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Convention on the Protection and Promotion of the Diversity of Cultural Expressions: Possible Statistical Implications?

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*The author is responsible for the choice and the presentation of facts in this concept paper and for the opinions expressed therein, which are not necessarily those of UNESCO and do not commit the Organization.*

This paper is an expert discussion paper on the possible statistical implications of *the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression*.

In the **first part** *the Convention* is reviewed to identify:

- what is agreed about exchanging information, especially statistical information, in order to monitor the Convention
- which parts of the Convention seem to need statistical monitoring, and where this is feasible
- key definitions to examine their usability in statistics.

The **second part** contains the conclusions and offers some proposals.

This paper is written with a view to the fact that in producing statistics and collecting data useful for that purpose the object of description has to be concrete and realistically defined. The author is highly aware of how extremely difficult it is to get statistical information on culture from all countries, and how it is nearly an impossibility to make that data comparable. Even in the European Union consisting of highly developed countries which have high level information systems and which, to a great extent, share a common European way of defining the culture concept, there have been great difficulties in producing comparable statistics. In practice even common basic definitions of culture proved to be partly an illusion.

The UNESCO convenors of the Montreal meeting expect this overview of the statistical implications of the Convention to serve as an initial basis for discussion of the measurement of cultural expressions and the availability of statistics. The UNESCO Framework on cultural statistics is under review and suggestions about data series that could help to the monitoring of the Convention are thus timely.

## 1.a. Articles 9 and 19 in Chapter IV: Rights and obligations of Parties

The statistics are mentioned in two articles in Chapter IV of the Convention: Article 9 and Article 19.

### *Article 9 - Information sharing and transparency*

“Parties shall:

(a) provide appropriate information in their reports to UNESCO every four years on measures taken to protect and promote the diversity of cultural expressions within their territory and at the international level;

(b) designate a point of contact responsible for information sharing in relation to this Convention;

(c) share and exchange information relating to the protection and promotion”

Article 9 talks about “information” but does not spell out exactly the kind or form of information Parties should include in their reports to UNESCO every four years (paragraphs a and b). The Article emphasises information on measures.

Article 9 describes the content of information in the following way:

- measures taken to promote the diversity of cultural expressions within their territory and at the international level
- information relating to ‘protection and promotion’

The focus is on measures of protection and promotion, and the challenge is how to quantify these basically qualitative processes? The key concepts used are: cultural expression, and diversity. Both of these basic concepts in Article 9 are extremely difficult to operationalise.

### *Article 19*

1. Parties agree to exchange information and share expertise concerning data collection and statistics on the diversity of cultural expressions as well as on best practices for its protection and promotion.
2. UNESCO shall facilitate, through the use of existing mechanisms within the Secretariat, the collection, analysis and dissemination of all relevant information, statistics and best practices.
3. UNESCO shall also establish and update a data bank on different sectors and governmental, private and non-profit organizations involved in the area of cultural expressions involved in the area of cultural expressions.
4. To facilitate the collection of data, UNESCO shall pay particular attention to capacity-building and the strengthening of expertise for Parties that submit a request for such assistance.
5. The collection of information identified in this Article shall complement the information collected under the provisions of Article 9.

Does paragraph 1 mean that the statistics should concern the diversity of cultural expressions, and not the promotion or protection of it? **“Best practices”** is not basically a statistical concept, but in order to follow best practice, one has to know the scope of what they concern. **“All relevant information, statistics and best practices”** – by which process will it be decided what “all relevant” should include?

The Convention makes a distinction between the situation in developed and developing countries.

- Should it be a principle that the statistics in all countries cover similar items?
- Should all Parties define the concepts in a similar way, and agree them?

### **Conclusion:**

These two Articles of the convention give only a very rough basis for the data collection and statistical work the Parties and UNESCO should undertake.

Essentially they tell us only that:

- all Parties should provide information to UNESCO every four years
- all Parties and UNESCO should share all information with each other
- the information should concern
  - o the diversity of cultural expressions
  - o measures taken to protect and promote them
  - o the geographical scope: activities within Parties' own territory and their international activities

No clear difference is made between the words information and statistics, so it remains unclear what kind of information should be in statistical form, or at least in a form which could allow statistics compilation at UNESCO. The few concepts mentioned in these paragraphs offer only a very abstract basis for concrete statistical work.

