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United Nations
Educational, Scientific and
Cultural Organization

Diversity of
Cultural Expressions

Organisation
des Nations Unies
pour l'éducation,
la science et la culture

Diversité
des expressions
culturelles

Organización
de las Naciones Unidas
para la Educación,
la Ciencia y la Cultura

Diversidad
de las expresiones
culturales

Организация
Объединенных Наций по
вопросам образования,
науки и культуры

Разнообразие форм
культурного
самовыражения

منظمة الأمم المتحدة
للتربية والعلم والثقافة

تنوع أشكال التعبير
الثقافي

联合国教育、
科学及文化组织

文化表现形式
多样性

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CONFERENCE OF PARTIES TO THE
CONVENTION ON THE PROTECTION AND PROMOTION OF THE
DIVERSITY OF CULTURAL EXPRESSIONS

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Item 10 of the provisional agenda: Status report on the national roadmaps for the implementation of the Convention in the digital environment

This document contains an overview of the development and/or implementation status of national roadmaps to promote the diversity of cultural expressions in the digital environment by Parties to the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, pursuant to Resolution 7.CP 13.

Decision required: paragraph 20

I. Context

1. At its seventh session, following the approval of the open roadmap for the implementation of the guidelines to promote the diversity of cultural expressions in the digital environment¹, the Conference of Parties asked the Secretariat to present to it, at its eighth session, the national roadmaps developed by Parties and the status of their implementation ([Resolution 7.CP 13](#)). The three national roadmaps sent to the Secretariat by Canada, Germany and the Republic of Korea are contained in Document DCE/21/8.CP/INF.10. The present document provides an overview of the development and implementation status of Parties' national roadmaps based on the information that some Parties have shared with the Secretariat and on the latter's additional research, including its analysis of the quadrennial periodic reports submitted in 2019 and 2020.
2. The process of dialogue, reflection and definition of common priorities for the implementation of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter "the Convention") in the digital environment began in 2013, during the seventh session of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter "the Committee") and led to the inclusion of a reflection on digital technologies and their impact on the Convention ([Decision 7.IGC 13](#)) in the Committee's activities for 2013-2014. This process resulted in the adoption, in June 2017, of operational guidelines on the implementation of the Convention in the digital environment (hereinafter "the operational guidelines") ([Resolution 6.CP 11](#)). However, at its eleventh session, the Committee considered that Parties needed more specific guidance on implementing these operational guidelines. It therefore invited the Secretariat to develop an open roadmap for this purpose, illustrated by examples of good practice ([Decision 11.IGC 5](#)).
3. Thereafter, the open roadmap, which is aligned with the four goals of the Convention's monitoring framework and proposes five outputs and twenty benchmark activities, was examined by the Committee at its twelfth session in December 2018 and, at the Committee's request, transmitted to the seventh session of the Conference of Parties in June 2019, when it was adopted. On this occasion, the Conference of Parties was also called upon to examine 49 good practices implemented in 32 countries by government and civil society organisations. The Conference of Parties also requested the Secretariat to "continue collecting examples of good practices implemented by Parties in the digital environment and to take initiatives in peer learning, information exchange and advocacy, in particular with policymakers in developing countries, in order to support Parties in the implementation of the Convention in the digital environment, if voluntary contributions are identified" ([Resolution 7.CP 13](#)).
4. Acting on this request from the Conference of Parties, at its thirteenth session, the Committee requested the Secretariat to develop an assistance programme for implementing the Convention in the digital environment through peer-learning, information-sharing, and advocacy initiatives, in particular among policymakers in developing countries, if voluntary contributions were identified ([Decision 13.IGC 7](#)). This programme, of which the Committee took note at its fourteenth session, is contained in [document DCE/21/14.IGC/14](#).

