
NEWSLETTER

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1. UNESCO Convention: INCD Implementation Recommendations – Conference of Parties to be held in Paris, 18-20 June 2007

The number of ratifications to the UNESCO *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* continues to rise slowly and has now reached 57. While efforts to encourage additional ratifications continue, the attention of key players is turning increasingly to preparations for its implementation. The first Conference of Parties, the highest governing body of the Convention, will be convened at UNESCO headquarters, 18-20 June 2007. INCD had been advocating for a delay in this meeting, to permit more time for states to join the Convention and thus to ensure a more balanced distribution of Parties, but the decision of UNESCO has rendered this position moot.

In preparation for the Conference, the INCD has called on the Parties and on the UNESCO Secretariat responsible for the Convention to ensure it is implemented in a way that will make it as effective as possible. In a paper presented to the 19 April meeting of the INCP Working Group on Cultural Diversity and Globalization held in Madrid, Spain and also forwarded to UNESCO and other interested parties, INCD recommends concrete ways in which the Convention can be brought to life.

INCD believes that, through effective implementation, its vision for the Convention can be achieved:

- The Convention is a positive tool to encourage appropriate policies in each country.
- Culture is integrated into sustainable development strategies and developing countries receive the support they need to realise the potential of their artists,

- cultural producers and cultural industries.
- The Convention is the primary international instrument for states on matters of trade in cultural goods and services.

Among other ideas, INCD proposes that civil society organizations be given a significant role in the governance bodies of the Convention and in the Fund; parties make a substantial commitment of new resources to the International Fund for Cultural Diversity; UNESCO initiate and oversee collection of key data; and parties integrate the Convention commitments into their bilateral cooperation agreements. INCD is urging the Intergovernmental Committee to consider developing a Cultural Passport, to facilitate access to developed countries for artists and other cultural professionals from developing countries, and to consider implementation of fair trade certification for cultural goods and services.

A copy of the complete INCD report is available at www.incd.net. The Steering Committee welcomes all comments and suggestions to: incd@neilcraigassociates.com.

2. ARTerial Conference Report

The final summary report of the ARTerial Conference on Vitalising African Cultural Assets is now available at www.hivos.nl/english/arterial. It contains detailed and significant recommendations for what the African cultural sector needs in the short, medium and long term in order to move forward in each of the priority areas:

- Economic sustainability
- Arts and culture management capacity
- Cultural cooperation and exchange
- Lobbying.

The 48 African delegates are committed to continuing to work together. They have elected a seven-person Task Team to liaise with funding and conference partners, and to take forward the themes and practical ideas arising out of the conference. INCD Africa is being guided by the conference outcomes and sees its role as an advocate for the African cultural sector to be a key component of the broader activities agreed at the conference.

INCD, the Danish Center for Culture and Development, the Stromme Foundation and the Gorée Institute were among the organizing partners for the event. However, INCD acknowledges that Hivos played the leading role. Last year, Hivos and INCD/DCCD had been independently developing plans for an African conference. While the thrust of the initial combined agenda was agreed by all the parties, Hivos worked extremely hard to integrate the different concepts, found the speakers and facilitators, and ensured the practical arrangements were made. We are extremely grateful for this contribution.

Hivos is a Dutch non-governmental organisation inspired by humanist values, which was set up in 1968 by the Dutch Humanist League, the United Orphans Fund and Humanitas to work with local organizations in developing countries.

3. INCD News

Website Renewal

INCD is pleased to announce that its English-language website has been overhauled and updated. You are invited to visit www.incd.net to find the latest information about INCD and its campaigns, as well as background information about the UNESCO Convention, articles on culture and trade, research papers on cultural development, and information about the history and development of the INCD. All back issues of the newsletter are available and the site has contemporary links to other related sites.

INCD deeply regrets that its ongoing financial challenges prevent the French and Spanish sites from being as current as the English-language one. INCD is committed to correcting this imbalance as soon its resources allow.