## 1.b. How do other parts of the Convention provide guidance for statistical definitions?

**Article 4** contains the definitions. Definitions are crucial with regard to statistics; in order to compile any statistical tables, all concepts used have to be defined very clearly. In the following paragraphs, the definitions mentioned in the Convention are reviewed and commented on.

### **Cultural diversity:**

“refers to the manifold ways in which the cultures of groups and societies find expression. These expressions are passed on within and among groups and societies. Cultural diversity is made manifest not only through the varied ways in which the cultural heritage of humanity is expressed, augmented and transmitted through the variety of cultural expressions, but also through diverse modes of artistic creation, production, dissemination, distribution and enjoyment, whatever the means and technologies used”.

This is the most important definition in the Convention with regard to possible statistical monitoring. The problem is that cultural diversity is defined so broadly and in such general terms that it makes it impossible to generate statistics on this basis.

*Proposal:* Parties should negotiate a concrete and practical operationalisation of the definition.

Should there be a common definition for the term or should diversity be respected already at this level and Parties be allowed to define the concept according to their own cultural sphere? One solution could be to agree on a core definition and let Parties supplement it. Some possible starting points for core definitions and operationalisation could be: “cultural heritage of humanity”, “cultural expression”, “artistic creation, production, dissemination, distribution and enjoyment”.

### **Cultural content:**

“refers to the symbolic meaning, artistic dimension and cultural values that originate from or express cultural identities”

The definition is too broad to be used as such in statistical work. “Artistic dimension” seems to have some concrete reference to the group of people regarded as artists or products regarded as art.

### **Cultural expressions:**

“are those expressions that result from the creativity of individuals, groups and societies, and that have cultural content”

This definition covers almost everything that humankind produces. Symbolic meanings or cultural values, though not always an artistic dimension, exist everywhere.

### **Cultural activities, goods and services:**

“refers to those activities, goods and services, which at the time they are considered as a specific attribute, use or purpose, embody or convey cultural expression, irrespective

of the commercial value they may have. Cultural activities may be an end in themselves, or they may contribute to the production of cultural goods and services."

- A very complicated definition, but closer to the concrete world.
- The scope of the definition needs clarification.
- It is understandable that the word culture or cultural is not defined exactly in the Convention, but when it comes to concrete information, it is necessary to decide on some list of contents, ie., "activities, goods and services". One starting point could be the UNESCO statistical framework.
- This definition also raises the threefold division into public, commercial, and non-profit or third sector activity.
- All three aspects of the definition "activities, goods, services" need to be defined and their differences should be explained more precisely if they are to form the basis for statistics:
  - o What are cultural activities: professional theatre performance, amateur dance, everyday making and serving of food, attending a performance....?
  - o What are cultural goods: old hammer, television programme...?
  - o What are cultural services: performances, television programmes, copyright expenses...?
  - o It is important to be explicit here, and in all definitions, as to whether the division between professionals and amateurs is regarded as important, e.g.:
    - ◆ How important is it to support the position of an artistic professional field?
    - ◆ What is the role of everyday production and creativity?

#### **Cultural industries**

"refers to industries producing and distributing cultural goods or services"

This seems to refer to the economic side of cultural production. Does this definition also include public institutions – public theatres, libraries, museums...?

#### **Cultural policies and measures:**

" refers to those politics relating to culture, whether at the local, national, regional or international level that are either focused on culture as such or are designed to have a direct effect on cultural expressions of individuals, groups or societies, including on the creation, production, dissemination, distribution of and access to cultural activities, goods and services."

Even if statistics might not to be constructed to describe cultural policies, this definition is important in shedding light on the scope of the Convention. This definition widens the focus far beyond traditional cultural politics to encompass economic policies and copyright policies.

Is it UNESCO's responsibility to follow all international policies that have some impact on cultural expressions, or only those directly within its mandate?

#### **Protection:**

"means the adoption of measures aimed at the preservation, safeguarding and enhancement of the diversity of cultural expressions"

This concept seems to refer specifically to institutions that are established for this purpose, like museums, libraries, and archives. What are the instruments to be used for protection beyond these traditional institutions, including 'enhancement' or instruments for protecting live cultural expressions, such as performances?

*Proposal:* Existing statistics on libraries, museums, and archives could be used, analysed and complemented in order to be useful for this purpose.

