



United Nations  
Educational, Scientific and  
Cultural Organization

Organisation  
des Nations Unies  
pour l'éducation,  
la science et la culture

Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura

Организация  
Объединенных Наций по  
вопросам образования,  
науки и культуры

منظمة الأمم المتحدة  
للترقية والعلم والثقافة

联合国教育、  
科学及文化组织

## Diversity of Cultural Expressions

**Distribution limited**

**Paris, 8 March 2010**

**Original: English/French**

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

**Third Ordinary Session  
Paris, UNESCO Headquarters  
7-9 December 2009**

This document contains the detailed draft summary record of the Third Ordinary Session of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (Paris, UNESCO Headquarters, 7-9 December 2009). Committee members may submit, before 18 October 2010, comments by email to [convention2005@unesco.org](mailto:convention2005@unesco.org) and/or in hard copy to the Secretariat of the Convention.



## Opening of the session

1. The Third Ordinary Session of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter referred to as “the Committee”) was held at UNESCO Headquarters in Paris from 7 to 9 December 2009.
2. It was attended by 315 participants, including 95 participants from the 24 States Members of the Committee, 114 participants from 52 Parties non-members of the Intergovernmental Committee (52 States Parties and the European Community (EC)), 66 participants from 32 States not Parties to the Convention, 3 participants from Permanent Observer Missions to UNESCO, 5 participants from 5 intergovernmental organizations (IGOs) and 30 participants from 11 NGOs with Observer status.
3. In opening the session, **Ms Vera Lacoueilhe**, Chairperson, welcomed all participants and informed them that the Director-General, who would have liked to be present, was on a mission abroad and had prepared a video message. This video is available on the Convention’s website: <http://unesdoc.unesco.org/images/0018/001829/182993m.pdf>.
4. The Chairperson indicated that simultaneous translation would be available in the two official working languages of UNESCO and also in Spanish, thanks to the generosity of the Government of Spain. The Chairperson then gave the floor to **Ms Françoise Rivière**, the representative of the Director General and Assistant Director-General for Culture.
5. The **Representative of the Director-General** recalled that a new Bureau would be elected at the end of this session, but for the moment, the Bureau was still composed of **Ms Vera Lacoueilhe, Chairperson (Saint Lucia), Mr Mouhamed Konaté (Senegal)** (Rapporteur) and **Croatia, India, Oman and Luxembourg** (Vice-Chairpersons). The **Assistant Director-General for Culture** mentioned that in order to standardize procedures, it was decided that the Oral Report usually made by the Rapporteur was no longer required. The Rapporteur would still maintain his/her role of guaranteeing that the report prepared by the Secretariat accurately reflects what really happened during the sessions and that decisions reproduced by the Secretariat are in accordance with the decisions taken by the Committee. The Representative of the Director-General reminded that at the last ordinary session of the Committee, Rule 12.1 of the Rules of Procedure, which stipulated that members of the Bureau were not immediately re-eligible, had been waived in order to re-elect India and have a representative of Group IV on the Bureau.
6. The **Chairperson** then introduced Ms Danielle Cliche as the new Secretary of the Convention and wished her, on behalf of the entire Committee and all observers, a warm welcome and success in her new duties. She noted that Ms Cliche had worked for the European Institute for Comparative Cultural Research (ERICarts) in Bonn, Germany, and that she held a Ph.D. from the Free University Amsterdam, her thesis addressing cultural policies for diversity within the context of the 2005 Convention. She added that Ms Cliche had closely followed the work of the Committee as a representative of the ERICarts Institute and that she had taken up her post on November 16 2009. The Chairperson then reminded the Committee that all working documents and draft decisions had been submitted by the Secretariat within the statutory time-limits and were available to Committee members. She listed the main agenda items for the session and underlined the importance of the debate on the International Fund for Cultural Diversity. She then gave the floor to the Secretary of the Convention to give an overview of the documents to be discussed during the meeting.
7. The **Secretary of the Convention** thanked the Chairperson and said that she had followed the impressive work of the Committee over the past years and that she was honoured to support its work in her new function. Looking at the tentative schedule presented in document CE/09/3.IGC/211/INF1, she mentioned that over the next days, the Committee would have to examine nine documents and elect a new Bureau.

## **Item 1 – Adoption of the agenda**

### **Document CE/09/3.IGC/211/1**

8. The **Chairperson** invited the Committee members to adopt the provisional agenda.

*Decision 2.IGC 1 was adopted unamended.*

## **Item 2 – Approval of the list of observers**

9. The **Chairperson** invited the Secretary to read the list of observers: 44 Parties to the Convention, including Parties not members of the Committee; 27 Member States not Parties to the Convention; 5 intergovernmental organizations, 11 non-governmental organizations.

*Decision 2.IGC 2 was adopted unamended.*

## **Item 3 – Adoption of the detailed draft summary record of the second extraordinary session of the Committee**

### **Document CE/09/3.IGC/211/3**

10. The **Chairperson** invited the Committee to proceed with the adoption of the summary record of the second extraordinary session of the Committee, held at UNESCO Headquarters in Paris from 23 to 25 March 2009. She stated that Article 43 of the Provisional Rules of Procedure stipulated that the Secretariat should produce detailed draft summary records of the Committee's sessions in both working languages. Committee members had been invited to submit their comments electronically by 26 October 2009 and that only one member, Luxembourg, had sent in comments, which only applied to the French version.

*Decision 3.IGC 3 was then adopted unamended.*

## **Item 4 – Strategy for encouraging ratifications of the Convention**

### **Document CE/09/3.IGC/211/4**

11. The **representative of the Director-General** recalled that a strategy for encouraging ratifications had been requested by the Intergovernmental Committee at its previous session in March 2009 and by the 2<sup>nd</sup> ordinary session of the Conference of Parties held in June 2009. She said that since its adoption in 2005, 103 UNESCO member states had become States Parties, which represented a quick pace of ratification. However, she underlined the uneven representation between regions, noting that the Asia/Pacific region and the Arab states were under-represented. She invited participants to look at Document CE/09/3.IGC/211/INF3A which listed ratifications per region and on the basis of UNESCO electoral groups. She then explained that the document also provided a list of international organizations and UNESCO Field offices. Turning to the strategy in itself, she said that four main actors were identified as instrumental to the process of promoting ratification: UNESCO Field Offices, Parties to the Convention, civil society and observer countries. Making reference to document CE/09/3.IGC/211/INF3B, she recalled that Parties were encouraged to conduct awareness-raising activities in other intergovernmental forums to which they are members.

12. The delegation of **Lithuania**, after congratulating the Secretariat on the document, underlined the importance of having geographical balance. However, it also stated that the Convention should be as universal as possible and requested that the strategy not neglect countries that are located in well-represented regions.

13. The delegation of **Canada** stressed the importance of defining the strategy. It endorsed the proposal for a short-term strategy to encourage ratifications and considered that specific activities

like regional seminars were likely to bring results. The delegation welcomed the strategy focused on under-represented regions and encouraged the active involvement of all stakeholders mentioned in the document. It underlined the relevance of identifying civil society as a key player, considering how instrumental it had been so far in increasing the number of ratifications achieved to date. As for the development of new information tools, the delegation considered that it would be more appropriate to make sure that the existing information kits were translated and published on the Convention's website before developing new ones. It also considered that it wasn't necessary for the Secretariat to present to the Committee in 2010 a new document on the status of ratifications. Finally, the delegation questioned the relevance of holding a thematic debate only in 2013 and proposed to organise this debate earlier. The focus of the debate could be on the benefits of ratifying the Convention, followed by a period of questions and answers.

14. The delegation of **Mexico** expressed some doubts on the proposal to organize a thematic debate at the fourth session of the Conference of Parties to be held in 2013, stating it was concerned by the amount of resources required for such an activity and asked the Secretariat for more details on this matter. It considered Canada's proposal interesting and said that the exchange between States Parties could be organized in many different ways. The delegation suggested that National Commissions be involved in the strategy and that the Secretariat commit to do capacity-building exercises to inform National Commissions. It also underlined the importance of improving the capacity of some member states on legal or technical issues that would help them to adopt and implement the Convention nationally.

15. The delegation of **Laos** welcomed the new Secretary of the Convention who will be very useful to the Convention going forward. It then lamented the fact that the Asia/Pacific region was under-represented and said that this was not the result of a lack of effort. It invited countries from this region that had participated in promoting and preparing the Convention to ratify it. The delegation then supported Canada in its recommendation of organizing regional and sub-regional seminars to raise awareness among States that were not yet Party to the Convention. It said that Field offices should be engaged and that Parties should inquire about available resources and support at the national level.

16. The delegation of **Jordan** expressed its regret that the Arab States were under-represented in the ratification of the Convention and made a personal promise to encourage ratifications at the governmental level among Arab States and through the Arab League.

17. The delegation of **Senegal** congratulated the Chairperson, the Bureau members and the new Secretary. It recalled that the 2005 Convention, with its wide scope and its links to delicate cultural, political and commercial issues, had not been an easy instrument to promote and that it was therefore not surprising that widespread ratification in some regions had not been attained. It suggested that ratification in some regions was slower because the concerns were more commercial than cultural and proposed that the strategy take into consideration the root causes of the regional disparity. Finally, the delegation said that some regions that have not yet ratified the 2005 Convention had ratified the 2003 Convention on Intangible Heritage. This Committee's ratification strategy could look at the political links between the two Conventions as a way to encourage more countries to ratify.

18. The delegation of **France**, echoing congratulations to the Chairperson and the new Secretary, said that it expected the pace of ratification to accelerate in the next few months because the Convention had only recently come into force and that mechanisms like those that intend to foster cooperation had not yet been activated. It mentioned that the document identified useful actions to accelerate the ratification process, including the information kits and web-based tools. The delegation agreed with Senegal on the importance of mobilizing resources in the Field Offices to promote ratifications. It welcomed the idea of holding a thematic debate at the 4<sup>th</sup> session of the Conference of Parties in 2013 and noted that the presence of many observers at this session suggested that many countries may want to eventually become Parties to the Convention. The delegation supported Jordan's comments on the importance of regional

organizations like the *Organisation internationale de la francophonie* (OIF) and the Arab League and stated that each Member State could pursue actions at a bilateral level. France said it does this on a systematic basis and invited other Parties to use international meetings as opportunities to promote the Convention. It added that while there is a need for a regional strategy, it is also important to have a targeted approach so that Parties become aware of those countries on the verge of ratifying. The delegation ended its remark by suggesting a change in Document CE/09/3.IGC/211/INF3A to present the grouping of countries according to the UNESCO electoral groups.

