

# Quadrennial Periodic Report on Measures to Protect and Promote the Diversity of Cultural Expressions

## General guidelines

- (i) The number of pages of the periodic reports should not exceed 20, excluding Annexes;
- (ii) Declarative statements shall be supported by facts and explanations;
- (iii) Information and analysis are to be derived from a variety of sources and be illustrated with examples;
- (iv) Long historical accounts are to be avoided;
- (v) Links may be added directly in the text.

### Languages:


The Report is to be prepared in English or French, the working languages of the Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions.

Parties are encouraged to submit, to the extent possible, their reports in both working languages of the Committee.

Parties that are in a position to do so are invited to also submit their reports in other languages (e.g., national languages) for purposes of information sharing.

### Structure of reports:

Section Number	Heading	Suggested number of pages
	Executive Summary	1
1	General information	0,5
2	Measures	12
3	Awareness-raising and participation of civil society	3
4	Main results achieved and challenges encountered when implementing the Convention	3,5
Annex		

The original version(s) of the Report, signed by the official designated on behalf of the Party, is (are) sent to the following address: UNESCO, Section of the Diversity of Cultural Expressions, 1 rue Miollis 75732 Paris Cedex 15, France. The deadline for receipt of the reports is 30 April 2012. 

The electronic version of this PDF form is to be sent through email to [reports2005c@unesco.org](mailto:reports2005c@unesco.org) or uploaded to : <http://www.unesco.org/tools/filedepot/>. 

Parties are invited to contact the Secretariat for any clarification or information. The Secretariat would also welcome feedback which will be used in the development of the supporting tools and also contribute to future reporting cycles.

# 1. General Information

(Estimate: 250 words)

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a) Name of Party

Peru

b) Date of ratification

2006/10/16

c) Ratification process

The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions was approved by the Congress of the Republic of Peru through Legislative Resolution No. 28835 on July 19, 2006, published on July 23, 2006. The ratification was made by Supreme Decree 047-2006-RE on 25 July 2006, published on July 26, 2006. The Peruvian Republic through their competent authorities handed over their ratification instruments of UNESCO on October 16, 2006. It became effective on March 18, 2007 in Peru.

d) Total contribution the  
International Fund for Cultural  
Diversity (in USD)

\$0.00

e) Organization(s) or entity(es) responsible for the preparation of the report

Ministry of Culture

f) Officially designated point of contact

Title	First name	Family name	Organization	Position

Mailing address

Telephone

E-mail

Fax

g) Description of the consultation process established for the preparation of the report

The Ministry of Culture of Peru was founded in 2010 and initiated a complex process of its organizational structure and functions; this process is still in development. For this reason, the responsibility of the national focal point about the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) as well as monitoring of their implementation was given to the General Directorate of Arts and Cultural Industries (DGICA, by its Spanish acronym) on April 13, 2012, due to their functions are linked directly to the Operational Guidelines for the implementation of the Convention. Previously the responsibility of the national focal point was delegated to the Department of Intangible Heritage (DPIC, by its Spanish acronym), which also had the responsibility of implementation of the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (2003).

Due to this complex process of organization and functionality of our cultural administration is that the preparation of this information did not have enough time to establish a comprehensive consultation process. However, we have collected information from various public institutions and organizations from the Peruvian cultural sector that have collaborated to establish a detailed report about the process followed by the Peruvian government in fulfillment of its commitment with the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

Title	First name	Family name	Organization	Position
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# 1. General Information

(Estimate: 250 words)

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## h) Name of representative(s) of participating civil society organization(s)

Title	First name	Family name	Organization	Position
Mrs.	Elvira	De la Puente Haya	Peruvian Coalition for Cultural Diversity	Coordinator
Mrs.	Myriam	Reátegui	Peruvian Coalition for Cultural Diversity	Member
Mr.	Ruben	Baldeon Gutierrez	Peruvian Coalition for Cultural Diversity	Member
Mr.	Julio	Vega Guanilo	Peruvian Coalition for Cultural Diversity	Member
Mr.	Stefan	Kaspar Bartschi	Peruvian Coalition for Cultural Diversity	Member
Mrs.	Ximena	Arroyo	Peruvian Coalition for Cultural Diversity	Member

## Executive Summary of the Report

In writing this summary, please include the main achievements and challenges in implementing the Convention and, where appropriate, an outlook for the future. ?

(Maximum 500 words)

**The Peruvian government, through its official representative at UNESCO, actively participated in the process of adoption of the 2005 Convention; it was one of the first countries to submit its ratification. The Convention represents a great impulse for Peru to strengthen, protect and promote their - still in the process of growth, cultural industries and their enormous wealth of creativity. It is still in process the recognition and visibility of culture in sustainable development of the country.**

**The creation of the Ministry of Culture (2010) represents the desire for integration of culture to our development policies. In its institutional structure was created the Vice Ministry of Interculturality that includes the perspective of cultural rights, dialogue and integration with special attention on indigenous communities. Also established a General Directorate of Cultural Industries and Arts, which found initially the necessity to revise the legal framework, articulate the sector and have cultural management tools, thus the General Directorate began with the creation of the Information System on Cultural Industries and Arts of Peru as well as the review and improvement of the Cultural Policy Framework, including legal reform projects about Peruvian Film and Artists Rights.**

**Among the actions to promote the cultural sector, the Culture Points Program seeks to promote democratic access to training, creation, dissemination and enjoyment of the public culture. Another exchange experiences is Ruraq Maki Program that seeks to open access to alternative markets for the visual arts or traditional folk arts. Another example of promoting our creative diversity is the presence of National Ensembles: National Symphony Orchestra, National Ballet, Folklore Ensemble, National Choir, National Youth Symphony Orchestra and Children Chorus.**

**The Ministry of Foreign Trade and Tourism established the Regulation of Law No. 29073, the Artisan and Artisan Activity Development. The measure considers aspects of business regulation for strengthening this widespread activity in Peru. It is still pending mechanisms for an authentic balance and exchange.**

**At the local-regional level, one of the most important actions related to the 2005 Convention is the Rescue Project and Affirmation of Cultural Expressions in San Martin Region (Peru's northern jungle, Amazon influence) developed by the Regional Government of San Martin. This is the first time a local cultural project mentioned legally the UNESCO Convention to find its approval and viability in the National Public Investment System. San Martin Region has indigenous or native communities that still maintain ancestral traditions as well crafts, singing, dancing, literature, etc.**

**Civil society plays a crucial role in the success of the Convention. As a background is the mobilization of citizens and important advocacy role of cultural organizations during the negotiations of the FTA USA-Peru. The main achievement was a "cultural reserve" that is a reference for the trade agreements of the Peruvian Government (9 FTA in validity).**

**In the field of international cooperation, Peru is part of IBERMEDIA and IBERESCENA programs, and recently of IBERMUSICAS.**

## 2. Measures

(Estimate: 6000 words)

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*Parties shall provide information on policies and measures adopted to protect and promote the diversity of cultural expressions within their territory (at the national, regional or local levels) and at the international level (including trans-regional or trans-national levels).*

*Information to be presented in this Section of the report is to be organized according to the following themes:*

- i) cultural policies and measures;*
- ii) international cooperation and preferential treatment;*
- iii) the integration of culture in sustainable development policies;*
- iv) protecting cultural expressions under threat.*

### **Key questions:**

*Parties shall respond, to the extent possible, to the following questions for each theme:*

- (a) What are the main objective(s) of the policy or measure? When was it introduced?*
- (b) How has it been implemented, which public agency(ies) is (are) responsible for its implementation and what resources have been allocated to ensure implementation?*
- (c) What challenges have been identified in the implementation of this measure?*
- (d) What has been the effect or impact of the policy or measure? What indicators were used to lead to this conclusion?*



## 2.1 Cultural policies and measures

### 2.1 Cultural policies and measures

*The purpose of this section is to report on cultural policies and measures in place to promote the diversity of cultural expressions at the different stages of creation, production, distribution, dissemination and participation/enjoyment.*

*Measures may be understood as those that:*

- *nurture creativity,*
- *form part of an enabling environment for independent producers and distributors*
- *provide access to the public at large to diverse cultural expressions.*

*They may be regulatory or legislative, action or programme oriented, institutional or financial measures. They may be specifically introduced to address the special circumstances and needs of individuals (e.g. women, young people) or groups (e.g. persons belonging to minorities, indigenous people) as creators, producers or distributors of cultural expressions.*

*For more information on the types of measures to be reported on, please refer to [Article 6, Rights of Parties](#) at the national level, and the [Operational Guidelines adopted on Article 7](#) on measures to promote cultural expressions.*

## 2.1 Cultural policies and measures

### Policy / measure 1

#### Name of policy / measure

Creation of the General Directorate of Cultural Industries and Arts in the structure of the Ministry of Culture

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input checked="" type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input checked="" type="checkbox"/> production	<input type="checkbox"/> legislative	<input checked="" type="checkbox"/> producers/entrepreneurs
<input checked="" type="checkbox"/> distribution	<input checked="" type="checkbox"/> institutional	<input checked="" type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> dissemination	<input type="checkbox"/> financial	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> participation/enjoyment	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input type="checkbox"/> other (please specify below)		<input type="checkbox"/> persons belonging to minorities
		<input type="checkbox"/> indigenous peoples
		<input type="checkbox"/> other (please specify below)

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The General Directorate of Cultural Industries and Arts is the technical, regulatory and promoter responsible for formulating, coordinating, implementing and monitoring at the national level, policies, strategies and actions to stimulate artistic creation and encourage artistic activity in various fields and to promote productivity and competitiveness of the industries that are linked directly to the creation, production and distribution of cultural goods and services that are protected usually by copyright.