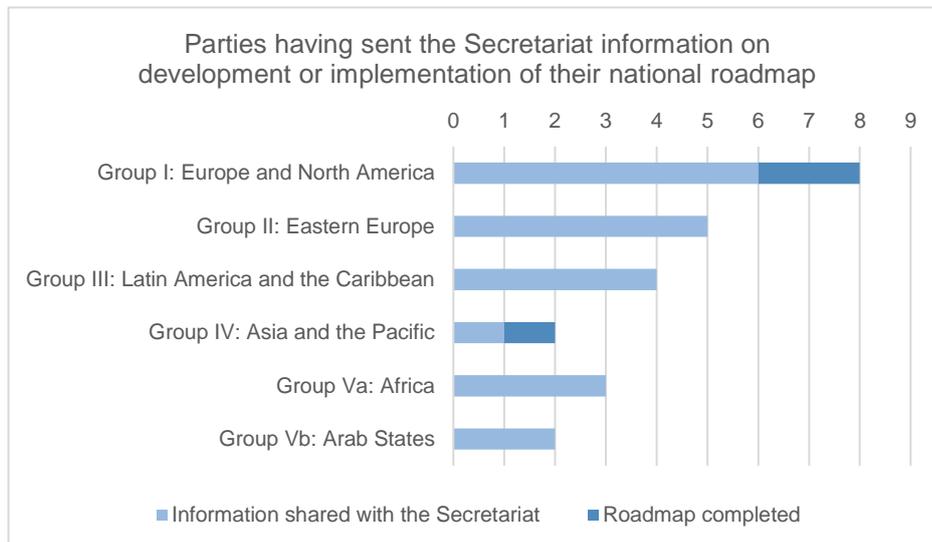
II. National roadmaps

5. At its seventh session, the Conference of Parties invited Parties to draw on the open roadmap to develop their own national roadmaps in line with their needs and available resources, and to share them with the Secretariat ([Resolution 7.CP 13](#)). The main purpose of developing national roadmaps is to provide a framework for designing and implementing regulatory or legislative measures for the effective promotion and protection of the diversity of cultural expressions in the digital environment. In order to develop and implement their national roadmaps in a transparent, participatory and inclusive manner, Parties were invited to

1. Available at <https://en.unesco.org/creativity/publications/open-roadmap-implementation-2005-convention>.

cooperate with various stakeholders, including professionals working in cultural and creative industries and civil society organisations supporting their work.

6. Since the adoption of the open roadmap by the Conference of Parties, Parties have twice had an opportunity to provide information on the steps they have taken to implement the Convention in the digital environment. The first occasion was the Secretariat's consultation in autumn 2019 to collect examples of good practice in this field, to which eighteen Parties² replied and the results of which were submitted to the Committee at its thirteenth session in February 2020 ([document DCE/20/13.IGC/INF.4](#)). Two other Parties shared information with the Secretariat after this session.³ The Committee's fourteenth session then requested Parties to share with the Secretariat "information on progress made and challenges encountered during the development and/or implementation of their national roadmap for the implementation of the Convention in the digital environment, if such exists, in French or English, no later than 5 March 2021, to be included in the status report to be submitted to the eighth session of the Conference of Parties" ([Decision 14.IGC 14](#)).⁴
7. As a result of this consultation process, since the seventh session of the Conference of Parties, 26 Parties – 17% of all Parties to the Convention – have shared information on steps taken to develop and/or implement their national roadmaps, but only three Parties have shared a complete national roadmap with the Secretariat (Canada (including Quebec), Germany and Republic of Korea). This poor level of information-sharing seems to indicate that Parties are encountering serious challenges in this process.
8. Furthermore, as shown in the Figure below, most of the contributions received by the Secretariat have come from Parties in Electoral Groups I and II, while little information has been shared by Parties in Electoral Groups IV, Va and Vb, which suggests that some regions have encountered more problems in devising practical answers to the transformation brought about by the spread of digital technologies and their impact on the creation, production, distribution, and enjoyment of cultural goods and services.



9. In their replies, Parties outlined their main lines of action and priority areas, and shared practical examples of steps taken to implement the Convention in the digital environment. The national roadmaps and information provided to the Secretariat show that most Parties choose

2. Australia, Austria, Azerbaijan, Belgium, Canada, Costa Rica, Egypt, France, Jamaica, Latvia, Lithuania, Madagascar, Norway, Seychelles, Slovakia, Trinidad and Tobago, Turkey and United Republic of Tanzania
3. Armenia and Qatar.
4. Six Parties sent such information (Austria, Canada, France, Germany, Mexico and Republic of Korea), including the three national roadmaps contained in document DCE/21/8.CP/INF.10.

to begin the development of their roadmaps by taking action in a few key sectors, in line with their national priorities.

10. Closer scrutiny of the national roadmaps and information sent by Parties with reference to the open roadmap's five outputs reveals some shared challenges along with fields in which significant progress has been made. It also highlights examples of good practice that could guide Parties in developing their own national roadmaps.

