

**GLOBALIZATION AND CULTURAL DIVERSITY
THE 2005 CONVENTION ON THE PROTECTION AND PROMOTION
OF THE DIVERSITY OF CULTURAL EXPRESSIONS**

*Prof. Dr. Marie-Theres Albert
World Universities Congress 2010, Canakkale Turkey, 20-24 October 2010*

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Globalization and Cultural Diversity

**THE 2005 CONVENTION ON THE
PROECTION AND PROMOTION OF THE
DIVERSITY OF CULTURAL EXPRESSIONS**



Prof. Dr. Marie-Theres Albert
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Introduction

I would like to introduce my speech with a quote from my favorite Latin American writer Eduardo Galeano. He once said: "The best side of the world is that it contains many worlds within itself. And the conservation of this diversity is the challenge for the future."

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Natural heritage - biodiversity

Diversity of knowledge and skills on an international scale

Gender Diversity

"The best of the world is the diversity of the contained universes and the conservation of this diversity is the challenge of the future..."

(Eduardo Galeano)

Cultural and natural heritage landscapes

Diversity of life styles and expressions

Cultural Memory

Art and artefacts

Tangible and intangible cultural heritage

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Constituent components of the diversity of the world are the human beings themselves and their material and immaterial expressions. Diversity comprises furthermore the natural heritage and the cultural memory of the world. And it has to be said clearly: One of the most important challenges for current and future generations is the protection of the diversity of the cultures of the world, the diversity of our heritage and our identities. The Safeguarding of cultural diversity is a concern of UNESCO since the organization has been founded in 1945. The strategy goes along with the human rights declaration and the other legal instruments related to the 1972 and 2003 convention.

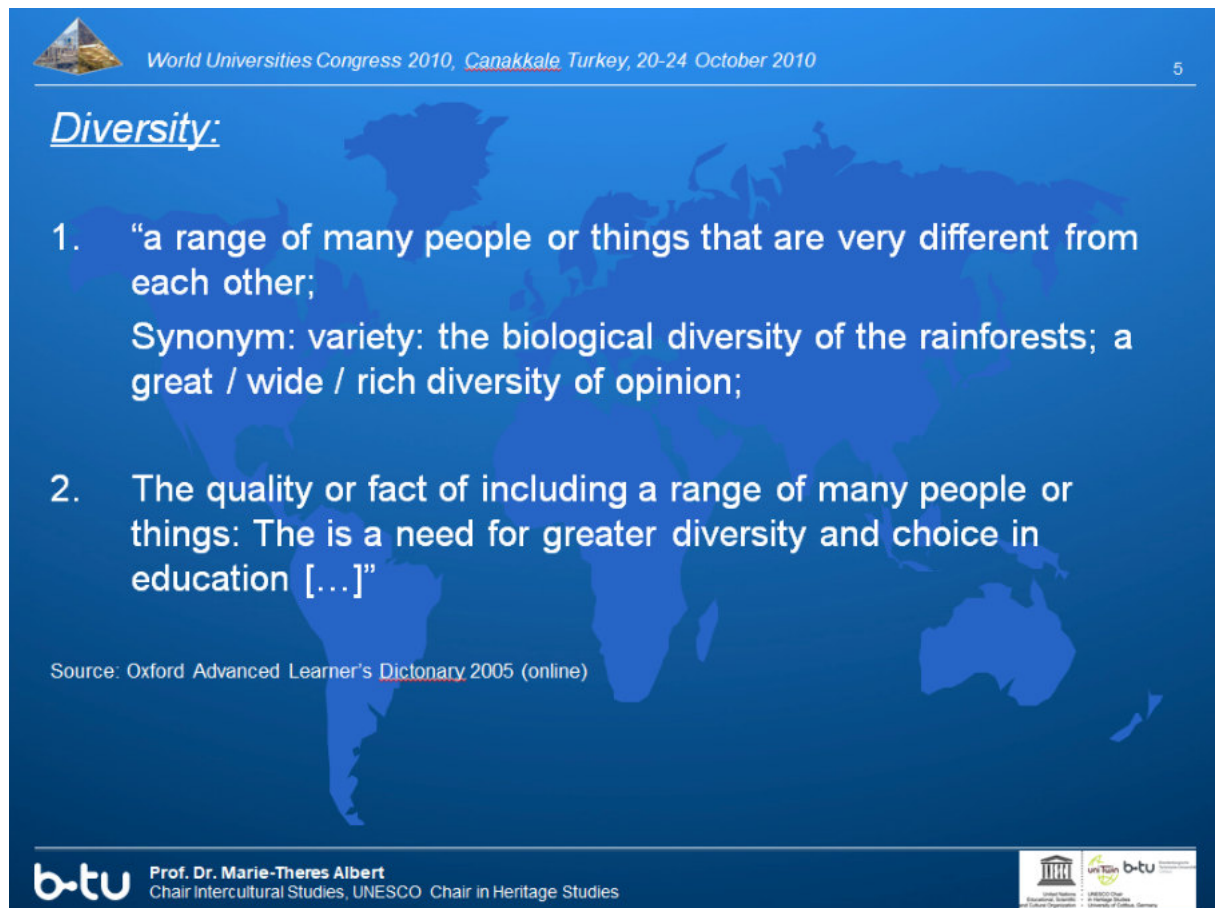
From the scientific point of view, safeguarding cultural diversity is based on a concept of culture and diversity which has been defined by UNESCO in 1995 when it was interpreted in a report that: culture is the base of our progress and creativity, it therefore has a constitutive and creative role for the human beings who have to see and learn development not only from the point of view of economy but mainly from the point of view of cultural development (UNESCO 1995).