19. The delegation of **Greece** warmly welcomed the new Secretary and thanked the Secretariat for choosing Ms Cliche given her academic qualifications and professional experience from both the governmental and non-governmental sectors. Concerning paragraph 7 under discussion, it said it supported Lithuania and Canada in their wish that the strategy, while focusing on under-represented regions, not overlook other regions where ratifications can also be achieved.

20. The **Chairperson** asked if the Committee wished to amend the proposed strategy document. She then gave the floor to observers, starting with States Parties to the Convention.

21. The delegation of **Afghanistan** congratulated both the Chair and the new Secretary. It said that as a culturally diverse country, it was very happy to be a Party to the Convention. It regretted that the Asia/Pacific, with its important share of the world's population and its great cultural diversity, did not include more Parties and mentioned that it would do its best to convince other countries in the region to ratify. The delegation supported Mexico's views about the importance of National Commissions in convincing governments to ratify and also agreed with the proposals made by Senegal to tackle ratifications region by region and to identify what kind of political problems may affect ratification. It suggested that cooperation with regional and international organizations be strengthened. For example, UNESCO could ask ISESCO to put on the agenda of one of its meetings the ratification of the Convention for member States in Asia, in Arab States and in Africa. Finally, the delegation proposed a change in document CE/09/3.IGC/211/INF3B indicating that Afghanistan is a member of the South Asian Association for Regional Cooperation (SAARC) and that it ratified the 2005 Convention.

22. The delegation of **Indonesia** announced that its government has taken steps to ratify the Convention. The Indonesian government has translated the Convention text into Bahasa, the country's national language and has also prepared a detailed analysis of the Convention, article by article, along with a prospectus for its implementation. Two governmental meetings have been held to discuss the proposed ratification by Indonesia. The delegation suggested a correction in Document INF.3A so that Indonesia be listed as an Asian nation rather than as a Pacific one.

23. The delegation of **Algeria** announced that its country had ratified the Convention this year. Being part of the culturally-diverse Maghreb region in the Arab world, it wished to reiterate its commitment to promote the diversity of cultural expressions. The delegation noted it would do everything it could to promote the Convention, notably with neighbouring countries.

24. The representative of the **Council of Europe** stated that the organization had been one of the earliest supporters of the Convention through a 2006 recommendation by its Committee of Ministers to all 47 Member States. This recommendation stressed the commonality between the objectives and guiding principles set out in the UNESCO Convention and a number of Council of Europe instruments concerning culture and media. The recommendation also declared that the Council would have due regard to the Convention provisions and contribute to its implementation. The recommendation finally invited Member States to ratify the Convention. Apart from such political support, the Council of Europe was contributing to the Convention's visibility by referring to it in its own work, or vis-à-vis its partners. The representative then said that the Convention was a crucial standard-setting instrument and that it complemented the Council of Europe's own instruments such as the Framework Convention on the Protection of National Minorities or the European Charter for Regional and Minority Languages as well as a range of soft law instruments,

for example, the recent recommendation by the Committee of Ministers on National Film Policies and the Diversity of Cultural Expressions. The Council of Europe also had a number of monitoring mechanisms, methodologies and tools that may be useful for the implementation and monitoring of the Convention, such as the Compendium cultural policy information and monitoring system. The representative then stressed the Council of Europe's dedication to cooperation based on shared agendas.

25. The **Chairperson** asked again whether any NGO would like to take the floor. As there were none, she asked whether Committee members had any specific recommendations on the strategy before it was adopted.

26. The delegation of **China** made reference to the proposal of a thematic debate on the benefits of ratification during the Fourth Ordinary Session of the Conference of Parties to be held in 2013 and suggested that the debate be held earlier. It proposed to change the date to the Third Ordinary Session of the Conference of Parties to be held in 2011.

27. The delegation of **Canada** supported **China's** recommendation to change the date to 2011. As for the format of the discussion, the delegation expressed concerns that a debate on the merits of adopting or not the Convention could give rise to larger issues. It considered that a better format would be a briefing session focusing on the advantages of ratifying the Convention, followed by a session of questions and answers. The delegation said it could accept to have a thematic debate if this was the preferred format. It then presented two additions to the document outlining the ratification strategy: in paragraph 10, the mention of "civil society" should be added in the following sentence: "Parties will define at national, sub-regional and regional levels, together with their National Commissions and focal points, etc." It also proposed the following addition: "The Secretariat of the Convention will endeavour to publish the information kits in downloadable format on the Convention's website. Additionally, efforts will be made to translate these information kits, prioritizing the UNESCO working languages that have not yet been used in the translated versions."

28. The delegation of **Brazil**, taking the floor for the first time, congratulated the Chairperson, the Bureau members and the new Secretary who they considered a highly qualified individual. The delegation supported China's suggestion to hold the debate earlier, at the Third Conference of Parties in 2011, as a means to identify more clearly what can be done to enhance the Convention's visibility and increase the number of ratifications.

29. The delegation of **Mexico** supported the idea of holding the debate in 2013. However, it suggested that instead of holding a thematic debate, the 2011 Conference of Parties could add an item on its agenda to allow States Parties to share their experiences with ratification of the Convention, including best practices and benefits derived.

30. The **representative of the Director-General** said that the idea of holding the thematic debate in 2013 was proposed so that there could be enough time for countries that had ratified to be able to report on the benefits. Replying to Mexico's question about the resources required to hold a thematic debate, she said that the only additional expense would be for interpretation if it was to be held before the Conference of Parties. She then presented the merits of holding this kind of information session. More generally, she considered that it would be a good idea that every Conference of Parties be accompanied by a thematic debate or an information session and that these occasions were great opportunities to have an exchange of ideas between civil society and Parties to the Convention.

31. The **Chairperson** said that the format of the meeting presently being discussed could be flexible enough to incorporate all the elements proposed so far, i.e. an information session where States Parties report on their own experiences, followed by a debate, plus a discussion with civil society.

32. The delegation of **Senegal** considered that the strategy for encouraging ratifications may need to be modified for countries in the South with a stronger oral tradition and also high levels of illiteracy. It also proposed that UNESCO encourage the translation of the Convention into national languages.

33. The delegation of **Laos** said that it saw the value of an information session, but considered that more time was needed in order to avoid having a strategy that would have a “one-size-fits-all” approach. It hoped that other countries of the Asia region would follow the example of Indonesia and underscored the importance of using regional organizations in achieving the goals of the strategy as they were both political and technical by nature and could help to leverage other regional bodies to achieve the goals of the Committee.

34. The delegation of **Germany**, expressing congratulations to the Chairperson, also congratulated the new Secretary and wished her a fascinating and enjoyable experience. The delegation proposed that UNESCO organize information sessions via the Internet as well as through videoconferences so as to reach the broadest audience possible. It also stressed the importance of political meetings within regional groups to promote ratification, a method that has proved very effective in the case of European countries. It said that in the Executive Board and the General Conference, the Committee had seen how political and cultural questions were connected and the German delegation encouraged the participation of ASEAN as well as African regional organizations to help raise the level of ratification. The delegation stated it would be able to provide support in terms of promoting the visibility of the Convention.

35. The delegation of **Tunisia** congratulated the Chairperson and the new Secretary. It supported France’s view that the ratification pace was normal and it said that the process required time. It suggested organizing events highlighting the benefits of the Convention, particularly the cultural aspects. The delegation also underlined the need to identify the international forums where non-signatories are represented. It mentioned that action should be based on information exchange rather just on a thematic debate and stated that UNESCO Field Offices, with their excellent work in doing capacity-building with National Commissions, could be a driving force in the under-represented regions.

36. The delegation of **France** said it was in favour of holding a thematic debate at the Conference of Parties in 2011. It stated that this session could be an interesting starting point and would be different to the one to be held in 2013, because by that later date, the implementation of the pilot-phase of the International Fund for Cultural Diversity would be completed and other specific lessons could be exchanged.

37. The **representative of the Director-General** asked countries to provide resources to translate the Convention and its information kits. She also noted that some delegations requested amendments to the information documents so that countries are presented according to UNESCO electoral groups. The Secretariat would make corrections to the document and ensure that future documents on ratification would be in line with UNESCO’s practice.

38. The **Chairperson** concluded the discussion by indicating that there seemed to be a consensus on the organisation of an information session in 2011. This session could be followed by a debate and dialogue with civil society as was successfully done in the past. She mentioned that the Secretariat would take into consideration all the input provided by the Parties in the organisation of this session.

*Decision 3.IGC 4 was adopted as amended.*

**Item 5 – Implementation of *the International Fund for Cultural Diversity (IFCD): preliminary steps***

**Document CE/09/3.IGC/211/5**

39. The **Chairperson** said that important decisions had to be taken on this agenda item: decisions on the budget and on the appointment of the experts for project evaluations. She said that these were the final decisions needed in order to launch the IFCD. The Committee had to be aware that none of these decisions could be postponed to next year. She added that the contributions to the IFCD received have to be used and therefore it was important to kick-start the Fund and make it possible for countries to implement their projects. She added that it was very important that the Fund become operational.

40. The **representative of the Director-General** referred to the decisions made at the last Conference of Parties about guidelines on the use of the Fund and mechanisms to be set up for the Fund. She also referred to a decision on the 36-month pilot phase (Jan 2009-June 2012) and to the evaluation which would be submitted to the 6<sup>th</sup> ordinary session of the Committee, and thereafter to the Conference of Parties in 2013. She added that the main decisions to be made now concerned the number of members making up the evaluation panel, their working method and budget. Regarding the choice of experts, she recalled that the selection should take into account geographic representation and be composed of either 1 or 2 experts from each region. The document stated that the panel would be composed of either 6 or 12 experts and that a coordinator would be selected from among the members. Another alternative would be to request the Secretariat to choose a coordinator, with the understanding that he/she would be chosen from the lists of experts submitted by the parties in documents CE/09/3.IGC/211/INF.4A and CE/09/3.IGC/211/INF.4A.Add. The representative noted that the Secretariat had received 91 nominations of experts to the evaluation panel from 28 Parties.