The General Directorate of Cultural Industries and Arts has main functions

- Promote research and production of cultural sector information and the development of tools for dissemination and knowledge.
- Promote training and professionalism in Arts, encouraging training, artistic exchange and systematization of experiences in this field.
- Promote the creation and artistic production in varied expressions and encourage the development of initiatives and projects for the creation and development of clusters, associations and cultural institutions linked to artistic activity.
- Coordinate, monitor and evaluate the artistic programming of the casts of the Ministry of Culture.
- Declare about public entertainment not sports whose contents consider contributions to the development of our culture, keeping consistent with the current legislation.
- Give recognition to associations and cultural centers to entities that deserve it and promote their development.
- Grant nominal auspices, letters of artistic accreditation and declare cultural interest the activities and initiatives in different fields of artistic activity that deserve it.
- Promote the development of shows, events, exhibitions, festivals, fairs, competitions, awards, incentive programs, competitive funds, among other actions to encourage the practice, knowledge and dissemination of artistic activity in the country.

On May 14, 2011 was created by Supreme Decree No. 001-2011-MC of the Rules of Organization and Functions of the Ministry of Culture, the General Directorate of Cultural Industries and Arts (DGICA) and three offices among which is the Department of Arts and Cultural Access (DAAC).

#### b) How has it been implemented?

The creation of the Ministry of Culture considered to integrate into its structure a General Directorate that focuses on the development of cultural industries and arts. This directorate is part of the Vice Ministry of Heritage and Cultural Industries and Arts and is responsible for implementing various programs and projects that seek diversity of cultural expressions in Peru.

As a legal framework for the creation of the General Directorate of Cultural Industries and Arts are the following rules:



## 2.1 Cultural policies and measures

- Law No. 29565, Law of creation of the Ministry of Culture
- Law No. 27444, General Administrative Procedure Act
- Supreme Decree N° 001-2010-MC and No. 002-2010-MC, approves mergers of entities and institutions within the Ministry of Culture
- Supreme Decree 001-2011-MC, which approves the Regulation of Organization and Functions of the Ministry of Culture.

Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture

[Add agency](#)

What resources have been allocated to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

Developing strategies and programs to dynamize and strengthen cultural industries and national arts considering the assigned budgets.  
 Positioning cultural industries and arts as development factors and social transformation.  
 Promote wide access to the diversity of cultural and artistic expressions.  
 Reviewing, strengthening and updating policy frameworks for improving competitive environment of cultural industries and stimulate artistic activity.  
 Generation of knowledge and research on Arts and Cultural Industries.  
 Integration and articulation with other sectors and government levels.  
 Visibility of the Universal Declaration on Cultural Diversity and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?



## 2.1 Cultural policies and measures

### Policy / measure 2

#### Name of policy / measure

Regulation of Law No. 29073: Craftsman's Law and the Development of Artisan Activity

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input checked="" type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input checked="" type="checkbox"/> production	<input checked="" type="checkbox"/> legislative	<input checked="" type="checkbox"/> producers/entrepreneurs
<input checked="" type="checkbox"/> distribution	<input type="checkbox"/> institutional	<input checked="" type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> dissemination	<input type="checkbox"/> financial	<input type="checkbox"/> young people
<input type="checkbox"/> participation/enjoyment	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input type="checkbox"/> other (please specify below)		<input type="checkbox"/> persons belonging to minorities
		<input type="checkbox"/> indigenous peoples
		<input type="checkbox"/> other (please specify below)
		artisan

#### a) What are the main objective(s) of policy or measure? When was it introduced?

Law for Artisan and Development of Craft Activity has main objective to regulate the sustainable development, protection and promotion of the craft, preserving craftsmanship tradition in all its expressions of each place, disseminating and promoting techniques and procedures including quality, representativeness, tradition, cultural value and utility. Promoting awareness among the population about its economic, social and cultural importance, and recognize mainly the craftsman as developer of identity and cultural traditions. This regulation was promulgated on March 17, 2010.

Source: MINCETUR

[http://www.mincetur.gob.pe/newweb/Portals/0/transparencia/proyectos%20resoluciones/Proyecto\\_REGLAMENTO\\_Ley29073\\_2.pdf](http://www.mincetur.gob.pe/newweb/Portals/0/transparencia/proyectos%20resoluciones/Proyecto_REGLAMENTO_Ley29073_2.pdf)

#### b) How has it been implemented?

This regulation is in process of implementation by the Ministry of Foreign Trade and Tourism of Peru (MINCETUR), in accordance with paragraph 8, Article 118 of the Constitution of Peru and the Law N° 27790 - Law on Organization and Functions of the Ministry of Commerce and Tourism, lead agency for tourism and craftwork; promotion, guidance and regulation of craft activity.

The Law N° 29073, Law for Artisan and Development of Craft Activity was promulgated first. Later through the Supreme Decree 001-2008-MINCETUR, the Regulations of the National Register of Artisan and the National Council for the Artisan Promotion, created by Articles 12° and 30° of the Law No. 29073, which allowed to collect experience regarding these issues. In this context, there is necessity to standardize various aspects of craft activity regulated by Law No. 29073, so we proceeded to its regulation.

Currently MINCETUR has developed a Website about Information System for the Promotion and Development of the artisan to share all necessary information on artisan aspects from commercial perspective. Furthermore, this system works with the National Directory of Artisans which has information of all Peruvian artisans registered on the National Register of Artisan either as individual artisans, craft enterprises or artisan associations.

Source: MINCETUR

[http://www.artesaniasdelperu.gob.pe/archivos/descargas/documentos/reglamento\\_Ley\\_29073.pdf](http://www.artesaniasdelperu.gob.pe/archivos/descargas/documentos/reglamento_Ley_29073.pdf)

Information system website for promoting and development of the artisan: <http://www.artesaniasdelperu.gob.pe>



## 2.1 Cultural policies and measures

Which public agency(ies) is (are)  
responsible for its implementation?

Agency name

Ministry of Foreign Trade and Tourism of Peru

[Add agency](#)

What resources have been allocated  
to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

This information will be complemented with details in a future report. The main reason why we do not have specific information of the process of implementation of this measure is due to the short time for completion of the report.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?

## 2.1 Cultural policies and measures

### Policy / measure 3

#### Name of policy / measure

Creation of the Information System on Cultural Industries and Arts of Peru

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input type="checkbox"/> production	<input type="checkbox"/> legislative	<input checked="" type="checkbox"/> producers/entrepreneurs
<input type="checkbox"/> distribution	<input type="checkbox"/> institutional	<input checked="" type="checkbox"/> cultural enterprises
<input type="checkbox"/> dissemination	<input type="checkbox"/> financial	<input type="checkbox"/> young people
<input type="checkbox"/> participation/enjoyment	<input checked="" type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input checked="" type="checkbox"/> other (please specify below)	knowledge on cultural sector	<input type="checkbox"/> persons belonging to minorities
Tool for cultural managers and agents		<input type="checkbox"/> indigenous peoples
		<input type="checkbox"/> other (please specify below)

#### a) What are the main objective(s) of policy or measure? When was it introduced?

Information System on Cultural Industries and Arts of Peru is an integrated system, national scope, management, production and dissemination of cultural information. Its main objective is to become a useful and effective tool for the cultural sector, providing current and systematized information that allows:

- Highlight dimension and dynamic of culture and its impact on national development.
- Improve the planning, implementation, monitoring and evaluation of public policies.
- Strengthen and promote cultural management.
- Reassess and disseminate the artistic activity and cultural heritage of the country.

This information system is in process of validation and some adjustments are needed before its official release. The website link of the Information System on Cultural Industries and Arts of Peru is: [www.sicperu.pe](http://www.sicperu.pe)

#### b) How has it been implemented?

Information is being collected from an intercultural vision of diverse cultural expressions developed in the Peruvian territory. It is considering issues such as infrastructure for the development of the expression. For the official launch the Information System on Cultural Industries and Arts of Peru will have the following sections:

- Artistic Expressions (Panorama, Our People, Training, Announcements, Infrastructure, Statistics, Directory).
- Cultural Infrastructure
- Cultural Heritage
- Stats on cultural industries
- Legal Framework
- Training and exchange
- Opportunities and news.

A process of information collection and systematization of our cultural wealth has initiated in collaboration and coordination with the institutions that manage information about Peruvian cultural sector. It was considered a broad vision to recognize all expressions of cultural diversity of Peru.

Through the Website Information System on Cultural Industries and Arts of Peru will be disseminated all material produced by various



## 2.1 Cultural policies and measures

organizations in the cultural sector, documents, data, statistics, images, audio of traditional Andean, Amazonian, and Afro-Peruvian music, and various ancient traditions and modern or contemporary. It can also relive rich narrative of our people through hundreds of stories, myths and legends, oral narrations of Peruvian people. It also includes various expressions of visual art, textile art such as Taquile further heritage information such as san marcos drawers, altarpieces, Amazon art and other expressions of our broader diversity.

Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture

[Add agency](#)

What resources have been allocated to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

Some fields of the national cultural sector have not yet updated and systematized information.  
The required budgets are greater than the resources assigned.  
Commitment of all cultural sectors in searching for detailed and specific information that allows to visualize development strategies.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?

## 2.1 Cultural policies and measures

### Policy / measure 4

#### Name of policy / measure

National System of Public Investment Project: Rescue and Affirmation of Cultural Expressions in San Martin Region-SNIP: 74139.

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input checked="" type="checkbox"/> production	<input type="checkbox"/> legislative	<input checked="" type="checkbox"/> producers/entrepreneurs
<input type="checkbox"/> distribution	<input checked="" type="checkbox"/> institutional	<input type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> dissemination	<input checked="" type="checkbox"/> financial	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> participation/enjoyment	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input type="checkbox"/> other (please specify below)	<input type="text"/>	<input type="checkbox"/> persons belonging to minorities
<input type="text"/>		<input checked="" type="checkbox"/> indigenous peoples
		<input type="checkbox"/> other (please specify below)
		<input type="text"/>

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The main objective of the National System of Public Investment Project is "Appropriated promotion of cultural expressions of the San Martin Region by culture managers in the region."

The project is developed according to the needs and interests of local cultural managers through adequate implementation of Regional Political Culture, proper enhancement of cultural managers and expanded dissemination of cultural heritage in San Martin Region.

It was determined to work through 9 axes of cultural diversity including: FOLKLORE, TOURISTIC SCHEDULE, ETHNIC GROUPS, GASTRONOMY, TOURS, CRAFTS, TRADITIONAL MEDICINE, ORAL LITERATURE, BIODIVERSITY.

