parties, the term of office for members is four years. She read out the names of the outgoing Members of the Committee by electoral group:

- Group I: Germany, Greece, Luxembourg
- Group II: Croatia, Lithuania
- Group III: Mexico, Saint Lucia
- Group IV: India
- Group V(a): South Africa, Mauritius, Senegal
- Group V(b): Oman

She then read out the names of the remaining Members of the Committee by electoral group:

- Group I: Canada, France
- Group II: Albania, Bulgaria
- Group III: Brazil, Cuba
- Group IV: China, Lao People's Democratic Republic
- Group V(a): Cameroon, Kenya
- Group V(b): Jordan, Tunisia

The Secretary of the Convention proceeded to explain the distribution of Parties for each electoral group as specified by Rule 15.2 of the Rules of Procedure that indicates that each electoral group can have a minimum of three seats and a maximum of six seats. She informed the Conference of Parties of the procedure for the provisional and final list of candidates for the Committee, which was followed in accordance with Rule 17.3. The provisional list of candidates is contained in document CE/11/3.CP/209/INF.3. The Secretariat finalized and distributed the final list in document INF.3REV. She went on to read the names of candidates on the final list:

- Group I: Sweden  
Switzerland
- Group II: Armenia  
The former Yugoslav Republic of Macedonia
- Group III: Argentina  
Honduras  
St Vincent and the Grenadines
- Group IV: Viet Nam  
Afghanistan
- Group V(a): Guinea  
Congo  
Zimbabwe

Group V(b): Kuwait

151. The **Secretary of the Convention** informed the Conference of Parties that they would first need to determine the distribution of the 24 Committee seats and then to determine the distribution of the 12 vacant seats and indicated that Rule 15.2 could be taken into consideration. She then concluded by stating that once the Conference of Parties had decided on the distribution of the vacant seats, the election of the new members of the Committee could take place.
152. The **Chairperson** summarized the contents of the Secretary's explanation of the procedure. He informed the Conference of Parties that informal meetings with the Presidents of the electoral groups were held prior to the Conference of Parties. This consensus building prior to the Conference of Parties led to an agreement on the distribution of seats as follows:

Group I: 4 seats, of which 2 are vacant;  
Group II: 3 seats, of which 2 seats are vacant;  
Group III: 5 seats, of which 3 seats are vacant;  
Group IV: 3 seats, of which 1 seat is vacant;  
Group V(a): 5 seats, of which 3 seats are vacant;  
Group V(b): 3 seats, of which 1 seat is vacant.

The Chairperson proceeded to inform the Conference of Parties that elections were only required for Group IV where there are two candidates for one vacancy. The other electoral groups had one candidate per vacancy and did not require an election. After enquiring whether there were any observations, he requested two delegates to volunteer as tellers. They were required to be nationals of States Parties that were not candidates for election.

153. The delegations of Spain and South Africa volunteered to be tellers and the Chairperson invited them to take their place on the podium.
154. The **Chairperson** then explained to the Conference of Parties the procedure of the election. He said that Parties would be given ten minutes to vote for their candidate. During this time, Parties need to circle the selected candidate country. Ballot slips with more than one candidate country circled would be deemed invalid. The absence of a ballot slip in the envelope would be considered as an abstention. Finally, he said that after the ten minutes were over, the first call to vote would be held when Parties would be requested to place their envelope in the ballot box.
155. For the first call to vote, the **Secretary of the Convention** read out the names of Parties in alphabetical order and indicating whether they were present and voted.
156. A second call to vote was held and the **Secretary of the Convention** read out the names of Parties who had been absent during the first call.
157. The **Chairperson** thanked the Parties for voting. After a short break to count votes, he announced the results of the election. He said that 87 Parties voted and that the results for Group IV were: Afghanistan 19 votes and Viet Nam 62 votes, 2 invalid votes, and 4 abstentions. The Chairperson declared that Viet Nam had been elected to Group IV.
158. The **Chairperson** then announced that the following 12 candidates had been elected to the Committee, reminding the Conference of Parties that no ballots were needed for the other electoral groups due to the clean slates:

Group I:	Sweden and Switzerland
Group II:	Armenia and the Former Yugoslav Republic of Macedonia
Group III:	Argentina, Honduras, and Saint Vincent and the Grenadines
Group IV:	Viet Nam
Group V(a):	Guinea, Congo and Zimbabwe
Group V(b):	Kuwait

159. The **Chairperson** thanked the tellers from Spain and South Africa.

*Resolution 3.CP 12 was adopted.*

### **Item 13 - Other Business**

160. The **Chairperson** opened the floor to Parties for other business.

161. The delegation of **Armenia** said that it was delighted to be elected for the first time as a member of the Committee. It invited Parties to attend an art exhibition hosted by the delegation at UNESCO and informed the Conference of Parties of other cultural events being organized and supported by UNESCO.

162. The **Chairperson** thanked Armenia for its invitation and congratulated the delegation and all other Parties for their election to the Committee.

163. The delegation of **Viet Nam** expressed its sincerest thanks for its election to the Committee. It reaffirmed Viet Nam's commitment to cultural diversity, as reflected in its positions at international fora, and to the Committee and the Convention.

164. The delegation of **Guinea** thanked Parties for its election to the Committee. It said that culture and cultural diversity were very important in Guinea, and that the President had placed cultural diversity at the top of national cultural priorities. As such, they would be working hard to achieve the objectives of the Committee and the Convention.

165. The delegation of **Congo** told the Conference of Parties that it was sincerely honored to be elected to the Committee and would work hard to promote the Committee's and the Convention's visibility.

166. The delegation of **Kuwait** then thanked the Arab group for supporting its candidacy for Group V(b). It went on to thank Oman, whose membership term on the Committee was now completed. Finally, it wished the new Committee success for its future work.

167. The delegation of **Argentina** thanked the Parties for its election as a representative of Group III of the Committee. It stated that cultural diversity was a national priority. Finally, the delegation said that Argentina would make an important contribution to the work of the Committee and would work closely with other members of Group III.

168. The delegation of the **Former Yugoslav Republic of Macedonia** thanked Parties for its election and said that it was honored to be elected. It said that the diversity of cultural expressions was both a source of creative potential and a basis for promoting peace and mutual understanding and respect. Ensuring cultural rights to all ethnic and national groups contributes to the sustainable development of a society.

169. The delegation of **Honduras** commenced its statement by thanking Parties, especially Latin America and the Caribbean, for their support and expressed its delight at being elected. It expressed its commitment to the work of the Committee. It concluded by

saying that Honduras' commitment to cultural diversity and culture as a vector for development is reflected by its active participation in the Convention.