41. The **representative of the Director-General** then referred to the budget and said that the Secretariat was proposing a provisional budget for the pilot phase, as detailed in the Annex to Document CE/09/3.IGC/211/5. In this budget proposal, 60% of the funds would be allocated to this pilot phase, calculated on the basis of the amount available in the Fund as of September 2009. At least 51% of this budget for the pilot phase would be allocated to financing programmes/projects. The remainder would go to the *evaluation of funding requests by the expert panel* (30 000 \$US in consultant contracts), to the *cost of country participation in statutory meetings by experts from LDCs* (10 000 \$US) and to the *cost of participation of public or private organizations or individuals invited by the Committee to participate in one of its meetings* (5 000 US\$). She also referred to document INF.4B.ADD, which presented the updated amount of contributions to the IFCD as of 3 December 2009. Total contributions amounted to US\$ 2,132,384, with 15 Parties making contributions. She added that since then, two additional States Parties, Portugal and Denmark, had pledged contributions. She also explained that there was a difference between the total amount of available funds found in the working document versus the amount indicated in the information document and that this difference was due to the fact that the figure found in the working document included the total amount plus interest.

42. The delegation of **Mexico** then asked if the Secretariat could update the information included in the addendum on the background of experts. It pointed out that it had sent additional information which was not included in the Addendum and considered that this information was important in the decision-making process of the Committee.

43. The **Chairperson** stated that the Secretariat had received all the additional information sent by Mexico and that this information could be requested if needed during the process of nominating of the experts to the panel. She also recalled that the adopted operational guidelines for the Fund indicated that the Committee should designate the experts, but not necessarily select them. She added that having the Committee undertake the selection process would require the translation of

all CVs in both working languages and proposed that a more cost-effective way be found such as the Secretariat selecting experts for designation by the Committee.

44. The **Chairperson** then referred to the written amendments proposed by the following group of countries: **Albania, Cameroon, Canada, France, Greece, Lithuania, Luxembourg, Laos, Senegal** and **Tunisia**.

45. The delegation of **Luxembourg** presented the rationale behind the amendments proposed by the above-mentioned list of countries. It said that the objective was to have the maximum amount of money available to spend on concrete projects in developing countries and explained that paragraphs 8 to 11 of their proposed amendments were geared towards that immediate goal. First, the amendment proposal suggested an increase in the amount allocated to the pilot phase, going from 51% of the total amount of funds available to 70%. The reference date to be used for the amount of funds available would be moved to July 2010 instead of September 2009. This would result in having more money to support projects quickly and would send an important message to possible donors. Secondly, the proposed amendment suggested policy guidelines to make sure that a maximum of resources would go to projects in the field: at least 60% of the budget for the pilot phase would have to be allocated for projects/programmes (instead of the minimum of 50% proposed in the Secretariat document), a maximum of 20% would be available for preparatory assistance and a 2% reserve would finance, if necessary, projects/programmes for emergency purposes. This amendment proposal also suggested that the Committee could revise the proposed budget estimates every year.

46. The amendment proposition was then supported, in addition to the above-mentioned co-sponsors, by the delegations of **Germany, Saint-Lucia** and **Brazil**.

47. The delegation of **Senegal** also agreed and indicated that support for projects and programmes was what developing countries needed and wanted.

48. The delegation of **Greece** warned that the Fund should also support the development of institutional frameworks, not just projects whose sustainability needs to be connected to such a framework.

49. The delegation of **China** made the following statement: "China fully supports the idea listed here in paragraph 10: 60% at least for the financing of programmes or projects because that is substantial work we have to do. So we agree that the 20% for the preparatory assistance with a slight amendment that some delegate has mentioned already. Since we have 2% reserve for the financing of special situations, so maybe we could make 20 into 18% and that would make a full percentage. Regarding paragraph 9, we are considering if 70% of the amount available in the Fund will be allocated to the budget for the pilot phase. Since the pilot phase would need to accumulate experiences so it might be wise to allocate less than 70% of the fund for the pilot phase. Then, later on if we accumulate good experiences then we could allocate more funds for the future. But we are not sure if 50% of 60% for the pilot phase".

50. The delegation of **Tunisia** stated that as a country from the South, its main concern was to ensure that as much money as possible go into projects.

51. The delegation of **Germany** supported these proposals and stated that they struck a very good balance between the different approaches. It stated that the proposal sent a political sign while giving the possibility to be as flexible as possible. It also considered that the funding ratio between programmes, preparatory assistance and reserves was appropriate. The delegation added that in order to attract more resources to the Fund, a clear connection to Official Development Assistance (ODA) should be made. It said that this was particularly important in Germany as it is decreed by law.

52. The delegation of **India**, while supporting the proposed budget, said that the Committee should avoid putting the Secretariat in a situation experienced in another Convention in which the money available was not sufficient to evaluate the available projects at a certain point in time.

53. The **representative of the Director-General** replied that the proposed budget seemed adequate and that it was important for the Committee to identify what was compulsory among the other main expenditure items (cost of the panel, participation costs of experts from LDCs, participation costs of private and public bodies). She added that it was up to the Committee to decide how the money is to be spent.

54. The **Chairperson** then proceeded to the adoption of paragraphs 8,9,10 and 11 of Decision 3.ICG 5 as amended.

55. The **representative of the European Commission (EC)** warmly welcomed the new Secretary and announced that the Commission would be starting a joint project with the Secretariat of the Convention, financed by the EC for the implementation of the Convention. The budget for this project would be just over 1 million Euros and would be implemented by the UNESCO Secretariat as part of the framework agreement between the United Nations and the European Commission. The project provides for the set-up of a network of experts from the North and from the South with a view to offering technical assistance for the development and strengthening of cultural policies in developing countries. Experts from the North would be sent on long-term missions to work with colleagues in the South, in countries that are Parties to the Convention and that are already undertaking projects to implement the Convention. The idea is to strengthen capacities and contribute towards sustainability as well as to find ways to achieve synergies with future projects of the Fund. The representative added that technical discussions were still underway with the Secretariat, but a final contract should be signed at the end of March or April 2010, with possible implementation as early as May.

56. The **Chairperson** thanked the representative of the EC for this good news. She then invited the Committee members to move on to the second part of the discussion on the Fund, relating to the designation of a panel of experts that would conduct the evaluation of all projects submitted by States Parties. She said that since there had been a decision stating that the Committee would designate but not select the experts, the Committee had to agree upon a set of criteria that would enable the Secretariat to select the candidates. She added that the Secretariat would go through the list of experts proposed by the Member States and narrow down those who would be designated for a two-year term. She noted that the experts would be up for re-election every second year. Finally, she invited Albania to present amendments co-sponsored with **Cameroon, Canada, France, Greece, Lithuania, Luxembourg, Laos, Senegal and Tunisia**.

57. The delegation of **Albania** was given the floor. Before making the following statement, she congratulated the new Secretary and wished her every success in her new duties:

“On behalf of the co-sponsors, I would like to submit amendments concerning the eligibility criteria for experts wishing to become members of the panel. These amendments are meant to support the Secretariat document and to facilitate both the work of the Secretariat in selecting the experts and the work of the Committee, in charge of nominating panel members. The Guidelines on the use of the resources of the Fund, approved at the last Conference of Parties, do not contain information on the profile or level of expertise required of the experts. For this reason, the Francophone group considered it useful to establish clear and reliable eligibility criteria to guide the selection of experts. The primary goal of these criteria is to ensure the quality of the evaluation procedure. Secondly they aim to eliminate potential conflicts of interest to ensure that the panel's recommendations are reliable, fair and impartial. More specifically, we have agreed that having several years' experience at the national and the international levels in cultural policies and cultural industries – the areas covered by the Convention – is essential. In addition, good command of one of the two working languages and good understanding of the other is necessary to evaluate proposals (which will be presented in English or French). Concerning the notion of “conflict of interest”, we are convinced

that holding more than one position should not be allowed: the same person cannot sit on a panel of experts and represent a country or organization vis à vis the governing bodies of the Convention. It is important to note here that experts do not represent a country; they sit on the panel in a personal capacity. They will be selected based on their proven skills and the complementarity of their expertise, not on their nationality.

Concerning the two options proposed by the Secretariat, we have chosen option A: a six-member panel composed of an expert from one of the State Parties in each of the six regional groups. We also believe that each project should be evaluated by at least two members of the panel. Before concluding, I would like to point out that we are presently in a trial period, in which perfect solutions do not exist. Despite this, solid work methods should be established now, even if it is necessary to modify them later according to the results achieved.”

58. The delegation of **China** presented its own amendment. The criteria about language skills would read as follows: “Excellent writing skills in one of the two languages of the Organization are essential, and a good understanding of the other working language is **desirable**”. The delegation explained that linguistic skills were a technical issue and that participation of experts from various regions was most important. The delegation wished to not exclude non-English speaking and non-French speaking countries. Also, China’s amendment proposed that the panel be composed of twelve experts rather than six, and that each UNESCO region be represented by two experts coming from two different countries within the region. The logic would be to ensure more participation and also encourage more countries to participate and ratify the Convention.

59. The delegation of **Kenya** said that it may be useful to clarify the term “diploma”, because in Kenya and possibly in other countries, a diploma is not equivalent to a university degree. It also suggested rephrasing part 5.C of the amendment presented by Albania so as to merge the two references to paragraph 15.3 of the Operational Guidelines. The criteria would then read as follows: “the panel is appointed on the basis of the criteria of equitable, geographical representation as well as complementarity of expertise”. The Chairperson later indicated that all Committee members seemed to agree on the merging of these two criteria.

60. Concerning the language requirements for the experts, the delegations of **Mexico** and **Kenya** supported the wording proposed in China’s amendment, asking for more flexibility in the required knowledge of the second language. On the other hand, the delegations of **Croatia**, **France** and **Canada** supported the initial wording presented by Luxembourg. As a means to reach a possible compromise, the delegation of **France** proposed using the terms “a good understanding of the other working language is **highly** desirable”. This proposal was supported by **Luxembourg**, **Germany**, **Albania** and **Canada**. The delegation of **India**, supported by **China**, said that if “highly” was to be added, the term “good” should be deleted in order to reach a compromise between the different positions. The delegation of **Mexico** proposed the following wording: “a sufficient understanding of the other working language is **highly** desirable”. This proposition was adopted by all Committee members.

61. The delegation of **Canada** added that the question of the language spoken by the coordinator seemed even more important and that this person should have excellent command of both languages.

62. The **Chairperson** said that the Committee could not afford to translate in two languages all the projects that it would be receiving.

63. The **representative of the Director-General** said that the ideal situation would be to make sure that each panel member is working in his/her own language of preference and reviewing the appropriate projects. She noted that the panel members would also need a sufficient understanding of the discussion that might take place in either English or French. She said that there would be no problem as long as the panel member would not be relying on translation.