The project started in 2008.

Source: Database of Bank of Projects SNIP of the Ministry of Economy and Finance:

<http://ofi.mef.gob.pe/bp/ConsultarPIP/frmConsultarPIP.asp?accion=consultar>

#### b) How has it been implemented?

The San Martin Region has a strong rural component, approximately 39.40% of its population lives in rural areas with poor accessibility of communication, 60.6% live in urban areas in comparison to 72.1% as national average. San Martin Region is the 12th poorest region of the country (66.9%). Therefore, San Martin Region found the viability of public investment for promotion of cultural expressions through the National System of Public Investment. It is the first time that a regional public investment is assigned exclusively to diversity of cultural expressions. The presence of the 2005 Convention within the regulations of the Peruvian Government was a determining factor to assign resources of the national fund to regions related with investment in living culture. The project is developed since 2010.

Source: Database of Bank of Projects SNIP of the Ministry of Economy and Finances:

<http://ofi.mef.gob.pe/bp/ConsultarPIP/frmConsultarPIP.asp?accion=consultar>



## 2.1 Cultural policies and measures

Which public agency(ies) is (are)  
responsible for its implementation?

Agency name

Regional Government of San Martín

What resources have been allocated  
to ensure implementation?

\$2,000,000.00

*(an approximate total expressed in US dollars)*

[Add agency](#)

c) What challenges have been identified in the implementation of this measure?

Proper implementation of regional policy culture in San Martin Region.  
Adequate empowerment of cultural managers to develop traditional knowledge and practices in San Martin Region.  
Broad dissemination of cultural heritage in the Region.

Source: Database of Bank of Projects SNIP of the Ministry of Economy and Finances:  
<http://ofi.mef.gob.pe/bp/ConsultarPIP/frmConsultarPIP.asp?accion=consultar>

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

This information will be complemented with details in a future report. The main reason why we do not have specific information of the process of implementation of this measure is due to the short time for completion of the report.

What indicators were used to lead to this conclusion?

## 2.1 Cultural policies and measures

### Policy / measure 5

#### Name of policy / measure

Review and improvement of the legal framework of culture in Peru: "Law of Peruvian Cinematography and Audiovisual" and "Law of the Artist and Performer"

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input type="checkbox"/> production	<input checked="" type="checkbox"/> legislative	<input checked="" type="checkbox"/> producers/entrepreneurs
<input checked="" type="checkbox"/> distribution	<input type="checkbox"/> institutional	<input checked="" type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> dissemination	<input type="checkbox"/> financial	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> participation/enjoyment	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input type="checkbox"/> other (please specify below)		<input type="checkbox"/> persons belonging to minorities
labor rights and social security to		<input type="checkbox"/> indigenous peoples
		<input type="checkbox"/> other (please specify below)

#### a) What are the main objective(s) of policy or measure? When was it introduced?

THE LAW PROJECT OF CINEMATOGRAPHY AND AUDIOVISUAL OF PERU will replace the Law 26370 and aims to protect and promote visual diversity in Peru. The Peruvian Government recognizes the importance of film and audiovisual as artistic and creative manifestations for the culture development and recognition of national identity. Therefore, it proclaims the right of own film as an inalienable right of its citizens, guaranteeing the freedom to create, perform, produce and distribute films and audiovisual works in any venue or system, already created or in process to be created. The Government establishes cultural policies for development and promotion of art and industry nationally and internationally. The aims of this law:

- Promotion, distribution, protection and preservation of national cinematographic and audiovisual works.
- Promotion of a film industry in Peru.
- Training, research and critical study about new audiovisual languages.
- Abroad dissemination about Peru's image and specifically, the diversity of their collections, promoting film and audiovisual production in the country.

REFORMS TO THE LAW 27890, LAW OF THE ARTIST AND PERFORMER (music and scenic artist), its main objective is to provide a legal framework for protection of labor rights and welfare to the national artist. However there are still a number of gaps and complexities that need to be modified and expanded to achieve the objectives, which are as follows:

- Regulate the recognition, protection, practice and defense of moral property, patrimonial, labor, social security and intellectual property rights, among others, that correspond to the performers and their performances.
- Promote a permanent professional and academic development of the artist
- Encourage the creation and development of jobs through all workers participation including creators and entrepreneurs.
- Establish a competitive funding mechanism for promotion and development of artistic activity in a decentralized and inclusive way.

This process of legal development and regulatory review has been initiated since mid-2011.

#### b) How has it been implemented?

The Law Project of Cinematography and Audiovisual in Peru entered in reflection, restatement and written process by a specialized and representative team. The Ministry of Culture has put into consideration this law for opinion and observation of the various guilds and groups from the film and audiovisual in Peru through an open participatory process. The law of the Artist, Law 27890, is under review with labor specialists, cultural managers and artists guilds representatives.



## 2.1 Cultural policies and measures

Which public agency(ies) is (are)  
responsible for its implementation?

Agency name

Ministry of Culture

Ministry of Economy and Finances - MEF

Ministry of Labor and Employment Promotion - MTPE

[Add agency](#)

What resources have been allocated  
to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

Current legal framework, gaps and better implementation are under review. Drafting process and specialized consultation.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?



## 2.1 Cultural policies and measures

### Policy / measure 6

Name of policy / measure

Culture Points Program THE CULTURAL POINTS

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input checked="" type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input checked="" type="checkbox"/> production	<input type="checkbox"/> legislative	<input checked="" type="checkbox"/> producers/entrepreneurs
<input checked="" type="checkbox"/> distribution	<input type="checkbox"/> institutional	<input checked="" type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> dissemination	<input checked="" type="checkbox"/> financial	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> participation/enjoyment	<input checked="" type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input type="checkbox"/> other (please specify below)	associativity	<input type="checkbox"/> persons belonging to minorities
		<input type="checkbox"/> indigenous peoples
		<input type="checkbox"/> other (please specify below)
		local communities

a) What are the main objective(s) of policy or measure? When was it introduced?

Culture Points Program promotes democratic access to training, creation, dissemination and enjoyment of culture to the public through a partnership with organizations, artists and cultural agents working steadily in education, citizenship and integral development. After, they are recognized as Culture Points, have several resources for strengthening, replication and extension of its action. The main objectives of Culture Points Program are:

RECOGNIZE AND SUPPORT CULTURAL INITIATIVES: The Culture Points program recognizes the existence of a large number of civil society initiatives that need boost, articulation and recognition for a better and further development.

STRENGTHEN THE ART AS SOCIAL TRANSFORMER: The Culture Points program recognizes that culture is a social transformation tool. The program also allows having a tool for public investment in human development.

REINFORCE THE CONSTRUCTION OF AN INTERCULTURAL CITIZENSHIP: The Culture Points program promotes interculturality through the valuation of diversity about cultural artistic expressions.

b) How has it been implemented?

It is considered as Culture Point any non-profit organization, association, cooperative, collective or cultural grouping from civil society that develop and/or promote initiatives in diverse fields, taking in consideration the art and culture as a primary tool to construct a more just, peaceful, supportive, inclusive and democratic society which recognizes and values its diversity, memory and creative potential. It is a priority for the Ministry of Culture to strengthen, articulate and promote from the Government these important initiatives.

In February 2011, Points of Culture begins as a project to establish basis of the Points of Culture National Program, the following steps were made from that date until the end of 2011:

Definitions of the program including all peruvian culture sector particularities.

Participative construction of the proposal with cultural organizations in Lima.

Developing of two pilot projects in two popular and historic districts, Villa El Salvador at the south of the capital and Carabayllo at the north of Lima. These projects were developed in partnership with popular theater organizations that are working a long time in the area. Another point in the implementation was to develop a Web Channel: [www.puntosdecultura.pe](http://www.puntosdecultura.pe)

In the process of implementation of the program has strengthened the relationship with other countries that are promoting strategies around the Living Culture in Community and Culture Points (Colombia, Argentina and Brazil).

The program goals are:



## 2.1 Cultural policies and measures

Articulate a network of 90 organizations nationwide to exchange good practices and capacity building, identification of best practices and a significant improvement in management capacity of cultural organizations.

Generate a wider range of alternatives and ways of development for children and youth at risk, increasing their self-esteem, leadership; decreasing gang violence, lack of prospects of life and social gaps.

Contribute to the valuation and dissemination of the Peruvian cultural richness, strengthening cultural production at community level and creating public mechanisms that allow dissemination and recognition nationally and internationally.

It is expected that over the next two years, the Culture Points program can promote the work of approximately 90 organizations that offer integral training opportunities and empowerment through the arts and culture to more than 350,000 children, adolescents, young and adults. The next steps for program implementation are:

The launch of the National Registration - Culture Points Network, conducting training workshops for the Culture Points in Lima and provinces; develop a legal framework of Points Culture program; conduct a First National Meeting of Culture Points. In the medium term, actions that allow the program impacts more directly on organizations and their communities, as the definition of a Competitive Fund will allow the funding of planned projects by Culture Points nationwide. It will also acquire technology to disseminate the work of the Culture Points (digital cameras, computers, memory sticks). Furthermore, it also will continue to develop training workshops and meetings for community cultural organizations.

Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture

[Add agency](#)

What resources have been allocated to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

Find institutionalized and democratic workflows between cultural organizations and the Ministry of Culture.

Development of a legislative proposal, due to the competitive funding require a legislation to direct resources to organizations through a framework agreement and conditions that ensure the proper implementation of these amounts.

d) At what level was the policy / measure designed to have an impact?

Local

Regional

National

International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?

## 2.1 Cultural policies and measures

### Policy / measure 7

#### Name of policy / measure

Promotion of exchange visual arts of popular tradition, Ruraq Maki.

