Организация

Diversity of Cultural Expressions

1 CP

CE/07/1.CP/CONF/209/10 Paris, 16 July 2007 Original: French

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

First session
Paris, UNESCO Headquarters, Room I
18-20 June 2007

DRAFT SUMMARY RECORD

This document contains the draft summary record of the first ordinary session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The resolutions adopted by the Conference of Parties and the list of participants are annexed.

The first session of the Conference of Parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (hereinafter "the Conference"), took place at UNESCO Headquarters in Paris, from 18 to 20 June 2007. There were 423 participants, including: 247 participants from 57 Parties to the Convention (56 States and the European Community); 176 participants from 62 States or territories, five international organizations and 16 non-governmental organizations (NGOs) having observer status; and two independent experts. The UNESCO Section for the Diversity of Cultural Expressions provided the secretariat for the meeting.

Room I – 18/06/2007 10 a.m.

Item 1A – Opening of the Conference of Parties

[Official opening ceremony]

Item 1B – Election of a Chairperson, one or more Vice-Chairpersons and a Rapporteur of the Conference of Parties

[Election of the Bureau]

- 6. The Conference of Parties effected the election of a Chairperson. Ms Françoise Rivière, Assistant Director-General for Culture, recalled that it was the responsibility of the Conference to elect a Chairperson, Vice-Chairpersons, preferably four, and a Rapporteur, each ideally belonging to a different electoral group.
- 7. The delegation of Saint Lucia took the floor to propose Professor Kader Asmal as Chairperson of the Conference of Parties in view of his competence, experience and the significant commitment that he had shown as Chairperson of the Intergovernmental Meeting of Experts in charge of elaborating the draft of the Convention.
- 8. That candidature was endorsed by the delegations of Djibouti, on behalf of the Africa Group on the grounds of Professor Asmal's professional and personal qualities, Greece and India, who proposed to elect him by acclamation, and who were followed by the other delegations. The Conference of Parties elected by acclamation Professor Kader Asmal (South Africa) of electoral Group V(a) as Chairperson, and the other members of the Bureau as follows: Vice-Chairpersons: the representatives of Chile, Spain, India and Tunisia; and Croatia (Ms Nina Obuljen) as Rapporteur. All of the electoral groups were represented in the Bureau.
- 9. Draft Resolution 1.CP 1B was adopted as amended.

[Statements by Parties]

- 10. The Chairperson invited Parties wishing to make an official statement to do so. Twenty-two speakers representing the Parties, including three Ministers, took the floor.
- 11. H.E. Ms Paulina Urrutia, Minister, Chairperson of Chile's National Council of Culture and the Arts stated that the Convention established fundamental new rules for the international legal order, raising culture to an equal and no less legitimate level than free trade. That constituted a significant challenge requiring genuine commitment in order to translate the Convention into specific action. She advocated that cultural reservations be included in the various commercial treaties and agreements; that diversity be respected when forging national cultural policies; that the Convention be taken into account in other international political bodies, such as the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO), and in regional spheres, and that social and cultural dialogue be enhanced. She called for an international balance to be struck between the interests at stake.
- 12. H.E. Mr Gabriel Sassouvi Dosseh-Anyron, Minister of Culture, Tourism and Leisure of Togo hailed the unique international mobilization that had led to the Convention's adoption, and paid tribute to all the Parties. He stressed the need to tackle the ethical challenge posed by co-development, and to move now into the decisive phase of consensus-building with regard to the priorities for action. He urged the Intergovernmental Committee for Protection and Promotion of Diversity of Cultural Expressions (hereinafter "the Committee") to consider the role of civil society, international cooperation, interaction between culture and sustainable development, the promotion of partnerships, preferential treatment for developing countries, and mutual assistance in the event of serious threats to cultural expression. The procedures relating to the operation of the International Fund for Cultural Diversity (hereinafter "the Fund") should reflect the commitment of developing countries to that multilateral mechanism, for which the dictates of effectiveness, solidarity and shared responsibility implied an ongoing harnessing of the necessary resources.

