

# Records of the General Conference

32nd Session

Paris, 29 September to 17 October 2003

Volume 1

# Resolutions

United Nations Educational,  
Scientific and  
Cultural Organization

peering involves more than two ISPs, all traffic destined for any of the ISPs is first routed to a central exchange, called a peering point, and then forwarded to the final destination;

- (j) **Portability** refers to the ability of software to be used on a variety of computers without necessitating a particular machine or hardware;
- (k) **Public domain information** is publicly accessible information, the use of which does not infringe any legal right, or any obligation of confidentiality. It thus refers on the one hand to the realm of all works or objects of related rights, which can be exploited by everybody without any authorization, for instance because protection is not granted under national or international law, or because of the expiration of the term of protection. It refers on the other hand to public data and official information produced and voluntarily made available by governments or international organizations;
- (l) **Search engine** is a software application that searches documents for specified keywords and localizes or retrieves the documents where the keywords were found;
- (m) **Universal access to cyberspace** is equitable and affordable access by all citizens to information infrastructure (notably to the Internet) and to information and knowledge essential to collective and individual human development;
- (n) **Web browser** is a software application used to locate and display World Wide Web pages.

## 42 Charter on the Preservation of Digital Heritage<sup>1</sup>

*The General Conference,*

*Taking note* of document 32 C/28 submitted by the Director-General in accordance with 31 C/Resolution 34,

*Thanking* the Director-General for the broad consultations undertaken in connection with the preparation of the Charter on the Preservation of Digital Heritage,

*Recognizing* that the preservation of the digital heritage of all regions and cultures is an urgent issue of worldwide concern,

1. *Decides* to adopt the Charter annexed to this resolution;
2. *Invites* the Director-General to undertake all necessary actions, in cooperation with Member States, international governmental and non-governmental organizations and the private sector for the implementation of this Charter.

### *Annex Charter on the Preservation of Digital Heritage*

#### *Preamble*

*The General Conference,*

*Considering* that the disappearance of heritage in whatever form constitutes an impoverishment of the heritage of all nations,

*Recalling* that the Constitution of UNESCO provides that the Organization will maintain, increase and diffuse knowledge, by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, that its "Information for All" Programme provides a platform for discussions and action on information policies and the safeguarding of recorded knowledge, and that its "Memory of the World" Programme aims to ensure the preservation and universal accessibility of the world's documentary heritage,

*Recognizing* that such resources of information and creative expression are increasingly produced, distributed, accessed and maintained in digital form, creating a new legacy – the digital heritage,

*Aware* that access to this heritage will offer broadened opportunities for creation, communication and sharing of knowledge among all peoples,

*Understanding* that this digital heritage is at risk of being lost and that its preservation for the benefit of present and future generations is an urgent issue of worldwide concern,

*Proclaims* the following principles and *adopts* the present Charter.

1. Resolution adopted on the report of Commission V at the 18th plenary meeting, on 15 October 2003.

## ***The digital heritage as a common heritage***

### *Article 1 – Scope*

The digital heritage consists of unique resources of human knowledge and expression. It embraces cultural, educational, scientific and administrative resources, as well as technical, legal, medical and other kinds of information created digitally, or converted into digital form from existing analogue resources. Where resources are “born digital”, there is no other format but the digital object.

Digital materials include texts, databases, still and moving images, audio, graphics, software and web pages, among a wide and growing range of formats. They are frequently ephemeral, and require purposeful production, maintenance and management to be retained.

Many of these resources have lasting value and significance, and therefore constitute a heritage that should be protected and preserved for current and future generations. This ever-growing heritage may exist in any language, in any part of the world, and in any area of human knowledge or expression.

### *Article 2 – Access to the digital heritage*

The purpose of preserving the digital heritage is to ensure that it remains accessible to the public. Accordingly, access to digital heritage materials, especially those in the public domain, should be free of unreasonable restrictions. At the same time, sensitive and personal information should be protected from any form of intrusion.

Member States may wish to cooperate with relevant organizations and institutions in encouraging a legal and practical environment which will maximize accessibility of the digital heritage. A fair balance between the legitimate rights of creators and other rights holders and the interests of the public to access digital heritage materials should be reaffirmed and promoted, in accordance with international norms and agreements.

## ***Guarding against loss of heritage***

### *Article 3 – The threat of loss*

The world’s digital heritage is at risk of being lost to posterity. Contributing factors include the rapid obsolescence of the hardware and software which brings it to life, uncertainties about resources, responsibility and methods for maintenance and preservation, and the lack of supportive legislation.

Attitudinal change has fallen behind technological change. Digital evolution has been too rapid and costly for governments and institutions to develop timely and informed preservation strategies. The threat to the economic, social, intellectual and cultural potential of the heritage – the building blocks of the future – has not been fully grasped.

### *Article 4 – Need for action*

Unless the prevailing threats are addressed, the loss of the digital heritage will be rapid and inevitable. Member States will benefit by encouraging legal, economic and technical measures to safeguard the heritage. Awareness-raising and advocacy is urgent, alerting policy-makers and sensitizing the general public to both the potential of the digital media and the practicalities of preservation.