64. Concerning the best way to express the idea of professional qualifications, the **Chairperson** proposed the term “University Degree”. The amendment would then read as follows: “the CV should demonstrate that the experts possess a university degree and pertinent professional experience of several years in the field of cultural policy and cultural industries at both the national and international level”. This proposal was adopted by all Committee members.

65. The **Chairperson** noted that the language issue, as rightly said by Canada, could be facilitated by the coordinator if this person is able to communicate in both languages. This could then make up for any communication problems within the panel. She invited observers to the Committee to take the floor. No requests to speak were made by non-States Parties, IGOs or NGOs. She then returned to further requests made by members of the Committee and to discussions on the number of experts on the panel.

66. With regard to the number of experts, the delegations of **Laos, Germany, Croatia, France, Canada** and **Brazil** supported **Luxembourg’s** comments about the limited resources of the Fund and the advantages of starting with a panel of six rather than twelve.

67. The delegation of **Croatia** added that Document CE/09/3.IGC/211/5 clearly stated that this was only a pilot phase. It further mentioned that the Committee would be happy to revisit the number of experts and the organization of the panel if the amount and number of projects of the IFCD would come to expand. The delegation also wished to congratulate the new Secretary on her appointment. Acknowledging her previous work, the delegation said that she would contribute greatly to the work of the Committee and the Convention as a whole.

68. The delegation of **France**, on behalf of the EU committee members, said that it was in favour of having six experts and not twelve. It also said that it favoured the option of having two experts assessing each project submitted to the Fund.

69. The delegation of **India** declared, in supporting China, that it “strongly believes that a Convention of this importance should have twelve representatives”. It said that the transparency and democratic character of the panel should be the primary concern rather than the financial aspect.

70. The delegation of **Luxembourg**, later supported by **France**, stated that the primary concern should be that the panel work effectively and that it should be representative. It argued again that this could be done with a panel of six experts and that the number could be doubled if the panel became overloaded with project proposals.

71. The delegation of **India** indicated that having a six-member expert panel had already been experienced at UNESCO in the 2003 Convention for the Safeguarding of Intangible Cultural Heritage (ICH). Members of this expert panel had complained about the excessive workload and had suggested to increase the number of experts. It added that because the Asia/Pacific region was culturally very diverse, the idea of having only one expert from this region was unacceptable to India and China. The delegation of India suggested that this specific point be put into brackets until the next day.

72. The **Chairperson** accepted to postpone the discussion of this specific point until the next day of the meeting. She then invited the representative of the Director-General to speak about the role and responsibilities of the expert panel coordinator.

73. The **representative of the Director-General** presented different options regarding the coordinator’s role. She mentioned that the draft operational guidelines on this subject proposed that the coordinator be chosen from among the panel members and that if a disagreement would arise between two evaluators of a project, the coordinator would give the final recommendation. If twelve experts were appointed, it would be necessary to see if the coordinator would then also have a casting vote. She asked the Committee members to give their opinion on whether a

coordinator was needed and if so, how this person should be chosen and what responsibilities he/she should have.

74. The delegation of **India**, later supported by **Germany**, stated that the management of the panel should be left to the experts once they were designated. It said that the panel, whether composed of six or twelve members, could come back to the Committee later on in the process with suggestions on how to improve the functioning of their work, including the possibility of giving the Coordinator an extra casting vote.

75. The **Chairperson** said that there was now a consensus on the idea that the panel would select the coordinator from its own members and that further clarifications about his/her role and responsibilities were not needed at this point. She then said that this part of the decision could be considered adopted, except for the part left in brackets concerning the number of experts. She then turned to the selection procedure and informed that the Committee members would have to choose by the end of this meeting 6 or 12 experts from the list found in document CE/09/3.IGC/211/INF.4A and CE/09/3.IGC/211/INF.4A.Add. This list was compiled on the basis of experts put forward by the States Parties and were organized according to UNESCO electoral groups.

76. The delegation of **India**, noting the low number of experts from electoral group IV, asked whether there was still time to submit names of experts and stated that it seemed illogical for the Secretariat to ask for expert candidatures before the selection criteria had been established. The **Chairperson** said that new candidatures would be accepted until the start of the second day of this meeting.

77. The next day, going back to the section of the decision that had been left in brackets, the **Chairperson** asked whether the Parties had reached a possible agreement regarding the number of experts.

78. The delegation of **Mexico**, supported by **India**, proposed that in addition to the six experts on the panel, six alternate experts could be chosen. This option would enable a larger participation of experts from various countries and would provide substitutes in case a member of the expert panel would be unable to undertake his/her duties.

79. The delegation of **France** stated that while it preferred the initial option of having only six experts, the option of having 6 alternates was interesting and could be accepted.

80. The delegation of **China**, later supported by **India**, said that after the two-year pilot phase, the number of experts should be increased to twelve.

81. The **Chairperson** asked the delegations to be flexible and said that in her view, there was no need to commit now to increase the number of experts in two years since there would be a review process of the pilot phase and the number of experts would be re-evaluated.

82. The delegation of **India** then said that it could accept the Chairperson's proposal as long as there was a specific mention in the decision of the need to re-evaluate the number of experts at the end of the pilot phase. It explained its demand by saying that it wished to avoid having a floating period between the end of the mandate of the first six experts and the moment when the evaluation would be conducted.

83. The delegations of **France** and **Greece** stated they wished to avoid a wording that would place the question of the number of experts as the main priority in the general evaluation of the IFCD pilot phase, because there would likely be many other important issues to be addressed. The delegation of **Luxembourg** said that the mandate given to the experts was for 2 years, meaning that a discussion on the format of the expert panel would nevertheless take place.

84. The delegation of **Mexico** said it understood India's concern and so proposed that the Chairperson make sure that these concerns be reflected in the summary records.

85. The **Chairperson** agreed to take note of India's concerns and wished to have the following statement duly recorded: "In two years, we are going to look at the work of this panel and we are going to see if the workload is convenient or not for six experts- that is, we are going to discuss whether this has worked or not and whether we should move to a higher number of experts or not. After this biennium period when the [experts] mandate is over, we will have a discussion on whether the number of experts is convenient for the work that has been given to them."

86. The **Chairperson** then invited committee members to adopt the decision paragraphs relating to the experts. An exchange of views on the final wording of the decision followed, during which the delegation of **Jordan** asked for clarification on how the alternate experts would be chosen. The **Chairperson** stated that the alternates would be replacing experts from the same region and that the criteria of geographic distribution, expertise and academic qualifications would apply to the alternate experts as well.

87. On the next day of the session, the **Chairperson** invited the **Secretary of the Convention** to present the names of the six members of the expert panel and of the six alternates. The Secretary first emphasised that the criteria adopted by the Committee in the selection of experts was observed by the Secretariat in reviewing the CVs of over 100 candidates. The following criteria were applied: expertise in the fields of cultural policy and/or cultural industries; national as well as international experience and perspectives; possession of a university degree; excellent writing skills in one of the two working languages of the Organization (essential) and sufficient understanding of the other working language (highly desirable). The expert panel should not come into any conflict of interest when evaluating projects and therefore the Committee decided that an expert can not be a representative of his/her country in the Committee or Conference of Parties, including NGOs and INGOs.

88. The **Secretary of the Convention** then presented the list of experts for each electoral group: Mr Ferdinand Richard (France) for Group I, Ms Baiba Tjarve (Latvia) for Group II, Ms Rosalia Winocur Iparraguirre (Mexico) for Group III, Mr Li He (China) for Group IV, Mr Kokou Koami Denakpo (Togo) for group Va, Mr Khamis Alshamakhi (Oman) for group Vb. She then presented the list of alternates for each electoral group: Mr Bernard Boucher (Canada) for Group I, Mr Marek Adamov (Slovakia) for Group II, Mr Ricardo Nudelman (Mexico) for Group III, Mr Madhukar Sinha (India) for Group IV, Mr Jean-Claude Dioma (Burkina Faso) for group Va, Mr Abdelwahab Shamseldin (Egypt) for group Vb.

*Decision 3.IGC 5 was adopted as amended.*

## **Item 6 – Draft operational guidelines on measures to increase the visibility and the promotion of the Convention**

### **Document CE/09/3.IGC/211/6**

89. The **representative of the Director-General** introduced the document by recalling that at the 2<sup>nd</sup> Extraordinary Session of the IGC in March 2009, the Committee had asked that guidelines on visibility and promotion be drafted (even though it was not a specific article of the Convention) and be closely linked to the strategy for encouraging ratifications and to the strategy to mobilize resources for the International Fund for Cultural Diversity. The Committee had also asked the Secretariat to consult Parties and civil society on this subject, which led to the elaboration of a questionnaire to gather their ideas and feedback. The Secretariat received 33 replies from States Parties. Through the NGO/UNESCO Liaison Committee, the Secretariat had also received a consolidated response from the following NGOs: International Federation of Coalitions for Cultural Diversity (IFCCD), International Institute of Theatre (ITI), Observatory of Cultural Policies in Africa

(OCPA) and Traditions for Tomorrow. A compilation of responses is presented in document CE/09/3.IGC/211/INF5 and is available online. The representative of the Director-General added that all this input had been taken into account when drafting the operational guidelines presented in Document CE/09/3.IGC/211/6, which contained a series of measures that could enhance visibility. She then mentioned that proposals concerning the emblem for the Convention had been made because States Parties had indicated in their questionnaire responses that they considered it to be necessary to have an emblem. Proposals were made on the basis of experience by the 2003 Convention for the Safeguarding of Intangible Cultural Heritage (ICH).

90. The delegation of **Canada** presented main components of proposed amendments that were co-sponsored by **Albania, Cameroon, France, Greece, Lao People's Democratic Republic, Lithuania, Luxembourg, Senegal** and **Tunisia**. These amendments referred to measures that Parties can implement, UNESCO's role and that of the Secretariat, to enhance the visibility and promotion of the Convention. The delegation of Canada also referred to the proposal to develop and create a logo or an emblem and considered it too early to discuss this issue. A feasibility study and cost estimate for a Convention emblem was proposed. Therefore, no decisions were to be made about the use of an emblem; the proposed guidelines rather suggested that a feasibility study on this matter be conducted first.