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- 18. The delegation of Finland, endorsing the remarks made by Germany on behalf of the European Union, recalled the active role played by Finland in drafting the Convention. It welcomed the fact that the European Community had acceded to the Convention under the Finnish presidency in December 2006. It recalled that the Convention urged countries to forge independent national cultural policies, to develop their identity and cultural life, and that it was the "Magna Carta" of international cultural policy. The delegation recalled that the Convention's success depended as much on the Secretariat as on the Member States, and that by means of the UNESCO programme and budget, States should ensure that the Secretariat had sufficient and necessary resources. It added that it was the States Members' responsibility to ensure the Convention's national implementation and to support the Fund. It called for all protagonists, including civil society, to be involved in implementing the Convention, so that it could attain its overarching goal.
- 19. The delegation of France

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identity, international solidarity and human dignity. The Conference should function as a

development. Mali described the African States' needs and cultural potential, and expressed the hope that the Convention would be fully operable.

Item 2 – Adoption of the agenda

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32. In the afternoon of 18 June, the Chairperson opened debate on item 2 "Adoption of the agenda". The Conference of Parties adopted the provisional agenda: Resolution 1.CP 2.

Item 3 – Adoption of the Rules of Procedure

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- 33. Introducing item 3, Ms Rivière, Assistant Director-General for Culture, gave an introductory explanation to the six sections comprising the provisional Rules of Procedure. She stressed the distinctive features of the Convention, referring to some innovative provisions in the draft rules of procedure, including some relating to the participation of civil society representatives as observers. She also pointed out that the Convention could be ratified by States and by regional economic integration organizations. She informed the Conference that some proposals for amendments had been put forward, including some endorsed by the following Parties: Albania, Andorra, Bulgaria, Burkina Faso, Cameroon, Cyprus, Djibouti, France, Greece, Lithuania, Luxembourg, Mali, Monaco, Saint Lucia, Senegal, Slovakia, Togo and Tunisia. She mentioned that Group I had submitted an alternative proposal for Rules 14.2 and 15 of the provisional Rules of Procedure.
- 34. The Chairperson proposed that the Parties should consider the provisional Rules of Procedure one by one. The Conference of Parties adopted Rules 1, 2.1 and 2.2, 3, 5, 6, 7, 8, 9, 10, 11, 12.1, 13.1, 13.2, 13.3 and 13.4, 13.6, 13.7, 13.8, 13.9, 14.1, 16, 17, 18, 19 and 20 of the provisional Rules of Procedure.

[Rule 2 Observers]

35. Referring to Rule 2.3 of the provisional Rules of Procedure regarding intergovernmental organizations other than those referred to in Rule 2.2 and NGOs which could be invited by the Conference to participate in its work as observers, the delegation of Saint Lucia, supported by the delegations of India and Germany on behalf of the European Union, proposed to amend the text by introducing the terms "having interests and activities in the field covered by the Convention" and "upon written request to the Director-General of UNESCO". Those amendments were adopted.

[Rule 4 new]

- 36. The delegation of Saint Lucia proposed adding a new Rule 4 relating to persons and bodies having the authority to have questions included in the agenda. That amendment was unanimously adopted.
- 37. The delegation of Brazil, supported by Senegal, proposed deleting the term "amendment" from Rule 12.2, which was accepted and adopted by the Conference.
- 38. The delegation of Saint Lucia, supported by Monaco, proposed that the term "raisonnablement" in the French version could be translated as "reasonably" in the English version. That proposal was accepted by the Conference.
- 39. The delegation of India, supported by Germany, Senegal and Saint Lucia, sought clarification on voting by a show of hands, as mentioned in Rule 13.5.