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input checked="" type="checkbox"/> artists/creators
<input type="checkbox"/> production	<input type="checkbox"/> legislative	<input type="checkbox"/> producers/entrepreneurs
<input checked="" type="checkbox"/> distribution	<input checked="" type="checkbox"/> institutional	<input checked="" type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> dissemination	<input type="checkbox"/> financial	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> participation/enjoyment	<input checked="" type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input checked="" type="checkbox"/> other (please specify below)	alternative markets for culture	<input type="checkbox"/> persons belonging to minorities
Cultural exchange alternative		<input checked="" type="checkbox"/> indigenous peoples
		<input checked="" type="checkbox"/> other (please specify below)
		artisans/popular artists

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The Ruraq Maki brings Traditional Folk Art produced in various rural villages of Peru for generating alternative marketing channels through sell-exhibition spaces. The Ruraq Maki is one of the most important exhibitions promoted by the Ministry of Culture. The Ruraq Maki is a Quechua term that stands for "handmade". It is developed since 2008.

#### b) How has it been implemented?

The sale-exhibition of Ruraq Maki Traditional Folk Art has become one of the most important exhibitions promoted by the Directorate of Contemporary Intangible Heritage of the Ministry of Culture of Peru.

Ruraq Maki brings together twice a year to leading master craftsmen from around the country to expose first, the tangible skills and traditional subjects and, secondly, to demonstrate the performance of creativity is parallel according with sociocultural and economic changes.

There have been 9 contests since 2007 (July), having the participation of 270 communities (For communities means: families of artisans, craft associations and craft villages)

Source: Directorate of Contemporary Intangible Heritage - Ministry of Culture

#### Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture

[Add agency](#)

#### What resources have been allocated to ensure implementation?

(an approximate total expressed in US dollars)

#### c) What challenges have been identified in the implementation of this measure?

Finding the balance of promoting marketing spaces and preservation of all knowledge and creation and production techniques of all these valuable handicrafts. Find appropriate ways for development without impacting the natural development of the artistic collective identities.

#### d) At what level was the policy / measure designed to have an impact?



## 2.1 Cultural policies and measures

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?

## 2.1 Cultural policies and measures

### Policy / measure 8

#### Name of policy / measure

Promotion of artistic expressions through National Ensembles: National Symphony Orchestra, National Ballet, Folklore Ensemble, National Choir, National Youth Symphony Orchestra and Children Chorus.

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input type="checkbox"/> creation	<input type="checkbox"/> regulatory	<input type="checkbox"/> artists/creators
<input type="checkbox"/> production	<input type="checkbox"/> legislative	<input type="checkbox"/> producers/entrepreneurs
<input type="checkbox"/> distribution	<input checked="" type="checkbox"/> institutional	<input type="checkbox"/> cultural enterprises
<input type="checkbox"/> dissemination	<input type="checkbox"/> financial	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> participation/enjoyment	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> women
<input type="checkbox"/> other (please specify below)		<input type="checkbox"/> persons belonging to minorities
		<input type="checkbox"/> indigenous peoples
		<input checked="" type="checkbox"/> other (please specify below)
		National and International Comm

#### a) What are the main objective(s) of policy or measure? When was it introduced?

Stimulate, encourage and promote creative activity in musical arts fields in vocal and symphonic versions, performing dance including classical and folk through the following national ensembles: National Symphony Orchestra, National Ballet, Folklore Ensemble, National Choir, National Youth Symphony Orchestra and Children Chorus. Furthermore, improving public access to these cultural expressions that require special care by the Government and citizenship.

#### b) How has it been implemented?

Currently, the Department of National ensembles, functional office of the General Directorate of Arts and Cultural Industries, coordinates actions of various national ensembles so far have been created for the dissemination of musical arts in vocal and symphonic versions, and scenic dance (classical and folk). Furthermore, the National Symphony Orchestra, established on August 11, 1938; the National Ballet, founded in 1967; and the other ensembles of recent creation converge in the Directorate of National Ensembles.

The Regulations of Organization and Functions of the Ministry of Culture of Peru states that the Department of National Ensembles focuses on:

- Develop and propose policies and strategies of national ensembles to the General Directorate of Arts and Cultural Industries, such as: National Symphony Orchestra, National Ballet, Folklore Ensemble, National Choir, National Youth Symphony Orchestra and Children Chorus.
- Coordinate actions to position the national ensembles and artistic references to national level and international scope.
- Developing, proposing, implementing and monitoring artistic programming and management of national ensembles.
- Promote and disseminate Peruvian artists and creators work in various disciplines that perform the national ensembles.
- Contribute to the knowledge and dissemination of different genres and interpretation ways in music and dance, and the dissemination of the Peruvian repertoire, Latin American and universal.
- Promote and manage performances of national ensembles nationally and internationally with public and private institutions.
- Manage the production archive of the national ensembles.
- Promote the professional art improvement of the national ensembles members through training, exchange, among others.
- Coordinate the management and artistic programming of ensembles in regions.
- Sustain and propose the creation of new national ensembles.

Source: Directorate of National Ensembles

Reference: National Ensembles of Peru: The Future is Today



## 2.1 Cultural policies and measures

Which public agency(ies) is (are)  
responsible for its implementation?

Agency name

Ministry of Culture of Peru

[Add agency](#)

What resources have been allocated  
to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

The National Ensembles have been working intensively to strengthen its outreach nationally and decentralized and also promote Peruvian cultural richness at international level.

Another major challenge is the strengthening of repertoire and standardization of production processes of performances of the National Ballet and Folklore National Ensemble as priorities in short and medium term.

Provide opportunities to national creators are other important challenge of National Ensembles. In recent years, the performances of the National Ensembles have been distributed as follows: 90% reshowings and 10% premieres. Therefore, the National Ensembles and the Ministry of Culture will promote all disciplines development, encouraging creation of major large projects that encourage participation. It will summon Peruvian composers, choreographers, musical arrangers, among others, to increase their creativity and devise world-class works made in Peru.

d) At what level was the policy / measure designed to have an impact?

Local

Regional

National

International

Has the impact of this policy / measure been investigated?

No  Yes


If yes, what was the impact :

The number of performances of national ensembles is constantly growing from 2008 to 2010 with the creation of the Ministry of Culture and the implementation of the Directorate of National Ensembles.

What indicators were used to lead to this conclusion?

Number of performances and number of assistance.

## 2.2. International cooperation and preferential treatment Page 23

*The purpose of this section is to report on measures aimed at facilitating international cooperation and preferential treatment  to artists and cultural professionals, as well as cultural goods and services from developing countries.*

*Measures are understood as legal, institutional and financial frameworks, policy and programme activities that, for example:*

- support the mobility of artists and cultural professionals abroad (sending and receiving);*
- provide greater market access for the distribution of cultural goods and services from developing countries through specific agreements;*
- strengthen independent cultural industries as a means to contribute to economic growth, poverty reduction and sustainable development;*
- aim to build institutional and management capacities through international cultural exchange programmes or partnerships among civil society organizations and networks.*

*For more information on the types of measures to be reported on, please refer to [Article 12](#) (Promotion of international cooperation), [Article 14](#) (Cooperation for development), [Article 16](#) (Preferential treatment for developing countries) and their corresponding Operational Guidelines.*

## 2.2. International cooperation and preferential treatment

### Policy / measure 1

#### Name of policy / measure

Regional cooperation to promote performing arts, musicals and films in Ibero-American: IBERMEDIA, IBERESCENA, IBERMUSICAS

Please check as appropriate. More than one box can be checked.

Goal	Frameworks	Type of intervention	Target
<input checked="" type="checkbox"/> mobility	<input type="checkbox"/> cultural cooperation agreements	<input type="checkbox"/> institution building	<input checked="" type="checkbox"/> artists/creators
<input checked="" type="checkbox"/> market access	<input type="checkbox"/> trade agreements	<input type="checkbox"/> financial investment	<input checked="" type="checkbox"/> producers / distributors
<input checked="" type="checkbox"/> strengthen independent cultural industries	<input type="checkbox"/> culture and trade agreements	<input type="checkbox"/> technology transfer	<input checked="" type="checkbox"/> cultural enterprises
<input type="checkbox"/> develop management skills	<input checked="" type="checkbox"/> co-production / co-distribution agreements	<input type="checkbox"/> capacity building	<input type="checkbox"/> young people
<input checked="" type="checkbox"/> exchange information and expertise	<input type="checkbox"/> other (please specify below)	<input checked="" type="checkbox"/> networking/partnership development	<input type="checkbox"/> women
<input type="checkbox"/> needs assessment ?		<input type="checkbox"/> operational action plan ?	<input type="checkbox"/> persons belonging to minorities
<input type="checkbox"/> South-South cooperation		<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> indigenous peoples
<input checked="" type="checkbox"/> North-South-South cooperation			<input type="checkbox"/> other (please specify below)
<input type="checkbox"/> other (please specify below)			

#### a) What are the main objective(s) of policy or measure? When was it introduced?

IBERMEDIA, IBERMUSICAS IBERESCENA promote in each member countries through financial assistance, the creation of a Ibero-American audiovisual space, an integration space of Performing Arts and the strengthening of Ibero-American musical space for the protection of musical heritage and creation. The specific objectives are: promotion of economic, artistic and professional collaboration among Ibero-American countries. Development of cultural cooperation objectives. Integration of national cultural films, musicals and theater. Promote training of professionals and construction of a shared creative space among countries. The extension of legal framework and promotion policies, among others specific objectives.

#### b) How has it been implemented?

Peru is one of three Ibero-American aid funds as member country.

IBERMEDIA. The Ibero-American Support Fund IBERMEDIA was founded in November 1997 on the basis of decisions made by the Ibero-American Conference of Heads of State and Government held in Margarita, Venezuela. The Peruvian Government contributes \$ 150 thousand U.S. Dollars to this fund annually.

IBERESCENA was established on the basis of decisions made by the Ibero-American Conference of Heads of State and Government held in Montevideo (Uruguay) in 2006. Peru provides since 2008 \$ 75 thousand U.S. Dollars annually to this fund.

IBERMUSICAS. During III Ibero- American Congress on Culture held in Medellín on July 2010 it was decided to promote an agenda for the construction of Ibero-American Musical Space. Intergovernmental Committees were formed and developed specific actions. Peru recently integrated this important initiative. Peru has reiterated its commitment to contribute to the Fund IBERMUSICAS according to Memorandum No. 191-2011-DM/MC, allocating a contribution of \$ 300 000 U.S. Dollars in 2012. Also according to the Minutes of the First Meeting of the Intergovernmental Committee of the Program for Promotion of Ibero-American Music held on 8 and 9 December 2011, our country's contribution is \$ 500,000 U.S. Dollars in 2013.