91. The delegation of **India** agreed that the use of the emblem should not be discussed at this session. She said that the Committee should authorize the Secretariat to investigate the process of creating an emblem and then make a proposal to the Committee at its next meeting. The delegation mentioned that this process should be transparent, should involve an international competition and that the Committee could learn from the challenges experienced by the ICH Committee in the process of creating an emblem.

92. The **Chairperson** said that the discussion on the use of the emblem would not take place at this meeting and suggested to keep the discussion focused on the first part of the document relating to measures aimed at increasing the visibility and the promotion of the Convention. A general round of comments was opened, to be followed by a more specific explanation of the proposed amendments by Canada.

93. The delegation of **Mexico** began by asking why the paragraph containing the mention of coordination between National Commissions and public authorities had been deleted in the amendment proposal.

94. The delegation of **France**, on behalf of the European Union Member States stated that it had co-sponsored the proposed amendments made by Canada. The delegation also wished to draw the Committee's attention to a paragraph that had been added which underlined the importance of the role of the Secretariat and measures it could take to enhance the visibility and the promotion of the Convention. Replying to Mexico's previous question, it said that the mention of the coordination with national commissions could now be found in the newly modified paragraph 4.1.

95. The delegation of **Brazil** stated that it wished to emphasise the importance of messages communicated about the Convention in order to raise its visibility. It suggested that emphasis be placed on the principles of dignity and equal respect for all cultures and on promoting the 2001 UNESCO Universal Declaration on Cultural Diversity.

96. The **Chairperson** then made the following remarks: "We have to be very cautious here. The Declaration has nothing to do with the Convention. The Convention only looks at three or four paragraphs from the Declaration and we may be straying beyond our remit. I am not sure that within the framework of the Convention, we can promote the visibility of the Declaration".

97. The floor was then opened to States Parties and other observers wishing to make comments.

98. The delegation of **Canada** was then asked to present a detailed explanation of the proposed amendment. It said that the amendments mostly aimed to clarify the draft operational guidelines and to make the document more user-friendly. The delegation mentioned that some proposed changes highlighted the importance of coordination between Member States through bilateral initiatives. The delegation did not think it was necessary to have a reference to interministerial working groups but rather to coordination structures in order to highlight the importance of local and national policies in the field of cultural expressions. The amendments also proposed the deletion of the reference to the “friends of diversity club”. Important additions to the original guidelines were new paragraphs about awareness-raising activities with young professionals as well as measures the Secretariat can take to enhance the visibility of the Convention. The latter included asking the Secretariat to: a) collect and distribute information on the Convention, b) develop tools to disseminate the key messages, c) facilitate the organization of workshops, seminars or conferences in order to raise awareness about the Convention, d) underscore the importance of the Convention in international celebrations, e) publicize projects and activities carried out in the framework of the Fund, f) include a module on the Convention and its implementation in the training foreseen for UNESCO scholars and interns. The delegation also emphasized the active involvement of civil society to contribute to the visibility of the Convention through awareness-raising activities.

99. Following this presentation, the meeting was adjourned to give members time to reflect.

100. The **Chairperson** opened the meeting on the next day by asking whether there were NGOs who wanted to take the floor.

101. The representative of the NGO **United Cities and Local Governments** (UCLG) highlighted the fact that local governments were in a favorable position to translate global objectives into action at the local level and were therefore key partners, in particular in achieving visibility and promotion of the Convention. The representative drew the Committee’s attention to the ratification by 350 local governments of Agenda 21 for Culture, which was considered the first document whereby local governments made commitments favoring cultural development. The representative also said that a cooperation agreement between UNESCO and ULG had been signed on 21 May 2007. She announced the launch of a fund that would target projects to be implemented in Agenda 21 signatory cities in Latin America, Africa and the Mediterranean. The representative of ULG said that the City of Barcelona was leading the implementation of this fund in collaboration with ULG and with the financial support of the Spanish Agency for International Cooperation and Development.

102. Turning to the amendment proposal, no other NGO asked to take the floor and the delegation of **Brazil** asked for the floor. It posed the question whether it would be useful to identify key messages relating to visibility or to add a reference to the objectives and guiding principles of the Convention as listed in Articles 1 and 2 of the Convention. The delegation of **Greece** suggested that these key messages be listed in an annex that would be added to the operational guidelines on visibility. The delegation of **France** then proposed to merge the reference to the objectives and principles of the Convention to the first paragraph of the amendment proposal, in the “General Considerations” section. This proposal was accepted by all Committee members.

103. The delegation of **Croatia** then asked why the reference to encouraging cooperation between National Commissions and public authorities including the social, environmental, economic and taxation sectors had been deleted in the section about measures by Parties at the national level. A debate followed as to the best way of incorporating this reference into the new paragraph 4.1, with different wording options presented by the delegations of **Mexico, Laos, Senegal, India, France, Canada, Tunisia** and **Kenya**. A consensus was reached on the following wording: “informing and mobilizing political decision-makers, opinion leaders in all different sectors, civil society and National Commissions and encouraging coordination between them in order to strengthen inter-institutional cooperation and dialogue.”

104. The delegation of **Brazil**, supported by **India**, proposed to add a mention of civil society in paragraph 4.2 about the partners that could be supported by Parties in the design of awareness-raising activities. The delegation of India then suggested to slightly modify this paragraph by deleting the word “all” in the following passage: “supporting the design and implementation of **all** public and private sector initiatives taken to promote and to raise awareness of the diversity of cultural expressions.” The delegation of India justified this wording by saying that it could not commit to support all initiatives of these sectors. This proposal was accepted by all Committee members.

105. In the paragraph about the measures aimed at fostering media campaigns, the delegation of **Germany**, supported by **Tunisia**, suggested adding a specific mention about public service broadcasting as it was one of the sub-articles of the Convention. The delegations of **Canada**, **Brazil** and **Mexico** said that this was not necessary because the media campaigns could be supported by all forms of media, be they public or private. The delegations of **Mexico**, **France** and **Cameroon** made suggestions to improve the wording of this paragraph.

106. Regarding the communication tools mentioned in the former paragraph 5.5, the delegation of **India** preferred the term “local language” rather than “language accessible to all” in the following text: “facilitate access to communication tools related to the Convention using language accessible to all and posted online to facilitate access by young people”.

107. The delegations of **Canada**, **Albania**, **France**, **Greece** and **Laos** made comments to propose a wording that would avoid referring to a specific language and that would rather suggest the format or style of this language, which should be accessible to all. The delegation of **Albania** wished to avoid repetition of the word “accessible”. The delegation of **Germany** suggested deleting the mention of “young people” to avoid having a discriminative approach. The delegation of **Mexico** said that no emphasis should be put on the availability of online tools because a big proportion of the world population did not have access to Internet. Various wording options were proposed by **Tunisia**, **Mexico**, **Kenya**, **France**, **Albania**, **Germany** and **Senegal** to take into account the above-mentioned concerns. The **Chairperson** suggested ending the sentence before the mention of “facilitating access by young people”. Questions were also raised about whether the idea of this passage was to facilitate the development of new tools or make available the ones that already exist. A final wording was adopted as follows: “facilitating the availability of communication tools related to the Convention accessible to all and also available on the Internet.”

108. The **Chairperson** then asked the delegation of Canada to clarify its proposed amendment to include a direct reference to Article 19 (Exchange, analysis and dissemination of information). The delegations of **Canada** and **Albania** said that in their reading, Article 19 was intimately linked with the Convention’s visibility. The delegation of **India**, supported by **Saint Lucia** and **China**, proposed to delete this reference, stating that “it was too premature to make a reference to the implementation of Article 19 at this stage”. The **Chairperson** added that there was no article in the Convention dealing with visibility and therefore it was not necessary to include a link to Article 19 at this stage. All Committee members then agreed to delete this reference.

109. The delegation of **Mexico** requested clarification on the following proposed amendment: “include a module on the Convention and its implementation in the training foreseen for UNESCO scholars and interns”. The delegation of **Canada** said that this passage related to a text from the Convention on Intangible Cultural Heritage. After the **representative of the Director-General** explained that there were no official training modules provided to interns or scholars, the delegation of **Canada** proposed to delete this passage.

110. The delegations of **India** and **Mexico** suggested reinserting in paragraph 9 the mention of “designated points of contact” and “National Commissions”, which had been deleted in the amendment proposal. This proposal was accepted by the Committee.

111. The **Chairperson** presented two amendment proposals on the use of an emblem, one presented by the Francophone group and another by India. The amendment proposed by the Francophone group requested a feasibility study and a cost analysis of the creation of an emblem and recommended that the Secretariat present draft operational guidelines on the use of such an emblem at the next session of the Committee.

112. The amendment from **India** proposed that the Committee decide now at this present session to agree on: 1) the principle of creating an emblem, 2) the principle of having an open international competition and 3) establishing a subsidiary body for the selection process at the next session of the Committee. The delegation of **China** stated it fully supported the amendment proposed by India.

113. The delegation of **Germany** then asked what would be the role of the subsidiary body proposed by India. The delegation of **India** later replied that this body would only focus on the emblem and would not deal with other matters.

114. The delegation of **France** mentioned that the Committee could certainly agree on the proposal to launch an international competition and on the principle of creating an emblem. However, the latter may not be as necessary as in other Conventions. It also stated that the two amendment proposals from Canada and from India could probably be reconciled, bearing in mind that a feasibility study and cost analysis were definitely necessary.

115. The delegation of **Canada**, supported by **Saint Lucia**, said that the creation of an emblem should be discussed within a global strategy on visibility. It said that it would be important to be aware of the costs involved in the process to create an emblem because choosing a costly option could mean attributing less money to other visibility initiatives. Furthermore, a decision to establish an emblem immediately, without such information would seem premature. The delegation of **Senegal** also made comments underlining the importance of placing the issue of the emblem within a broader strategy on visibility.

116. The **Chairperson** said it could be useful to consult the Secretariat of the 2003 Convention for the Safeguarding of Intangible Cultural Heritage (ICH) to find out how much the international competition had cost. She added that it would also be interesting to look at alternative options for the emblem selection process.

117. The delegation of **India** said that while the Secretariat had not previously received the mandate of proposing an emblem, it was now the appropriate time for the Committee to decide to create one. It stated that the Convention risked losing its flavour and was further handicapped by the fact that the contributions to the IFCD were not compulsory. The delegation welcomed the idea of a feasibility study, adding that if the option of an international competition proved costly, the Secretariat could turn to extra-budgetary funding. It said that the subsidiary body charged with organizing the selection process would only be created at the next session of the Committee. The delegation also stated that according to their experience in UNESCO, the only possible selection mode for an emblem was through an open international competition.

