

## IFCCD interventions

### 8<sup>th</sup> Session of the Conference of the Parties – June 1 to 6, 2021

#### 8. Secretariat's report on its activities (2019-2021)

##### First intervention: Beat Santschi, Swiss Coalition for Cultural Diversity and Chair of the IFCCD

1. We'd like to congratulate the secretariat for its work under very challenging conditions, and notably the ResiliArt movement. ResiliArt has shown the great ability to make local reality visible, to make cultural workers' and artists' voice heard, and it also allows us to recognize the need for regional dialogues, not just national ones. This opportunity to dynamize the convention in the digital environment can allow for a greater regional and international dialogue between cultural professionals and artists and the UNESCO's initiative to continue the spirit of ResiliArt in celebrating the International Year of Creative Economy for Sustainable Development by encouraging online debates is welcomed.
2. We want to thank the bureau and the secretariat for this virtual format that allows civil society to take the floor.
3. Indeed, it has been a really tough time for everyone, but especially for artist, creators and professionals in the cultural sector. We wish to thank all the parties who designed support mechanisms for the cultural sector and the people working in it. And we appeal to maintain your engagement as the crisis goes on.
4. We would like to thank Switzerland for its support to the IFCCD which will help support the work of our movement in this difficult year. We also thank all parties who support IFCCD member organizations.
5. We'd like to recall that the International Federation of Coalitions for Cultural Diversity (IFCCD) has partnered with other international civil society organizations attending this meeting, like Arterial Network, the International Music Council, International Federation of Library Associations and Institutions, under the #culture2030goal Campaign, with the objective that Culture be recognize as the 4th pillar of sustainable development. Together, we released the #CultureCOVID19 statement, entitled 'Ensuring culture fulfills its potential in responding to the COVID-19 pandemic'. Many civil society organizations quickly announced their support for this campaign. This not only highlighted the need to support culture during the pandemic, but also on how culture could both promote wellbeing in the immediate term, and a stronger, fairer recovery in the longer term. This received noteworthy attention from various organizations, including UNESCO and the WHO, culminating in the excellent result of an endorsement by the President of the UN General Assembly.

6. We also acknowledge the numerous commitments for international cooperation and assistance programs as underlined under paragraph 9. We are still concerned by the many channels that were opened in the last years to accommodate the support of various entities. And although we welcome the initiative for an assistance program for the implementation of the Convention in the digital environment, we fear that this will not help the funding strategy for the IFCD. The importance of IFCD is diminishing and presents a difficult model to support.
7. Finally, we welcome the 3 new member states and hope that even more will join in the coming years.

### **Second intervention: Bill Skolnik, Canadian Coalition for the Diversity of Cultural Expressions**

1. Several Resiliart conferences emphasized the fundamental contribution of culture to mental health and our general well-being. But it is obvious that there is an enormous gap between the contribution of arts and culture and the living condition of the artists and creators. In many countries around the world, cultural sector workers are part of the informal economy but lack social protection.
2. Even in rich countries, the impact on cultural workers is beginning to emerge. In Canada, one in four workers in the cultural sector lost their jobs in 2020. There are 114,400 arts and culture workers who no longer make a living from their occupation. Fortunately, the Canada Emergency Response Benefit provided funds in support of these workers. The program deliberately offered relief to artists, but the future of these jobs might still be at stake.
3. Support measures vary greatly. Many governments have made significant resources available to support workers, in general, and the cultural sector in particular. But what will happen after the health crisis is over? Will a return to balanced budgets result in significant cuts in the cultural sector and provide little opportunity for new social security measures? In too many countries, arts and culture workers were abandoned to their fate.
4. In the Asia-Pacific, the percentage of artists detained, at 32%, was the highest around the world in 2019. With the pandemic, the rapidly changing geopolitical, economic landscape is affecting the status of the artists and their artistic freedom even more. An effort for awareness-raising of both the 2005 Convention and 1980 recommendation must be stressed in order to protect and promote diversity of cultural expressions and fundamental human rights by more focus on capacity building as well as strengthening international cooperation at all levels, CSOs and states.
5. In the annex of the report there is a reference to a panel entitled “Creativity without Fear or Favour. Towards Greater Collaboration Between the Press and Artists”.
6. I was privileged and honoured to be a member of that panel, representing the interests of the international labour organization UNI MEI and my own organization, the Coalition for the Diversity of Cultural Expressions for Canada. The panel emphasizes the notion of the 1980 Recommendation as a vital tool in the struggle for artistic expression not only for artists but for journalists as well. We urge your consideration of this aspect of the report.

