

UNESCO's Normative Action

1. *The Hague Convention*

Canada's reasons for not signing the 1954 Hague Convention (on the protection of cultural property in the event of armed conflict) when it was drawn up no longer exist, and consultation with the Departments concerned is underway with a view to imminent ratification of this Convention, whose spirit Canada has always respected.

UNESCO's goal should be the improvement of the Convention and its ratification by the greatest number of countries, making it a true instrument of heritage preservation and protection. An improved Convention must both reflect recent evolution in the concepts of heritage and change in the forms of conflict, and encourage development of a strategy to educate both the public and heritage protection experts.

2. *Copyright*

Because we view creators as the essential spirit and driving force of the cultural sector, one area of significant concern is that of intellectual property, specifically the areas of copyright, neighbouring rights and performers' rights. Copyright and related protections should be integrated as full components of cultural development and growth, rather than as *ad hoc* provisions which arrive long after they should, merely an addendum to the action plan.

UNESCO should consider working with developing nations to administer strong intellectual property protections which ensure that revenues realized from domestic cultural goods and services remain within or are channeled back to the country from which they came. Many international copyright conventions can be referred to as models for developing domestic laws which enable the expansion of opportunities for cultural development.

In the planning of the C/5 activities, the Secretariat should use the recommendations of the meeting organized by the University of British Columbia, Faculty of Law, on "Material Culture in Flux; Law and Policy of Repatriation of Cultural Property," which gathered 70 lawyers, museologists and Canadian First Nations peoples considering each other's perspectives on this and related issues. UNESCO financially supported this event through its Participation Programme for 1994-1995.