118. The **Chairperson** said that in light of India's explanations, she now considered that the two amendment proposals could be reconciled because nothing would start before the completion of the feasibility study and cost analysis. She then asked the Secretariat to give some explanations about other UNESCO experiences in selecting an emblem.

119. The **representative of the Director-General** said that the selection process proposed by India was the same as the one adopted for the 2003 Convention. She added that she would obtain the information requested by the Chair concerning other UNESCO experiences in selecting an emblem. She also listed three different types of competition that could be used in the selection process: 1) an open international competition, 2) a competition managed by a sub-committee of the Intergovernmental Committee or 3) a competition organized by the Secretariat.

120. The delegation of **Kenya** said that it supported India's amendment, but wished to have more details on the alternative options for the selection mode.

121. The delegation of **India** said the option of an international competition does not need to be expensive. In the case of the ICH Convention, the emblem proposals had all been submitted by email and members of the selection panel had been able to work from home. The delegation then asked the Legal Advisor whether an international competition was the only acceptable mode of selecting an emblem.

122. The **Legal Advisor** said that there had been no international competition for the World Heritage Convention and said that in his view, there was not only one acceptable selection mode for an emblem. The **Chairperson** then asked the Committee members to discuss a possible compromise over lunch.

123. The delegation of **Canada** presented a new amendment on the creation of an emblem that aimed to reflect a compromise position acceptable to all. This amendment proposed: 1) that the Committee decide in principle to create an emblem 2) that the Secretariat provide the Committee with a feasibility study and cost analysis, including different options, on the creation of an emblem and 3) that the Committee agree on an open and transparent selection process for the emblem.

124. The **Chairperson** asked the Legal Advisor whether the Committee could decide in principle to create an emblem before having this recommended first by the Conference of Parties. The **Legal Advisor** said that this would not be a problem because the actual decision would be taken at the Conference of Parties.

125. In an attempt to find the best wording for this decision, the delegation of **Mexico** said it wished to add mention of the "principles" of the Convention. The delegation of **India** suggested a slight change in the wording to add the mention of the "option of an open competition based on wide publicity", that could avoid the possibility of only one artist making a submission as had been the case for the 1972 Convention. The delegation also suggested deleting paragraph 7 about the "open and transparent selection process", which did not seem necessary. The delegation of **Germany** supported deleting this passage. The final wording of this section of the decision was then adopted as follows:

*"5. Decides, in principle, to create an emblem in order to support its activities and those of the Parties in promoting the principles and objectives of the Convention.*

*6. Invites the Secretariat to provide the Committee at its next session with a feasibility study and cost analysis for the creation of an emblem for the Convention, including different options, such as the option of open competition based on wide publicity as well as preliminary draft operational guidelines governing the use of the emblem of the Convention."*

*Decision 3.ICG 6 as a whole was then adopted as amended.*

126. The representative of the **Swiss Federal Office of Culture of Switzerland** took the floor to present a brochure entitled "Cultural Diversity is More than a Slogan" about a collaborative project on the implementation of the Convention in Switzerland. The representative said that this White Book contained proposals from over 60 specialists and cultural practitioners and was divided into eight sectors: theatre, cinema, the media, literature, music, international cooperation, visual arts and education. These proposals had facilitated a dialogue between cultural organizations and public administrations and were likely to be translated into concrete projects. The brochure is available in French, English and German.

127. The representative of the **International Federation of the Coalitions for Cultural Diversity**, also speaking on behalf of the International Network for Cultural Diversity, the International Institute for Theatre, the International Council for Music, the European Broadcasting Union, Traditions for Tomorrow and the NGO-UNESCO Liaison Committee, welcomed the

progress made in implementing the IFCD and thanked the Parties who had made contributions. The representative lamented the insufficient number of contributions, recalling that only 17 signatory countries out of the 103 had provided funds. He also welcomed the Director General's initiative to encourage governments to contribute at least 1% of their contribution to UNESCO to the IFCD. He then called on Parties to make contributions on a regular basis, which was the only way to ensure that funds would be available for projects. He finally asked the Committee members to act in accordance with the stated objective of the Convention to foster international cooperation and recognize the importance of contributing to the IFCD.

## **Item 7 – Preparation of the operational guidelines on measures to promote information sharing and transparency**

### **Document CE/09/3.IGC/211/7**

128. The **representative of the Director-General** introduced the document by reminding the Committee members that the second session of the Conference of Parties held in June 2009 had requested the Committee to prepare operational guidelines on measures to promote information sharing and transparency. She also said that Article 9 of the Convention provided for Parties to submit a written report every four years on measures they have taken to implement the Convention, to promote and protect the diversity of cultural expressions on their territory and at the international level. This Article also stipulates that Parties must designate points of contact responsible for information sharing. She added that as of 8 December 2009, 38 parties out of 104 had provided the names of their points of contact. Regarding the preliminary discussion at hand, she said that the debate should try to define the format and the content of the reports as well as the modalities of their transmission. She reminded the Committee that the operational guidelines in Article 11 on the role of civil society explicitly state that civil society is to make a contribution and input to these reports. States Parties reports are to be presented by the Committee to the Conference of Parties.

129. The delegation of **Luxembourg**, on behalf of the European Member States which are members of the Committee, said that it disagreed with the option of regional groupings for the delivery of the reports. It said that it would be more respectful of the spirit of the Convention if reports would be submitted according to the date of ratification, which would enable a fruitful exchange of experiences from different regions. The delegation said it would have liked the Secretariat to prepare a canvas of the reporting format. It added that the idea of holding a meeting of experts in 2010 on the reporting format seemed complicated and mentioned that the people designated as points of contact were not necessarily the ones most suited to discuss this topic. As for the format of the reports, the delegation suggested that the reports be concise, user-friendly and practical so that they can become useful working documents in the future. Concerning the content of the reports, the delegation proposed a thematic approach rather than a listing of all the measures relating to the relevant Convention articles, for example, the theme of cooperation as one of the most important aspects of the Convention.

130. The delegation of **Canada** said that the content of the reports should focus on all Articles of the Convention, not only on some. It stated that the examples of good practice in cultural policies and measures that had been shared at the second Conference of Parties could be an example of the type of information to be included in the reports. The delegation suggested that the operational guidelines be simple and straightforward so as to encourage participation and gather comparable results. It also invited the Secretariat to prepare a canvas on the format of reporting for the next session of the Committee. The delegation considered that organizing a meeting of experts to determine the format and content of the reports was not necessary, in particular because of the cost of such a meeting. It further suggested that that the reports follow the chronological order of Articles and that when describing their measures, the Parties take account of the following five key points: a) What? the measure does, is its field of scope, its aims and objectives b) Why? this measure was taken, c) What? are the problems that have been identified, d) How? When? the measure was implemented and e) What resources were earmarked to implement the measure.

The Committee should not ask for too much information that perhaps not all States Parties can provide. The delegation also supported the regular receipt of reports outlined in Option 2.

131. In response, the **Secretary of the Convention** explained a new timetable for reporting that had been circulated to the Committee members and the reporting process as follows: Parties submit their reports to the Secretariat, these are received by the Committee and then are submitted to the Conference of Parties. The new timetable is based on the approach that Parties submit their report 4 years after the date when their country ratified the Convention. As the format of the reports will only be adopted at the next Conference of Parties in 2011, the Committee would receive first reports in 2012. These reports would be submitted by countries that had ratified by 2007. This means 37 countries. The Table attached in the document distributed to the Committee outlines the newly proposed schedule.

132. The delegation of **Laos** expressed its concern that his country would not be able to report on many measures because it had just started the process of implementing the Convention. It considered that many other least developed countries were probably also at this early stage and were having difficulties implementing all the articles of the Convention. The delegation welcomed the idea of having four years after ratification before submitting the first report.

133. The delegation of **Mexico** also proposed that the reports be clear and concise. It considered that drafting national reports would require an enormous amount of coordination between various ministries, civil society, opinion leaders and other stakeholders. The delegation believed that it is important that the Committee ask itself what it wants the report for: is this a simple reporting process or an exercise in sharing information between the States Parties to help everyone move forward in the implementation of the Convention? It was suggested that the Committee avoid requesting exhaustive lists of measures and policies for States Parties because this would become difficult to assimilate and analyse. The delegation supported the idea of having the content of the reports organised by theme. In response to Laos's previous remarks, it suggested incorporating this initial set of questions: 1) What are the experiences of your country in implementing the Convention and 2) What have been the main challenges encountered when implementing the Convention? It also agreed that the reporting timetable presented by the Secretariat appeared to be a very good option.

134. The delegation of **France** said that Parties should aim for reports that would be useful and that would not end up at the bottom of a pile and soon forgotten. For these reports to become a valid exercise of exchange of information and a basis for international cooperation, they should employ a format that can be used by all States Parties. A section should be included that asks Parties to report on the difficulties they have had in implementing or interpreting Articles of the Convention. The delegation therefore considered that there should be a specific section of the form where States Parties could outline these difficulties.

135. The delegation of **Lithuania** said it supported Luxembourg's previous comments and highlighted the importance of having a good format and clear questions for the report. Without these elements, it is likely that many countries would give up and never complete the reports. The report should not be like a quiz that requires endless amounts of time.

136. The delegation of **Croatia** supported Lithuania's remarks and added that it would be interesting to study existing formats in order to develop the best possible questionnaire.

137. The **representative of the Director General** then suggested that the Committee members elaborate a little bit more on the notion of thematic reporting and propose specific themes that should be addressed.

138. The delegation of **China** suggested determining some indicators in the report so that yearly comparisons could be done regarding the status of cultural diversity within a country. It also

supported what had been said earlier about the importance of having a simple and concise format for the reports, which would enable more countries to fulfil the task.

139. The **Chairperson** said that one of the themes that could appear in the reports would be good practices. She added that determining criteria for good practices would help to develop comparable levels of information.

140. The delegation of **Mexico** then proposed that the first round of reports focus on the challenges encountered by States Parties in implementing the Convention. It mentioned that it could be possible, without directly referring to the articles of the Convention, to address other important points, for example how educational programmes on the implementation of the Convention are carried out.

141. The delegation of **Luxembourg** supported Mexico in its recommendation that the approach should be thematic rather than entirely exhaustive. It also considered that having a common approach to presenting best practices would be helpful.