Output 1: Regulatory frameworks, cultural policies and measures are designed or revised to meet the challenges of the digital environment in an informed and participatory manner

- The open roadmap's first benchmark activity – conducting overall mapping of the digital cultural and creative sectors – does not seem to have been considered a priority by most of the Parties that have sent the Secretariat their national roadmap or a status report. In the medium term, this might lead to a lack of visibility on the cultural and creative sectors that are most transformed by digital technologies and their rapid evolution, as well as on the scale of this transformation. The Ministry of Culture, Sports and Tourism of the **Republic of Korea** publishes an annual statistical report on the content industry covering statistics for Internet and mobile phone use in eleven content production sectors, including publication, comic strips, music, video games, film, animation, television, and advertising. This approach allows the government to monitor changing trends in the content industry and provide guidance for informed decision-making when government policies and business management plans are being developed.
- It is clear from the responses received between 2019 and 2021 that Parties take two different approaches to designing or revising regulatory frameworks, cultural policies, and measures to implement the Convention in the digital environment. Several countries, including **Austria, Canada** and **Germany**, have chosen to incorporate a cultural dimension in their national digital action plans and implement them in individual creative sectors through targeted measures, instead of developing digital strategies specifically for the cultural sector. Other Parties, including **Belgium, Quebec (Canada)** and the **Republic of Korea**, have preferred to develop dedicated digital plans for culture, such as Quebec's digital plan for culture (2014-2023) or Korea's Digital New Deal cultural content industry growth strategy, adopted in 2020.
- As for the establishment of interministerial coordination mechanisms, the Ministry of Culture and the Ministry for Europe and Foreign Affairs in **France** have set up a multidisciplinary working group to develop the country's national roadmap.
- Several Parties have shared information about the work undertaken to revise regulatory frameworks to support cultural and creative sectors in the digital environment. *Inter alia*, the Federal Minister of Justice and Consumer Protection in **Germany** has modified the country's Copyright Act to implement the EU Copyright Directive as amended in April 2019, and **Turkey** has included a digital dimension in the implementation of an EU-funded project to strengthen the Turkish copyright system, to better support creative industries. **Jamaica**, for its part, has begun to incorporate a number of existing framework provisions and international mechanisms, including the WIPO (World Intellectual Property Organization) Performances and Phonograms Treaty, into its own copyright legislation in order to protect creativity in the digital environment.

Output 2: Policies and measures support digital creativity, enterprises and markets to ensure a diverse digital ecosystem.

- Most of the measures reported by Parties in their national roadmaps or status reports relate directly to the open roadmap's second output. More specifically, several Parties have reported measures to provide spaces dedicated to digital creativity and innovation or regulations, policies, and measures to ensure the

discoverability of local and diverse cultural content, fair remuneration for creators, and greater transparency in the use of algorithms – measures that are considered to be effective means to support the distribution of diverse cultural expressions at the national level.

- Digital tools have allowed some Parties to provide free or low-cost access to a varied programme of cultural content. **Armenia**, for example, introduced measures to digitize and save feature films, cartoons, and documentaries as part of a programme to preserve film, photo and audio collections in 2018 and 2019, and similar programmes to promote and distribute national cinema have been set up in **Canada**, **Germany**, **Lithuania**, and the **Republic of Korea**. Several Parties, including **Egypt**, **Norway**, **Qatar**, and **Slovakia**, have begun extensive work to digitize their national libraries, thereby facilitating access to and the discoverability of local cultural content in several languages.
- Other Parties have developed digital portals to offer easier access to information and diverse cultural content. **Austria**, for example, has created a search portal called “Kulturpool” for digital resources from museums, libraries, and archives, which provides a central point of access to all public digital resources and catalogues held by Austrian cultural institutions; similar initiatives have been undertaken or are being developed in **Azerbaijan** (Creative Azerbaijan platform), **Slovakia** (Slovakiana platform), **Trinidad and Tobago** (national registry of artists and cultural workers), and **Turkey** (Digital Theatre Information System platform).
- Several Parties mentioned financial and/or other forms of support to small and medium-sized enterprises and entrepreneurs working in the digital cultural and creative sectors. To facilitate the distribution of works online and foster diverse cultural content, the **Austrian** Federal Ministry for the Arts, Culture, Civil Service and Sport (BMKÖS) made 1.1 million euros available for the promotion of digital projects in 2020 and offered grants to publishing houses and contemporary art galleries for them to develop online distribution and communication channels, such as online shops. **Germany**, for its part, launched KULTUR.GEMEINSCHAFTEN (2020), a programme for digital content production in cultural institutions funded jointly by the Federal Government’s Commissioner for Culture and Media and the Regional Cultural Foundation, while in **Quebec (Canada)** the Société de Développement des Entreprises Culturelles du Québec has set up a programme called “Aide aux Initiatives Innovantes” to support strategic technological, digital or business development innovative projects that enable businesses to meet the challenges posed by new consumer habits and capitalize on the potential of new design and distribution tools.
- Some Parties have conducted specific studies to gauge the impact of the digital environment on certain branches of the culture sector. The Ministry of **Canadian Heritage** has carried out a study on the economic impact of music streaming platforms on Canadian creators, providing a preliminary survey of numerical data and descriptive information in this field.

