

The Convention on Cultural Diversity: Anatomy of a Diplomatic Success Story

Jean Musitelli

French diplomatic success stories being rather infrequent of late, we cannot overemphasize the one recently written with the adoption of the Convention of Cultural Diversity¹ at the United Nations Organization for Education, Science and Culture (UNESCO). Credit must most certainly also go to Canada, our principal partner in this enterprise, as well as to the 146 other States that voted in favor of the Convention.

But there is no denying that France, which was able to build an unprecedented coalition around ambitious and innovative proposals, was the initiator and leader of this process.

The resulting text, we remind the reader, has four objectives. First of all, it affirms the double-sided nature, economic, yes, but also and firstly cultural, of the activities, goods and services that the nature of commercial liberalism tends to reduce to a sole market value. Secondly, it recognizes the right of States to put into place and practice political structures that support cultural expression so as to assure real diversity. Thirdly, it creates a framework for partnership to assist disadvantaged countries in obtaining tools of cultural development. And lastly, it gives the precepts of cultural diversity the import of international law by placing it in the scope of positive law and no longer as an appendix to commercial law.

For the first time, the relationship culture/commerce is to be thought of from the standpoint of culture and not from that of commercial interests. Also for the first time, cultural diversity is recognized as an autonomous principle, no less legitimate than the principle of free markets. Such is the political significance of a text that can be read like a sharp check on no holds barred liberalization, exclusively driven by commercial considerations and ends. It translates the general desire of a globalization governed by collectively negotiated rules rather than one that is the outcome of might makes right or the law of the marketplace.

How was this winning strategy conceived and carried out? Who were the players? What practical lessons can be learned from it? The key to its success is the result of a combination of three factors: the invention of an innovative and federal concept, the construction of an alliance uniting a constellation of networks and actors, and the application of a method of negotiation founded on the masterly management of time, place and action.

From Exception to Diversity: The Invention of a Concept

In any multilateral negotiation, a good project is one capable of citing a need or an expectation that has yet to be addressed, giving it a name and then a form to which the largest number of actors can relate.

It follows that if the concept of cultural diversity was able to carry weight it is because it responded to, in a realistic and efficient fashion, a question that had been well-defined: how can we ensure that free trade, undertaken by the World Trade

Organization, does not end up being a white-wash of cultures subjected to the law of the marketplace nor a breaking down of political structures meant to support creativity? With this second corollary question: how can we fight the good fight against cultural hegemony and the consolidation of industries without stifling the dynamic flow of trade or inciting protectionist acts or isolationism?

It was in the context of multilateral commercial negotiations that the question of the world of cultural goods and services first came up, during the final phase of the Uruguay Round of the GATT (General Agreement on Tariffs and Trade) in 1993-1994. This phase was meant to extend the principles of free trade, which, up until now, had been reserved to commercial merchandise and the service sector, among which included audio-visual services (film and television). Countries preferring to keep the support mechanism for these services the same, notably members of the European Union, looked for a way to parry the situation which, in the urgency of the moment, became "Cultural Exception"².

Not too long afterwards it became apparent that Cultural Exception was not only insufficient protection, but also a standard that did not inspire much call to action. Illusionary rampart because, even if the most constraining principles of free trade (access to the market, national preference) remained unopposed by the parties who had not committed themselves to the General Agreement on Trade in Services (GATS), signed in 1994, audiovisual and culture remained under the control of the WTO, from which no clause had excluded them. This deferment was sure to be called into question once WTO negotiations resumed, in Seattle in November, 1999. There had already been a surreptitious attempt to circumvent Cultural Exception at the Organization for Economic Cooperation and Development (OECD) with the discussion of a project of the Multinational Agreement on Investment (MAI) aimed at giving international investors the same rights as nationally-based ones. The firm reaction of the French government, alerted by private-sector professionals in the field led to the abandoning of the MAI in 1998. On the other hand, Cultural Exception was perceived, by developing countries, as a barrier erected by the Europeans against the invasion of their audio-visual and cinematography markets by the US leisure industry. They did not feel overly concerned by this war of images among the well-to-do. Yet, their potential for action was shown to be real with the Marrakesh Agreement³ of 1994 when only 19 countries out of 120 chose the path of further liberalization.