142. The **Secretary of the Convention**, referring to the question of the methodology of the reports, said that it would be interesting to adopt a mixed approach, using both indicators and themes. She mentioned that there were many themes that appeared in the operational guidelines and that had been identified as important by the Committee over the years, for example the integration of culture into development policies. She added that the idea was not to create a series of indicators that would rigidly compare countries, but rather to create a framework enabling comparative understandings between countries of various trends, difficulties, success stories, policy measures and programmes to implement the Convention. This exchange of information could inspire developments in other countries. She also said that it should be understood that this would be an evolving process and it is to be accepted that not all countries would be able to answer every question at this stage.

143. The delegation of **France** strongly supported the approach outlined by the Secretary of the Convention and underlined that these reports should become working tools, not just piles of paper.

144. The delegation of **China** proposed to establish a balance between compulsory questions which would enable comparisons based on shared indicators and optional questions that would leave some flexibility to the countries and would provide opportunities to express their uniqueness.

145. The **Chairperson** asked if any observers would like to take the floor on this issue.

146. The delegation of **Norway** stated that the main objective of States Parties reporting to UNESCO should be to provide information on the implementation of the central provisions of the Convention, in accordance with the Operational Guidelines of these provisions. It welcomed the idea of having a mixed methodology. It also said it supported proposals for clear and concise format of reporting and welcomed the Secretariat's idea of linking the report to Articles 6, 7, 8, 11, 14 and 16. The delegation also suggested incorporating Article 19.1 into the report. She mentioned that a section on the challenges in implementing the Convention could very well be combined with reporting on certain Articles. Norway supported the proposal for the submission of reports starting four years after ratification.

147. The delegation of **Greece**, responding to China's proposal, considered it might be too premature at the moment to develop compulsory indicators for the reports. The delegation said that from its own experience, gathering this kind of data represented very intense institutional efforts that might prove impossible to undertake for some countries.

148. The delegation of **Kenya** suggested that the Secretariat provide more information on what kind of report could be useful, drawing on examples of other cultural Conventions.

149. The delegation of **Indonesia** stated its agreement with the suggestion to keep the report format simple and useful as well as using it as an information sharing tool. It also supported the idea of accepting that some countries would not be able to reply to all questions.

150. The representative of the **International Federation of the Coalitions for Cultural Diversity**, also speaking on behalf of the International Network for Cultural Diversity, the International Institute for Theatre, the International Council for Music, the European Broadcasting Union, Traditions for Tomorrow and the NGO-UNESCO liaison committee, appealed to States Parties to support civil society's participation in the promotion, exchange and preparation of reports in conformity with Article 11. The representative reminded the Committee members that Article 19 together with Article 9 were important in order to assess the efficiency of measures in fostering the protection and promotion of the diversity of cultural expressions. The representative therefore invited the States to enter into a dialogue with civil society so as to carry out this evaluation and in the exchange of best practices at the international level.

151. The **Chairperson** said that the role of civil society had been foreseen in the reporting process and that there would eventually be more information on how civil society will be involved in drafting the reports.

152. The delegation of **Laos** expressed its concern that involving civil society in his country would be difficult. He said that there were no civil society organizations working directly with the Laos government in implementing the Convention. It added that training would be very helpful.

153. The delegation of **St Lucia** said that regarding the periodicity of the reports, it preferred the option of having it based on the date of ratification of each country. It also supported what had been said earlier by other speakers about the need for a simple, clear and specific format that could be organized around a set of themes.

154. The **representative of the Director-General**, making a brief summary of the debate, said that there seemed to be a consensus to say that it was not necessary to organize a meeting of experts during the first half of the upcoming year and that the option of regional reporting should be dropped in favour of the option based on the date of ratification of each country. She said that this timetable for reporting would imply the submission of approximately 50 reports per session of the Conference of Parties and seemed feasible. The representative also stated that there was a general agreement on the fact that reports should be short, straightforward and simple. She noted that the thematic report could contain, at least in the first cycle, questions about which measures actually succeeded (good practices) and what were the obstacles encountered. On that basis, there could be an analysis of what measures could help in overcoming these obstacles. The representative expressed reservations regarding the adoption of statistical indicators that could be incorporated in the reports because reliable comparable quantitative data were still lacking. There was progress being made in that domain, notably with the new framework on cultural statistics developed in collaboration with the UNESCO Institute of Statistics, but it still appeared too early to introduce quantitative cultural indicators.

155. The **Secretary of the Convention** thanked all the Committee members for their feedback on the format and content of the reports. She added that in lieu of implementing a host of complex statistical indicators, it could be envisaged to introduce some very simple indicators that would enable all countries to respond. The Secretary assured the Committee that the work on the format of the reports will avoid being "quiz-like" or propose a table of cells to be filled in. She also took note of the call for help from certain countries and pointed to some mechanisms that existed in the Convention that could provide assistance in terms of collecting information and data, for example through the International Fund for Cultural Diversity. She finally mentioned that establishing criteria for determining what are good practices could prove useful in the information sharing process. The adoption of such criteria could give added value to those cases selected as best illustrating the intentions of the Convention.

*Decision 3.IGC 7 was then adopted unamended.*

**Item 8 – Preparation of the operational guidelines on measures on the exchange, analysis and dissemination of information (Article 19 of the Convention)**

**Document CE/09/3.IGC/211/8**

156. The **representative of the Director-General** introduced the document by reminding the Committee members that the last Conference of Parties had requested the Committee to prepare operational guidelines on measures on the exchange, analysis and dissemination of information. The objective of the present debate was to initiate preliminary discussions that would help the Secretariat in drafting the operational guidelines. They should focus on what the Parties and the Secretariat could do. The representative drew the Committee's attention to a section of the working document that highlighted the envisaged cooperation with the UNESCO Institute for Statistics which is based in Montreal. She reminded the Committee that a new framework on cultural statistics had been adopted at the last General Conference (October 2009) and that it was to be implemented by Member States. She also mentioned that an information session on indicators and data collection is planned prior to the Committee's 4<sup>th</sup> session. Two experts will be invited to present the new framework and would respond to questions or comments from Member States. The representative also pointed out that information Document INF.7 contained a report commissioned by the UNESCO Secretariat providing an overview of the Culturelink network's 20 years of experience in the context of Article 19. She mentioned that this report underlined the difficulties in managing such a network and keeping it up to date. Noting the limited resources of the Secretariat, she added that it was not realistic for the Secretariat to set up and fund a similar network. In conclusion, she reminded the Committee that Article 19 should be read in conjunction with Article 9.

157. The delegation of **Canada** stated that the draft operational guidelines should focus on the wording found in Article 19 and identify various ways of exchanging existing information and expertise on data collection and analysis as well as on best practices regarding the implementation of the Convention. The guidelines should also be very clear about the roles and responsibilities of both the States Parties and the Secretariat. Considering the complexity and high costs of collecting data and statistics, the delegation suggested building on existing national and international structures that collect information on cultural expressions rather than creating a new database. It proposed that the Secretariat start by producing a list of these structures and the types of information available. With regard to the information session proposed by the Secretariat, the delegation recommended that a summary inventory of current information sources be produced as a result of this meeting.

158. The delegation of **Laos** said it was looking forward to knowing what other countries were doing to implement the Convention and considered that UNESCO should provide capacity-building support, especially at the national level, for the collection and analysis of cultural statistics. It said that building up expertise was certainly a very important issue for least developed countries. The delegation supported Canada's previous comments about the need to consider the budgetary constraints and said it looks forward to the information session mentioned by the representative of the Director-General.

159. The delegation of **France** stated that it was essential in the long run to be able to establish a set of indicators for cultural diversity as well as to compare data and information on cultural policy. For the time being, the delegation agreed with the proposal of Canada for the Secretariat to compile an inventory of existing exercises. The task of creating a larger exercise and database of information and data may be too costly an undertaking right now. Resources may be better spent on capacity-building activities.

160. The delegation of **Greece** said that the experts invited to the information session should tap into the expertise of the private sector and of international organizations, for example that of the

Council of Europe Compendium of cultural policies and trends that includes information and data on cultural diversity. The delegation proposed that with the help of a group of experts, one or two indicators could be developed. It agreed with the previous comments made by Canada, Laos and France on the relevance of looking into what tools already exist and what data is already available.

161. The delegation of **China** mentioned that the issue of collecting data was very important and was linked to many articles of the Convention. It said that China was still in the process of developing a statistical system for culture that could integrate the data that is scattered in different structures such as the State Bureau of Statistics, the Finance Ministry, the Ministry of Culture, the State film and television broadcasting administration, the administration in charge of publications, etc. The delegation said it was looking forward to sharing experiences with other countries in that field. It finally suggested as a first priority to set up a framework of key indicators and as a second priority, to organize exchange seminars or workshops.

162. The **representative of the Director-General**, commenting on China's previous remarks, noted that an integrated framework on cultural statistics was now available and that the challenge would be to train people to collect the data in various countries.

163. The delegation of **China** said that concerning the UNESCO Institute for Statistics, it was under the impression that the data collected on China did not accurately reflect the current situation, notably on the balance between cultural imports and exports. The delegation suggested discussing this issue after the meeting.

164. The delegation of **Laos** said it would like to be aware of expectations on the collection of cultural statistics at the regional level. It expressed concerns that this kind of data would not be available in Laos.

165. The delegation of **Mexico** said that it approved the idea of preparing an inventory of existing data-collection mechanisms and mentioned the usefulness of looking at national initiatives such as the Mexican system for cultural information run by the National Council for Culture and the Arts. As for the information session, the delegation proposed that the Secretariat send information material in advance so that the delegations can have enough time to consult their capitals and arrive at the meeting with relevant questions.

166. The delegation of **Germany** asked the Secretariat how it intended to ensure the quality and consistency of the data. It also wondered whether the Secretariat had already established a working calendar on this issue and if events other than the information session were planned.

167. The **Director of the Division of Cultural Expressions and Creative Industries** mentioned that it was important first to assess what is currently known and what can be collected from an empirical point of view before more specific information is gathered consistently across countries. She added that there is ongoing academic debate on how to measure cultural diversity. Regarding the information session, she said that it would be held in Paris and that there would be one expert from the North and one from the South. The idea would be to enable non-experts to understand what is at stake and what type of methodology would be needed. Like the previous information sessions on other Convention issues, there would be no decisions taken at this meeting. It will provide an opportunity for the Parties with their different backgrounds and experiences in the collection of information and data to have a common platform to discuss such issues.

