

UNESCO ACTIVITIES

NEW STANDARD-SETTING INSTRUMENTS ADOPTED BY THE GENERAL CONFERENCE OF UNESCO

Five standard-setting instruments, including the International Convention on the Preservation of Intangible Cultural Heritage, were adopted by the 32nd session of UNESCO's General Conference which took place at UNESCO Headquarters from September 29 to October 17, 2003.

The General Conference, UNESCO's supreme governing body, brings together, every two years, representatives of all the Organization's Member States, which – since the return of the United States of America and the accession to membership of Timor-Leste – number 190.

At the beginning of the general policy debate, the Director-General of UNESCO, Mr Koichiro Matsuura stressed that the process of globalization underway increases the pertinence of UNESCO's standard-setting role.

On the subject of heritage, the General Conference adopted by an overwhelming majority the [International Convention on the Preservation of Intangible Cultural Heritage](#)*. A complement to the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage, which concerns monuments and natural sites, the new Convention addresses oral traditions and expressions, including languages as vehicles of cultural heritage; the performing arts; social practices, rituals and festive events; knowledge and practices concerning nature and the universe; and traditional craftsmanship.

The preservation of this particularly vulnerable heritage is provided for by the Convention through the drawing up of national inventories of cultural property to be safeguarded, the establishment of an Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, composed of experts from future States Parties to the Convention, and the creation of two lists: a Representative List of the Intangible Heritage of Humanity and a List of Intangible Cultural Heritage in Need of Urgent Safeguarding. The text stresses that safeguarding intangible cultural heritage is a complex process involving many parties, starting with the communities and groups that bring it to life.

The General Conference adopted a Declaration Concerning the [Intentional Destruction of Cultural Heritage](#)*. According to this text, which recalls “the tragic destruction of the Buddhas of Bamiyan” and expresses “serious concern about the growing number of acts of intentional destruction of cultural heritage”, States should “take all appropriate measures to prevent, avoid, stop and suppress acts of intentional destruction of cultural heritage, wherever such heritage is located.” Although it is not legally binding, the Declaration should inspire the actions of States.

On the subject of bioethics, the General Conference adopted an [International Declaration on Human Genetic Data*](#), which lays down the ethical principles that should govern their collection, processing, storage and use. The purpose of the Declaration is to ensure the respect of human dignity and the protection of human rights and fundamental freedoms, in keeping with the requirements of equality, justice and solidarity, while giving due consideration to freedom of thought and expression, including freedom of research. It undertakes to define the principles that should guide States in formulating their legislation and their policies on these issues.

Two standard-setting instruments were adopted in the field of communication and information. [The Recommendation on the Promotion and Use of Multilingualism and Universal Access to Cyberspace*](#), concerns four important aspects: development and promotion of multilingual content and systems; access to networks and service; development of public domain content; and reaffirming and promoting the fair balance between the interests of right owners and the public interest. These measures aim to provide more equitable access to information and favour the development of multicultural knowledge societies.

The [Charter on the Preservation of the Digital Heritage](#) is a declaration of principle designed to assist Member States in preparing national policies to preserve, and provide access to, digital heritage. The digital heritage consists of unique resources of human knowledge and expression, be they cultural, educational, scientific or administrative, as well as technical, legal, medical and other kinds of information created digitally or converted into digital form from existing analogue resources. This fast growing heritage is particularly at risk because of the rapid obsolescence of the hardware and software with which it is generated and preserved. The Charter recognizes that this material constitutes a common heritage and that its preservation requires urgent measures.

The General Conference also laid the ground for new standard-setting projects requesting that new instruments be prepared on the subjects of cultural diversity and the fight against doping in sport and bioethics. Draft texts could be presented to the 33rd session, in 2005.

The General Conference thus requested that UNESCO prepare an [international standard-setting instrument on cultural diversity](#). Already in 2001, it adopted the UNESCO [Declaration on Cultural Diversity](#) which recognized cultural diversity as a “common heritage of humanity” and considered its safeguarding to be a concrete and ethical imperative, inseparable from respect of human dignity. At the end of a long debate on the subject, delegates agreed that “cultural diversity, as regards the protection of the diversity of cultural contents and artistic expressions shall be the subject of an international convention.” Consultations should be undertaken on the subject with the World Trade Organization (WTO), the United Nations Conference on Trade and Development (UNCTAD) and the World Intellectual Property Organization (WIPO). The resolution invites the Director-General to submit a first draft convention on the protection of the diversity of cultural content and artistic expression to the next session of the General Conference.

The General Conference also examined the desirability of elaborating a [universal instrument on bioethics](#) that would be more comprehensive than the [Universal Declaration on the Human Genome and Human Rights adopted by UNESCO in 1997](#) and the one just

adopted on human genetic data in 2003. Member States approved the project for such an instrument despite their awareness of the ethical dilemmas involved, as bioethics cover a wide range of areas and problems, such as those connected to embryology, which are set in the various cultural, philosophical and religious bedrocks of human communities. A draft instrument should be submitted in 2005.

* texts available on the website of the General Conference: www.unesco.org/confgen and of the [UNESCO Intangible Heritage website](#).

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