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Therefore: culture (includes) the values, symbols, rituals and institutions of the societies of the world, it influences its economic decisions and results as well as culture undermines the outcomes. Economic and social development is part of people's culture. Development as a holistic concept embraces therefore not only access to goods and services, but also the opportunity to choose a full, satisfying, valuable and values way of life (UNESCO 1995).

Based on this holistic concept of culture, cultural diversity is above all a fact. The world offers a wide range of distinct cultures, which can be distinguished on the basis of ethnographic, social, economic expression or their relation to nature. Cultural diversity has therefore become a major social concern, linked to the growing diversity of social codes within and between societies.




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Diversity:

1. “a range of many people or things that are very different from each other;
Synonym: variety: the biological diversity of the rainforests; a great / wide / rich diversity of opinion;
2. The quality or fact of including a range of many people or things: The is a need for greater diversity and choice in education [...]

Source: Oxford Advanced Learner's Dictionary 2005 (online)

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Distribution of Wealth

The world at the beginning of the XXI century undergoes enormous changes of which we have to be aware of in order to understand the complex topic of Cultural Diversity.

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„since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed“ (UNESCO Constitution)

initiated by France and the UK

specialized agency of the United Nations

UNESCO's main task: to secure unanimous, lasting and genuine peace

UNESCO's main activities: to promote education and culture

Foundation of UNESCO (1945)

