



Government of the
Republic of Trinidad and Tobago

NATIONAL CULTURAL POLICY

APPENDIX II:

Comparison of Draft National Cultural Policy and Select national and international pieces of legislation

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| National Cultural Policy of Trinidad and Tobago DECLARATIONS | Convention on the Rights of the Child | T & T Constitution (Rights Enshrined) | Treaty of Chaguaramas | Charter of the United Nations | Convention on the Protection and Promotion of the Diversity of Cultural Expressions |
|---|---------------------------------------|---------------------------------------|---|-------------------------------|---|
| Promotion of the Creative Arts. | X | X | X | X | Measures aimed at encouraging non-profit organizations, as well as public and private institutions and artists and other cultural professionals, to develop and promote the free exchange and circulation of ideas, cultural expressions and cultural activities, goods and services, and to stimulate both the creative and entrepreneurial spirit in their activities. [Article 6, 2(e)] |
| Preservation of Heritage, both tangible and intangible. | X | X | <p>Legal protection of the expressions of folklore, other traditional knowledge and national heritage, particularly of indigenous populations in the Community; [Article 66, c (ii)]</p> <p>The preservation of indigenous Caribbean culture; [Article 66, c (i)] Conservation of the natural and cultural resources of the Region through proper management; [Article 55, 2 (f)]</p> <p>Nothing shall be construed as preventing the adoption or enforcement of measures: imposed for the protection of national treasures of artistic, historic or archaeological value. [Article 226, 1 (h)]</p> | X | <p>Conscious that cultural diversity forms a common heritage of humanity and should be cherished and preserved for the benefit of all; [Preamble]</p> <p>Take measures to protect the diversity of cultural expressions, including their contents, especially in situations where cultural expressions may be threatened by the possibility of extinction or serious impairment. [Preamble]</p> |

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| Sustainable Industrial Development with an emphasis on cultural industries and on the nexus between culture, attitudes and development. | X | X | X | X | <p>International cooperation and solidarity should be aimed at enabling countries, especially developing countries, to create and strengthen their means of cultural expression, including their cultural industries, whether nascent or established, at the local, national and international levels; [Article 2, 4]</p> <p>The importance of traditional knowledge as a source of intangible and material wealth, and in particular the knowledge systems of indigenous peoples, and its positive contribution to sustainable development, as well as the need for its adequate protection and promotion; [Preamble]</p> <p>Cultural diversity is a rich asset for individuals and societies. The protection, promotion and maintenance of cultural diversity are an essential requirement for sustainable development for the benefit of present and future generations. [Article 2, 6]</p> <p>Measures aimed at providing domestic independent cultural industries and activities in the informal sector effective access to the means of production, dissemination and distribution of cultural activities, goods and services. [Article 6, 2 (c)]</p> |

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| Social cohesion with an emphasis on the role of culture in family life and community development. | X | X | X | X | Emphasizing the importance of culture for social cohesion in general, and in particular its potential for the enhancement of the status and role of women in society. [Preamble] |

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| Express and participate in the cultural life of their choice in a manner consistent with the rights enshrined in the Constitution of Trinidad and Tobago. | <p>The right of the Child to participate freely in cultural life and the arts; [Article 31, 1]</p> <p>States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity. [Article 31, 2]</p> | Everyone has the right to participate in the cultural life of his choice, but no one exercising this right may do so in a manner inconsistent with this Constitution. [Part I, 20] | X | X | Principle of respect for human rights and fundamental freedoms: Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed. No one may invoke the provisions of this Convention in order to infringe human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights or guaranteed by international law, or to limit the scope thereof. [Article 2, 1] |

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| To free expression of thoughts and ideas using creative arts in a manner consistent with the rights enshrined in the Constitution of Trinidad and Tobago. | The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. [Article 13, 1] | Everyone has the right to freedom of the press and other media of communication. [Part I, 21(1)] | X | X | X |
| To use the nucleus of the family to pass on the cultural traits of their choosing. | Respect the right of the child to freedom of thought, conscience and religion. [Article 14, 1] Respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child. [Article 14, 2] | X | X | X | Recognizing that the diversity of cultural expressions, including traditional cultural expressions, is an important factor that allows individuals and peoples to express and to share with others their ideas and values. [Preamble] |
| To have the opportunity to learn about the Trinidadian and Tobagonian cultural form of their choice. | X | X | X | X | X |
| To develop the artistic skill of their choice to the extent of their ability so long as they are willing to work towards it. | X | X | X | X | X |

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| To have the opportunity to earn a living from the art form of their choice once they are appropriately skilled to do so. | X | X | X | X | X |