**Interculturality**

"refers to the existence and equitable interaction of diverse cultures and the possibility of generating shared expressions through dialogue and mutual respect."

The major issue here concerns the role of multinationals and global culture with regard to supra- or cross-national cultural contents, and how to distinguish this from domestic production.

## 1.c. Excerpts from objectives, guiding principles as well as from rights and obligations of Parties

In this section elements where statistical information could be useful in following up the realisation of the Convention are drawn from the objectives, guiding principles rights and obligations of the Parties.

The objectives are expressed as principles and on such a general level that directs implications for statistics are impossible to visualise.

### Guiding principles

In the guiding principles one can find several items that could correspond to the concretely describable world, for instance:

- "(1) Freedom of expression, information and communication; ability of individuals to choose cultural expressions"  
Could relate to media statistics, peoples' access to different media, libraries...
- "(3) Equal dignity of and respect for all cultures, including the cultures of persons belonging to minorities in indigenous peoples"  
Could relate to statistics on minorities and indigenous people, their cultural products.....
- "(4) Enabling countries, especially developing countries, to create and strengthen their means of cultural expression, including their cultural industries"  
Could correspond to descriptions of cultural industries in different countries, especially in developing countries, for example numbers of artists
- "(7) Equitable access to a rich and diversified range of cultural expressions from all over the world"  
Could be measured by penetration of internet access, public library services including inclusiveness, free of charge policy, media within reach...
- "(7) Access of cultures to the means of expressions and dissemination"  
Could be covered by common usage of new technology, and the potential to disseminate one's own products in domestic markets and abroad.

### Rights and obligations of Parties (except Articles 9 and 19, see section 1a of this paper)

#### Article 5

"...policies and measures shall be consistent with the provisions of this Convention"

As the parties publish their policies, there should perhaps be a global system for monitoring take-up (this is not a statistical task, however).

#### Article 6

"...measures may include...

(a)...regulatory measures...

(b)...provide opportunities for domestic cultural activities, goods and services... including provisions relating to the language used for such activities...

(c)...providing domestic independent cultural industries and activities in the informal sector...

(d)...providing public financial assistance

- (e)...encouraging non-profit organizations, as well as public and private institutions and artists and other cultural professionals, to develop...
- (f)...establishing and supporting public institutions..
- (g)...nurturing and supporting artists and others involved in the creation of cultural expressions
- (h)...enhancing diversity of media, including through public service broadcasting

On the basis of this list of different measures, it is possible to identify measures taken up by different Parties, and to create some statistical indicator of the impact of the policy, such as information on:

- domestic cultural activities, goods and services
- languages used
- domestic independent cultural industries and activities in the informal sector
- non-profit organizations,
- public and private institutions
- artists and other cultural professionals,
- others involved in the creation of cultural expressions
- public institutions
- diversity of media.

#### **Article 7**

".. an environment which encourages individuals and social groups

(a) to create, produce, distribute and have access to their own cultural expressions  
- special needs of women, minorities, indigenous people

(b) to have access to diverse cultural expression from within their territory as well as from other countries of the world

the important contribution of :.... artists, others involved in creative process, cultural communities, organizations that support their work"

The attention of the Convention is directed basically at two entities:

- a) civil society, especially the position women, minorities and indigenous people, and everyday creativity
- b) cultural professionals, cultural industries, public institutions.

#### **Article 8**

"special situations where cultural expressions on its territory are at risk of extinction, under threat, or otherwise in need of urgent safeguarding"

Would it be helpful to collect global information on these kinds of situations?  
(Again not a statistical task.)

#### **Article 10**

"educational and greater public awareness programmes"

"setting up educational, training and exchange programmes in the field of cultural industries"

Perhaps international data should be collected on these programmes.

#### Article 11

"fundamental role of civil society in protecting and promoting the diversity of cultural expressions. Parties shall encourage the active participation of civil society"

There are different ways to collect data on 'civil society'. But what is civil society? There may be radically different views on that matter in different countries. 'Civil society' can be seen as the everyday social world of individual people or community groups, which does not include public institutions or commercial enterprise. On the other hand in many international contexts, there is a tendency to define civil society as "representative civil organizations".

If civil society is defined as the everyday world or/and as voluntary organisations, there are in theory two ways to obtain information on them:

- survey of everyday participation
- information on associations, clubs etc.