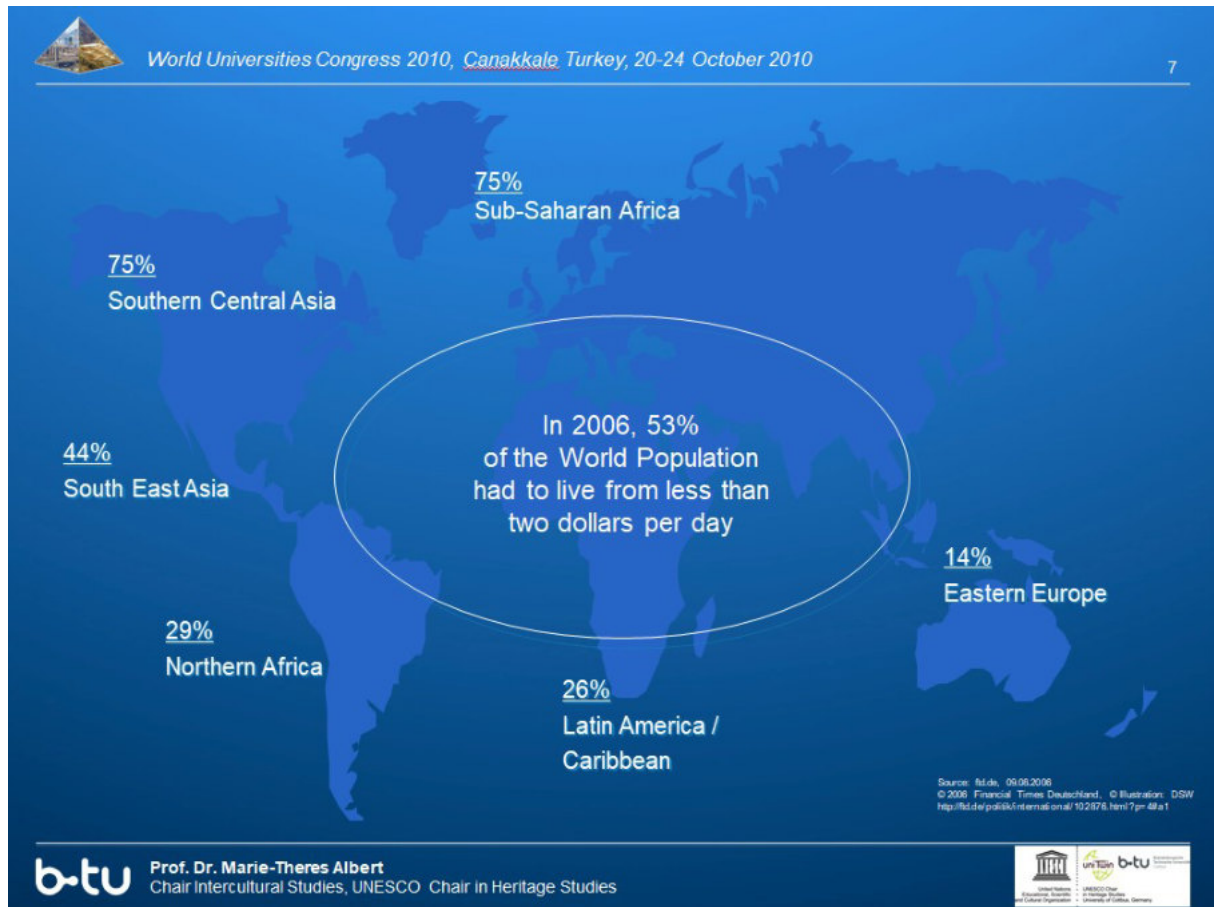
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First of all I need to mention that UNESCO's mission to establish peace is quite complicated. Peace in the world and respect for different cultures need to be based on sufficient income for people. It has to be based on cultural development and – of course – on education. From the aim of a balanced distribution of wealth, health and education we are still far away. Let me present some facts and numbers of global changes, just to get an impression of what globalization includes.

First of all, the distribution of wealth is highly unequal. More than half of the world population has to live from less than two US Dollars per day.

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The Financial Times Germany published in 2006 a survey on the poorest people in the world. Most of the world's poorest people live in Africa, in the south of the Sahara, and in southern central Asia.

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Access to Education

Similarly unbalanced is the world's access to education. The number of schoolchildren is a good indicator for the state of a country's education system. In relation to this, access to education is highly relevant for our topic. The number of children in school indicates the state of education within a country.

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There is a chronic lack of data on education issues, suggesting an urgent need for more concerted efforts in this area.