## 2.2. International cooperation and preferential treatment

Which public agency(ies) is (are)  
responsible for its implementation?

Agency name

Ministry of Culture of Peru - General Directorate of Cultural Industries

[Add agency](#)

What resources have been allocated  
to ensure implementation?

\$525,000.00

*(an approximate total expressed in US dollars)*

c) What challenges have been identified in the implementation of this measure?

The IBERMEDIA program has very few achievements in two of the goals set in its origins:  
- Improve distribution of national films in common territory.  
- Dissemination of Ibero-American films in the world film market.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

IBERMEDIA Fund, the oldest of the three programs, made an evaluation at 10 years of implementation (1998-2008). One of the most important IBERMEDIA impacts has been the contribution - decisive, determining and significant - for modernization and extension of the film industry in the region, and, in particular in countries that have found in the program a reasonable and feasible unique way to produce cinematography. The IBERMEDIA co-productions may be the only resource for national cinema can find a survival environment or expression, with all that it implies from economic point of view and, above all, cultural. It indicates that \$ 110,000 from financial aid has had a multiplier effect of almost 1000%. This is related to expenses made by all financial aid from co-production, with an amount around U.S. \$ 400,000,000 and the production of 348 films. Furthermore, financial aids on training have had the important effect of improving capacity building of a new filmmakers generation. When they join to the industry in their respective countries, they will be part of a new filmmakers generation in order to consolidated industries and other are in the process of consolidation can find answer to ongoing structural changes.

What indicators were used to lead to this conclusion?

In this case, it was considered the number of films with the participation of IBERMEDIA fund in comparison with co-productions that did not have this support. This calculation have to be weighted with the amount allocated to development, taking into account that investment in development is primarily the first financial aid to support projects that will go into production later.

## 2.2. International cooperation and preferential treatment

### Policy / measure 2

#### Name of policy / measure

Maintenance of cultural reserve on trade agreements adopted bilateral or multilateral with other countries by the Peruvian Government.

Please check as appropriate. More than one box can be checked.

Goal	Frameworks	Type of intervention	Target
<input type="checkbox"/> mobility	<input type="checkbox"/> cultural cooperation agreements	<input type="checkbox"/> institution building	<input type="checkbox"/> artists/creators
<input type="checkbox"/> market access	<input checked="" type="checkbox"/> trade agreements	<input type="checkbox"/> financial investment	<input type="checkbox"/> producers / distributors
<input type="checkbox"/> strengthen independent cultural industries	<input checked="" type="checkbox"/> culture and trade agreements	<input type="checkbox"/> technology transfer	<input checked="" type="checkbox"/> cultural enterprises
<input type="checkbox"/> develop management skills	<input type="checkbox"/> co-production / co-distribution agreements	<input type="checkbox"/> capacity building	<input type="checkbox"/> young people
<input type="checkbox"/> exchange information and expertise	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> networking/partnership development	<input type="checkbox"/> women
<input type="checkbox"/> needs assessment ?		<input type="checkbox"/> operational action plan ?	<input type="checkbox"/> persons belonging to minorities
<input type="checkbox"/> South-South cooperation		<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> indigenous peoples
<input type="checkbox"/> North-South-South cooperation		Cultural Reserve	<input type="checkbox"/> other (please specify below)
<input checked="" type="checkbox"/> other (please specify below)			
<input type="checkbox"/> Preferential treatment to national cultural industries			

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The Peruvian Government with the cultural reserve in trade agreements maintains cultural sovereignty, promoting the economic potential of cultural diversity richness, fostering internal cultural production and encouraging the competitiveness of creators, artists and entrepreneurs, improving its supply capacity and more effective integration into local, regional and global markets. Peru has taken the preservation path of current cultural legislation and will adopt or maintain its ability to legislate and create measures to support and promote the cultural sector in the future.

Source: Ministry of Foreign Trade and Tourism

Reference: Peru-United States FTA: Key Notions.

Online: <http://www.acuerdoscomerciales.gob.pe/>

#### b) How has it been implemented?

In the context of negotiations of the Free Trade Agreement with U.S., Peru achieved to include in the treaty text a various reserves in order to maintain its sovereignty on issues related to cultural goods and services. The Peruvian negotiating team proposed as "non-conforming measures", that it reserved all legislation and national policies oriented to promote industries typically linked to culture, for example: Law of the Book, which promotes reading and development of the national publishing industry; Law of the National Culture Institute (today is merged into the Ministry of Culture), which states that it is responsible of cultural policy; the Copyright Act, which recognizes intellectual property rights for music creation, writing, etc.; and the Broadcasting Act, which lays down principles of access to broadcasting services. This reserve also applies to future legislation in order to give differential treatment to activities, industries and services typically related to culture.

The drafting of free trade agreements negotiations has kept that Peru Government has held bilaterally or multilaterally, a number of reserves on "handicraft and the audiovisual, publishing and music sectors" and "issues related to indigenous communities, peasant and native and minorities". Peru has valid nine free trade agreements so far.

Source: Ministry of Foreign Trade and Tourism

Reference: Peru-United States FTA: Key Notions.



## 2.2. International cooperation and preferential treatment

Online: <http://www.acuerdoscomerciales.gob.pe/>  
[http://www.acuerdoscomerciales.gob.pe/images/stories/eeuu/docs/estudios/TLC\\_NOCIONES\\_CLAVE.pdf](http://www.acuerdoscomerciales.gob.pe/images/stories/eeuu/docs/estudios/TLC_NOCIONES_CLAVE.pdf)

Which public agency(ies) is (are)  
responsible for its implementation?

Agency name

Ministry of Foreign Trade and Tourism

[Add agency](#)

What resources have been allocated  
to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

Strengthen respect for law and intellectual property rights in the population  
The internal agenda should be directed to promote the joint work of universities and research centers with productive sector, the preparation and retraining of human resources and promotion of the dissemination and innovation.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

There have not developed specific studies regarding trade agreements and their impacts on cultural fields such as music, traditional and ancestral knowledge, publishing and audiovisual industry. However, there is an exhaustive study of use of PERU - U.S. FTA in its valid second year, developed by the Office for International Economic Studies of the Ministry of Foreign Trade and Tourism published in July 2011.

Source: Ministry of Foreign Trade and Tourism

Reference: [http://www.acuerdoscomerciales.gob.pe/images/stories/eeuu/docs/Est\\_Aprov\\_TLC\\_EEUU\\_2ano.pdf](http://www.acuerdoscomerciales.gob.pe/images/stories/eeuu/docs/Est_Aprov_TLC_EEUU_2ano.pdf)

What indicators were used to lead to this conclusion?

## 2.2. International cooperation and preferential treatment

### Policy / measure 3

#### Name of policy / measure

Joint Program: Inclusive creative industries: an innovative tool for alleviating poverty in Peru.

Please check as appropriate. More than one box can be checked.

Goal	Frameworks	Type of intervention	Target
<input type="checkbox"/> mobility	<input type="checkbox"/> cultural cooperation agreements	<input type="checkbox"/> institution building	<input type="checkbox"/> artists/creators
<input type="checkbox"/> market access	<input type="checkbox"/> trade agreements	<input type="checkbox"/> financial investment	<input type="checkbox"/> producers / distributors
<input type="checkbox"/> strengthen independent cultural industries	<input type="checkbox"/> culture and trade agreements	<input type="checkbox"/> technology transfer	<input type="checkbox"/> cultural enterprises
<input type="checkbox"/> develop management skills	<input type="checkbox"/> co-production / co-distribution agreements	<input type="checkbox"/> capacity building	<input type="checkbox"/> young people
<input type="checkbox"/> exchange information and expertise	<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> networking/partnership development	<input type="checkbox"/> women
<input type="checkbox"/> needs assessment ?		<input type="checkbox"/> operational action plan ?	<input type="checkbox"/> persons belonging to minorities
<input type="checkbox"/> South-South cooperation		<input type="checkbox"/> other (please specify below)	<input type="checkbox"/> indigenous peoples
<input type="checkbox"/> North-South-South cooperation			<input type="checkbox"/> other (please specify below)
<input type="checkbox"/> other (please specify below)			

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The Joint Program proposes to contribute to the development of creative industries (CI) in Peru, all those industries that produce and distribute cultural goods or services, in other words production activities and marketing with the identity of the place where they occur. They have as raw material the creation and transmit cultural expressions. Besides publishing, cinema, arts and handcraft, include the use of archaeological heritage, cultural tourism, popular festivals, among others.

The Joint Program has main objective to reduce poverty by developing sustainable and inclusive markets for Creative Industries of organic agriculture, handicrafts, tourism and gastronomy sectors for developing and improving the quality of life of vulnerable poor groups. It considers to generate development and sustainability of Creative Industries in Peru, creating a favorable policy and institutional framework for the development of Inclusive Business in Creative Industries and strengthening of public-private structures ad hoc in each region, with entrepreneurs as strategic partners, achieving the inclusion of vulnerable groups to a formal system, to articulate different regional and national markets, and exportation sector in a sustainable way. The JP uses the experiences of six agencies involved in ILO, WTO, UNIDO, UNDP, UNESCO, FAO and proposes to implement three components which products and activities will achieve direct effects of economy stimulation in intervention areas, generating decent work and improving the quality of life of vulnerable groups and their families with better income generation.

The Joint Program is implemented by a three-year period (January 2010 - December 2012) and has the following specific objectives: PROMOTING FAVORABLE INSTITUTIONAL ENVIRONMENT FOR THE DEVELOPMENT OF INCLUSIVE CREATIVE INDUSTRIES.

All UN involved agencies work together in the JP for developing this aim with government counterparts. Currently, there are developing a series of studies and mapping of strategic partners, public, private and international cooperation, financial service and business providers, training and technical assistance in support of ICIs, which will be complemented with studies on intangible cultural heritage, valid legislation for promoting ICIs, intellectual property protection tools and market research nationally and internationally on the ICIs.

