

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

23 JAN 25 A9:30

SENATE

P. S. Res. No. 444

RECEIVED BY

Introduced by Senator Loren B. Legarda

RESOLUTION
URGING THE CONCERNED GOVERNMENT AGENCIES,
THROUGH THE DEPARTMENT OF FOREIGN AFFAIRS, TO
EXPEDITE THE SUBMISSION OF THEIR RESPECTIVE
CERTIFICATES OF CONCURRENCE IN VIEW OF THE COUNTRY'S
RATIFICATION OF THE UNESCO 2005 CONVENTION ON THE
PROTECTION AND PROMOTION OF THE DIVERSITY OF
CULTURAL EXPRESSIONS

WHEREAS, in 2005, the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) held a meeting in Paris and adopted the Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

WHEREAS, the Convention came into force on 18 March 2007, three months after its ratification by 30 UNESCO State members, in accordance with the Convention's Article 29;

WHEREAS, the 152 member states of UNESCO that have ratified the Convention were convinced that goods, services, and activities that have dual cultural and economic intrinsic value must not be viewed as solely having commercial value for they embody identities and convey cultural expressions that go beyond their market value;

WHEREAS, the Convention thereby subsumes *political exceptions*, a concept introduced in 1993 General Agreement on Tariffs and Trade (GATT) negotiations to treat culture differently from other commercial products;

WHEREAS, the legally binding international agreement excludes cultural goods and services from international trade agreements in view of protecting and promoting the diversity of cultural expressions, and addressing the cultural consolidation threatened by globalization;

WHEREAS, the Convention also empowers its State members with the sovereign right to maintain, adopt, and implement cultural measures and policies that they deem appropriate for the protection and promotion of the diversity of cultural expressions on their territory;

WHEREAS, UNESCO pointed out that when the Convention was adopted in 2005, some five countries monopolized the world's cultural industries. In the creative industry of cinema, for example, 88 out of 185 countries in the world have never had their own film productions;

WHEREAS, now, with 152 UNESCO member states that have ratified the Convention, the creative and cultural industries are among the fastest-growing sectors in the world. Currently making up 6.1% of the global economy, the cultural sector is estimated to be worth 4.3 trillion USD annually. They generate \$2,250 billion in annual sales and approximately 30 million jobs globally;

WHEREAS, cultural and creative industries have become vital for equitable economic growth, lowering inequality, and accomplishing the objectives outlined in the 2030 Sustainable Development Agenda;

WHEREAS, the Philippines, which is not a signatory to the Convention, is one of the top exporters of creative goods and industries among the developing nations. The value of the exports of our domestically made creative goods was \$915 million in 2014, with fashion products exports accounting for \$279 million and art crafts for \$162 million;

WHEREAS, with the ratification of the Convention, creative and cultural sectors in the Philippines will have better access to both domestic and foreign markets, and the creative professionals will be qualified to access the International Fund for Cultural Diversity (IFCD) established by the Convention to fund projects and activities of emerging dynamic cultural sectors in developing countries worth up to \$100,000;

WHEREAS, the Convention also creates a framework for a partnership to aid developing countries whereby developed countries shall facilitate cultural exchanges with developing countries by granting them preferential treatment to artists, goods, and services;

WHEREAS, while our country has capitalized on culture and creativity to support and strengthen our cultural and creative industries, much still has to be done to promote the diversity of our cultural expressions while protecting the same such as through emphasizing the importance of intellectual property rights to sustain our folks in creative and cultural industries;

WHEREAS, on 12 August 2022, the Office of the President directed the Department of Foreign Affairs (DFA) to have new Certificates of Concurrences (COCs) signed by the incumbent heads of the concerned government agencies in the

ratification of the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

WHEREAS, as of 12 January 2023, eleven (11) out of seventeen (17) agencies have submitted their COCs, namely, the Department of Budget and Management (DBM), the Intellectual Property Office of the Philippines (IPOPHL), the National Historical Commission of the Philippines (NHCP), the National Museum, the National Library of the Philippines, the Film Development Council of the Philippines (FDCP), the National Archives of the Philippines (NAP), the National Commission for Culture and the Arts (NCCA), the Department of Trade and Industry (DTI), the National Commission on Indigenous Peoples (NCIP) dated 9 December 2022; and the National Economic and Development Authority (NEDA);

WHEREAS, the DFA has yet to receive the updated COCs of the following six (6) agencies: the Cultural Center of the Philippines (CCP), the Commission on Higher Education (CHED), the Department of Education (DepEd), the Department of Tourism (DOT), Komisyon ng Wikang Filipino (KWF); and the National Commission on Muslim Filipinos (NCMF);

WHEREAS, to further promote our domestic and foreign trade of cultural goods and services side by side with protecting and enhancing the diversity of cultural expressions, there is a need to adopt the Convention whereby the Philippines shall be given the sovereign right to adopt cultural policies and measures free from the dictates of commercial liberalism.

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, TO STRONGLY URGE THE CONCERNED GOVERNMENT AGENCIES, THROUGH THE DEPARTMENT OF FOREIGN AFFAIRS, TO EXPEDITE THE SUBMISSION OF THEIR RESPECTIVE CERTIFICATES OF CONCURRENCE IN VIEW OF THE COUNTRY'S RATIFICATION OF THE UNESCO 2005 CONVENTION ON THE PROTECTION AND PROMOTION OF THE DIVERSITY OF CULTURAL EXPRESSIONS.

Adopted.



LOREN LEGARDA