In sub-Saharan Africa, the number of children not in school increases

Worldwide, approx. 72 million children are not attending school, 97% of which in the less developed regions and 60% of them girls.

Notably Latin America, the Caribbean and East Asia are on course to achieving universal access to primary education

Early childhood care and development has virtually collapsed in some countries of the former Soviet Union.

Education for All Monitoring Report 2010, p. 11;
<http://unesdoc.unesco.org/images/0018/001865/186525E.pdf>

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As you can see, across the world 72 million children do not have access to school education. 97% of them live in developing countries. The consequences for socio-cultural and technological development resulting from this lack of access to school education are evident.

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Education for All movement

- The Education for All movement is a global commitment to provide quality basic education for all children, youth and adults.
- The movement was launched at the World Conference on Education for All in 1990 by UNESCO, UNDP, UNFPA, UNICEF and the World Bank.
- Participants endorsed an 'expanded vision of learning' and pledged to universalize primary education and massively reduce illiteracy by the end of the decade.
- The EFA goals also contribute to the global pursuit of the eight Millennium Development Goals (MDGs), adopted by 189 countries and world's leading development institutions in 2000.
- six key education goals which aim to meet the learning needs of all children, youth and adults by 2015.

Source: <http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/education-for-all/>

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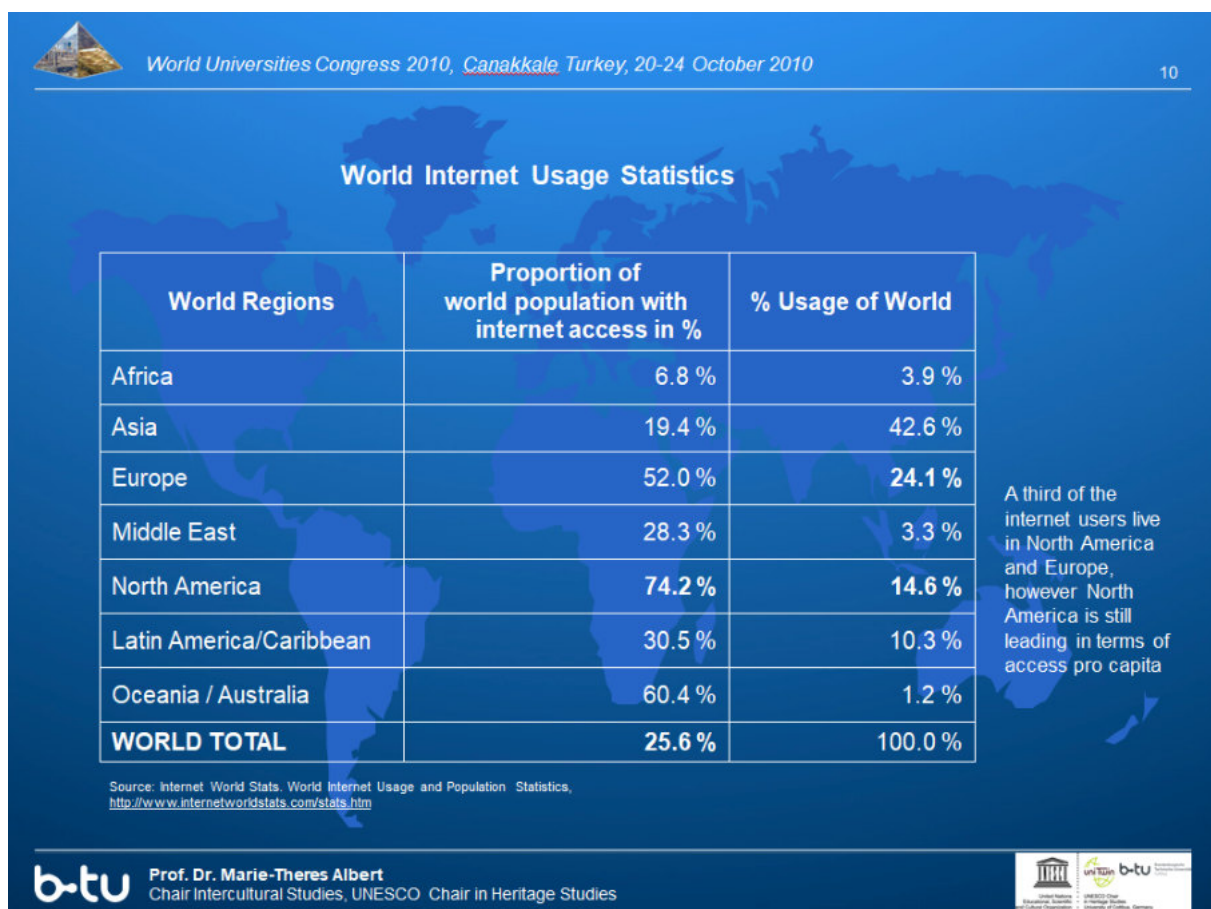
Therefore UNESCO has launched programmes for implementing basic education. Certainly you have already heard about the “Education for all” programme, a global commitment to provide quality basic education for children, youth and adults worldwide. The statistical data collected for this project shows how unequally access to education is distributed worldwide.