## **10. Status report on the national roadmaps for the implementation of the Convention in the digital environment**

**Nathalie Guay, General Secretary of IFCCD**

1. The IFCCD wishes to congratulate the 26 parties who have shared their roadmap to date. The implementation of the Convention in the digital environment is an absolute emergency for the survival of cultural ecosystems, even more in the current context where cultural activities are reduced and largely concentrated in the digital universe.
2. The paper rightly identifies the issues of the lack of data on the cultural and creative sectors, as well as the balanced circulation of cultural goods and services, as important challenges for the implementation of the Convention in the digital environment.
3. Obtaining the data monopolized by a few platforms requires the strengthening of regulations that also address other issues such as discoverability of works, responsibilities of content sharing platforms and other online intermediaries with respect to copyrighted works, mechanisms for financing national content, etc.
4. These reform efforts are often met with resistance from actors who reject any regulation of the Internet and equate these legitimate efforts with threats to freedom of expression, as we are currently experiencing in Canada with Bill C-10. It seems relevant to us that the parties work together on this challenge, so that they can be better prepared to face this opposition when adopting courageous reforms and ensuring UNESCO's active participation in global debates on Internet governance.
5. The paper adequately identifies another major challenge, that of negotiating cultural clauses in digital trade agreements. New disciplines have emerged in these agreements that can have significant impacts on cultural sovereignty, digital sovereignty, copyright and access to data. Again, collaboration between parties is needed to share strategies for protecting and promoting the diversity of cultural expressions in these agreements. We invite the parties to consider developing guidelines to ensure that the principles of the Convention are reflected in trade agreements as well as the adoption of cultural exemption, and implement article 21 with the support of UNESCO.

## **11. Updated progress report on the implementation of Article 16 on preferential treatment for developing countries**

**Mane Nett, Chilean Coalition for Cultural Diversity and Vice-President of the IFCCD**

1. Without doubt one of the most neglected articles of the Convention by the developed countries, despite being a binding obligation. Let me recall that preferential treatment, also called special or differential treatment, departs from the general rule of international trade liberalization treaties in order to rectify structural inequalities between developing and developed countries. It intends to support, without reciprocity, cultural expressions from developing countries in order to expand their trade opportunities and establish a more balanced exchange of cultural goods and services worldwide.
2. There is a lack of understanding on article 16, still after 15 year, which leads to a frustration from civil society. The report clearly demonstrates that, to date, the implementation of Article 16 remains largely a failure.

3. Further more, it is a complementary measure to cooperation development that is even more important now, with the growing stress on resources, the impact of covid on artists, creators and professionals and the new obstacles to mobility.
4. Preferential treatment measures are not all about physical mobility and most of them can be applied in a digital environment.
5. It is to be hoped that the trend initiated in the framework of the EU-Caricom Economic Partnership Agreement will be transposed to other areas, because we are not especially encouraged by other regional agreements.
6. For instance, in the Asia-Pacific region, both the Regional Comprehensive Economic Partnership Agreement—*RCEP*, signed in November 2020, as well as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, are likely to impact the environment for cultural goods and services, the artists and cultural workers and their activities in the. The objectives of the Article 16 on the preferential treatment shall be addressed carefully in those frameworks for the region in particular.