To escape this dead end, the French, in 1998, suggested the idea of "cultural diversity."⁴ At the beginning, it was more of a political hunch than a formalized project. It was based on three premises: first of all, give up the defensive posture that "exception" represents and take the initiative to substitute commercially-based assumptions by an approach based on culture. Secondly, enlarge the issue to a universal dimension, so as to rid it of its stature as nothing more than transatlantic rivalry. Thirdly, transform it into the rule, not the exception, by making the rebalancing of culture/commerce a pillar of construction of the new international judicial order destined to regulate globalization.

The notion of diversity afforded the benefit of opening up the narrow field of vision of exception onto a broadened horizon. It rehabilitated the anthropological and sociological components of culture which had been ignored in commercial

negotiations. Starting in 1996, when it published its report entitled “Creative Diversity,”⁵ UNESCO had stressed the role of identity and cultural creativity as levers of economic and social development. All the same, held at bay from negotiations on cultural goods and services, it hesitated to confront head on the question of the impact of globalization on cultural expression and practices⁶. The idea of organizing the convergence of these two ways of looking at the issue, one of them, coming out of the debates on exception and centered on the theme of culture/commerce and cultural industries, and the one suggested by UNESCO, centered on the culture/development tie and safeguard of creative expression, would allow the practical and theoretical political debates of the North-South Alliance to turn to cultural diversity. It was from this fertile ground of supposition that the “invention” of cultural diversity sprung.

The first tangible result of this innovative approach was the adoption, by consensus after a lightning-bolt campaign, of the Universal Declaration on Cultural Diversity by UNESCO, November 2, 2001⁷. This founding text constitutes the international birth certificate of cultural diversity which gives it, at least in principle, political legitimacy and conceptual content. It is solemnly recognized as a common patrimony of humanity. Its ties with human rights and development are strongly affirmed, as is the necessity of political support faced with the shortcomings of the marketplace. At the time, the Declaration passed almost without notice. Except for its promoters, no one imagined that it contained the seeds of the future Convention.

Much more than simple play on words, the change from exception to diversity denotes a Copernican revolution. It responded to the challenge of consolidation and uniformity by giving a value to creativity and to exchange – and neither through protectionism nor “Malthusianism”. As such, more States responded favorably and found reasons for coming on board. In four short years, what in the eyes of many on-lookers appeared like an inconsistent slogan – even a “catch-all”⁸ – would acquire the statute of a principle of international law.

Building an Alliance

French diplomacy is sometimes inclined to think that the quality alone of its proposals will ensure their success. However, in a multilateral context, no initiative will succeed without collective ownership of it. Cultural Exception was suffering because it was considered an exclusively French idea. With Cultural Diversity, it became possible to forge ahead with the concept and, at the same time, with an international coalition capable of developing its positions on it. And thanks to the mobilization of institutional networks and the contribution of civil society, this idea, originally founded on a special relationship between France and Canada, gained an increasingly broad coalition.

The Franco-Canadian Engine

The Franco-Canadian friendship was the keystone of the alliance. Everything predisposed the partnering of these two countries on this Cultural Diversity: strong socially-focused political policies, diversified cultural industries and an equal appreciation of the possible risks of the complete liberalization of services. On top of this, the Canadians had just bitterly experienced the limits of Cultural Exception. Even though they had obtained the inclusion of what was considered an exemption

clause in the North American Free Trade Agreement (NAFTA), they were admonished at the WTO after a complaint registered by the United States for having instituted a tax on advertising that affected US magazines.

On December 17, 1998, the Prime Ministers Jean Chrétien and Lionel Jospin published a joint communiqué “On the Importance of Cultural Diversity in a Global Economy.” The stage was set. Cooperation would develop around two concurrent axes: Paris-Ottawa and Paris-Quebec, with the creation of a Franco-Quebec working group that met regularly from July 1999, a working group whose intellectual contribution proved to be very fertile.⁹

Canadian ideas regarding the formulation of a response to globalization were further along than those of the French. From the beginning of 1999, the Canadians had the sketch of a “New International Instrument on Cultural Diversity” (NIICD) in their portfolio.¹⁰ Paris preferred what they considered a realistic two-step plan: firstly, a declaration of the principle, followed then by the constraining legal instrument. And whereas Ottawa did not exclude debating the idea of an instrument among members of the culture/commerce working group at the WTO, from the French perspective, it was at UNESCO where these issues should be addressed.¹¹ However, the failure of the Seattle meeting in December 1999, the ensuing stalling tactics of the WTO and the action by the Canadian Patrimony Minister, Sheila Copps, were all contributing factors rallying the Canadians to the French approach. In short, if the Canadians supplied the original idea, the French provided the script.