- 40. The Legal Adviser first recalled that the term "normally" referred to Rule 17 and implied that a principle could have exceptions. He explained the three methods of voting: voting by a show of hands, considered to be "normal" voting; voting by roll call, used in case of doubt or whenever requested by at least two delegations; and voting by secret ballot, reserved in the Rules of Procedure of the Conference of Parties for the election of the members of the Committee.
- 41. The Conference decided to delete the word "normally" from Rule 13.5 of the provisional Rules of Procedure, which became Rule 14.6 of the Rules of Procedure as adopted by the Conference.

[Rule 14/15 new Geographical distribution]

- 42. With regard to Rule 14.2 of the provisional Rules of Procedure relating to the geographical distribution of the Committee, the delegation of Greece, on behalf of Group I, supported by the delegation of India on behalf of Group IV, proposed that a minimum of three seats and a maximum of six seats could be allocated to each electoral group in order to ensure equitable geographical distribution. Greece suggested that in the event of particular difficulties, an ad hoc solution could be sought, the aim being to ensure equitable geographical distribution with a better representation of electoral groups within the Committee.
- 43. The delegation of India added that it would be paradoxical for there to be disparities in regional representation among the organs of the Convention. India explained that the proposal by Group I was an appeal to the under-represented groups whose States had set in motion the process of ratifying the Convention. Without such an amendment, some groups could find themselves in difficulties.
- 44. The delegation of Brazil, supported by Senegal and Bolivia, remarked that the solution, effective in view of the ratification of the Convention by one third of States, was

50. The Legal Adviser proposed a new draft of Rule 14.2, renumbered as Rule 15.2, which was adopted by the Conference of Parties as follows:

"Membership in the Committee, as composed of 24 States Parties, shall be distributed at each election among the electoral groups in proportion to the number of States Parties from each group, provided that a minimum of three seats and a maximum of six seats are allotted to each of the six electoral groups. In case the above formula cannot be applied, an

- 60. The delegation of Greece proposed allocating a minimum of one seat on the Committee per electoral group so that Group IV could always be represented.
- 61. The Chairperson summarized the meeting by stating that the overwhelming majority of delegations wished to maintain the rotation principle and to delete the phrase in square brackets that limited the election of a member to the Committee to two consecutive terms of office. He called for consultations, and proposed postponing the discussion until the following day. He then advised the Parties to consider Rules 16 to 22 of the provisional Rules of Procedure one by one. The Conference of Parties adopted the Rules as amended.

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- 62. On Tuesday 19 June, the Chairperson opened the meeting to continue debate on Rule 15.
- 63. The delegation of Brazil proposed replacing the term "renew" with the word "elect" in Rule 15 of the provisional Rules of Procedure.
- 64. The delegation of Germany, speaking on behalf of the European Union, recalled that it favoured a very precise definition of rotation, and as a consequence, a limit of two consecutive terms of office.
- 65. The delegation of Saint Lucia proposed the addition of a new paragraph in Rule 15 with regard to the term of office of members of the Committee to read: "immediate re-election is not recommended unless a regional group does not field the same number of candidates as there are seats to be filled. The States Parties belonging to an electoral group in which the number of candidates is less than the minimum number of seats provided in Rule 15.2 may request re-election".
- 66. The Chairperson said that in view of the legal nature of the Rules of Procedure, it was important to avoid all ambiguities when drafting the Rules.
- 67. The delegation of Greece proposed the following formulation of Rule 15: "The States Members of the Committee shall be elected for a term of office of four years. Nevertheless, the term of office of half of the States Members of the Committee elected in the first election shall be limited to two years. Those States two per group will be chosen by lot at the time of the first election. Every two years, the Conference shall elect half of the membership of the Committee with due regard to the principle of rotation."
- 68. The delegation of India, supported by Guatemala, endorsed that proposal, but recommended one State per group.
- 69. The delegation of Mexico proposed that the Conference should adopt the principle of selection by lot, per electoral group, of half of the States elected to the Committee.
- 70. The Legal Adviser explained the consequences of the various proposals. His explanation showed that it was more equitable to opt for the solution whereby selection by lot enabled half of the members by electoral group to be renewed.
- 71. Following detailed exchanges resulting from the question of the length of a term of office, and remarks by Germany, Brazil, China, Greece, Guatemala, India, Mexico, Norway and Senegal, the Chairperson requested that Canada coordinate the drafting of Rule 15 with GRULAC, Group I being represented by Germany and Greece, and Group V(a) represented by Senegal. The drafting group submitted a consolidated amendment, fully reflecting the principle of rotation, and established clearly defined exceptions, duly taking specific eventualities into account. The Conference adopted Rule 15, as amended, renumbered as Rule 16, and Resolution 1.CP 3.