170. The delegation of **Saint Vincent and the Grenadines** explained that it was deeply committed to the Committee and it is for this reason that it had proposed its candidacy. It paid tribute to the Committee's work which facilitated the work of the Conference of Parties, pointing to their work on the Operational Guidelines as one example.
171. The delegation of **Zimbabwe** thanked Parties for its election to the Committee and said that it would take its responsibilities very seriously. It went on to commend the good work of the outgoing Committee and to express its hope that the new Committee would be as efficient. It concluded by informing the Conference of Parties of the Harare International Festival of Arts.
172. The delegation of **Tunisia** thanked all Parties for their commitment to the Convention and especially the German National Commission for UNESCO for their support of a publication on the diversity of cultural expressions, which had been particularly useful in Tunisia. It went on to thank NGOs and civil society for their contribution to the implementation of the Convention, highlighting in particular the work of the International Federation of Coalitions for Cultural Diversity and the International Federation of Arts Councils and Cultural Agencies (IFACCA).
173. The **Chairperson** requested the Secretariat to provide a report on its activities to implement the Convention and in support of the work of the Committee, as was recommended during the General Debate by the delegation of Mexico.
174. Ms **Galia Saouma-Forero, representative of the Director-General**, recalling the opening statement by the Assistant Director-General for Culture, said that the Secretariat of the Convention was actively involved in the implementation of the ratification strategy, which is a mandate that is not included within the Operational Guidelines. She went on to say that the Secretariat was also working on developing the visibility and communication strategy, which goes beyond the question of the logo. Given the polysemic and rich nature of the Convention's text and recognizing that the understanding of its significance may differ by region, the Secretariat and UNESCO Field Offices were working on defining and developing these messages for different regions. She stated that the quadrennial periodic reports would require a considerable amount of work from the Secretariat. She added that several practical options regarding the IFCD and its fundraising strategy were needed and will be submitted to the Committee in the near future. She then discussed the operational projects of the Convention, which included the EU-supported technical assistance project and a knowledge-management system on Convention activities. Responding to Armenia's request for assistance in the preparation of periodic reports, Ms Saouma-Forero stated that given the size of the Secretariat, such personalized assistance for each Party was beyond its capacity. However, she said that an online system providing clear guidelines and information would be soon available, which should assist Parties. She concluded her statement by reading out paragraph 4 from the Ivory Note issued on 6 June 2011 that announced the restructuring of the Culture Sector. This paragraph states that "The key concern is to ensure the effective functioning and implementation of the International Conventions in the field of culture both in terms of fulfilling the weighty statutory functions that they entail and of working with Member States in making them fully operational". In this regard, she invited Ms Cliche to inform the Conference of Parties of the work plans for the Secretariat of the Convention over the next two years and the objectives to achieve before the next Conference of Parties.
175. The **Secretary of the Convention** described the structure of the Section on the Diversity of Cultural Expressions, which is responsible for the Convention. She said that the Section was organized around the following three main poles of action and described activities foreseen for the next biennium:

1) *Statutory activities*: This includes i) organizing statutory meetings of the Conference of Parties and of the Committee as well as information sessions; ii) the IFCD: managing the call for projects, monitoring, implementing and management of projects; and iii) quadrennial periodic reports: processing and analysis of reports, and preparation of an analytical summary for the next Conference of Parties. Two professional staff are allocated to this pole with an estimated budget of US \$2 million.

2) *Advocacy and Research*: This responds to demands of the Committee and the Conference of Parties to increase the visibility of the Convention. It includes i) ratification strategy; ii) developing outreach activities with stakeholders of the Convention, including civil society; and iii) developing and implementing a knowledge-management system for communication purposes. One professional staff is promised for the Section and activities are supported through extra-budgetary resources provided by the Government of Spain.

3) *Operational activities and development of tools*: This is a direct response to the demands of the Committee and the Conference of Parties. This pole provides assistance on the implementation of the Convention at the national level. Five examples of operational activities are: i) UNESCO/EU funded project “Expert Facility to Strengthen the System of Governance for Culture in Developing Countries”; ii) Policy Guide to Develop the Cultural and Creative Industries (“the Green Book”); iii) the UNESCO Culture for Development Indicator Suite to demonstrate the contribution of culture to development; iv) *Diversidades*, an educational online tool currently being tested in Latin America that teaches young people about the principles and objectives of the Convention; and v) a new online resource centre to provide assistance to foster public/private partnerships in the cultural industries through the Global Alliance. One professional post and one Spanish-funded associate expert are assigned to this pole of activity. The total budget is US \$1.6 million, including financing provided for certain projects by the EU and the Spanish Government.

She concluded her statement by saying that the Secretariat of the Convention had a considerable workload, which has increased during the Conference of Parties with the addition of the preparation of a compendium on Article 21. She said that this workload would be achieved with difficulty given the limited financial and human resources available and that a minimum of two additional professional staff members would be required for the next biennium.

