

RÉSEAU INTERNATIONAL POUR LA DIVERSITÉ CULTURELLE
INTERNATIONAL NETWORK FOR CULTURAL DIVERSITY
RED INTERNACIONAL PARA LA DIVERSIDAD CULTURAL



10 November 2008

Mr. Barack Obama,
President-elect,
United States of America,
Washington, D.C.

Dear Mr. President-elect,

On behalf of the more than 400 organizations from 78 countries who are members of the International Network for Cultural Diversity, as well as other citizens of our countries, we congratulate you for a victory that has inspired the world. We know that the change you will bring to America will include a new approach to its international relationships. We believe that one concrete and significant step you can take to give effect to your promise is to ratify the UNESCO *Convention on the protection and promotion of the diversity of cultural expressions*. This Convention was adopted in 2005 by a vote of 148 in favor; with only the United States and Israel opposed.

Founded in 1998, INCD is a global civil society network of organizations and individuals in arts and culture working to promote cultural diversity in the face of the powerful forces of economic globalization. In 2006, a coalition of INCD, Free Press, a national non-partisan organization with almost half a million media activists, the Media Alliance of California, Reclaim the Media and others wrote to Congress in the context of the opening of free trade talks with Korea to urge the United States to ratify the UNESCO Convention. The Convention confirms in international law that cultural goods and services are vehicles of identity, values and meaning, as well as having economic value. It recognizes the critical links between culture and development, and affirms the sovereign right of states to develop, implement and maintain policies relating to arts, culture and the media.

The Convention is an important instrument not only for other countries but for the United States as well. Americans need to retain the sovereign right to make decisions about issues of media diversity and the Federal Communications Commission, access of traditionally marginalized communities, and building cultural capacity.

There is a growing awareness that cultural perspectives must be integrated into the security agenda, and that artists can be a bridge between cultures and thus a force for peace. Embracing cultural diversity principles by ratifying the UNESCO Convention

would be an important signal to the world that the United States intends to reclaim a positive global leadership role.

The Convention is not a threat to the export of U.S. cultural products which are poised to continue to dominate world markets. On the other side, U.S. consumers would benefit from having access to a richer diversity of cultural expressions from abroad. More balanced trade in arts and culture will result from the Convention for the 93 countries that have joined it to date and those that do so in future.

Over the next years, we will be working with our U.S. members and others to raise awareness of these issues and to urge your country to join the global consensus on cultural diversity. Please consider early ratification of this important new UNESCO Convention.

Yours very truly,
INCD Steering Committee

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Garry NEIL, Executive Director (Canada)



10 November 2008

Mr. Bill Ivey, Director,
Curb Center for Art, Enterprise and Public Policy,
Vanderbilt University,
750 First Street, NE, Suite 1110
Washington, DC 20002

Dear Mr. Ivey,

Why the United States should ratify the UNESCO Convention on the protection and promotion of the diversity of cultural expressions

We are writing at the recommendation of our United States Steering Committee member, Mr. James C. Early who is Director, Cultural Heritage Policy, Center for Folklife and Cultural Heritage at the Smithsonian Institution. Attached is a copy of a letter we have written to President-elect Obama urging him to move expeditiously to ratify the 2005 UNESCO cultural diversity convention.

We hope that you will get the letter to him and will use your position as a member of the President-elect's transition team to propose that the new administration exercise leadership to promote cultural diversity internationally, and within the United States, by ratifying the *UNESCO Convention on the protection and promotion of the diversity of cultural expressions*. We would also like to request an opportunity to meet with you to discuss ways in which the new Administration could exercise leadership and gain substantially by joining the global consensus on cultural diversity issues.

The International Network for Cultural Diversity (www.incd.net) is a worldwide network of cultural organizations, artists and cultural producers from every media, academics, heritage institutions and others working to counter the corrosive effects of economic globalization on world cultures. INCD believes that diverse cultures and artistic expressions can and must thrive in a world of global marketplaces and rapidly changing media technologies. We have a number of members in the United States. In 2006, we joined with Free Press, a national non-partisan organization with almost half a million media activists, the Media Alliance of California, Reclaim the Media and others in a brief to Congress in the context of the opening of free trade talks with Korea to urge the United States to ratify the UNESCO Convention.