[Accreditation of observers]

72. The Chairperson gave the floor to the Secretariat regarding the accreditation of observers.

73.

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Article 22.2 of the Convention, he stated that the Conference of Parties should meet in ordinary session every two years.

77. The Assistant Director-General for Culture outlined the two options. The Conference

was less than three, and that the third seat might need to be transferred, temporarily and until the next election, to one of the other electoral groups. He invited the States Parties, in particular those of Group IV, to voice their opinions on the matter of transferring the third seat that should be allocated to them.

- 84. The delegation of Senegal, on behalf of the Africa group, said that it agreed with the principle adopted by the Conference regarding the allocation of a minimum of three seats and a maximum of six seats to each of the six electoral groups. It stressed that if the pro rata principle were applied to the 192 States Members, a minimum of two seats would be fairer than a minimum of three seats. In order to avoid penalizing groups that had had a significant number of ratifications and to encourage ratifications in groups where the opposite was true, Senegal felt that it would be useful, as a provisional measure for the first Committee, and in the interest of balance, to opt for a lower threshold of two seats, without imposing an upper ceiling on the number of seats. The Chairperson requested that the delegation of Senegal submit its proposal in writing.
- 85. The delegation of India, on behalf of the Asia and the Pacific group (ASPAC), reported that it had been approached by Group I, which had proposed that Group IV, since it only contained two States for whom the Convention had entered into force, might temporarily transfer a seat to Group I, on the understanding that the Chairperson of Group I would agree in writing that after two years, a seat would return to Group IV, thereby respecting the three-seat principle adopted in the Rules of Procedure. The delegation of India said that it agreed to that proposal, and wished it to be recorded as a decision by the Conference.
- 86. The delegation of Tunisia recalled that the geographical distribution principle arose out of the Convention and that the arrangement adopted by the Conference was consistent with that principle. It mentioned that its group did not endorse the proposal by Senegal which appeared to contradict what the Conference had already adopted.
- 87. The delegation of Lithuania, speaking on behalf of Group II, reiterated its endorsement of equitable geographical distribution and the principle of a minimum of three seats and a maximum of six seats.
- 88. The delegation of India, speaking as a member of the Bureau, suggested that the Chairperson convene the Bureau in order to hold consultations. It felt that there was a consensus, and that it would be best only to consider the possibility of Group V(b) temporarily transferring a seat to Group V(a).
- 89. The delegation of Tunisia said that Group V(b) had never been consulted on the matter. It suggested that an alternative solution would be to draw lots among the regional groups with more than three seats, should consultations prove fruitless.
- 90. The delegation of Greece said that Group I had, on 15 June 2007, submitted a proposal regarding the distribution of seats to the Secretariat, in which they advocated a minimum of three and a maximum of six seats, and had circulated the proposal to the Parties to the Convention.
- 91. The delegation of Gabon remarked that Group IV had never received a copy of the proposal by Group I.
- 92. The Chairperson convened a meeting of the Bureau chaired by India in which the representatives of all the electoral groups, the Secretariat and the Legal Adviser took part. He drew attention to the complex nature of the matter and recalled the number of States per group: Group I: 19 States; Group II: 11 States; Group III: 10 States; Group IV: 2 States; Group V(a): 11 States; Group V(b): 3 States. In total, 56 States. The Chairperson recalled Rule 15 of the Rules of Procedure as adopted. He proposed that following consultations

between groups that wished to hold them, the meeting would continue over lunch in order to find a suitable solution.