## 12. Report on the implementation of the International Fund for Cultural Diversity

### Luanda Smith, Creatividad y Cultural Glocal A. C.

1. On 2020 there were 1,027 candidacies, only 6 were approved. This a ratio of 0,58%, much lower than any funding ratio in Culture. The results are really very weak and require a change of course.
2. A parallel comment goes to the evolution of contributions, that despite the growing number of Parties contributing, the amount reached in 2020 was of roughly 600,000 USD, the third lowest. One of the difficulties in financing the IFCD is likely to be the degree of uncertainty about the destination of money.
3. The IFCCD is encouraged by the greater participation from national commission, but is concerned by the lack of clarity around criteria at the national level for the selection of projects and low level of knowledge and visibility of the selected projects at the national level, on many aspects.
4. We are still concerned by the many channels that were opened in the last years to accommodate the support of various entities, as shown in paragraph 9 of the report of the secretariat. And although we welcome the initiative for an assistance programme for the implementation of the Convention in the digital environment, we fear that this will not help the funding strategy for the IFCD.
5. In light of the proposals made in the civil society forum, consideration could be given to renewing the currently fragmented partnerships and federating them behind an overall strategy:
  - i. Support work at the national and regional levels in the framework of permanent programs to support more structuring processes between civil society organizations and also with the parties, in particular by developing information and training platforms on the convention and networking spaces. This strategy could be based on the National Commissions, UNESCO's regional and national offices and other partners, particularly from civil society.
  - ii. Develop several lines of support under the IFCD, including support for efforts to promote the Convention in the field by civil society organizations, and support for south/south mobility for the development of cooperation projects.

- iii. Work with National Commissions to establish support programs for organizations wishing to submit a project to the IFCD, to provide more information about the IFCD and the selection process, and to enable organizations to submit a project in their national language.

### **13. Future activities of the Committee (2022-2023)**

#### **First intervention: Nathalie Guay, General Secretary of IFCCD**

1. The IFCCD strongly support the objective to secure larger ratification of parties to the Convention. This would be of much added value to civil society in these countries and we urge the committee and the secretariat to invite us to participate to specific efforts in that direction.
2. We also wish to highlight that the private sector is already represented in our movement, as small enterprises are often members of our coalitions through sectorial associations. We invite the secretariat to be in touch to make sure this will be reflected in the proposed feasibility study
3. As it was mentioned in the recommendations from the civil society forum, we hope that civil society will be offered opportunities to fully contribute to the 2022 Mondiacult conference in Mexico. We wish to offer our collaboration for this specific matter.
4. We invite parties to take into account the limited resources of civil society to participate to governing bodies, to make activity reports, to organize forums and coordinate among itself. Parties could consider revising periodicity of reports and asking specific questions and planning thematic exchanges building on those, and on previous recommendations.
5. Finally, we hope we can collectively have a greater attention to the work of minorities and indigenous peoples in the implementation of the convention, including by facilitating participation of indigenous peoples' organizations in the governing bodies and examining relations between the 2005 Convention and the UN Declaration of the Rights of Indigenous Peoples.

#### **Second intervention: Mane Nett, Chilian Coalition for Cultural Diversity and Vice-President of the IFCCD**

1. The IFCCD wishes to insist in some of the proposals that were discussed in the civil society forum, which could guide the activities of the Committee over the next two years, and beyond.
2. As participants in the #2030 Culture Goal Campaign, the IFCCD and member coalitions call for a recognition of culture as the fourth pillar of sustainable development. We hope that parties and the UNESCO can help pave the way at international level for the inclusion of a goal on culture in the post 2030 international debate on sustainable development, based on the evidence collected through UNESCO, regional, national and local authorities, civil society, academia and the private sector.
3. We also wish to insist on the fact that cultural rights are a part of the fundamental human rights, not only for cultural workers but for everyone, which guarantee that people and communities have access to and can participate in the culture. In that regard, we wish to emphasize the recommendations to
  - a. carry out a full assessment of the cultural and cultural rights damage inflicted by the pandemic, with participation of Government and civil society, so as to inform effective responses;

- b. reinforce the protection of the cultural rights of all and rights of artists and cultural workers as professionals in national and local legislation to express themselves, to be remunerated and enjoy right of the author, and the right of the public to access cultural expressions, including in times of crisis
- c. Fully implement the recommendations contained in the UNESCO publication Culture in Crisis: Policy Guide for a Resilient Creative Sector, including with regard to direct and indirect supports for artists and cultural professionals and maintaining commitments to gender equality with an intersectional perspective, across all culture sectors as well as economic fairness in different cultural and creative industries value chain activities;
- d. Urge for the elimination of coercive measures, restrictions on mobility and blockade between the states, that impact all artists and to demand the end of wars, sanctions and extraterritorial actions that affect culture and cultural exchange.