1999 was a year of intense Franco-Canadian cooperation with the organization of a colloquium at UNESCO, “Culture, the Market and Globalization,” with both Ministers of Culture, Catherine Trautman and Sheila Copps, attending. On November 2, 1999, they presided, once again together and once again at UNESCO, over a round table bringing together 55 Ministers of Culture on the theme of “Culture and Creativity in a Globalized World.” The final declaration proclaimed that the “right of States and governments to freely establish their cultural and audiovisual policies, as well as to adopt the means and instruments necessary to carry them out,” foreshadowed, six years in advance, the language of Article 5-1 of the Convention. UNESCO was recognized as “the most appropriate setting for advancing the debate on cultural diversity.” Capitalizing on this key political moment, the French and Canadian Ambassadors sponsored a resolution inviting the Director General to create a working group on cultural diversity adopted by the 30th General Conference. It is this initiative that led to, two years later, the Universal Declaration of 2001.

Mobilizing Institutional Networks

Having as its center the Franco-Canadian axis, the circle of countries favorable to Cultural Diversity expanded towards the South, through two institutional levers, the International Organization of La Francophonie, (OIF) and the International Network on Cultural Policy (INCP), whose driving forces were France and Canada, respectively. These institutions both aided and stimulated the action of UNESCO, echoing the debates that were going on there. French-speaking countries had already committed themselves during the Uruguay Round of negotiations. At the Summit of Maurice, in 1993, its 46 participants agreed to adopt together, at the GATT, the cultural exception clause. Starting with the Summit of Moncton, in September 1999,

the OIF vigorously supported the process at UNESCO by the political mobilization of its members paired with analysis which was destined to solidly anchor the problematic of diversity in the reality of the countries of the South. The OIF played a pioneering role by having the Declaration of Ministers of Culture on Cultural Diversity adopted in Cotonou in June 2001, preceding that of UNESCO's by six months.

The INCP went about rallying other geo-cultural spaces around the cause, in hopes of endowing the project with worldwide representation. Created by Canada in 1998, the INCP informally called together Ministers of Culture every year to work in thematic working groups, constituting a lively forum of exchange, reflection and doctrinal development. The circle of countries concerned expanded in the direction of Latin America (Argentina, Brazil and Mexico), the Caribbean (Barbados and Jamaica), non-Francophone Africa (South Africa) and Asia (Korea, China and the Philippines). It prepared a project on the topic of an international instrument, ratified in October 2003, which was one of the sources of inspiration for the editors of the pre-Convention project.

By this time, Europe, itself on the verge of a dispute over Cultural Exception, could no longer remain behind the scenes on the subject of diversity¹². France went to great lengths to sensitize its partners on the issue. The European Union (EU) converted to diversity rather slowly. On the one hand, because many of its members, including the United Kingdom, so attached to commercial liberalism, were suspicious of this French-inspired project that smelled of protectionism. On the other, because among Brussels' institutions culture carried little weight against policies designed to bolster Europe's competitive edge and no one wanted UNESCO activities on the question to confuse the issues with the WTO, which were complicated enough. It was not until August 2003 that the Commission published a communication entitled "Towards an International Instrument on Cultural Diversity." France and Germany unified their views during a forum organized at Sarrebruck, in November 2003. Following some detours along the way, the European Commission was bestowed with a mandate of negotiation and admitted to the UNESCO negotiations, but as a community and without the right to vote. A protocol between the Council, the State Members and the Commission defined the role of each in the negotiations. The fact that 25 participants adhered to this protocol and spoke with one voice favored their final success. Regarding this situation, the Union, intelligently managed, played an efficient role towards the preservation of identity and cultural sovereignty of its members, at the very same moment when, during the campaign for a referendum on the Constitutional Treaty, France was the target of the inept criticism from States rights defenders.

Finally, civil society was deeply involved in the battle. On the initiative of French and Canadian private-sector cultural organizations, a liaison committee of coalitions for cultural diversity was formed, bringing together thirty countries and more than 300 associations, which, starting in 2001, organized annual meetings¹³ and constructively participated in the development of themes and directions of the Convention. National coalitions were also active encouraging their respective governments to support the process at UNESCO and discouraging them from taking further action towards liberalization.