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- 93. In re-opening the meeting, the Chairperson invited the Assistant Director-General for Culture to outline the results of consultations, and in turn, she gave the floor to the Rapporteur.
- 94. The Rapporteur said that the Bureau proposed to divide the 24 seats among the electoral groups, as exceptionally agreed, as follows: Group I (7); Group II (4); Group III (4); Group IV (2); Group V(a) (5); Group V(b) (2), it being understood that at the next ordinary session of the Conference of Parties, one seat would be returned by Group I to Group IV, and one seat by Group V(a) to Group V(b).
- 95. At the request of the Chairperson, the Assistant Director-General for Culture read out the entire draft resolution as follows:

"The Conference of Parties,

Having examined document CE/07/1.CP/CONF/209/5A,

<u>Considering</u> that, for the purposes of the election of the members of the Committee, the seats on the Committee are to be distributed among the electoral groups pro rata to the number of States Parties in each group in accordance with Rule 15 of the Rules of Procedure, it being understood that a minimum of three seats and a maximum of six seats will be allocated to each of the six electoral groups,

<u>Decides</u> that, for the purposes of the election of the members of the Committee at the present session, and given the special circumstances as provided for by Rule 15.2 of the Rules of Procedure, the 24 seats will be distributed among the electoral groups in accordance with the following exceptional arrangement: Group I (7); Group II (4); Group IV (2); Group V(a) (5); Group V(b) (2), it being understood that at the next ordinary session of the Conference of Parties one seat will be returned by Group I to Group IV, and one seat by group V(a) to Group V(b)."

- 96. The delegation of Jordan said that it had relinquished a seat so that Tunisia and Oman were elected unanimously to the Committee as members of Group V(b).
- 97. The delegation of Greece said that its group had made many sacrifices. It added that despite its weaknesses, the resolution remained as equitable and politically acceptable as possible.
- 98. The Conference adopted Resolution 1.CP 5A.
- 99. The Chairperson gave the floor to the observer States that had ratified the Convention, but for which it had not yet entered into force.
- 100. The delegation of Gabon, on behalf of the Africa group, expressed its pride at the election of the Chairperson, and congratulated the Bureau. It thanked all the groups that had endorsed the proposed African candidature. It welcomed the agreement reached between the groups. The intention of the Africa group in proposing a minimum of two and a maximum of seven seats had been an attempt to correct an imbalance in the number of ratifications. It welcomed everyone's efforts and thanked Group V(b) for agreeing to transfer a seat to Group V(a), it being understood that it would be returned in two years' time. The delegation hoped that given the importance of the Convention, many States from each regional group could ratify it in order to avoid future regional imbalances.

101. The delegation of Jamaica recalled the role that it played in drafting the Convention, and welcomed the possibility for developing countries to have an international instrument that strengthened cultures. It trusted that the Convention would not marginalize individuals who created culture, and that it would offer genuine opportunities. It stated its interest in discussing the Fund. The delegation lauded the parity and equity of the Committee's geographical distribution.

Item 5B – Election of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions

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- 102. The Chairperson informed the Conference of Parties that Madagascar (Group V(a)) and Jordan (Group V(b)) had withdrawn their candidatures.
- 103. The Assistant Director-General for Culture read out Rule 18.1 of the Rules of Procedure regarding the election of members of the Committee, which specified that when the number of candidates, according to geographical distribution, was the same as or less than the number of seats to be filled, the candidates would be declared elected without a need to hold a ballot. She informed the Conference that in most cases, the number of candidates was equal to the number of seats available (known as "clean slate"):

Group I: Germany, Austria, Canada, Finland, France, Greece, Luxembourg;

Group II: Albania, Croatia, Lithuania, Slovenia;

Group IV: China, India; Group V(b): Oman, Tunisia.

