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Diversity of Cultural Expressions

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CE/10/4.IGC/205/13
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INTERGOVERNMENTAL COMMITTEE FOR THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS

Fourth Ordinary Session
Paris, UNESCO Headquarters
29 November-3 December 2010

Item 13 of the Provisional Agenda: Implementation and follow-up of the
Convention by the Committee: current state

Decision required: paragraph 7

1. At its third ordinary session, the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter referred to as “the Committee”) decided to place on the agenda of its fourth ordinary session, in 2010, item 13 entitled “Implementation and follow-up of the Convention by the Committee: current state” (Decision 3.IGC 9).
2. In order to assess and report on the current state of the implementation and follow-up of the Convention by the Committee, it is necessary to identify: (i) the articles of the Convention for which draft operational guidelines were submitted by the Committee to the Conference of Parties and were approved by the latter at its second session; (ii) the Articles for which draft operational guidelines have been adopted by the Committee and have been/will be submitted to the Conference of Parties for approval at its third session; and (iii) the Articles of the Convention for which it has been decided that the drafting of operational guidelines is unnecessary.
3. At its second ordinary session (December 2008) and at its first two extraordinary sessions (June 2008 and March 2009), the Committee adopted six draft operational guidelines on several Articles of the Convention (Articles 7, 8 and 17; 11; 13; 14; 15; and 16) and a set of draft guidelines on the use of the resources of the International Fund for Cultural Diversity (Article 18 of the Convention) (Decisions 1.EXT.IGC 3, 1.EXT.IGC 4, 1.EXT.IGC 5, 2.IGC 5, 2.IGC 6, 2.IGC 7 and 2.EXT.IGC 4). The Committee submitted the draft guidelines to the Conference of Parties for approval at its second session (Decision 2.EXT.IGC 5), which approved them in June 2009 (Resolution 2.CP 7). Altogether, operational guidelines have been approved for nine Articles of the Convention.
4. At its third ordinary session, the Committee adopted draft operational guidelines on measures to ensure the visibility and promotion of the Convention and decided to submit them to the Conference of Parties for approval at its next session (Decision 3.IGC 6). In accordance with the provisional agenda of its fourth ordinary session, adopted at its third ordinary session (Decision 3.IGC 9), the Committee, if it so decides, should adopt three draft operational guidelines on three additional Articles of the Convention (9, 10 and 19) and a set of draft operational guidelines on the use of the emblem of the Convention. The Committee should also decide to submit those draft guidelines to the Conference of Parties for approval at its next session.
5. Pursuant to the Committee’s proposal (Decision 2.IGC 4), it is recalled that the Conference of Parties, at its second ordinary session, decided that Article 12 of the Convention, as it stood, was already operational in nature and therefore did not require operational guidelines (Resolution 2.CP 7).
6. At its present session, the Committee is invited to take note of the current state of implementation and follow-up of the Convention summarized in a table annexed to the present document.

7. The Committee may wish to adopt the following decision:

DRAFT DECISION 4.IGC 13

The Committee,

1. *Having examined document CE/10/4.IGC/205/13 and its Annex,*
2. *Recalling Decision 3.IGC 9,*
3. *Takes note of the current state of implementation and follow-up of the Convention as contained in the above-mentioned document;*
4. *Decides to bring it to the attention of the next session of the Conference of Parties and requests the Secretariat to prepare an information document to that end.*

ANNEX - Implementation and follow-up of the Convention by the Committee: current state

Article ¹	Title	Operational guidelines requested by the Conference of Parties at its first and second sessions		Articles not requiring operational guidelines
		Draft operational guidelines adopted, submitted and approved	Draft operational guidelines requested, currently being adopted, submitted and approved	
Article 1	Objectives			X
Article 2	Guiding principles			X
Article 3	Scope of application			X
Article 4	Definitions			X
Article 5	General rule regarding rights and obligations			To be determined
Article 6	Rights of Parties at the national level			To be determined
Article 7	Measures to promote cultural expressions	X		
Article 8	Measures to protect cultural expressions	X		
Article 9	Information sharing and transparency		X	
Article 10	Education and public awareness		X	
Article 11	Participation of civil society	X		
Article 12	Promotion of international cooperation			X ²
Article 13	Integration of culture in sustainable development	X		
Article 14	Cooperation for development	X		
Article 15	Collaborative arrangements	X		

¹ It should be noted that the visibility and promotion of the Convention are not covered by a specific article in the text of the Convention. In accordance with the mandate conferred upon it by the Conference of Parties (2.CP 7), the Committee has adopted draft operational guidelines on the issue at its third session in 2009, which it has decided to submit to the Conference of Parties for approval at its next session in 2011. The same applies to the use of the emblem of the Convention, in respect of which draft operational guidelines will be examined by the Committee at its fourth ordinary session in 2010.

² The Conference of Parties, at its second ordinary session, decided that Article 12 of the Convention, as it stood, was already operational in nature and therefore did not require operational guidelines (Resolution 2.CP 7)

Article 16	Preferential treatment for developing countries	X		
Article 17	International cooperation in situations of serious threat to cultural expressions	X		
Article 18	International Fund for Cultural Diversity	X		
Article 19	Exchange, analysis and dissemination of information		X	
Article 20	Relationship to other treaties: mutual supportiveness, complementary and non-subordination.			To be determined
Article 21	International consultation and coordination			To be determined
Article 22	Conference of Parties			X
Article 23	Intergovernmental Committee			X
Article 24	UNESCO Secretariat			X
Article 25	Settlement of disputes			X
Article 26	Ratification, acceptance, approval or accession by Member States			X
Article 27	Accession			X
Article 28	Point of contact			X
Article 29	Entry into force			X
Article 30	Federal or non-unitary constitutional systems			X
Article 31	Denunciation			X
Article 32	Depositary functions			X
Article 33	Amendments			X
Article 34	Authoritative texts			X
Article 35	Registration			X
ANNEX	Conciliation Commission			X