#### Article 12

(c) partnerships with and among civil society, non-government organizations and the private sector in...  
(d) promote the use of new technologies..."

On civil society see above Article 11. The use of new technologies could be measured through surveys, or one could count how, and how often, it is used by different actors (public institutions, associations, private enterprises).

#### Article 13

"Integration of culture in development policies to create conditions conducive to sustainable development"

An important long-term policy goal. Should be measured globally.

#### Article 14

"...the specific needs of developing countries, in order to foster the emergence of a dynamic cultural sector ...  
(a)...the strengthening of the cultural industries in developing countries ...  
-...cultural production and distribution capacities  
-...access to the global market and international distribution networks  
-...local and regional markets  
-...appropriate measures in developed countries...to facilitating access to developed countries for the cultural activities, goods and services of developed countries  
-...support for creative work and facilitating the mobility of artists from the developing countries  
-...collaboration between developed and developing countries in the areas, *inter alia*, of music and film"  
  
(b)...capacity building... in the developing countries  
  
(c)...transfer of technology and know-how, especially in the areas of cultural industries and enterprises"

The whole Convention (see Article 16) and especially this Article encourages Parties to pay special attention to information and statistics provided by and concerning the developing countries.

## Part Two: Conclusions and proposals

### 2.a. Possible guidelines for statistics given by the Convention

Our analysis shows that on the basis of the Convention alone it is not possible to draw very concrete conclusions about the ways in which it might be monitored. As regards monitoring and implementation, the Convention is rather elusive and operates on the level of principles. The Convention does not set out what kind of statistical data countries should provide to UNESCO for publication and dissemination.

The statistical monitoring of this kind of a Convention is rather difficult, because of the very different conceptual starting points of the Convention and statistics. The Convention has been negotiated to be conceptually as comprehensive and broad as possible – it must allow for all types of societies and all kinds of realities and situations, but statistics can only be produced on the basis of concrete and precisely defined concepts. This means that statistics cannot be produced on “cultural diversity”, but only on certain segments of the Convention which can be put into specific terms.

The difficulty in defining concepts starts from the first concept in the Convention, i.e. **cultural diversity** and the closely associated concept of **cultural expressions**. In addition, the Convention does not define what it regards as belonging to the sphere of **culture**.

An especially important and challenging step is to negotiate a broad enough concept of culture to be able to describe the culture of all countries. Both the UNESCO Framework for Culture Statistics of 1986 and work done within the EU apply to developed western countries, whose concept of culture has European roots. Though it is worth it to using this work, the concept of culture is notably different in most countries on other continents, for example in defining the relationship between professional artists and everyday creativity, especially handicraft culture. The borders of visual arts and handicrafts are different. Situations and concepts differ also in other fields such as music.

On the other hand it should also be noted that commercial and professional structures spread throughout the world and the “globalisation” of cultural structures should somehow be included.

The Convention links cultural diversity to

(a) population structure and the *cultures of different population groups*. The Convention emphasises; linguistic and/or ethnic minorities (their legislative status), indigenous peoples, the position of women.

As regards these groups what is described is

- the culture they produce for themselves (newspapers, books, theatre, handicrafts...)
- their position in the cultural life of the whole country can be described as
  - their share of artists and professionals in the field of culture
  - the share of their business activity of all businesses in the field of culture
  - their position in the export market

(b) the diversity and types of *cultural expressions*, that is, culture products and services.

Cultural expressions are born out of human activity. They may be produced

- privately and unofficially near homes and in close networks,
- in business activities, which may vary from small-scale self-employed persons to multinational centralised organisations.
- or in publicly subsidised institutions such as theatres, libraries, museums.

Cultural expressions may become concrete as goods – handicrafts, sound recordings, paintings, or books. But they can also be immaterial - theatre, dance or musical performances.

The first part of this paper has identified parts of the Convention which most lend themselves to statistical monitoring. It must be stated, however, that statistical follow up requires

- the Parties to agree on the interpretation of the issues for which consistent statistics are to be collected
- a common understanding on the definition of the concepts which are intended to be used as foundations for statistical descriptions.

In order to produce adequate follow up statistics the Parties must be committed to producing them. On the one hand clear agreement is required to produce regular consistent, comparable, statistics. On the other hand rigid compilation of limited data can reduce the Convention to a simple 'league table' of indicators.