- 104. The Conference of Parties decided to elect the members of Groups III and V(a). The Chairperson invited the representatives of Ireland, Mr Hugh Swift, and Madagascar, H.E. Ms Irène Rabenoro, who had been named tellers, to join the Chair. He then read out the names of the States Parties entitled to vote. For Group III, four seats were to be filled; the following five candidates were standing: Brazil, Guatemala, Mexico, Saint Lucia and Uruguay. For Group V(a), there were five seats to be filled; the seven candidates were: Burkina Faso, Djibouti, Mali, Mauritius, Senegal, South Africa and Togo.
- 105. The Assistant Director-General for Culture explained the voting procedure. Each envelope contained two ballot papers, one for each of the electoral groups. Votes were to be cast by circling four names for Group III and five names for Group V(a). She explained the questions of abstentions and invalid votes in accordance with Rule 18 of the Rules of

Fifty-six States Parties present and voting took part in the election. All of the ballot papers were valid and there were no abstentions.

108. The Chairperson congratulated the States Members, thanked the Conference, and stated that item 5B was closed.

Item 5C – Selection by lot of 12 States Members of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions, whose term of office will be limited to two years

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- 109. The Chairperson, referring to Rule 16 of the Rules of Procedure as adopted with regard to the length of the term of office of members of the Committee, recalled that by virtue of the principle of rotation, the term of office of half the States Members of the Committee elected in the first election was limited to two years and that those States would be designated by the drawing of lots at that first election. He mentioned that in order to ensure continuity with the principle of equitable geographical distribution, the Conference had decided to choose by lot by electoral group.
- 110. The delegation of India said that at the meeting of representatives of regional groups it had chaired in the Chairperson's absence, an agreement had been reached with the assistance of the Legal Adviser, who had explained how that significant issue had been resolved with regard to the Convention for the Safeguarding of the Intangible Cultural Heritage. The delegation of India reported that the working group had concluded that when a regional group had an even number of members, it was easy to apply the principle of limiting the term of office of half of the members of the group to two years. As a consequence, the term of office would be limited to two years for:

Group II: 2 members; Group III: 2 members; Group IV: 1 member; Group V(b): 1 member.

111. With regard to Groups I and V(a), which had odd numbers of States Members of the Committee, seven and five respectively, two scenarios had been put forward. The first was to consider whether Group I would agree to accept a limit of a two-year term of office for four Member States out of seven, in which case, the terms of office of two Member States from Group V(a) would be limited to two years. The second scenario was to draw lots to see whether it would be in Group I that four States would have their terms of office limited to two

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- 4 members for Group I: Austria, Canada, Finland, France;
- 2 members for Group II: Albania, Slovenia;
- 2 members for Group III: Brazil, Guatemala;
- 1 member for Group IV: China;
- 2 members for Group V(a): Burkina Faso, Mali;
- 1 member for Group V(b): Tunisia.

The Conference adopted Resolution 1.CP 5C.

- 114. For reasons of transparency and in accordance with usual practice, the delegations of Senegal and Saint Lucia requested the number of votes obtained in the elections to be announced.
- 115. The Chairperson closed the meeting after reading out the following election results:

Group III: Brazil: 43 votes; Guatemala: 46 votes; Mexico: 43 votes; Saint Lucia: 54 votes; Uruguay: 33 votes.

Group V(a): Burkina Faso: 44 votes; Djibouti: 33 votes; Mali: 35 votes; Mauritius: 42 votes; Senegal: 40 votes; South Africa: 50 votes; Togo: 24 votes.

Room I – 20/06/2007 10 a.m.