Thus, thanks to this meticulous covering of the terrain, Cultural Diversity, in just a few years, gave birth to an unprecedented burgeoning of initiatives which in turn energized the idea itself and conferred on it global implications. The building of a determined and massive coalition discouraged influential States, like Japan, who had expressed strong reservations to its content, from dissociating the enterprise. This balance of powers also served to neutralize the fierce opposition of the United States who denied UNESCO the right to act in this domain, arguing that it was about commerce and not culture and that the project was protectionist, partisan, out to destroy liberalism and contrary to human rights.

Applying a Methodology

The multilateral negotiation has more in common with the mise en scene of a play than one might imagine. It demands a good script that created a timeline of action in function of the expected denouement just as it demands the mastering of the classic rule of the three dramatic conventions of time, place and action.

Timing is everything

UNESCO's agenda is guided by the rhythm of its General Conferences that are held every two years. This constraining calendar, which could have led to stagnation, was used, to the contrary, to unroll the project in three stages towards the final goal. During the General Conference of 1999, a mandate had been given to the Director General to call together a working group on Cultural Diversity. In 2001, the Universal Declaration was adopted. In 2003, it was decided that Cultural Diversity would be the subject of an international convention. In 2005, this international convention was adopted. This strategy implies that there was a clear idea on how to reach this end goal and the capacity to always remain one step ahead of the game. In the final phase, in particular, UNESCO's rules imposed respecting a strict countdown towards this goal, punctuated by intermediate meetings along the way. This draconian mechanism was employed to maintain the pressure on the negotiators and to stifle any attempts to bury the project by further delaying tactics from those against the Convention, especially the US delegation. At the same time, we negotiators kept in mind the WTO's timeframe and were committed to wrapping up the Convention before the finalizing of this organization's commercial negotiations on audiovisual and cultural services.

Managing such a timetable required knowing when to both play for time and when to pick up speed, always anticipating what might come next. After the adoption of the 2001 Declaration, certain people thought that since France having achieved some degree of satisfaction, the affair of "Cultural Diversity" was closed. To stave off this line of reasoning, the authors of the Declaration prepared the next step by inserting a provision inviting UNESCO to pursue its normative action (Article 12) and its reflection on "the possibility of an international instrument on Cultural Diversity" (Paragraph 1 of the Plan of Action Annexed to the Declaration). This clause turned out to be of capital importance when it came time to revive spirits weighed down by the procrastinating organization.

Thus, September 3, 2002, just at the moment when UNESCO was ambivalent about what to do next, the French President seized the occasion and at the Summit on

Sustainable Development in Johannesburg, proposed the adoption of a global convention giving the import of law to the principles of the Declaration of 2001 and designating UNESCO as the organization responsible for this. This, needless to say, served as the kick-off to the creation of the Convention. Another push forward came six months later, on February 6, 2003, when the Minister of Culture, Jean-Jacques Aillagon led a delegation of fifteen of his RIPC colleagues to UNESCO's Director General's office to commit him to launching the preparation of the Convention within the confines of a timeframe allowing for its adoption in 2005. Political interventions were always scheduled and calibrated in function of the internal agenda of UNESCO in order to produce maximum effect.

Choosing the Best Setting

The choice of UNESCO as the setting of negotiations was not without debate. France wanted it to be, but the Canadians and certain private-sector organizations were skeptical about its capacity to lead negotiations of such a caliber. The idea to have the conference in an *ad hoc* forum, specifically called for this reason and gathering together only interested States, had the support of the RIPC which saw itself as constituting such a meeting's epicenter. On this point, the French had constantly argued that international cultural issues be dealt with at UNESCO, not elsewhere. This conviction was founded on solid arguments: the political legitimacy of UNESCO as the only UN organization responsible for cultural matters, its normative power and an unmatched technical expertise; 191 members strong, it was well-positioned to give the Convention a universal dimension, even more so in light of the return of the US to its meeting rooms in 2003; and finally, at the very moment when the whole point was the reinforcement of the role of specialized institutions in order to put a brake on the growing hegemony of commercial law, it would have been paradoxical to have not affirmed UNESCO's role.

The facts validated the pertinence of this choice, even if that meant allowing for the occasional bending-over-backwards of the organization, concerned as it was not to upset Washington. In the final phase of negotiations, the Director General argued in vain for consensus which the principle of hostility underlying the US view made, in any case, impossible. But, overall, the services of the organization, conscious that the credibility of UNESCO itself was at stake, performed with admirable diligence.