Within this objective also includes awareness component, which not only informs the JP, but also raises awareness in strategic partners about possibilities and opportunities offered by ICIs. As part of this, actions will be held in order for leaders and representatives of business associations know the methodology to develop inclusive business plans and identify ICIs minimum standards for inclusive business. It will

## 2.2. International cooperation and preferential treatment Page 29

also work on building capacity of local and regional governments in promoting sustainable business development in ICIs. Finally, as part of this result, activities will be developed a proposed regulatory framework and valid public policies for the promotion and development of ICIs, according to the distribution of competences and functions among four levels of government.

**CAPACITY BUILDING OF MICRO AND SMALL PRODUCERS IN IC SUSTAINABLE BUSINESS TO CONTRIBUTE TO MORE INCOME GENERATION AND MARKET ACCESS THROUGH PILOT PROJECTS AND INCUBATION OF NEW CREATIVE ENTERPRISES.**

This objective is divided into (i) capacity building about Training of Trainers program, and Farmer Field Schools and other training ways and technical assistance to micro and small producers particularly vulnerable, (ii) the promotion of income generation and market access for micro and small producers through the identification and selection of new and creative endeavors and development of innovative pilot projects; and (iii) promoting IC formalization in coordination with existing relevant institutions.

**APPROPRIATE MANAGEMENT TOOLS FOR PARTNERS, STRATEGIC PARTNERS AND OTHERS TO ASSURE SUSTAINABLE AND REPLICATION OF JP**

Develop activities of systematization, publication and transfer of best practices and lessons learned from the JP. This process will allow that JP outputs and outcomes are disseminated to all its stakeholders, partners, networks, etc. to promote sustainable and replication of JP.

### b) How has it been implemented?

The promotion of cultural industries in JP focuses on four sectors: organic agriculture, handicrafts, tourism and gastronomy in four regions of Peru: Ayacucho, Cusco, Puno and Lambayeque. Three of these regions (Ayacucho, Cusco and Puno) are included in the list of areas with very critical situations MDGs, while Lambayeque, after Piura, the second poorest region in the Peruvian coast. Two of these regions, Lambayeque and Ayacucho do not receive mining royalties and their rents are very low in relation to the rest of the country. All selected districts of the 4 regions have HDI below 0.6. These four regions of Peru have been selected for three main reasons: the first reason is their poverty, especially in poor urban areas of recent immigrants or in more remote rural areas, the second is that there are major development opportunities in four economic sectors that include many productive creative industries based on micro and small enterprises, such as organic farming, gastronomy, tourism and handicraft; and the third is the presence of UN agencies that articulate the JP.

The lead government institution is the Ministry of Foreign Trade and Tourism (MINCETUR), which is responsible for coordinating of other national counterparts and consolidate their positions. MINCETUR coordinates JP actions with UN agencies and developed the program with local partner institutions such as the Regional Governments of Ayacucho, Cusco, Puno and Lambayeque, Provincial and District Municipalities, the Ministry of Production (PRODUCE) and Regional Directorates of Production (DIREPRO), Ministry of Agriculture - MINAG Agricultural and Regional Offices, as well as the National Service of Agrarian Health (SENASA), Ministry of Foreign Trade and Tourism (MINCETUR) and its Regional Offices (DIRCETURs), plus Technological Innovation Centers of Handicraft and Tourism (CITEs), the Ministry of Environment (MINAM) and Regional Environmental Management Offices, the Ministry of Labour and Employment Promotion (MTPE), Ministry of Culture and its regional directorates, INDECOPI, producer associations, and some NGOs with experience in the program.

#### Intervention Strategy

The JP intervention strategy is based on three main components that will allow to achieve direct effects of JP: i) favorable institutional environment to develop inclusive business in inclusive cultural industries. ii) Market access and growth of micro and small producers involved in business of inclusive cultural industries. iii) Dissemination of validated models for business promotion in inclusive cultural industries.

A favorable institutional environment will be result from the conduct and dissemination of specialized studies for business promotion in ICIs, including identifying of strategic partners for support. Also, the strategies will be implemented to raise awareness about possibilities and opportunities offered by ICIs. It will strengthen public and private sector capacities to promote inclusive business.

Also, to achieve market access and increasing income, it will be necessary the development of productive capacities and business management, give co-funding for innovative endeavors, integral formalization of micro and small producers and promotion of ICIs goods at regional, national and international markets.

Systematize and disseminate experiences and best practices developed by the JP for developing models for ICIs promotion and achieve sustainability and replicability of JP.

Intervention strategy at national and regional level is based on strategic partnerships of JP with public and private institutions that have interventions linked to JP. Also, ensuring that JP interventions are linked with policy guidelines of the different levels of government.

At the end of the program is expected to have:

## 2.2. International cooperation and preferential treatment

-4.800 government officials, private sector leaders and community leaders will know about the ICIs opportunities in rural areas, Creative Industries, at least 30% women.

-100 students will have completed successfully studies in Creative Industries and Inclusive Business delivered by representative national universities.

-A proposed regulatory framework and procedures for ICIs promotion.

-1.300 representatives of public sector, private sector and civil society (national, regional and local) increased awareness of existing incentives in the regulatory framework and the management of ICIs to fight poverty.

-120 congressmen increased awareness to incorporate the proposed regulatory framework on its legislative agenda with the participation of 32 regional and local leaders.

-A methodological guide that includes minimum standards to formulate business plans of inclusive creative industries.

-500 Business leaders know the methodology to develop inclusive business plans.

-04 regional governments and 12 local governments incorporate inclusive creative industries topic in their plans of Coordinated Development and develop a public investment project for ICIs promotion.

-100 trainers have been trained (minimum 30% women, 50% poorest quintile) and can replicate JP with a larger number of micro entrepreneurs.

-60 pilot projects or new Inclusive Business of Creative Industries endeavors will have been consolidated using quality criteria, ensuring work for 200 entrepreneurs and improving the quality of life for 200 families.

-4 tours will articulate Creative Industries, encouraging local economy of approximately 53,000 people.

-80 local institutions have been trained on the implementation of the minimum standards in labor, environmental and preservation of intangible heritage of creative industries as quality indicators.

-The experience will be systematized about best practices and lessons learned of Joint Program.

Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture of Peru

ILO, WTO, UNIDO, UNDP, UNESCO and FAO

Regional Governments of Ayacucho, Cusco, Puno and Lambayeque

[Add agency](#)

What resources have been allocated to ensure implementation?

\$5,000,000.00

*(an approximate total expressed in US dollars)*

c) What challenges have been identified in the implementation of this measure?

The ICI promotion is an innovative issue that should be included on agendas of competitiveness and productivity to improve the social inclusion of the poor. However, taking into account the roles and functions of government counterparts, the Government will have an important role in promoting and strengthening a favorable environment for inclusive businesses in ICI.

d) At what level was the policy / measure designed to have an impact?

Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?



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## 2.2. International cooperation and preferential treatment

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## 2.3. Integration of culture in sustainable development policies

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*The purpose of this section is to report on measures aimed at integrating culture as a strategic element in development policies and assistance programmes at all levels (local, national, regional and international) and indicate how they are linked to human development goals, notably poverty reduction. ?*

*It is understood that sustainable development policies are to be formulated, adopted and implemented with relevant authorities responsible for the economy, environment, social affairs and culture. Measures to be reported on this section should take this interrelatedness into account.*

*For more information on the types of measures to be reported on, please refer to the [Operational Guidelines adopted on Article 13](#), Integration of culture in sustainable development.*

*In addition to measures, Parties shall report on whether and which indicators have been adopted in their country to evaluate the role and impact of culture in sustainable development policies and programmes.*



## 2.3. Integration of culture in sustainable development policies

### Policy / measure 1

#### Name of policy / measure

Creation of the Ministry of Culture in the Peruvian Government structure

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input checked="" type="checkbox"/> participatory governance of culture ?	<input type="checkbox"/> inter-ministerial cooperation	<input type="checkbox"/> artists/creators
<input type="checkbox"/> economic empowerment through the cultural industries	<input type="checkbox"/> awareness-raising of the cultural dimension of development	<input type="checkbox"/> producers / distributors
<input checked="" type="checkbox"/> building inclusive and creative societies	<input type="checkbox"/> capacity-building for development actors	<input type="checkbox"/> cultural enterprises
<input checked="" type="checkbox"/> nurturing contemporary creativity and production of cultural expressions	<input type="checkbox"/> institution-building for viable cultural industries	<input type="checkbox"/> young people
<input type="checkbox"/> equitable access to cultural life and diverse expressions	<input type="checkbox"/> long-term financial investments	<input type="checkbox"/> women
<input type="checkbox"/> increased literacy of diversity and its expressions	<input type="checkbox"/> developing legal frameworks	<input type="checkbox"/> persons belonging to minorities
<input checked="" type="checkbox"/> other (please specify below)	<input type="checkbox"/> skills development / training	<input type="checkbox"/> indigenous peoples
Culture in important government deci	<input type="checkbox"/> networking/partnership development	<input checked="" type="checkbox"/> other (please specify below)
	<input type="checkbox"/> exchange of information and expertise	All citizens
	<input type="checkbox"/> indicator development / collection of data	
	<input checked="" type="checkbox"/> other (please specify below)	
	Cultural Governance	

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The Ministry of Culture in Peruvian Government structure develops cultural policies articulated in protection, preservation and dissemination of cultural heritage and diversity of cultural expressions, which in relation to Articles 2, 17 ° and 89 ° of Peruvian Constitution refer to the development and promotion of culture and protection of ethnic and cultural diversity, preserving cultural and linguistic expressions of the country, promoting national integration and respect for cultural identity of Rural and Native Communities.

The Ministry of Culture functions related to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted at the 33rd General Conference of UNESCO on October 20, 2005, in Paris, are:

##### Governing functions:

Formulate, plan, direct, coordinate, implement, monitor and evaluate national and sectoral policies of the country in culture, through programmatic areas: the nation's cultural heritage, tangible and intangible, cultural management and cultural industries, including contemporary cultural creation, and ethnic and cultural diversity of the nation, including performing arts.

##### Technical-Regulations functions:

Promote, manage and channeling national and international cooperation, technical and financial, refundable and nonrefundable for culture and art development through competent institutions in accordance with existing rules.