Output 3: International agreements promote the balanced flow of cultural goods and services and promote equality between countries in the digital environment

- The open roadmap’s third output is the one under which Parties reported less concrete progress, which seems to suggest that they have been facing significant challenges in promoting a balanced flow of cultural goods and services in the digital environment. The lack of reported information is particularly obvious with respect to the assessment of clauses in trade agreements that have an impact on the cultural and creative sectors in the digital environment and the negotiation of

cultural clauses in trade and investment agreements dealing with e-commerce and digital products.⁵

- **Canada** has nevertheless provided information regarding international comparative studies on digital service taxation with the European Union, Singapore, the G7, the Organisation for Economic Co-operation and Development (OECD) and France. This initial step could perhaps be followed by studies bearing specifically on the impact of free trade agreements on the diversity of digital cultural goods and services globally. Of particular note is the Canada-United States-Mexico free trade agreement (CUSMA), which entered into force in July 2020 and in which Canada has negotiated a general exception for cultural industries; this applies horizontally to all chapters of the agreement, including the one on digital trade, thus safeguarding Canada's sovereign right to adopt measures to protect and promote the diversity of cultural expressions in both the physical and the digital environment.

Output 4: Digital literacy, skills and competences are reinforced

- Several Parties have set up funds and initiatives to strengthen digital skills and competences, either in the cultural sector in general or in specific creative sectors (particularly music, cinema and literature). For example, the Federal Cultural Foundation in **Germany** has established a Digital Culture Programme (2018-2024) to enable cultural institutions to make full use of the opportunities afforded by digital technology and meet the related challenges. The Digital Strategy Fund of **Canada's** Council for the Arts encourages a comprehensive approach that enables artists as well as art groups and organizations to understand, assess, and engage with the digital environment and to respond to the social and cultural changes it produces. The Ministry of Culture, Sports and Tourism of the **Republic of Korea** has launched a digital technology training project for cultural experts to meet the growing demand for creative and innovative talents, arising from the convergence of advanced technology with the creative and cultural sectors. The project, intended to train designers and developers of high-profile creative technologies, is the result of a close collaboration between Korean designers, businesses, and research institutes.
- A wide range of initiatives centred on digital cultural education and digital media education have also been reported by Parties. The cultural and technical camps organized by the Ministry of Culture of **Trinidad and Tobago**, for example, are intended to promote and improve cultural skills and competencies, particularly among young people. Between 2014 and 2018, the **Lithuanian** Council for Culture part-funded the Cultural Education programme for media development and media education projects, which sought to increase people's capacity to use, appraise and analyse critically the content provided by traditional media and the new social/digital media.
- Through the Digital Agenda for Culture in **Mexico**, the Digital Culture Centre and the General Directorate of Information and Communication Technologies of the Ministry of Culture worked together to coordinate the efforts of individual sectors regarding use and exploitation of information and communication technology, in order to expand the scope and effectiveness of all the activities and programmes run by Mexican cultural institutions. The first stage of this project consisted in mapping technological developments in the Ministry together with the people involved – not only programme managers but also members of platforms' design and development teams – in order to draw up a list of the projects belonging, in one way or another, to the Culture Ministry's digital ecosystem. Identifying areas of opportunity for digital development in the Ministry was thus considered by

5. See also document DCE/21/8.CP/11.

Mexico to be a key first step in developing an informed strategy for exploiting the tools, partnerships, capacities, and technologies available for digital projects by all entities under the auspices of the Ministry.