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Access to Information

Respect for different cultures requires knowledge about the existing diversity. It presupposes that all members of the global community have similar access to the world's information systems. However, we are still far away from achieving this goal in the 21st century. In 2009, a study on World Internet Usage found out that only 25.6% of the world population enjoys the achievements of global communication to this day. (Source: Internet World Stats. World Internet Usage and Population Statistics; on <http://www.internetworldstats.com/stats.htm>, DOA 16.12.2009). In other words: Only around a quarter of the world population had access to the internet in 2009.



But here is a far more important piece of information: According to these statistics, around one third of these users are from European (24.1%) and North American (14.6%) wealthy populations. African countries have only to 3.9% of this internet access.

Free communication across borders is thus an achievement of the industrial countries. In many African, Arabic, Asian, or Latin-American countries international communication is still largely a desire and not a reality. And we also have to mention that many people especially from wealthy parts of the world still and urgently have to learn to lastingly accept cultural diversity, against recent nationalist, fundamentalist, racist or other discriminating movements.

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Cultural Diversity

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An equal and peaceful development can only be based on respect for each other's culture

Respect for cultures, their heritage and their identity is essential to built peace in the minds of men

Cultural diversity in the process of globalization

Every culture provides expressions to share with the whole of humanity

The diversity of peoples represents the wealth of humanity

The variety of life-styles, customs, and traditions is a resource of humanity

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Therefore and in order to protect the diversity of cultures including their products, another convention on the protection of humanity's cultural expressions has been adopted. This is the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. On 18 March 2007, it entered into force after more than 30 state parties had ratified the Convention.

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2005
Adoption by the
33rd General
Conference

**Convention on the Protection and
Promotion of the Diversity of Cultural Expressions**

The Convention on the Protection and Promotion of the Diversity of Cultural Expressions is a legally-binding international agreement that ensures artists, cultural professionals, practitioners and citizens worldwide can create, produce, disseminate and enjoy a broad range of cultural goods, services and activities, including their own.

2006
Entry into force

2010
currently 116 ratifications and
work on a complete set of
operational guidelines

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Socio-economic background

Compared to other conventions the 2005 convention has mainly been adopted in order to minimize the effects of the liberalization of the world market on cultural products. In other words, the 2005 convention is not protecting an intangible cultural heritage as cultural good but as a product. And this is due to the historical development of the world economy.

The most important tools for developing the international and national economies after World War 2 comprised all kinds of products including a variety of services. This processes which later became known as globalization went along with the creation of the UN system and the adoption of a variety of legally binding commitments. So far, the UN system was only committed to create peace in the world, the idea was that peace and economic development are interdependent. Therefore the initiatives of the UN organizations to create peace in the world went hand in hand with the creation of tools for scientific, technological and for economic development.