Promotion of cultural creation in all fields, improvement of creators and cultural managers and development of cultural industries.

##### Exclusive functions:

- Organize, conduct, monitor and evaluate public actions aimed to promote arts, artistic creation and development, promoting the

## 2.3. Integration of culture in sustainable development policies

presence of different cultural organizations, facilitating public access to these cultural expressions and promoting private initiatives on cultural sector.

- Give merit awards for creators, artists, people and organizations that contribute to the country's cultural development.
- Implement and manage the National Registry System related to cultural heritage goods, creators, art producers of related fields from cultural expressions, and natural and legal persons that perform cultural activities.
- Developing measures of production, transmission and broadcasting to promote multiethnic and multicultural expressions of the Nation to assist the all Peruvians integration and assert our national identity.
- Ensure the freedom of expression and information through the Government media and promote the participation of society through spaces where they can express freely their points of views and proposals in order to strengthen democracy and a culture of respect and peace.

Specific shared functions:

- Promote a culture of respect and access to cultural rights, freedom of belief and intellectual, artistic, technical and scientific creation.
- Promote the record, research, preservation, maintenance, dissemination and enhancement of tangible and intangible cultural heritage, archaeological, historical and artistic, documentary, bibliographic, plastic arts, music, folk, folklore, cultural industries and bibliographic and documentary heritage of the nation with the participation of civil society organizations and communities.
- Promote scientific and literary creation, reading and knowledge of bibliographic and documentary heritage of the nation, promoting the development and protection of the publishing book industry and related publishing products, such as incentives that encourage and disseminate the intellectual creativity, knowledge and culture.

### b) How has it been implemented?

The Law No. 29565 creates the Ministry of Culture signed by President of the Republic on July 21, 2010. The areas which the Ministry of Culture applies its competences, functions and powers to achieve objectives and goals of the Government are the following: a) National cultural heritage, tangible and intangible; b) Contemporary cultural creation and performing arts; c) Cultural Management and Cultural Industries, and d) Ethnic and cultural plurality of the Nation.

The structure of Ministry is integrated for the Minister, the Vice-Minister of Cultural Heritage and Cultural Industries, the Vice-Minister of Interculturality and General Secretary

The Ministry has following assigned agencies:

a) National Library of Peru, b) National Archives of Nation, c) Highest Academy of the Quechua Language.

Additionally, by Supreme Decree N° 001-2010-MC approved the merge of the following institutions:

National Council on Democratization of the Book and Reading Promotion – PROMOLIBRO; National Film Board – CONACINE; Special Project Archaeological Site of Chan Chan; Special Project Naylamp – Lambayeque; Implementation Unit Marcahuamachuco.

Since October 1, 2010, the organizational structure of the National Institute of Culture (INC) has become the structure of the Ministry of Culture, according to Supreme Decree No. 001-2010-MC. So, the Ministry of Culture has established bases in the institution that has been the lead agency of culture in the country during nearly four decades: the National Institute of Culture, raising the level of government management of culture in important administrative decisions of the Government.

Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture of Peru

[Add agency](#)

What resources have been allocated to ensure implementation?

\$138,000,000.00

*(an approximate total expressed in US dollars)*

### c) What challenges have been identified in the implementation of this measure?

One of the main challenges in implementation of the Ministry of Culture is to create awareness at all levels and across Peruvian society, the fundamental role of culture in sustainable development of the country. The Ministry of Culture of Peru is a new institution that needs to find mechanisms to position culture in all government decisions, develops proposals for appropriated and articulated policy frameworks and generates information that highlight the impact of culture on the country's development; reaffirm the importance of the development of a national concerted plan of culture, including the participation of Peruvian society. There is a responsibility of the entire sector, activists, agents, managers, brokers, researchers, men and women arts and cultural diversity of the country.

Today we have a recent Ministry of Culture, the challenge is great and we are at the beginning of a participatory process in construction.

### d) At what level was the policy / measure designed to have an impact?



## 2.3. Integration of culture in sustainable development policies

? Local  Regional  National  International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

The structure and functionality are strengthening due to its recent creation and implementation in 2010 and application in 2011.

What indicators were used to lead to this conclusion?

## 2.3. Integration of culture in sustainable development policies

### Policy / measure 2

#### Name of policy / measure

Law 29785 "Law of the Right to Prior Consultation to Indigenous or Native Peoples, recognized in the Convention 169 of the International Labour Organization"

Please check as appropriate. More than one box can be checked.

Goal	Type of intervention	Target
<input checked="" type="checkbox"/> participatory governance of culture ?	<input type="checkbox"/> inter-ministerial cooperation	<input type="checkbox"/> artists/creators
<input type="checkbox"/> economic empowerment through the cultural industries	<input type="checkbox"/> awareness-raising of the cultural dimension of development	<input type="checkbox"/> producers / distributors
<input type="checkbox"/> building inclusive and creative societies	<input type="checkbox"/> capacity-building for development actors	<input type="checkbox"/> cultural enterprises
<input type="checkbox"/> nurturing contemporary creativity and production of cultural expressions	<input type="checkbox"/> institution-building for viable cultural industries	<input type="checkbox"/> young people
<input type="checkbox"/> equitable access to cultural life and diverse expressions	<input type="checkbox"/> long-term financial investments	<input type="checkbox"/> women
<input type="checkbox"/> increased literacy of diversity and its expressions	<input checked="" type="checkbox"/> developing legal frameworks	<input type="checkbox"/> persons belonging to minorities
<input checked="" type="checkbox"/> other (please specify below)	<input type="checkbox"/> skills development / training	<input checked="" type="checkbox"/> indigenous peoples
Consultation to Indigenous or Native	<input type="checkbox"/> networking/partnership development	<input type="checkbox"/> other (please specify below)
	<input type="checkbox"/> exchange of information and expertise	
	<input type="checkbox"/> indicator development / collection of data	
	<input type="checkbox"/> other (please specify below)	

#### a) What are the main objective(s) of policy or measure? When was it introduced?

The Regulations of the Law N°29785, "Law of Right to Prior Consultation to the Originary or Indigenous People, recognized by the Convention N° 169 of the International Labour Organization", passed by the Supreme Decree N°001-2012-MC, has the objective to allow indigenous people decide their development priorities and establishes a specific mechanism through which the state decisions can be influenced by such priorities.

The Prior Consultation aims to achieve an agreement between the State and the Indigenous People, as a result of the consultancy process. If no agreement is reached, the promotive public entity will decide about the measure, plan, program or project in question, guarantying the respect to Collective Rights of Indigenous People, with special concern towards the rights to life, integrity and full development.

#### b) How has it been implemented?

The Law N°29785, Law of Right to Prior Consultation to the Originary or Indigenous People, was promulgated in 2011. It was a complex process through which the regulation of the Law was given. The Ministry of Culture gave financial and technical support to 6 (six) regional events and 1 (one) National Reunion. The reuiones were an opportunity for the indigenous people to discuss with each other the propose regulation. Then, a Temporary Multisectorial Comission was created with the objective to propose a consensual regulation. Finally, the regulation of the Law N°29785, Law of Right to Prior Consultation to the Originary or Indigenous People was published in April 2012.



## 2.3. Integration of culture in sustainable development policies

Which public agency(ies) is (are) responsible for its implementation?

Agency name

Ministry of Culture

[Add agency](#)

What resources have been allocated to ensure implementation?

(an approximate total expressed in US dollars)

c) What challenges have been identified in the implementation of this measure?

Participative process regulatory of the law.

d) At what level was the policy / measure designed to have an impact?



Local

Regional

National

International

Has the impact of this policy / measure been investigated?

No  Yes

If yes, what was the impact :

What indicators were used to lead to this conclusion?




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## 2.4 Protecting cultural expressions under threat

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*The purpose of this section is to report on public policies, measures and actions taken by Parties to protect cultural expressions that are determined to be under threat. This is only in the event when a Party has previously identified a special situation  under [Article 8.2 of the Convention](#).*

*For more information on the types of measures to be reported on, please refer to the [Operational Guidelines adopted on Articles 8 and 17](#) on measures to protect cultural expressions at risk or in need of urgent safeguarding.*



## 2.4 Protecting cultural expressions under threat

Have you identified a special situation under Article 8.2 of the Convention? 

No  Yes

If no, please proceed to Section 3.

If yes, can the special situation be subject to action under other UNESCO Conventions (for instance, the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage)?

No  Yes

If yes, please proceed to Section 3.

If no, please answer the questions below.

### Special situation **1**

Name of the cultural expression

Please describe the risk or threat to the cultural expression and the source of the threat, inter alia, with factual data

Please determine the vulnerability and importance of the cultural expression at risk

Please determine the nature of the consequences of the risk or threat to the cultural expression, and demonstrate the nature of the cultural consequences

Please explain the measures taken or proposed to remedy the special situation:

Short-term and  
emergency  
measures

Long-term  
strategies

Has your country provided assistance to other Parties, technical or financial, to remedy a special situation determined under Article 8 of the Convention?

No  Yes

If yes, please describe:




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### 3. Awareness-raising and participation of civil society

(Estimate: 1500 words)

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*Parties have acknowledged the fundamental role of civil society  in protecting and promoting the diversity of cultural expressions and have committed to encourage their active participation in activities, designed to achieve the objectives of this Convention.*

*The purpose of this section is to report on what Parties are doing to involve civil society in their activities, what resources they are providing to ensure their involvement, and what results have been achieved.*

*It is also designed to engage civil society in reporting on what they have done to implement the Convention as per their roles and responsibilities outlined in [Article 11 of the Convention](#) and its [Operational Guidelines](#).*



## 3. Awareness-raising and participation of civil society

### 3.1. Parties

Parties are to provide information on how they have involved civil society in activities such as:

- promoting the objectives of the Convention through awareness-raising and other activities

The Ministry of Culture of Peru began its activities in 2011 and currently is in process to construct its organic structure, functions and representativeness on cultural sector. The promotion, dissemination and visibility of the objectives of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions are in agenda. Also, the participation of civil society in all aspects of the implementation of the Convention is under construction. Today we have a recent Ministry of Culture and efforts are beginning to articulate public policy principles of the Universal Declaration on Cultural Diversity and establish actions related to the implementation of the UNESCO Convention 2005.