At present there is a wide gulf between U.S. policy and the international community. In October 2005, over the opposition of only the United States and Israel, UNESCO adopted the *Convention on the protection and promotion of the diversity of cultural expressions*. The Convention is designed to confirm in international law that cultural goods and services are vehicles of identity, values and meaning, as well as having economic value; to recognize the link between culture and development; and to affirm the sovereign right of states to maintain, adopt and implement policies relating to arts, culture and the media. Moving to ratify the Convention would go a long way towards bridging this gulf.

The Convention is not a threat to the export of U.S. cultural products. U.S. movies have roughly 85% of global ticket sales, U.S. musicians and their works do well in foreign markets, U.S. writers and publishers benefit from increasing foreign sales, and U.S. artists and cultural producers are respected globally. On the other side, U.S. consumers would benefit from having access to a richer diversity of cultural expressions from abroad. More balanced trade in arts and culture will result from the Convention for the 93 countries that have joined it to date and those that do so in future.

The Convention is an important instrument not only for other countries but for the United States as well. Americans need to retain the sovereign right to make decisions about issues of media diversity and the Federal Communications Commission, access of traditionally marginalized communities, and working to build cultural capacity.

We would also note there is growing awareness that the human security agenda and cultural issues are inextricably linked. To understand and deal with contemporary threats to human security, we must incorporate culture as a conceptual framework. Culture plays a key role in the dynamics of human security threats in a social context, and places constraints and opportunities on any potential solution. While this dimension broadens the complexity of the issues, it simultaneously opens space for new agents – artists, cultural producers and others – to address them. Artists and cultural producers can be a bridge between different languages and cultures, and a force for dialogue and peace.

For all these reasons, we hope you will urge the President-elect to move to ratify the UNESCO Convention.

We look forward as well to having an early opportunity to meet with you to discuss these issues in greater detail.

Thank you,
Mr. James C. Early
earlyj@si.edu
202.633.6464

Mr. Garry Neil
garry@neilcraigassociates.com

Background – Promoting Cultural Diversity Within and Between Nations

In October 2005, the United Nations Educational, Scientific and Cultural Organization adopted the *Convention on the protection and promotion of the diversity of cultural expressions*. The convention was adopted by a vote of 148 in favour. Only the United States and Israel voted against the Convention. Reflecting the strength of the global consensus, the process of agreeing to consider a legal instrument through the design, negotiation and ratification took only a few years, a remarkably short time frame for an international convention. The Convention came into force in March 2007.

The Convention outlines how the processes of globalization can both enhance interaction between cultures and challenge cultural diversity; reaffirms the fundamental importance of respect for human rights; acknowledges the need for greater cultural interaction; acknowledges that diversity is strengthened by the free flow of ideas, as well as freedom of thought, expression and information, and diversity of the media; and the need to preserve cultural and linguistic diversity as the common heritage of humanity.

The most important objectives include the protection and promotion of the diversity of cultural expressions; recognition of the distinctive nature of cultural activities, goods and services as vehicles of identity, values and meaning; recognition of the link between culture and development; strengthening international cooperation to enhance the capacity of developing countries; and reaffirmation of the sovereign right of states to maintain, adopt and implement cultural policies.

The operative provisions of the Convention provide the rights and obligations of the Parties. The accent is on rights, rather than obligations, and the overriding focus is on the sovereign right of states to adopt policies and measures they deem appropriate to protect and promote cultural diversity.

Various articles outline the extent of rights that parties have at national level, the need for information sharing, and requirements to implement educational campaigns to promote public awareness, and the important role of civil society to the protection and promotion of the diversity of cultural expressions. There is also an article which addresses the “special situations where cultural expressions ... are at risk of extinction, under serious threat, or otherwise in need of urgent safeguarding.”

There are seven articles concerning the promotion of international cooperation. Parties agreed on the need to integrate culture in sustainable development; to cooperate for development, including through technology transfers, capacity building and financial support; to encourage collaborative arrangements; and to assist each other where there is a “serious threat to cultural expressions.” There is agreement on the need to increase capacity in the public sector, public institutions, the private sector, civil society and non-governmental organizations, all of which have a role to play in fostering the

diversity of cultural expressions. There is also an article providing that developed countries will give preferential treatment “to artists and other cultural professionals and practitioners, as well as cultural goods and services from developing countries.”

As of 31 October 2008, 93 countries and the European Community were parties to the Convention.