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established in the wake of World War II as part of a larger economic recovery plan

multilateral trading system.

1947
General Agreement on
Tariffs and Trade
(GATT)

first endeavour to liberalize world trade after World War II

included tariff reductions, anti-dumping and non-tariff measures

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Regarding this, three instruments receive particular attention. First of all the “General Agreement on Tariffs and Trade” (GATT), which was founded in 1947, shortly after the world community had created the United Nations. The GATT is a part of the UN system which was instrumental in opening national economies to investment and international capital.

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The second most important agent in terms of global modernization and economic development was the WTO. The WTO was founded to make sure that countries opened themselves to foreign investment and means of production, to goods and services, as I mentioned before.

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main function:
to ensure that trade flows
as smoothly, predictably
and freely as possible.

successor of GATT and the only
international organization dealing
with trade between nations

1995
World Trade Organization
(WTO)

- administering trade agreements
- acting as a forum for trade negotiations
- settling trade disputes
- review of national trade policies
- assistance for developing countries in trade policy issues
- technical assistance and training programmes
- cooperation with other international organizations

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United Nations
Educational, Scientific
and Cultural Organization

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Brandenburgische
Technische Universität
Cottbus

Meanwhile globalization and internal developments had changed the social fabric of societies. What can be seen is that the structure of the societies has changed: from a type of development which is based on the processes of industrialization to societies in which the internal and external development is mainly based on the exchange of knowledge and services internationally regulated within WTO/GATS.

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multilateral trading system which aims to introduce common standards and transparency

part of the WTO system with 140 member states

1995
General Agreement on Trade in Services (GATS)

covers all services, unless services are provided in exercise of government authority and are thus considered to be of non-commercial or non-competitive nature

allows member states to pursue individual policy aims within a general framework

some air transport services are equally exempt from GATS

The liberalization of trade and services would mean that many public measures for the support of national culture and cultural products and services could threaten normal cultural standards, such as cultural services under public law (radio, museums, theatre, and orchestras) or the financing of cultural services through taxes, i.e. libraries.

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Sources: http://en.wikipedia.org/wiki/General_Agreement_on_Trade_in_Services and
http://www.wto.org/english/tratop_e/serv_e/gatsqa_e.htm

“The General Agreement on Trade in Services (GATS) is a treaty of the World Trade Organization (WTO) that entered into force in January 1995 as a result of the Uruguay Round negotiations. The treaty was created to extend the multilateral trading system to service sector, in the same way the General Agreement on Tariffs and Trade (GATT) provides such a system for merchandise trade.

All members of the WTO are signatories to the GATS. The basic WTO principle of most favored nation (MFN) applies to GATS as well. However, upon accession, Members may introduce temporary exemptions to this rule.”

The increased liberalization of trade and services, as envisioned by the GATS, would mean that many public measures for the support of national culture and cultural products and services would be either cancelled completely, or made accessible for all member states of the WTO, in order not to be seen as improper intervention in the competition. This could threaten normal cultural standards, such as cultural services under public law (radio, museums, theatre, and orchestras) or the financing of cultural services through taxes, i.e. libraries.

This will also affect the current procedure of giving away public jobs in the cultural sector, including the prices for financial assistance, scholarships and specific tax regulations (i.e. common prices for

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books). And as consequence, this would definitely destroy cultural diversity. The protection of the diversity of cultural expressions is only possible by acknowledging diversity. And this requires mutual respect, tolerance and openness which have firstly been declared in the Mexico declaration.

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culture gives mankind the ability to reflect upon itself

1982
The Mexico City Declaration on Cultural Policies

"in its widest sense, culture may now be said to be the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs"

culture makes us specifically human, rational beings

through culture we discern values and make choices

man expresses himself [through culture], becomes aware of himself, recognizes his incompleteness, questions his own achievements, seeks untiringly for new meanings and creates works through which he transcends his limitations

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Next to the Mexico Declaration the 2005 convention is convention on cultural policy not on the protection of specific heritage. It can therefore not be compared with either the 1972 or the 2003. Nevertheless as legal instrument it is as successful as the other instruments. Furthermore, like the other legal instruments the adoption was based on a process of normative action.