- collecting data and sharing and exchanging information on measures to protect and promote the diversity of cultural expressions within their territories and at the international level

There are some initiatives and publications of the National Culture Institute such as "Cultural Management Cases in Peru" published in 2006 ([http://culturaperu.org/sites/default/files/usuarios/7/libro\\_casosdegestioncultural\\_peru.pdf](http://culturaperu.org/sites/default/files/usuarios/7/libro_casosdegestioncultural_peru.pdf)) and the book "Cultural Policy: Critical Essays," published in August 2006 ([http://www.gestioncultural.org/libros.php?id\\_documento=1200](http://www.gestioncultural.org/libros.php?id_documento=1200)) co-published with the Institute of Peruvian Studies sponsored by the Organization of Ibero-American States for the Education, Science and Culture (OEI).

From the System Information and Cultural Industries and Arts is starting the collection of information related to the measures or actions of civil society regarding the protection and promotion of diversity of cultural expressions in Peru. All this information will be shared on the System Information and Cultural Industries and Arts Website: [www.sicperu.pe](http://www.sicperu.pe)

- developing policies while providing spaces where the ideas of civil society can be heard and discussed

The Ministry of Culture through the General Directorate of Cultural Industries and Arts has developed regular meetings with various sectors of artistic expression. Sectoral meetings were developed during 2011 related to music, books, theater, visual arts, dance with around a thousand of participants, including artists, managers, specialists, agents, academics and researchers.

- implementing operational guidelines

The definition process of the Operational Guidelines for Implementation of the 2005 Convention have not begun because the Ministry of Culture is under construction of its articulation and functionality.

- other



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### 3. Awareness-raising and participation of civil society

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## 3. Awareness-raising and participation of civil society

### 3.2. Civil society

#### Civil Society may provide information on activities they are pursuing such as:

- promoting the objectives and principles of the Convention within their territories and in the international fora

During the process of gathering information for this document, the Ministry of Culture, through the Directorate of Arts and Cultural Access, organized a meeting with members of the Peruvian Coalition for Cultural Diversity on May 2012.

The Peruvian Coalition for Cultural Diversity has had an important role in promoting the objectives and principles of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Highlighting its participation in the awareness of government officials, in Government and Congress level, requesting constantly reports to various sectors of government such as National Institute of Culture, Ministry of Foreign Trade and Tourism, Ministry of Foreign Affairs, among other government institutions related to culture. Also, it has had active presence in international forums in Latin American and worldwide to promote UNESCO Convention agenda on Protection and Promotion of the Diversity of Cultural Expressions supported by the International Federation of Coalitions for Cultural Diversity.

- promoting ratification of the Convention and its implementation by governments

The Peruvian Coalition for Cultural Diversity since its foundation has worked in the respect and preservation of all current cultural regulations and mainly in social and policy advocacy so that Peru can participate in global governance of culture. It led the civil society movement towards the adoption of the UNESCO 2005 Convention in Peru, focusing in the Peruvian Congress until its approval by Legislative Resolution No. 28835.

- bringing the concerns of citizens, associations and enterprises to public authorities

Cultural Reserve in trade agreements.

In the process of Free Trade Agreement negotiating between Peru and United States, one of the major concerns of cultural sector was the impact that this trade agreement could generate on the normal culture development in the country. It began a social mobilization that promoted a broad exception on items related to culture, so the Peruvian Government included a cultural reserve in the text of the FTA with United States. Since then, the cultural reserve indicated in the text of this trade agreement has established as a reference for the drafting of subsequent international trade agreements that Peru has done. The Peruvian Coalition for Cultural Diversity arises in this context and participates with representatives of various cultural organizations in a process for approaching and advocacy with Peruvian government to maintain its sovereignty in cultural matters.

Creation of the Ministry of Culture.

One of the main concerns of civil society has been always to include the topic of Culture in the government's agenda. So the Peruvian Coalition initiated an advocacy process and submission of proposals for the creation of a Ministry of Culture in Peru, hitherto limited to actions of a National Institute inside the Ministry of Education. Even, Peruvian Coalition was convened to present a draft of Ministry of Culture project, with the participation of all cultural associations. This project was delivered during the second government of Alan Garcia (2006-2011) and the text was the basis for the project submitted to the Congress. The project proposed to have three vice-ministries: Promotion of the Arts and Humanities, Cultural Heritage, and Science and Technology but during the parliamentary process

### 3. Awareness-raising and participation of civil society

were made structural changes to the proposal, so that the Ministry of Culture was approved with only 2 vice-ministries: Heritage, Cultural Industries and Arts, and Interculturality.

Incidence on organic implementation of the 2005 Convention.

The Peruvian Coalition for Cultural Diversity believes in the need to continue participating in the recognition of the UNESCO 2005 Convention as a key tool in the generation of cultural policies at local, regional and national levels, so that it participates permanently in forums and dialogue and reflection spaces on cultural policy.

- contributing to the achievement of greater transparency and accountability in the governance of culture

The Peruvian Coalition for Cultural Diversity maintains a constant and open communication, as civil society organization, with various institutions convened to implement the UNESCO 2005 Convention. Therefore, the Peruvian Coalition for Cultural Diversity monitors and requests information on government actions in relation to compliance of regulations and projects related to culture. The Peruvian Coalition for Cultural Diversity is also involved constantly in working groups developing proposals and draft laws.

It is necessary to recognize the high turnover and job instability of public administration officials in Peru, which complicates the continuity of policies initiated, and the monitoring and surveillance of civil society.

- monitoring policy and programme implementation on measures to protect and promote the diversity of cultural expressions

The creation of the Ministry of Culture is recent, so the process of strengthening of the role of civil society in cultural governance surveillance is still under construction. There are various associations, networks and opportunities for dialogue in the cultural sector, which still need to recognize their crucial role in achieving the objectives of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

- other

The Peruvian Coalition for Cultural Diversity believes it is important to mention that public institutions and civil society in general, need to recognize and assume their roles with the implementation of the UNESCO 2005 Convention. However, it is also necessary to highlight the inclusion of culture in governance and sustainable development of the country is still on ongoing process, which should strengthen, clarify and deepen.

Also, the Peruvian Coalition for Cultural Diversity believes necessary to mention that in the case of handicraft production and artisans-artists who preserve and protect ancestral knowledge, there are policies of "development" of the Ministry of Foreign Trade and Tourism that contradict policies of the Ministry of Culture regarding the protection of the value and ancestral knowledge that is expressed in craft production. In this specific case, the association of artisans through Peruvian Coalition for Cultural Diversity believes it is vital the relocation of the General Directorate of Handicraft towards the Ministry of Culture.

#### Civil society may also wish to share information on:

- activities they have planned for the next four years to implement the Convention

The Peruvian Coalition for Cultural Diversity plans to continue influencing to the national parliament in



### 3. Awareness-raising and participation of civil society

order to recognize the need to have representatives in Cultural Parliament of MERCOSUR. It happened until 2006.

In addition, the International Federation of Coalitions for Cultural Diversity is promoting the creation of a network of lawyers to study the implementation of the UNESCO 2005 Convention where Peru would participate.

- main challenges encountered or foreseen and solutions found or envisaged to overcome those challenges

The Peruvian Coalition for Cultural Diversity considers that the Convention implementation requires government policy decisions and a budget to make possible institutional direct action of the Peruvian Government.

It is important to advocate in the continuity of cultural policies and agendas of cultural institutions. Civil society should advocate permanently the generation of public cultural policies and inclusion of culture in sustainable development of the country.

Please specify which civil society organizations contributed to this section of the Report:

- Peruvian Coalition for Cultural Diversity
- Observatory: GestoresCulturalesdelPeru.org

## 4. Main achievements and challenges to the implementation of the Convention

(Estimate: 1750 words)

### Parties and other participating stakeholders are to share information on:

#### a) main results achieved in implementing the Convention

The development of cultural policies linked directly to the implementation of the "UNESCO Convention on Protection and Promotion of Diversity of Cultural Expressions" is still a process in consolidation. The recent creation of the Ministry of Culture, with a General Directorate of Cultural Industries and Arts in its structure, provides an important opportunity to implement the Convention in a more holistic and organic way.

#### b) main challenges encountered or foreseen

One of the main challenges is the necessity that exists in all cultural sector to know and value the importance of the UNESCO 2005 Convention as a tool in the development of specific and clear policies on protection and promotion of the diversity on cultural expressions in Peru.

#### c) solutions found or envisaged to overcome those challenges

The implementation of the UNESCO 2005 Convention is a big challenge that requires availability of various human and financial resources, and mainly a broad vision of building between institutions and civil society. Therefore, the main solutions for achieving the objectives of the UNESCO Convention on Protection and Promotion of the Diversity of Cultural Expressions in Peru are:

- Promote opportunities for dialogue and reflection on challenges of implementing UNESCO 2005 Convention
- Establish Operational Guidelines for Implementation of the UNESCO 2005 Convention.
- Implement communication strategies and actions for the visibility, awareness and appreciation of our cultural diversity and UNESCO 2005 Convention and UNESCO Universal Declaration on Cultural Diversity.
- Institutional Strengthening of Regional Directorates of Culture. The General Directorate of Ancestral Knowledge and Directorate of Arts and Culture Access of the General Directorate of Cultural Industries and Arts have developed and presented to the International Fund for Cultural Diversity, the project "Promoting Cultural Diversity since the local specificity: Institutional Strengthening of the Regional Directorates of Culture". This project contributes to institutional strengthening of the Regional Directorates of Culture in Peru in order to transfer conditions and competences in cultural industries and intercultural approach. The strategies to be developed are oriented in capacity building, public awareness and generation of management tools and action plans for comprehensive cultural management at the regional level.

#### d) steps planned for the next four years towards implementation of the Convention and priority activities to be undertaken during that period



## Date and Signature Information

Date when report was prepared

Name of the designated official(s) signing the report

Title	First name	Family name	Organization	Position
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

(!) To be completed on the printed copy

Date of signature

Signature

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