

# **UNESCO's Convention on Cultural Diversity: The Future of Cultural Policies**

**Location: Schulich School of Business, York University  
Hall W132  
Toronto, Ontario  
March 21, 2006**

*A special one-day symposium jointly presented  
by Canada's Coalition for Cultural Diversity  
and York University's John P. Robarts Centre for Canadian Studies*

The landslide vote at UNESCO's 33<sup>rd</sup> General Conference last October to adopt the proposed convention on the protection and promotion of the diversity of cultural expressions was a watershed moment in the campaign to recognize in international law the distinctive nature of cultural goods and services and to affirm the sovereign right of countries to have cultural policies.

But this battle is by no means won. There remains the challenge of ensuring that countries ratify the convention quickly, to ensure it enters into effect as soon as possible. A minimum of 30 countries must ratify the convention for it to enter into a effect, but to have real legal and political weight, a much greater number will be required, from all regions of the world.

And once the convention enters into effect, there is the task of ensuring it takes on a genuine legal and political life. Of ensuring that its objectives and principles translate into concrete action. And of sorting out the convention's relationship with other international agreements, including trade agreements.

Time is of the essence, because the pressure on countries from trade negotiations—at the WTO, and in the context of regional and bilateral trade talks—to give up the right to have cultural policies is intensifying. In this regard, 2006 looms as a critical year, as WTO member states work to reach an agreement on services by the end of this year as part of the Doha Round of trade talks.

This one-day symposium will examine all of these issues, bringing together Canadian political leaders and officials, experts in international law, and leaders of cultural organizations from Canada and around the world for an in-depth discussion of the work achieved to date, and of the challenges ahead.

**9:30 am**

**Introduction to the Symposium:**

Scott McIntyre, President and Publisher, Stewart & McIntyre; Co-Chair, Canada's Coalition for Cultural Diversity

**9:35 am**

**Opening Keynote Address:**

**The Convention on Cultural Diversity: Why It Matters to Ontario**

The Honourable Madeleine Meilleur, Minister of Culture, Ontario

**9:50 am**

**An Up-Close Look at the UNESCO Convention**

Presentation by Jacques Paquette, Assistant Deputy Minister, International and Intergovernmental Affairs, Department of Canadian Heritage

*A brief history of events leading to the negotiation and the adoption of the convention on the protection and promotion of the diversity of cultural expressions at UNESCO. An examination of the convention's key provisions: principles and objectives, rights and obligations, and the operational mechanisms that will give it life.*

**10:15 am**

**Making the Most of the Convention: Maximizing Its Legal and Political Weight**

*What are the implications of the convention in international law—how can countries make use of the rights it affirms and act on its obligations? How will the convention relate to other international agreements, including trade agreements? What will be its true weight, legally and politically?*

**(75 minutes)**

**Moderator:**

Robert Pilon, CCD Canada

**Panelists:**

Pamela Brand, National Executive Director & CEO, Directors Guild of Canada; Vice-President, CCD Canada

Mane Nett, President, Chilean Coalition for Cultural Diversity

Artur Wilczynski, Chair, Working Group on Cultural Diversity and Globalization, International Network on Cultural Policy (INCP)

Ivan Bernier, Professor Emeritus, Faculty of Law, Laval University

11:30 am

**Meanwhile at the WTO: The Continuing Pressure on Culture from Trade Negotiations.** *A look at the current state of play in WTO, regional and bilateral trade negotiations, and their implications for the cultural sector. Could these negotiations pre-empt the UNESCO convention by pressuring countries into making commitments that would mean they renounce irrevocably their right to apply cultural policies? Or do bilateral negotiations initiated by the United States in fact represent the greater risk?*

**(90 minutes)**

**Moderator:**

Seth Feldman, Director, Robarts Centre for Canadian Studies, York University

**Panelists:**

John Gero, Assistant Deputy Minister, Trade Policy and Negotiations Branch, Department of International Trade

Daniel Drache, Global Cultural Flows project, Robarts Centre for Canadian Studies

Bernardo Jaramillo, Representative, CCD Colombia

Gi-Hwan Yang, Executive Director, the Centre for Diversity in Moving Images (CDMI); Executive Director, CCD Korea

**1 – 2 PM: LUNCH**

2 pm

**The UNESCO Convention: Setting the Stage for New Cultural Policies?** *What can states do to nurture cultural diversity through the application of cultural policies supporting national production? And what are the policy solutions to the challenges to cultural diversity arising from globalization and an increasingly digital environment?*

**(90 Minutes)**

**Moderator:**

Jim McKee, Director, External Relations, CCD Canada

**Panelists:**

Pierre Curzi, President, Union des artistes; Co-Chair, CCD Canada

Bebe Kamin, Vice-President, Directors Association of Argentina (DAC); Representative, CCD Argentina

Geraldo Moraes, Past-President, Brazilian Cinema Congress; President, CCD Brazil

Rasmané Ouedraogo, Secretary General, African Network for Cultural Diversity

**Concluding Comments: The UNESCO Convention and the Cultural Policy Toolkit**

Peter Grant, Senior Partner, McCarthys; Author, *Blockbusters & Trade Wars*

3:45 pm

**The North-South Exchange: *The Convention as an Instrument to Foster International Cultural Cooperation***

*The importance of concrete action on international cooperation: what governments can do to promote and support balanced cultural exchange—in particular, to nurture the emergence of cultural industries in the developing world, and what cultural organizations, working with creators, artists, independent producers and publishers and other cultural professionals, can do on this front as well.*

**(75 Minutes)**

**Moderator:**

Fred Fletcher, Director, Graduate program in communications and culture, York and Ryerson universities

**Panelists:**

Kimmo Aulake, Deputy Head of the Division of Cultural Exports, Ministry of Culture, Finland

Neffali El-Hassane, President, CCD Morocco

Kodjo Cyriaque Noussouglo, President, CCD Togo

Christine Merkel, Head of the Division for Culture and Communication /Information, German Commission for UNESCO; Representative, CCD Germany