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Normative Action on Cultural Diversity

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Normative action on Cultural Diversity:

1982 Mexico Conference on Cultural Policy / Mexico Declaration

1988 – 1997 Decade for cultural development → culture is a constituent component of human development

1988 2. conference on cultural policy in Stockholm

1. agreement upon the definition of culture and cultural products (like art crafts, media, music, expressions) are goods and services

2000 Council of Europe adopted a declaration on cultural diversity

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Normative action on Cultural Diversity:

2001 UNESCO Declaration on Cultural Diversity

(188 member states agreed upon the need of developing a tool for the protection of cultural diversity)

2003 Executive Committee decided to work out the Operational Guidelines for the "protection of cultural contents and expressions of arts and artistic expressions"

Between 2003 – 2005 different meetings of experts
Development of a document with a legal institutional law status



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Normative action on Cultural Diversity:

2005 adopted by the General Conference with 1 vote against (USA) and 1 abstention (Israel)

Reasons:

- Cultural expression protected by nations
- contradict the arguments of GATS
- USA fears to much influence of the international body on local policy



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Most important articles of the 2005 Convention



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1. The unlimited cultural self-determination on the basis of human rights: The recognition of the Declaration of Human Rights contains provisions for the cultural self-determination of Individuals and social groups: the personal right to vote of the artistic-cultural expressions and the right of free and equal participation of culture should be warranted.

(Preamble Art. 2.1; 2.7)

2. Recognition of the "dual nature" of cultural goods and services: The recognition of the double-character of cultural goods and provision of services: on one hand they are articles of trade, on the other hand they are subject of cultural and educational policy, carriers of identity and the expression of values and orientations.

(Art. 1.(g); 2.5).



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3. Right to Cultural policy: The recognition of the right of all states for an independent cultural and educational policy and the responsibility of interstate protection and promotion of cultural diversity.

(Art. 2.2; Art. 6; Art. 7 and 8).

4. International cooperation: The commitment of international cooperation with obliging rules, to cater for the broad and balanced cultural exchange between all countries and the world. The requirements therefore should be created through the safeguarding of stable regional and local markets.

(Art. 12; Art. 14; Art. 15 and 16)

5. Participation of civil society: The active involvement of the civil society in all affairs concerning the convention.

(Art. 11.)



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6. Culture and sustainable development: A cultural compatibility clause, to aim for terms of cultural sustainability on all developmental levels.

(Art. 13).

7. Information sharing: The exchange of Information, data and know-how about cultural diversity, coordinated through the UNESCO (Art.19) and the establishment of national contact-points

(Art. 9 and 28)

8. Equality with other international treaties: A preferably well defined regulation of the relations to other international treaties as well as in all respects accepted mechanism of settlement of disputes.

(Art. 20; Art. 21; Art. 25; Annex).



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The conditions for peace reside in the cultural roots of the individuals and in the recognition of equal dignity of all cultures. This is one of the main political concepts of UNESCO and equally the driving force also behind this convention. Let me therefore repeat that the interrelation between culture, heritage, and identity cannot be better described than in Koïchiro Matsuura's words. In other words, it can be said: In the process of globalization, UNESCO's heritage conventions are significant tools to raise awareness of the need of cultural diversity.



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“The identity of peoples and the cohesion of societies are deeply rooted in the symbolic tissue of the past. Or, in other words, the conditions for peace reside, to a large extent, in each individual's pride in their cultural roots, and the recognition of equal dignity of all cultures”

(Koïchiro Matsuura 2003)

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Thank you for your interest!

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Thank you for your kind attention.