Membership Campaign

INCD's membership campaign continues. If you have not yet renewed your membership, you can do so now at www.incd.net. Membership fees and contributions can be made to INCD electronically, through Paypal or by credit card, in many local currencies.

INCD Member Seeks Ideas for New Publication

INCD member Tom McPhail is seeking suggestions for chapters for a new book to be published by a university press and titled *Development Communication/ Media/ Journalism*. At this stage, he is interested in receiving a one-page outline of attempts, experiments, campaigns, or working and successful communication models with a development/non-Western focus. He is looking for ten chapters, each of which will be 20-25 pages when written. McPhail will contribute an introductory chapter, a chapter on INCD, a chapter on UNESCO and conclusions.

Anyone interested is invited to forward a one-page outline for possible inclusion to Tom McPhail: email stlmcph@umsl.edu, or hard copy to him at University of Missouri, 236 GSB, St.Louis, Missouri, USA, 63121.

4. U.S. and Korea Conclude Free Trade Agreement

Just moments before the deadline, the U.S. and Korea concluded the terms of a new Free Trade Agreement. As we have reported in previous Newsletters, INCD member, the Korean Coalition for Diversity in Moving Images, has been in the forefront of the campaign to oppose the treaty, particularly because Korean was required to slash its highly successful cinema screen quota system in order to enter the talks.

While details of the final terms have not been publicly released, our colleagues advise us that significant cultural policy issues are at risk. Their information is that the following

elements are included in the final terms :

- The screen quota was slashed in 2006 and the FTA prohibits Korea from increasing it beyond its current level. In addition, the broadcast quota for Korean movies will be reduced from more than 25 percent to 20 percent, and for animated films from 35 percent to 30 percent. The amount of broadcast programming that can originate in any one foreign country has been increased from 60 percent to 80 percent.
- The term of copyright protection will be increased from 50 years to 70 years following the death of the creator. Media reports suggest that copyright fees that will flow out of Korea will be more than three times greater than the resulting inflows.
- While foreign direct investment in the Korean broadcasting system will continue to be limited, all limits on indirect investment in the sector will be removed.

The Korean government has successfully reserved its right to regulate new media and has excluded broadcasting and audiovisual services from the e-commerce provisions.

As we reported in the last newsletter, the Korean coalition plans to continue to oppose the Free Trade Agreement in the 2007 presidential election that is now getting underway.

5. U.S. Launches WTO Challenges Against Chinese Cultural Policies

On 9 April 2007 the United States launched two actions against China before the World Trade Organization involving cultural goods and services. The U.S. is seeking dispute settlement consultations on these matters.

The first action concerns what the U.S. alleges are deficiencies in China's legal regime for protecting and enforcing copyrights and trademarks in a wide range of products. The U.S. argues that pirates and counterfeiters in China enjoy a safe haven in violation of China's commitments under the TRIPS agreement.

The other action represents a potential challenge to the resolve of the international community to protect and promote cultural diversity through the new UNESCO Convention. The U.S. argues that China maintains various measures which restrict the importation and distribution of foreign books, newspapers, periodicals, movies, videos, music and video games. It further contends that China agreed to fully liberalize trading rights by December 2004 and that this commitment covers cultural imports.

We will continue to monitor these complaints and report on developments in future newsletters.

6. INCP Meets in Madrid to Prepare for September Ministerial Meeting

In April, members of the Contact Group of the International Network on Cultural Policy met in Madrid, Spain. On 19 April, INCD Steering Committee member Jacques Briquemont joined the meeting to discuss the UNESCO Convention and ways in which civil society and governments can continue to work together to ensure the widest possible ratification and effective implementation.

The Contact Group also discussed the upcoming 10th Annual Ministerial Meeting of INCP being held in Seville, Spain on 20-22 September 2007. They agreed that the theme for the meeting will be Intercultural Dialogue.

Since the 2000 meeting in Santorini, Greece, INCD has held its annual meeting in collaboration with the INCP event. In the next few weeks, the INCD Steering Committee will be considering the nature and scope of a potential INCD meeting in Seville and further information will be provided in the next newsletter.

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