Item 6 – Date and venue of the first meeting of the Intergovernmental Committee

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- 116. The Chairperson opened the meeting by stressing the importance of the agenda items. He mentioned that in order for the Convention to be fully operational, some texts needed to be approved by the Conference, the most important of which were the operational guidelines to be prepared by the Committee (Art. 22.4(c) of the Convention). He recalled that it was the Parties' responsibility to request the Committee to start work on that text, and to submit to the Conference of Parties at its second ordinary session a draft for discussion and approval. He invited the Parties to give their views regarding the date and venue of the first meeting of the Committee.
- 117. The delegation of Saint Lucia, presenting its draft amendment supported by 16 States from Groups I, III and V(a) (Albania, Andorra, Bulgaria, Burkina Faso, Cameroon, Cyprus, Djibouti, France, Greece, Lithuania, Luxembourg, Mali, Senegal, Slovakia, Togo and Tunisia), proposed that the Committee's meetings be convened in Paris at UNESCO Headquarters in order to encourage participation by as many States as possible which already had delegations in Paris, particularly those of developing countries with scant resources.
- 118. The delegation of Canada, while expressing its support for the principle of limiting the number of meetings held outside Headquarters, proposed, exceptionally and owing to its inaugural character, that the first meeting of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions should be held in Ottawa, Canada, in December 2007. That proposal was endorsed by India.
- 119. The Chairperson noted that there were no objections from those present to the principle of holding meetings in Paris at UNESCO Headquarters.
- 120. The delegation of Senegal proposed another formulation of the rule whereby meetings of the Committee would generally be held in Paris at UNESCO Headquarters. If a State Party wished to invite the other Parties to its country, the proposal should be submitted to the Conference for approval.

- 121. The delegation of Greece proposed that extraordinary meetings might be held away from UNESCO Headquarters.
- 122. The delegation of Saint Lucia, while understanding the point of view of the delegation of Senegal, stressed that the question could affect the Fund's resources, and that there was a risk of receiving a significant number of invitations each year. It advocated maintaining the principle of holding meetings at Headquarters and, in exceptional circumstances, for example the tenth anniversary, the Committee could make a decision.
- 123. Expressing the same opinion, the delegation of Brazil stated that it was the responsibility of the Committee, and not the Conference, to decide on exceptional cases, and added that the draft resolution should state that the first meeting would take place from 10 December 2007 and not on 10 December 2007.
- 124. The Chairperson concluded that in principle, the meetings of the Intergovernmental Committee would be held at UNESCO Headquarters, but the Committee could decide otherwise. The first meeting would be held in Ottawa, Canada, from 10 December 2007. The Conference adopted Resolution 1.CP 6 in paragraphs 1 to 3.
- 125. Continuing the discussion on paragraph 4 of the draft amendments to Resolution 1.CP 6, regarding the operational guidelines, the Chairperson said that priority should be given to, inter alia, the provisions of Articles 7, 8 and 11 to 17 of the Convention, in addition to Article 18.
- 126. The delegation of Brazil recommended that the Committee group the articles together, in view of the priorities, which, in its view, were international cooperation and project funding, in particular Articles 14, 15 and 18; the format of national reports, the inventory of best practices, and the participation of civil society, principally Articles 9 to 11; and consultation and coordination with other instruments and international forums (Art. 21).
- 127. The Chairperson said that if those articles were added, the entire Convention would be included in the list of priorities. He suggested proposing a group of priorities, with the alternative being to leave it to the Committee to decide freely. He concluded that there appeared to be a consensus among the participants in the Conference that the list was much too long.
- 128. The delegation of Saint Lucia said that the broad consultations that it had held had been aimed at providing indications of the themes that the Conference felt were a priority, without it binding the Committee, giving it the opportunity to start work immediately on the basic issues that the 17 States Parties considered to be essential.
- 129. The delegation of Mexico added that it was important to determine priorities, and recommended, for greater clarity, drawing attention to the themes indicated in the Convention by incorporating the titles of articles. It suggested including the expression "among other themes" in the resolution so that the Committee might be able to judge what it felt should be a priority.
- 130. The Chairperson stressed that implementation of the Convention was interrelated at the national and international levels. He suggested the following priorities: promotion of development cooperation, preferential treatment of developing countries, the role of civil society and the measures taken at the international level to promote cultural expressions.
- 131. The delegation of Saint Lucia said that the amendment that it submitted had been proposed on behalf of 17 States, and that it could not speak on their behalf regarding a new proposal.