- Other initiatives have been developed to increase digital literacy in specific areas. For example, the **Turkish** Intellectual Property Academy has designed and delivered a broad range of training on intellectual property protection in the digital environment, particularly for those working in the public sector, including judges, public prosecutors, and lawyers.
- Lastly, several Parties have identified specific digital skill gaps in the cultural and creative sectors through multi-stakeholder consultations involving artists, cultural professionals, private firms, and civil society organisations.

Output 5: Human rights and fundamental freedoms are promoted in the digital environment

- The cross-cutting nature of the open roadmap's fifth output has led several Parties to include it in the activities reported under the other outputs.
- Several Parties have taken concrete actions to address cyber-harassment, online trolling, and targeted attacks. To give one example, the Ministry of Communication and Culture in **Madagascar** has set up a dedicated unit to tackle cybercrime, ensure responsible use of social media, and protect victims of cyber-harassment.
- Several Parties have also reported measures to empower women and girls in the digital environment by ensuring their effective participation and equal opportunities to work in the digital cultural and creative sectors. The Ministry of Education in **Trinidad and Tobago** has thus set up a project to promote involvement of girls and women in information and communication technology. **Canada's** Media Fund, the largest fund supporting the country's production of digital and television content, has implemented selection criteria for funding opportunities that favour teams in which at least 40% of the positions are held by women, thereby guaranteeing their access to mentoring, funding and training opportunities.

III. Main challenges encountered by Parties

11. Most Parties that have taken their first steps in developing their roadmaps have emphasized the difficulties arising from this exercise. The challenges encountered, often greater in developing countries, are exacerbated by a dearth of expertise and know-how regarding effective policymaking and regulation in a digital environment, the weakness or absence of dedicated institutional bodies, and limited capability for evaluating and monitoring the impact of digital policies and measures relating to the cultural and creative sectors.
12. The lack of individual and institutional skills needed to adapt the open roadmap to the national context and break it down into a series of priority actions is one of the main obstacles to introducing legislation, measures, and strategies to implement the Convention effectively in a digital environment. These limitations are often coupled with problems in mobilizing the relevant stakeholders to begin a participatory process based on interministerial cooperation and dialogue with the relevant players, both from civil society and the private sector.
13. Shortage of information on the cultural and creative sectors operating in the digital environment also emerges as a major challenge facing all Parties. Collecting and analysing quantitative and qualitative data is an essential first step to design informed public policies for the digital environment, but this process is often hampered by the unavailability of data, which are monopolized by a small number of multinational digital platforms. Parties often lack the means to establish cooperative relationships with these major online platforms in order to ensure greater transparency in the use of data and algorithms.
14. Another significant challenge emerging from Parties' national roadmaps and status reports concerns the achievement of balanced flow of cultural goods and services in the digital environment. No examples of co-production or co-distribution agreements that had an impact

on the distribution of cultural goods and services in the digital environment were reported by Parties. It is clear that a number of challenges persist regarding the negotiation of cultural clauses in trade and investment agreements concerning e-commerce and digital products, and that there has been no systematic assessment of the impact of trade agreements on the flow of digital cultural goods and services.