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| The development of an enabling environment that will result in a citizenry grounded in its nation's culture to the extent that regardless of their gender, ethnicity or religious beliefs, they will possess the qualities to enable them to be empowered and live dignified lives in a democratic society. | In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess his or her own religion, or to use his or her own language. [Article 30] | X | X | X | Taking into account the importance of the vitality of cultures, including for persons belonging to minorities and indigenous peoples, as manifested in their freedom to create, disseminate and distribute their traditional cultural expressions and to have access thereto, so as to benefit them for their own development. [Preamble] |

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| Development and promotion of the country's diverse cultural expressions. | X | X | X | X | <p>Principle of sovereignty: The sovereign right to adopt measures and policies to protect and promote the diversity of cultural expressions within their territory. [Article 2, 2]</p> <p>Principle of equal dignity of and respect for all cultures: The protection and promotion of the diversity of cultural expressions presuppose the recognition of equal dignity of respect for all cultures, including the cultures of persons belonging to minorities and indigenous peoples. [Article 2, 3]</p> <p>Parties shall: encourage and promote understanding of the importance of the protection and promotion of the diversity of cultural expressions, inter alia, through educational and greater public awareness programmes. [Article 10, (a)]</p> <p>Emphasizing the vital role of cultural interaction and creativity, which nurture and renew cultural expressions and enhance the role played by those in the development of culture for the progress of society at large. [Preamble]</p> <p>To protect and promote the diversity of cultural expressions. [Article 1 (a)]</p> <p>Within the framework of its cultural policies, each Party may adopt measures aimed at protecting and promoting the diversity of cultural expressions within its territory. [Article 6, 1]</p> <p>Parties shall also endeavour to recognize the important contribution of artists, others involved in the creative process, cultural communities, and organizations that support their work, and their central role in nurturing the diversity of cultural expressions. [Article 7, 2]</p> |

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| The sustainable development, facilitation and stimulation of the growth of the cultural industries. | X | X | X | X | Parties shall endeavour to integrate culture in their development policies at all levels for the creation of conditions conducive to sustainable development and, within this framework, foster aspects relating to the protection and promotion of the diversity of cultural expressions. [Article 13] |
| Preservation and dissemination of national heritage, legacy and memory. | X | X | X | X | The adoption of measures aimed at the preservation, safeguarding and enhancement of the diversity of cultural expressions. [Article 4, (7)] A Party may determine the existence of special situations where cultural expressions on its territory are at risk of extinction, under serious threat, or otherwise in need of urgent safeguarding. Parties may take all appropriate measures to protect and preserve cultural expressions. [Article 8, 1 & 2]. |

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| Effective Administration inclusive of: | | | | | |
| ❖ Strategic Planning: the declaration of objectives, programmes, projects, targets, deliverables and subsidiary policies that match government action to policy objectives and priorities; | X | X | X | X | X |
| ❖ Institutional Strengthening: organize and restructure where necessary its relevant agencies to optimize implementation of its objectives; | X | X | X | X | X |
| ❖ Resource Acquisition: ensure completion of stated targets and deliverables; | X | X | X | X | X |
| ❖ Rationalization: ensure cohesiveness and complementarity of its many initiatives in the Cultural Sector. | X | X | X | X | X |

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| <p>The Articulation of a Policy Agenda inclusive of:</p> <ul style="list-style-type: none"> ❖ System of Policy Analysis that facilitates issue search, filtration, forecasting, prioritization, options analysis, implementation, monitoring, evaluation and closure or succession for creation of effective measures for sector development; ❖ General Research to develop that complement of baselines, databases and inventories that can adequately inform decision-making in the sector; ❖ Legislative Agenda to facilitate strategic development of the sector; ❖ Regulatory Measures that facilitate quality operation of the sector. | <p>X</p> <p>X</p> <p>X</p> <p>X</p> | <p>X</p> <p>X</p> <p>X</p> <p>X</p> | <p>X</p> <p>X</p> <p>X</p> <p>X</p> | <p>X</p> <p>X</p> <p>X</p> <p>X</p> | <p>X</p> <p>X</p> <p>Facilitate cultural exchanges through the appropriate institutional and legal frameworks, preferential treatment to artists and other cultural professionals and practitioners, as well as cultural goods and services from developing countries. [Article 16]</p> <p>Regulatory measures aimed at protecting and promoting diversity of cultural expressions. [Article 6, 2(a)]</p> |

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| <p>Developmental Work inclusive of:</p> <ul style="list-style-type: none"> ❖ Funding to facilitate strategic development of the sector; | X | X | X | X | <p>Measures aimed at providing public financial assistance; [Article 6, 2 (d)]</p> <p>Measures aimed at establishing and supporting public institutions, as appropriate. [Article 6, 2 (f)]</p> <p>Measures aimed at nurturing and supporting artists and others involved in the creation of cultural expressions [Article 6, 2 (g)]</p> <p>Financial support through: the establishment of an International Fund for Cultural Diversity;</p> <p>The provision of official development assistance, as appropriate, including technical assistance, to stimulate and support creativity;</p> <p>Other forms such as low interest loans, grants and other funding mechanisms. [Article 14, d, (i, ii, iii)]</p> <p>Measures aimed at nurturing and supporting artists and others involved in the creation of cultural expressions. [Article 6, 2 (g)]</p> |