- 132. The delegation of Germany said that in order to structure the Committee's discussions, it would be desirable to indicate themes for discussions, in much the same way as the delegation of Saint Lucia had proposed. It felt that the suggestions that the President had just made were much too detailed. It recalled the remarks that it had made on behalf of 19 Member States of the European Union and the European Commission, in which it had recommended the following principal actions for the Committee: the obligations of the Parties, international cooperation, and complementarity and cohesion with other instruments and international forums.
- 133. The delegation of Tunisia, recalling the clarity with which section IV of the Convention defined the rights and obligations of the Parties, felt that it was preferable to avoid going into detail, and to leave the Committee to define the priority articles.
- 134. The delegation of Senegal, supporting the amendment, said that the idea was for the Committee to receive a mandate from the Convention to determine its rules of application, and that it would be wise to indicate the priority measures, albeit without going into detail, in order to leave room for manoeuvre.
- 135. The delegation of Norway, stating that it was the responsibility of the Conference to give certain guidelines, endorsed the amendment by Saint Lucia, which clearly referred to the fundamental articles of the Convention, and also the idea of grouping the articles together suggested by the Chairperson.
- 136. The Conference requested the Committee to draw up the operational guidelines mentioned in Article 22.4(c) of the Convention, considering that priority should be given to,

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replacing "takes note of" with "approves" the financial regulations in the resolution. That amendment was adopted by the Conference.

141. The delegation of Canada endorsed the resolution, and added that it was important for

147. The delegation of Germany recalled that some Member States or non-Members of the

creation for the benefit of communities in developing countries. It was necessary to ensure that the drafters of the guidelines found ways to determine the right projects to support. Jamaica would contribute to the Fund and recommended that the projects be measurable and that it be possible to assess the results and the value added by the Fund to reducing imbalances worldwide.

Item 8 – Closure of the first session of the Conference of Parties

- 8A. Oral report by the Rapporteur of the first session of the Conference of Parties
- 160. Ms Nina Obuljen gave an oral report on the deliberations and decisions of the first session, which was hailed by the Conference.
- 8B. Closure by the Chairperson
- 161. The Chairperson said that the intense work of the Conference had borne fruit, and that the number of participants representing States that had not yet ratified the Convention bore witness to the international community's interest in the instrument. He urged States that were not yet Parties to ratify the Convention so that it could become fully universal. He congratulated all the electoral groups for the gratifying election of the Intergovernmental Committee, which had resulted from their cooperation. He recalled the challenges to be met, such as the framing by the Parties of coherent cultural policies to protect and promote the diversity of cultural expressions, and the strengthening of relations with civil society. He invited all the Parties to contribute to the Fund regularly. The Committee would need to be very clear when defining the priorities for the operational guidelines; development cooperation was paramount (Art. 14); the ultimate purpose of the Fund to be established to that end should be clearly and reasonably defined; and its programmes should focus on capacity-building, and should be rigorously identified and assessed. He stressed the insufficiency of the resources and staff of the Secretariat, in view of its weighty and ambitious mission, and the large number of meetings to be organized, not to mention the numerous activities of the programme and the expectations of the international community. The Chairperson urged the Director-General to make the programme a high priority, and to provide it with the human and budgetary resources that were indispensable for it to perform its mission.
- 162. The Assistant Director-General for Culture recalled the fundamental role of the Committee over the next two years, which would involve setting the ground rules, and