176. The **Chairperson** thanked Ms Cliche for the information and said that the Conference of Parties had delivered a clear message on the need to strengthen the Secretariat in terms of human and financial resources in order to carry out its tasks.
177. The delegation of **Mexico** thanked the Secretariat for the information which responded to its earlier request to include a report from the Secretariat on its activities in future Conference of Parties. It then asked whether the Secretariat intended to disseminate the information on the Operational Guidelines to Permanent Delegations and National Commissions and requested that this should be done in the six official languages of UNESCO in order to facilitate understanding of the work carried out to date and to provide information on how to implement the Convention at the national level.
178. The **Secretary of the Convention** informed the Conference of Parties that the Secretariat intended to publish a collection of Operational Guidelines but had waited for the additional set of guidelines to be adopted by the Conference of Parties before doing so.

179. The delegation of **Gambia** congratulated the Committee for its hard work and expressed Gambia's keen interest in working with the Committee and in being elected in the future to the Committee.
180. The **Chairperson** informed the Conference of Parties that Gambia was the latest State to ratify the Convention. He provided an overview of the main achievements of the Conference of Parties and thanked Parties for their hard work during the fruitful meeting. Since the Conference of Parties was reaching an end, the Chairperson invited the Rapporteur, Mr Pappis from Greece, to present the Resolutions.
181. The **Rapporteur, Mr Pappis** provided a summary of the third ordinary session of the Conference of Parties. He mentioned that the Conference of Parties had been opened by the Assistant Director-General for Culture, Mr Francesco Bandarin, on behalf of the Director-General of UNESCO, that close to 400 participants had attended, and that Mr Marcelo Vasquez-Bermudez (Ecuador) chaired the Conference of Parties. The Rapporteur said that there were 13 items on the agenda and that 12 Resolutions had been adopted, mentioning in particular:
- Resolution 3.CP 7: Approval of the Operational Guidelines for the implementation of the Convention (Articles 9, 10, 19 of the Convention);
  - Resolution 3.CP 9: Fundraising strategy for the IFCD;
  - Resolution 3.CP 10: Submission and dissemination of quadrennial periodic reports of the Parties to the Convention;
  - Resolution 3.CP 11: Future activities of the Committee;
  - Resolution 3.CP 12: Election of the members of the Committee.
182. The **Chairperson** thanked the Rapporteur for his clear and concise report. He also thanked all the Parties for their constructive contributions which have enabled the Conference of Parties' success, Mr Bandarin, the Assistant Director-General for Culture as well as Ms Galia Saouma-Forero. He noted that as the first Secretary of the Convention, Ms Saouma-Forero had provided a solid foundation for the implementation of the Convention and, as a consequence, her work on the Convention should be regarded as a significant contribution to the promotion of the diversity of cultural expressions. He also thanked Ms Cliche for her excellent work, which has been essential to the work of the Committee as well as the Conference of the Parties, and that many of the achievements were thanks to her. He concluded by thanking the translators, interpreters, technical staff and all those who had provided support for the Conference of Parties and facilitated the discussions.
183. The delegation of **Saint Lucia** thanked the Chairperson for the serene and determined manner in which he chaired the Conference of Parties. She then addressed Ms Galia Saouma-Forero and said that she had worked closely with her during her time as Secretary. Since Ms Saouma-Forero may not be at the next Conference of Parties, Ms Lacoueilhe expressed the Conference of Parties' and the Committee's gratitude for her work and that she would be much missed and difficult to replace when she leaves.
184. Ms **Saouma-Forero** expressed that she was very moved. She said that she recalls the difficult circumstances of 2007, when she was asked to be the first Secretary of the Convention, and that while the Convention was growing rapidly, the team at UNESCO was very small. However, the work was facilitated by the commitment and enthusiasm of the Parties and the members of the Committee, who together formed a "founding movement" of the Convention, representing all regions of the world. The Convention had also been fortunate to have had exceptional chairpersons, such as Mr Gilbert Laurin, Ms Vera Lacoueilhe, Ms Nina Obuljen as well as the current chairperson, who have always sought consensus and to listen to all Parties. On behalf of the team, she thanked the Parties and Ms Cliche, applauding her for being an exceptional Secretary.

185. The **Chairperson** thanked Ms Saouma-Forero for her statement and expressed his gratitude on behalf of the Conference of Parties. Since no other observations were made, the Chairperson declared the third ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions closed.

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