As for other State members, France and its representatives benefited from an intimate knowledge of the workings of UNESCO. To the contrary, the US, having only returned in late 2003, at the same moment when negotiations were just beginning, suffered from its poor knowledge of UNESCO's codes and ways of working. It believed, wrongly, that it could make up for its ignorance of the spirit of the place by being preemptory and vindictive. This only led to its isolation and complete ineptitude. France never resorted to forcing the issue, but instead saved itself for discreet and well-timed influence. A case in point was during the editing of the pre-project of the Convention, which had been entrusted by the Director General to a group of hand-picked independent experts. It was in this group, which held three week-long sessions between December 2003 and May 2004, where the parameters of the later negotiations among States were developed. Included in this group were the Canadian lawyer who had worked for the Franco-Quebecois group and the French delegate to UNESCO¹⁴ and it was their participation which allowed for the creation of

a pre-project conforming to the principle Franco-Canadian objectives as well as for the neutralizing of the objections of the US expert¹⁵. The French delegation also played a decisive role in the designation of the President of the Intergovernmental Meeting by proposing Kader Asmal, former Education Minister of South Africa, who had the double advantage of being an English-speaker from the developing world. He carried out his task energetically and skillfully.

Creating a Tightly-Structured Apparatus

Three factors facilitated the element of action in this dramatic unfolding: the political consensus on the objective, rigorous inter-ministerial work and a tight collaboration between the public and private sectors.

Cultural Diversity is, in France, a point of consensus which transcends political loyalties. We could already see this during the Uruguay Round of 1993-1994 which coincided with 'cohabitation' years in the French government. The unified fight for diversity, dating from 1998-2002, thus also occurring during years of cohabitation, can be attested to by the perfectly convergent declarations by the French President and the government of the time¹⁶. The ensuing change in majority rule in 2002 produced no rupture in this coherence. Four Ministers of Culture successively and seamlessly committed themselves to the issue, and this, with serious personal investment from each one¹⁷. Consequently, France was able to express its perspective with one constant and unfaltering voice.

This political will was backed up by efficient savoir-faire. Multilateral action requires diligent teamwork between negotiators and those bringing content to the table and as such demands inter-ministerial preparation and follow-up that leaves nothing to chance.

Three governmental departments were involved: the Minister of Foreign Affairs, for the negotiations and accompanying diplomatic efforts, the Minister of Culture for technical expertise and contact with the private sector and, finally, the management of the Office of External Economic Relations within the Ministry of Finance for commercial aspects and relations with the WTO. This well-honed coordination was further expanded with the involvement of French representatives at UNESCO, WTO representatives in Geneva and European Institutions in Brussels. There were two factors that favored this complex montage. On the one hand, there was a relay of responsibility from one UNESCO Ambassador to his successor¹⁸, assuring the continuity of operations. On the other, the Minister of Foreign Affairs created an inter-ministerial working group composed of representatives from all concerned departments. The group worked together in the first semester of 2003 and came up with a convention project that constituted the basis of the French delegation's discussion with its partners as well as its reference in the active phase of the negotiation¹⁹. This institutional apparatus, combining flexibility and cohesion, guaranteed a particularly precise conception and execution of these procedures.

Finally, the exemplary collaboration between governmental representatives and private sector cultural experts, made possible by the efficient structures in place of the latter, cannot be overemphasized. In 2003, the French Coalition for Cultural Diversity, based on the Committee of Vigilance inherited from the fight against the MAI, was formed and brought together more than thirty organizations, businesses,

unions and representatives from all sectors of cultural activity. This coalition, on the national level, served as an agent of mobilization and voice for the public; on the international level, along with its Canadian counterpart, as an active pressure group. It organized the “International Meetings of Paris” in 2003. The Minister of Culture regularly invited its representatives to information sessions where they were given progress updates and asked to share their observations and proposals. All this fruitful interaction enabled governmental officials to enrich their work with the concrete situations and technical knowledge brought to them by the private sector representatives. At the same time, they were able to encourage these same representatives to go beyond a categorical approach to the questions at hand by suggesting that they measure their interests by an international yardstick and overall diplomatic objectives.