168. The delegation of **Tunisia** supported Canada's suggestion that the draft operational guidelines take into account the wording of Article 19. It also supported the idea of making an inventory of existing mechanisms. It added that best practices should be collected on partnerships, cooperation for development and integration of culture into sustainable development. These are priorities in countries from the South.

169. The delegation of **Laos** then asked how the cultural statistics programme developed over the years.

170. The **representative of the Director-General** replied that the first statistical framework for the Culture Sector dated back to 1986. Between 1986 and 2009, many consultations were held to develop a statistical framework and to define concepts that could be understood by everybody. In the implementation of the new framework, the Institute for Statistics has planned to fund a certain number of training modules in pilot countries. She considered that before developing cultural indicators, the priority could be to evaluate what already exists. Finally, she invited Ms Galia Saouma-Forero to present the Global Alliance for Cultural Diversity.

171. The **Director of the Division of Cultural Expressions and Creative Industries** said that the Global Alliance for Cultural Diversity was a program whose original purpose was to establish partnerships between civil society and the private sector (mainly small and medium-sized enterprises) with a view to fundraising. The program was initially funded by Spanish extra-budgetary funds and funds from the United Kingdom, and enjoyed unexpected success in terms of international recognition. When the Convention Secretariat was asked to review this mechanism, it was proposed that the program should become a web platform offering the necessary tools to establish partnerships in the context of Article 15 to foster the development of cultural industries. A special emphasis is put on projects involving public services, private services and civil society. The Director said that the Secretariat had also envisaged a badge system to recognize successful partnerships and best practices.

172. The delegation of **Madagascar** said it supported Laos's previous remarks about the need to accord particular importance to capacity development, in order to build up levels of expertise in developing countries and least developed countries. The delegation raised a question about whether or not such technical assistance could be provided and how they should request this assistance.

173. The delegation of **Norway** said it supported Canada's view that the exchange of information and sharing of expertise on best practices on the protection and promotion of the diversity of cultural expressions is important for the successful implementation of the Convention. It also agreed with previous comments on the need to adopt a cautious approach to data collection because this is a complex and costly matter.

174. The delegation of **Indonesia** said it agreed with the initiative to gather more information on the protection and promotion of cultural diversity as well as on best practices. It also supported the idea of linking existing data systems through a meta system, although it noted that the data might not be uniform. The delegation also raised the question of who would own the intellectual property of this data and suggested that members reflect on what this data would be used for before going into the collection phase.

175. The **Chairperson** then opened the floor to statements by other observers.

176. The representative of the **European Institute for Comparative Cultural Research** presented the Compendium of Cultural Policies and Trends in Europe which had already been mentioned by delegates. He noted that this information system was created in 1998, thanks to the continued support of the Council of Europe, many of its member states, and the European Cultural Foundation. The representative stated that the Compendium Community was available to provide support for governments and NGOs in their efforts to collect information and data to monitor the diversity of cultural expressions. He signalled that the Compendium was in an outreach phase and had developed new partnerships around the world, for example, with the International Federation of Arts Councils and Culture (IFACCA) and the Culturelink Asia-Pacific network. He mentioned that the Compendium had been discussed as a model at the 4<sup>th</sup> World Culture Summit in Johannesburg and at a CONACULTA conference in Mexico. Implementation of the Compendium in countries from the Maghreb region was recently launched. The representative said that

regarding the difficulty of selecting and implementing indicators, the Compendium experience and the example of its CUPIX index of prices for cultural products and services had shown that it was actually possible to develop useful indicators if actions were taken step by step.

177. The **Legal Advisor** wished to clarify, in response to Indonesia's previous question, that all information submitted by Member States to the Convention and communicated to the Secretariat would be *de facto* accompanied by an authorization of reproduction. If UNESCO provides added value through a compilation of the data, then the rights to this data would belong to UNESCO. The Legal Advisor also noted that Article 9 stipulated that the national Contact Points would be responsible for overall communication regarding the Convention and hence reminded Committee members that these contact points could play an important role in the implementation of Article 19.

178. The **representative of the Director-General** summarized the previous debates by saying that members seemed to agree on the necessity of adopting a cautious, step-by-step approach. In her view, it was clear that the implementation of Article 19 could not be achieved in only two years. She noted that members agreed on establishing, as a first step, an inventory of existing data-collection mechanisms. She then drew the Committee's attention to paragraph 12 of the document, which mentioned the possibility of pooling existing structures and attempting to connect them through a common platform. She added that a priority theme identified was the exchange of best practices in the field of international cooperation. Regarding Madagascar's previous question about capacity-building requests, the representative said that the IFCD had a budget line for these types of assistance requests and invited Madagascar to submit a request in due time.

179. The **Director of the Division of Cultural Expressions and Creative Industries** said that capacity-building was a priority for UNESCO and recalled that a project focused on the creation and training of a network of experts from the North and the South was being finalized in cooperation with the European Commission.

180. The **Secretary of the Convention** reminded Committee members that collecting cases of good practice can prove more difficult than expected and so invited them to think about criteria that would help in determining what can be considered best practice in the context of the Convention. This exercise could help the points of contact and other experts who will be engaged in collecting and disseminating these cases.

181. After the **Chairperson** invited members to look at the decision on item 8, the delegation of **France** presented the amendment it had co-sponsored with **Cameroon, Canada, France, Greece, Lithuania, India, Luxembourg, Laos, Senegal and Tunisia**. The amendment proposed the following wording for Decision 3.IGC 8, paragraph 3: "Requests the Secretariat, on the basis of the discussion at its present session, to continue its work on this issue and to submit to it for consideration at its next session preliminary draft operational guidelines on Article 19 of the Convention, comprising the modalities of their implementation and their financing. This preliminary draft shall also delineate the role of the Secretariat in the implementation of Article 19."

*Decision 3.IGC 8 was then adopted as amended.*

## **Item 9- Provisional agenda and date of the fourth session of the Committee (December 2010)**

Document CE/09/3.IGC/211/9

182. The **Chairperson** invited the representative of the Director-General to present the provisional agenda for the fourth ordinary session of the Convention.

183. The **representative of the Director-General** said that there was not much to add regarding document CE/09/3.IGC/211/9, which was only a provisional agenda. She indicated that following the decisions taken earlier at this session, some agenda items should be added or slightly amended. New items that could be added are: "Progress of ratifications of the Convention, steps taken and actions carried out (2009-2010)" and another "Feasibility study and cost analysis for the creation of an emblem for the Convention". The representative also said that the original agenda item related to the emblem and the appointment of public persons to promote the Convention could be renamed "Pertinence and feasibility of appointing public persons to promote the Convention".

184. On behalf of the delegation of **Canada**, a representative of the province of Quebec proposed that an agenda item be added in which the Committee would give an update on what has been done so far to implement the Convention. The delegation of **Luxembourg** then asked if "the idea is for the Committee to have a separate item where it can take stock of its own activities in order to implement the Convention, that is to say whether we have Operational Guidelines for each item and so on". The **Director of the Division of Cultural Expressions and Creative Industries** asked what would be the content of the new item entitled "implementation and follow-up of the Convention". She asked whether it would contain, for example, the exact figures of requests to the IFCD or if it should contain information about the challenges faced by the Secretariat and the gap in resources, which would make things very transparent.

185. After the **Chairperson** asked for further explanations on what would be the content of this new agenda item, the delegation of **Canada** said that the idea would indeed be to have a complete portrait of the situation of where the Committee stands in implementing the Convention rather than a simple report. This would be useful for the current committee members as well as for the new members of the Committee, for the States Parties that will have ratified the Convention in the meantime, for other delegations attending the meeting and for anybody who wants to find out more about the progress on implementing the Convention.

186. Following comments by **Tunisia** and **Luxembourg** on the best wording for this additional agenda item, a consensus was reached on the following wording: "Implementation and follow-up of the Convention by the Committee: current state".

187. Regarding the date and location of the next ordinary session of the Committee, the representative of the **Director-General** suggested that it could be held from November 29 to December 3 at the UNESCO Headquarters in Paris.

*Decision 3.IGC 9 was then adopted as amended.*

## **Item 10- Election of the members of the bureau of the fourth session of the Committee**

188. The Committee proposed to elect the following to become members of the Bureau for the fourth ordinary session of the Committee: **Nina Obuljen (Croatia)**, **Chairperson**; **Zaid Hamzeh (Jordan)**, Rapporteur, and **China, France, Kenya, Mexico** as Vice-Chairpersons.

189. The **Legal Advisor** explained that in order for Ms Obuljen to be elected as Chairperson, Rule 12.1 of the Rules of Procedure, which stipulated that "the members of the Bureau for the first session are elected at the beginning of that session and their term of office ends at the end of the next ordinary session of the Committee and shall not be immediately re-eligible", had to be suspended.

190. The Committee agreed to suspend this rule.

*Decision 3.ICG 10 was then adopted as amended.*

### **Item 11- Other Business**

191. The delegations of **Mexico, China, France, Laos, Brazil, Lithuania and Senegal** praised Ms Lacoeyuilhe's excellent work as Chairperson of the Committee and in particular her efficiency in conducting the present session. They offered their warmest congratulations for being able to navigate the Committee towards decisions without obstacles in the spirit of mutual tolerance and agreement.

192. The delegation of **Brazil** wished to state that the Convention was a very important legal framework which "locked in" the idea that cultural expressions are part of everybody's heritage and in everyone's interest.

193. The delegation of **Senegal** emphasised how important the Convention is for countries in the South and said it looks forward to this next phase.

194. The **representative of the Director-General** also thanked the Chairperson for her efficiency and thanked all the participants. She said that she was pleased to see that more and more observer States and NGOs were attending the meetings.

195. The representative of the **International Federation of the Coalitions for Cultural Diversity**, also speaking on behalf of the International Network for Cultural Diversity, the International Institute for Theatre, the International Council for Music, the European Broadcasting Union, Traditions for Tomorrow and the NGO-UNESCO liaison committee, said that it was important for delegates after this meeting to continue the work of encouraging ratifications and enhancing the Convention's visibility. He mentioned that civil society was involved in these two areas, notably through the organization of the U40 forum bringing together young professionals in the field of culture and the "Diversity Show", an event on cultural diversity supported by the European Broadcasting Union. The representative also thanked Brazil for having supported the organization of the recent IFCCD workshop in Salvador de Bahia. It finally reminded States Parties of their responsibility to actively encourage the involvement of civil society.

196. The **Chairperson** then declared the third ordinary session of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions closed.