IV. Next steps

15. While in 2017 Parties were already persuaded of the need to adopt operational guidelines to ensure that the Convention's objectives could also be implemented in the digital environment, this need has only become more acute in 2020 with the acceleration of the digital transformation of the cultural and creative sectors brought about by the COVID-19 pandemic. In this respect, the open roadmap adopted by the seventh session of the Conference of Parties is a useful tool that Parties can use to plan and undertake a series of actions in line with their needs and available resources. It should be noted that digitization is not always an appropriate solution for the cultural and creative sectors. Towards the end of 2019, over 45% of the global population was still offline.⁶ This digital divide restricts the right of people offline to participate in cultural life. Supporting the digital transition is, moreover, something that ResiliArt panellists around the world have urged governments to do, particularly by improving ICT infrastructure and subsidizing Internet connectivity.⁷
16. Both the shortage of information from Parties on implementation of the Convention in the digital environment and the pre-existing inequalities between Parties that have been amplified by the COVID-19 pandemic have increased the relevance and utility of the assistance programme developed by the Secretariat and of which the Committee took note at its fourteenth session ([Decision 14.IGC 14](#)). However, it should be recalled that its implementation is entirely dependent on voluntary contributions, which have been neither received nor pledged so far. Nevertheless, thanks to the UNESCO/Republic of Korea funds-in-trust, a new initiative – a digital creativity laboratory – will be launched in 2021 to strengthen digital skills in countries' cultural and creative sectors in South-East Asia, Central Asia, and Eastern Europe.
17. The Secretariat may continue to collect examples of good practice and information on the progress made by Parties in the development of their national roadmaps. However, without a clearly established monitoring mechanism for this purpose, and given Parties' existing reporting burden, the Conference of Parties may wish to invite Parties to use the monitoring mechanism of the Convention, namely the quadrennial periodic reports, to communicate measures that they have taken to implement the Convention in the digital environment, including through the development of their national roadmap. In fact, a preliminary examination of the quadrennial periodic reports submitted in 2019 and 2020 shows that few Parties made use of this mechanism to provide information in this respect. Therefore, the Conference of Parties may wish to request the Secretariat to make this expectation more explicit in the quadrennial periodic report forms in order to avoid duplicating reporting efforts
18. Making optimal use of the quadrennial periodic reports could enable the Secretariat to incorporate the policies and measures taken by Parties to implement the Convention in the digital environment more effectively into the Policy Monitoring Platform.⁸ In this sense, the platform will be a tool both for monitoring and evaluating the measures put in place by Parties and for identifying good or innovative practices that could inspire Parties.
19. In declaring 2021 the International Year of Creative Economy for Sustainable Development, the 74th session of the United Nations General Assembly recognized "the need to optimize the economic, social and cultural benefits stemming from the creative economy by creating an

6. Some 4.1 billion people are now online, but in developing countries women's Internet use is falling behind. See the International Telecommunication Union (ITU) report: <https://www.itu.int/en/mediacentre/Pages/2019-PR19.aspx>.

7. For a full overview of ResiliArt recommendations, see document DCE/218.CP/INF.8.

8. Available at: <https://en.unesco.org/creativity/policy-monitoring-platform>.

enabling environment for the promotion of the creative economy, such as the development of digital technology, innovative and digital economy, e-commerce, building relevant digital infrastructure and connectivity for supporting sustainable development, increased public and private sector investment in creative industries and development of relevant legal frameworks”.⁹ It thus offers Parties an ideal opportunity to determine the priorities according to which they wish to develop their national roadmaps with a view to promoting the inclusive and sustainable development of their societies. In this context, Parties may wish to take into consideration the provisions of the UNESCO Recommendation on the Ethics of Artificial Intelligence, the draft of which will be examined by the 41st General Conference in the fall of 2021.¹⁰

20. The Conference of Parties may wish to adopt the following resolution:

DRAFT RESOLUTION 8.CP 10

The Conference of Parties,

1. *Having examined documents DCE/21/8.CP/10 and DCE/21/8.CP/INF.10,*
2. *Recalling its Resolutions 7.CP 12 and 7.CP 13 as well as Decisions 13.IGC 7 and 14.IGC14,*
3. *Acknowledging the heightened challenges brought about by the COVID-19 pandemic for the protection and promotion of the diversity of cultural expressions in the digital environment,*
4. *Takes note of the national roadmaps transmitted by Parties contained in document DCE/21/8.CP/INF.10 and of Parties’ efforts to develop such roadmaps,*
5. *Sincerely thanks the three Parties that have shared their national roadmaps with the Secretariat,*
6. *Invites the many Parties that have not yet started the development of their national roadmaps to begin this process in order to implement the Convention in the digital environment in line with their needs and available resources,*
7. *Further invites Parties to include information on their national roadmaps as well as on the progress made and challenges encountered during their development and/or implementation in their quadrennial periodic reports,*
8. *Requests the Secretariat to present to it, at its ninth session, a status report on the implementation of the Convention in the digital environment based on, inter alia, a targeted analysis of the quadrennial periodic reports submitted between 2020 and 2022,*
9. *Strongly encourages Parties to make earmarked voluntary contributions to the assistance programme developed by the Secretariat for the implementation of the Convention in the digital environment.*

9. Resolution A/C.2/74/L.16/Rev.1, available at <https://undocs.org/en/A/C.2/74/L.16/Rev.1>.

10. The first draft is available at: <https://unesdoc.unesco.org/ark:/48223/pf0000373434>.