

Giornata Mondiale UNESCO della Diversità Culturale per il dialogo e lo sviluppo

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Cultural Diversity and audiovisual media,

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The «**CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS**» approved on October 20, 2005 by the General Conference of UNESCO, has been until today ratified by 107 countries (over the 193 members of UNESCO), entered into force on 18 March 2007.

http://portal.unesco.org/en/ev.php-URL_ID=31038&URL_DO=DO_TOPIC&URL_SECTION=201.html#ENTRY

It was preceded by the Universal Declaration on the same topic, approved in 2001. **And has been followed last December, by the enter in force of the EU Lisbon Treaty, that in its article Art 2:3 states that the EU: “shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.”**

This convention is the third in the row of a new series of Conventions, born in the Nineties, that have as scope to enlarge the sphere of the Human Rights.

The first one in this sense and the one that opened the Pandora box of the new rights of humanity, has been the so-called Rio Convention on Bio diversity, and the second one is another UNESCO convention, on the Safeguarding if the Intangible Cultural Heritage.

What have in common these three Conventions? : All of them try to protect rights belonging to individual as part of communities (an ecosystem for the bio-diversity, a cultural community for the other 2 conventions) and, often, linked to a specified territory. And these rights –because are part of human rights- are stronger than other International Treaty protecting other subordinate interests, such as the economic interests. In a certain sense, we can say that these new rights came into the surface because of globalization process. Before, in fact, biological diversity and cultural diversity were protected by the state-nations. With the emerging globalization, that weakened the links between territory and citizens, a strong will to protect these unexpressed rights arisen.

This has been the case for the Bio Diversity Convention, that has given to some countries the right to revoke some patents or brevets (protected by WIPO Conventions or by WTO agreements) that some economic interests have created patenting biodiversity principle, that belong to a particular territory and group of individuals. Signed on 29 January 2000 it entered into force om 11 September 2003 and has been signed since Today by 157 countries.

This is also the case for the Convention for Intangible Cultural Heritage (approved on 17 October 2003) entered into force on 20 April 2006, and has been ratified until Today by 121 countries.

None of the 2 UNESCO Conventions until Today has been ratified by Russia and United States that have –on the contrary, both ratified the Biodiversity one.

WHAT THE UNESCO CONVENTION OF 2005 PROTECTS ?

Two main kinds of rights are granted through such convention.

The first is the right of each community to protect and to continue to develop his own cultural identity and production. Before this Convention, cultural market was considered simply as another market, and so the only existing and applying rules were those established within WIPO and WTO. That considers every state aid to any kind of industry as a big blow for the free flow of goods and as an attempt to threaten and to restrict the free circulation of capitals and investments. Since the enter in force of this Convention – provided that each state has ratified it- the government of each country is free to introduce measures to protect his own language, his own culture, his own cultural industry against external threats. Before such kind of actions would have been considered as hostiles and unfair, and could be attacked in WTO and WIPO arbitration panels. Only Europe has advanced the cultural exception since 1992 (at the GATS Uruguay Round that preceded the creation of WTO) and could be considered as non binding.

The second and probably more revolutionary change, introduced by the new Convention, is the right for each minority within a country –according to certain conditions- to have access to his own culture even in the new country where it lives. This is something totally new, that doesn't exist before in the world of human rights.

HOW THE CULTURAL DIVERSITY EXPRESS ITSELF TODAY ?

The representation of cultural diversity takes the forms of the times and the habits of each community. In the past books, arts and rituals were the privileged forms of expression of the diversity. Today the main expression comes through the mass media. This is the place where you've to go to check if such a diversity still exists or not anymore.

If you want to know more have a look at the UNESCO WORLD REPORT 2009 “Investing in cultural diversity and intercultural dialogue”

LINK <http://unesdoc.unesco.org/images/0018/001852/185202E.pdf>

If you look at movies, for instance, the globalization is already an undeniable fact : see statistics at pages 346-350

In 2008 US produced 485 movies, against 800 produced in Europe, 1100 in India, 400 in China and 400 in Japan. The rest of the world, altogether, produced less than 400 movies. How many of you have seen an US movie, how many an Indian movie, how many an European one ? You see the difference even in this room.

Until 2005 any restriction imposed to American movies was illegal under the International Law, because the free circulation of movies was considered equivalent to the free circulation of goods. But movies , simply, are not goods like others. They create our taste, they form our ideas and mentality, they suggests us the form of our dreams...

Now that the UNESCO convention is in place, it's different. Governments of the countries that have ratified the Convention are free to finance the production of their movies (provided that there is a cultural identity requirements) or even to impose limit to the penetration of movies from other countries in their territory. Of course, the risk is that this right could be abused in order to stop the free flow of information... but it's not simply that.

Are you aware that the number of copies of US news magazines that can be sold in Canada is subject to limitations? I don't believe Canada probably could not be considered as a country that is afraid of the free flow of information. Simply Canada considered that newsmagazines are one of the most important vehicles to form the public opinion. And the difference between the two market is so big (250 million readers against 33 million) that if there are no protective measures the industry of one country could easy destroy the industry of the neighbour. If this would happen, than the opinion of Canadians will be formed on US news magazines ?

THE MOST IMPORTANT TOOL FOR GLOBALIZATION OR FOR NATIONAL IDENTITY IS BROADCASTING: TV and RADIO.

But more than the newsmagazines, the majority of the public opinion forms its judgements on the basis of the broadcasting inputs. While news papers and news magazines have a penetration that varies between 20 and 50% of the population, TV has a penetration of 85% and radio near to 100%.

So it's there that the real battle for preserving and protecting cultural diversity will take place. Either for the scope n.1 of the Convention: to preserve existing national identities; either for the scope n. 2: to allow also the culture of the minorities to express themselves.

But this is not an easy task to be pursued. Where broadcasting is purely commercially financed (through advertising), why produce a new programme when you can buy at very cheap rate programmes already existing in the market ? To give you an idea, BBC spends in average 1, 250 million pounds per one hour drama production. An US programme suitable for the same slot of programming schedule costs , at large, 60.000 pounds: 20 times less. Then why to produce instead than buying ?

And where the majority of a country is composed by one ethnic group, how and why to introduce even the physical representation on TV that other communities exist within the same countries ? How to convince the director of the channels, the producers, the programming editors and, finally, the viewers that TV has not only to show them as they are, but also them as THEY'RE NOT !?

VARIOUS EXCERPTS FROM THE VIDEO *DIVERSITY SHOWN. 4* (produced by NPB Dutch public service broadcaster in 2009)

Excerpt one: Overview of the event in Hilversum

Excerpt two: Saira Khan self-portrait, UK-Pakistan citizen

Excerpt three: Bob O' Donnell , comedian, New Zealand on stereotypes.