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| ❖ Training to adequately develop human resource necessary to optimize quality growth in the sector; | X | X | Measures shall be designed to address economic, social and cultural aspects of human resources development, and shall include: the development of the skills and attitudes required to foster a culture of entrepreneurship. [Article 63, 2(b)] | X | Measures aimed at nurturing and supporting artists and others involved in the creation of cultural expressions. [Article 6, 2 (g)] |
| ❖ Infrastructure Development to ensure the provision of facilities required to support the sector's developmental needs. | X | X | X | X | |

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| <p>Collaboration with:</p> <ul style="list-style-type: none"> ❖ Civil Society in recognition of their role in preserving, promoting and developing culture via any means of Partnership, Alliances or other methodology for stakeholder involvement | <p>Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources. [Article 17, b]</p> | <p>X</p> | <p>Enhanced functional co-operation, including: - accelerated promotion of greater understanding among its people and the advancement of their social, cultural and technological development. [Article 6, i(ii)]</p> | <p>X</p> | <p>Parties acknowledge the fundamental role of civil society in protecting and promoting the diversity of cultural expressions; [Article 11]</p> <p>Reinforce partnerships with and among civil society, non-governmental organizations and the private sector in fostering and promoting the diversity of cultural expressions. [Article 12, (c)]</p> <p>Promote the use of technologies, encourage partnerships to enhance information sharing and cultural understanding, and foster the diversity of cultural expressions. [Article 12, (d)]</p> |
| <ul style="list-style-type: none"> ❖ Private Sector in recognition of the expertise that they may contain via cooperation and outsourcing of any relevant activities in keeping with best practices in the procurement of goods and services. | <p>X</p> | <p>X</p> | <p>X</p> | <p>X</p> | <p>Share and exchange information relating to the protection and promotion of the diversity of cultural expressions. [Article 9,c]</p> <p>To strengthen international cooperation and solidarity in a spirit of partnership with a view, in particular, to enhancing the capacities of developing countries in order to protect and promote the diversity of cultural expressions. [Article 1, (i)]</p> |

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| ❖ International Agencies and Institutions that can provide technical and financial support for the development of the Cultural Sector. | X | X | X | X | <p>Encourage the development of partnerships, between and within the public and private sectors and non-profit organizations, in order to cooperate with developing countries in the enhancement of their capacities in the protection and promotion of the diversity of cultural expressions. These innovative partnerships shall, according to the practical needs of developing countries, emphasize the further development of infrastructure, human resources and policies, as well as the exchange of cultural activities, goods and services. [Article 15]</p> <p>Measures aimed at providing public financial assistance. [Article 6, 2 (d)]</p> <p>Financial support through: The establishment of an International Fund for Cultural Diversity as provided in Article 18.</p> <p>The provision of official development assistance, as appropriate, including technical assistance, to stimulate and support creativity;</p> <p>Other forms of financial assistance such as low interest loans, grants and other funding mechanisms. [Article 14, (d) (i, ii, iii)]</p> <p>Parties shall cooperate in providing assistance to each other, and, in particular to developing countries, in situations referred to under Article 8. [Article 17]</p> |

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| | | | | | <p>An International Fund for Cultural Diversity. [Article 18 (1)]</p> <p>The Fund shall consist of funds-in-trust established in accordance with the Financial Regulations of UNESCO. [Article 18, (2)]</p> <p>The resources of the Fund shall consist of:</p> <ul style="list-style-type: none"> (a) Voluntary contributions made by Parties; (b) Funds appropriated for this purpose by the General Conference of UNESCO; (c) Contributions, gifts or bequests by other States, organizations and programmes of the United Nations system, other regional or international organizations; and public or private bodies or individuals; (e) Funds raised through collections and receipts from events organized for the benefit of the Fund. [Article 18, (3) (a,b,c,e)] <p>The Intergovernmental Committee may accept contributions and other forms of assistance for general and specific purposes relating to specific projects, provided that those projects have been approved by it. [Article 18, (5)]</p> <p>Parties shall endeavour to provide voluntary contributions on a regular basis towards the implementation of this Convention. [Article 18, (7)]</p> |

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| Efficiency: the optimum use of resources to ensure that matters are dealt with in the shortest time possible. | X | X | X | X | X |
| Fairness: giving to each what they deserve in accordance with the right of the individuals to equality of treatment from any public authority in the exercise of any functions as enshrined in the Constitution of Trinidad and Tobago. | X | X | X | X | X |
| Transparency: keeping with best practice for a progressive, modern democratic state. | X | X | X | X | X |
| Consultation: keeping the principles of democratic, participatory government. | X | X | X | X | X |

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