France is often burdened by arrogance, carelessness towards its partners, especially the most modest, a predilection for going it alone or even preferring soporific speeches to concrete results. This way of behaving has always produced disappointing results. The negotiations on Cultural Diversity illustrates to which point, in a global society where each participant can claim her rights, her ideas and interests, efficiency trumps other options. France is far from lacking in this regard, as it proposes clear ideas accompanied by a strong political will and proven technical know-how. One of the paradoxical effects of globalization, as far as diplomacy is concerned, is that mobility is now given priority over power. Imagination and pragmatism, initiative and tenacity are constantly redefined margins of maneuver and continuously weave alliances. Putting the defense of its national interests under the aegis of collective values, France transformed what was at risk of becoming a lonely battle of the old guard into a universally shared ambition for building the first cultural pillar of global governance.

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The Translator: A. Kaiser

NOTES

1. Its exact title is “Convention on the Protection and Promotion of the Diversity of Cultural Expressions”. It was adopted during UNESCO’s 33rd General Conference, October 20, 2005, by a majority of 148 votes for and 2 against (The US and Israel), with four abstentions.
2. Regarding cultural exception, please refer to, in particular, Burin des Rozières (Laurent), *Du cinéma au multimédia. Une brève histoire de l’exception culturelle, (From the movies to multimedia. A brief history of cultural exception)*, Paris, IFRI, 1998; Farchy (Joelle), *La Fin de l’exception culturelle ?*, (*The End of Cultural Exception ?*) Paris, CNRS Editions, 1999 ; Regourd (Serge), *L’exception culturelle, (Cultural Exception)*, Paris, PUF, 2002.
3. Agreement signed at the conclusion of the Uruguay Rounds and instituting the WTO.
4. The expression made its appearance in the official French vocabulary at the end of 1998, with the Franco-Mexican Declaration on Cultural Diversity of November 12, 1998 and the joint communiqué of the Canadian and French Prime Ministers in Ottawa, the following December 17 on “The Importance of Cultural Diversity in a Global Economy.”

5. Report resulting from the work of the Global Commission of Culture and Development, presided over by Javier Perez de Cuellar.
6. Perceptible timidity during the Conference on Cultural Policies for Development (Stockholm, April 1998), ostensibly to draw up the operational consequences of the Perez de Cuellar Report and of which the conclusions remained well below expectations.
7. In the absence of the United States, who had not yet returned to UNESCO.
8. Please see Mattelart (Armand), *Diversité culturelle et mondialisation (Cultural Diversity and Globalization)*, Paris, La Découverte, 2005.
9. The French-Quebec working group requested a report on “The Evaluation of the Political Possibility of an International Instrument on Cultural Diversity” from Professors Ivan Bernier and Helen Ruiz-Fabri. It was published in April, 2002 and was the first in-depth legal analysis of the subject.
10. Please see the document from the Canadian Minister of Foreign Affairs and of International Commerce entitled “New Strategies for Culture and Commerce. The Canadian Culture in the Context of Globalization”, March, 1999.
11. French President Jacques Chirac publicly evoked this disagreement during the Francophone Summit of Moncton, in September, 1999.
12. Regarding the position of the European Union on cultural diversity, please see Baer (Jean-Michel), *L'exception culturelle. Une règle en quête de consensus, (Cultural Exception. A rule in search of consensus.)* in *En Temps réel*, October, 2003.
13. Montreal (2001), Paris (2003), Seoul (2004) and Madrid (2005).
14. Professor Ivan Bernier and the author of this text, respectively.
15. Tyler Cowen, Professor of Economy at George Mason University, Fairfax, Virginia and author of works in which he defends his argument that the market economy is the best ally of creativity and cultural diversity.
16. Please see, for example, Catherine Trautmann, August 24, 1999, during the Summer University of Communication in Hourtin: “The WTO is not an appropriate place of negotiation neither for intellectual property which the responsibility of the WIPO^A nor for culture in general which is destined to be dealt with by UNESCO”. And Jacques Chirac, September 2, 1999 in Quebec: “France considers that the WTO is the place where specifically commerce is discussed, that cultural problems are dealt with by UNESCO and we say: “it’s better to speak to UNESCO.”
- 16.^A World Intellectual Property Organization, Translator’s Note.
17. Catherine Trautmann, Catherine Tasca, Jean-Jacques Aillagon, and Renaud Donnedieu de Vabres.
18. The author of this text, until December 2002, then Jean Guéguinou.
19. The inter-ministerial working group of which I was President submitted a report in June 2003 which comprised, on top of the convention project, a series of analyses identifying the sensitive and potentially contradictory legal points of the text.

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