It is also apparent that the majority of the data exchange related to the realisation of the Convention will be other than statistical data: it will be information on support activities, collaborative relationships and best practices.

## 2.b. Some proposals

If statistics are to play a large part in the follow up of the Convention it would require the launching of extensive statistical production in all signatory countries. We should then have accurate information on the situations, cultural activities, production and participation opportunities of all population groups. In addition we should monitor the development of legislation and cultural policies. We should have a good understanding of the role of government in the field of culture, the functioning of public cultural institutions, the numbers, position and activities of professional, amateur and folk artists as well as the structure and volume of private business. In addition, we should have accurate information on the functioning and conditions of civil society.

Giving statistics production and statistical analysis such a large role is, however, unrealistic. The author's understanding is that the follow up of the Convention may happen by way of dialogue and negotiation, in which case statistics might have a significantly smaller role to play.

The author's view is that the development work could proceed along three courses simultaneously:

- (1) existing international, regional and national data sources
- (2) new or specific indicator frameworks
- (3) consideration of developing countries and their place in a network model of cultural flows

(1) The suitability of **existing international, regional and national data sources** could be examined as sources

- of background information on the Parties, their population structures, languages, the position of women, minority structures etc.
- of information on the development of global structures and the relationship between the developed and the developing countries (A good example of this is the UNESCO report *International Flows of selected Cultural Goods and Services, 1994-2003*).
- for the following up of cultural diversity in the participating countries.

Over the past few years, the UNESCO Institute for Statistics (UIS) has undertaken a complete review of its data collection in the areas of culture and communication. Until the early 2000s, the main focus was the collection of administrative data through six surveys covering; museums, libraries (national/public and tertiary), films and cinemas, and book production, printed press and broadcasting (radio and television). Most of the old UIS surveys were limited to soliciting information on infrastructure aspects of the related institutions or industries, and so could not collect information on issues relating to access, usage or social impact or issues related to cultural diversity.

Since 2005, UIS has reviewed and adapted some past surveys in order to take into account new phenomena such as the information society, cultural diversity. The current UIS surveys cover cinema, the press, radio and television and libraries. The author proposes that the comparability and suitability of these data be investigated. Only supplementary data might then be needed. They would provide background information on the basis of which it might be possible to specify international indicators on the implementation of the Convention as regards:

- (a) the diversity of media in the participating countries; number of newspapers, community papers, minority papers, readership of newspapers in relation to the population
- (b) UIS has just launched a new global survey on cinema statistics and these will contribute to the monitoring of issues related to cultural diversity.
- (c) UIS used to collect data on book publishing from which could include: published book titles, their genres etc.
- (d) the varied supply and accessibility of cultural expressions. For example the diversified development of public libraries may be interpreted as a key element in providing citizens access to all cultural products and cultural expressions. UIS is currently piloting a survey on libraries statistics.

Indicators might include the percentage of the population using libraries to be supplemented by:

- location of services in different areas (e.g. in relation to minorities)
- free services
- diversity of services eg., books, newspapers, sound recordings, videos, access to Internet etc.

- (e) access to Internet eg., at libraries, at home, Internet cafés

It should then be considered how these data might be supplemented for them to better fulfil the monitoring requirements of the Convention. Where current UNESCO data is not sufficient, census data, data from labour force surveys, or other household survey data are necessary to tackle issues such as ethnicity, and language use.

International comparability remains a problem. The usability of existing sources in terms of genuine comparisons must be examined further.

(2) Some **possible indicators**, which will be determined by negotiation between all Parties, could include

- the number of artists and other cultural professional (role of minorities and women)
- the number of cultural enterprises (role of minorities and women)
- an international survey on cultural participation (role of minorities and women)

(3) Special attention is paid in the Convention to **developing countries** and the improvement of the conditions of their cultural life. The indicators which are used to follow up the position of the developing countries should include: the protection and promotion of cultural diversity as well as in their relationship to developed countries and global structures.

Concrete expressions for points (1)-(3) should be identified on the basis of the above analysis of the Convention.

Some form of *network model* of contact flows between different parties should be constructed. It must be borne in mind that different Parties look at the issues from their own viewpoint. For example in the latest information report on culture by the European Commission tends to emphasise co-operation with European language areas and informing different parts of the world about European culture.