### *Article 5 – Digital continuity*

Continuity of the digital heritage is fundamental. To preserve digital heritage, measures will need to be taken throughout the digital information life cycle, from creation to access. Long-term preservation of digital heritage begins with the design of reliable systems and procedures which will produce authentic and stable digital objects.

## ***Measures required***

### *Article 6 – Developing strategies and policies*

Strategies and policies to preserve the digital heritage need to be developed, taking into account the level of urgency, local circumstances, available means and future projections. The cooperation of holders of copyright and related rights, and other stakeholders, in setting common standards and compatibilities, and resource sharing, will facilitate this.

*Article 7 – Selecting what should be kept*

As with all documentary heritage, selection principles may vary between countries, although the main criteria for deciding what digital materials to keep would be their significance and lasting cultural, scientific, evidential or other value. “Born digital” materials should clearly be given priority. Selection decisions and any subsequent reviews need to be carried out in an accountable manner, and be based on defined principles, policies, procedures and standards.

*Article 8 – Protecting the digital heritage*

Member States need appropriate legal and institutional frameworks to secure the protection of their digital heritage.

As a key element of national preservation policy, archive legislation and legal or voluntary deposit in libraries, archives, museums and other public repositories should embrace the digital heritage.

Access to legally deposited digital heritage materials, within reasonable restrictions, should be assured without causing prejudice to their normal exploitation.

Legal and technical frameworks for authenticity are crucial to prevent manipulation or intentional alteration of digital heritage. Both require that the content, functionality of files and documentation be maintained to the extent necessary to secure an authentic record.

*Article 9 – Preserving cultural heritage*

The digital heritage is inherently unlimited by time, geography, culture or format. It is culture-specific, but potentially accessible to every person in the world. Minorities may speak to majorities, the individual to a global audience.

The digital heritage of all regions, countries and communities should be preserved and made accessible, so as to assure over time representation of all peoples, nations, cultures and languages.

***Responsibilities***

*Article 10 – Roles and responsibilities*

Member States may wish to designate one or more agencies to take coordinating responsibility for the preservation of the digital heritage, and to make available necessary resources. The sharing of tasks and responsibilities may be based on existing roles and expertise.

Measures should be taken to:

- (a) urge hardware and software developers, creators, publishers, producers and distributors of digital materials as well as other private sector partners to cooperate with national libraries, archives, museums and other public heritage organizations in preserving the digital heritage;
- (b) develop training and research, and share experience and knowledge among the institutions and professional associations concerned;
- (c) encourage universities and other research organizations, both public and private, to ensure preservation of research data.

*Article 11 – Partnerships and cooperation*

Preservation of the digital heritage requires sustained efforts on the part of governments, creators, publishers, relevant industries and heritage institutions.

In the face of the current digital divide, it is necessary to reinforce international cooperation and solidarity to enable all countries to ensure creation, dissemination, preservation and continued accessibility of their digital heritage.

Industries, publishers and mass communication media are urged to promote and share knowledge and technical expertise.

The stimulation of education and training programmes, resource-sharing arrangements, and dissemination of research results and best practices will democratize access to digital preservation techniques.

*Article 12 – The role of UNESCO*

UNESCO, by virtue of its mandate and functions, has the responsibility to:

- (a) take the principles set forth in this Charter into account in the functioning of its programmes and promote their implementation within the United Nations system and by intergovernmental and international non-governmental organizations concerned with the preservation of the digital heritage;
- (b) serve as a reference point and a forum where Member States, intergovernmental and international non-governmental organizations, civil society and the private sector may join together in elaborating objectives, policies and projects in favour of the preservation of the digital heritage;
- (c) foster cooperation, awareness-raising and capacity-building, and propose standard ethical, legal and technical guidelines, to support the preservation of the digital heritage;
- (d) determine, on the basis of the experience gained over the next six years in implementing the present Charter and the guidelines, whether there is a need for further standard-setting instruments for the promotion and preservation of the digital heritage.

### 43 **Amendments to the Statutes of the International Programme for the Development of Communication (IPDC)<sup>1</sup>**

*The General Conference,*

*Recalling* resolution 4/21 concerning the International Programme for the Development of Communication (with annexes) adopted at its 21st session in 1980,

*Stressing* the importance of the New Communication Strategy, unanimously adopted at its 25th session in 1989, which requested the Organization to encourage the free flow of information, at international as well as national levels, to promote its wider and better balanced dissemination, without any obstacle to the freedom of expression, and to strengthen communication capacities in the developing countries in order to increase their participation in the communication process (25 C/Resolution 104),

*Noting with satisfaction* that the International Programme for the Development of Communication became the main operational instrument of the New Communication Strategy, funding hundreds of projects in developing countries with the main objective of developing communication capacities, both human (through training) and structural (through technology upgrades),

*Taking into account* resolution 51/172 on “Communication for development programmes in the United Nations system”, adopted by the United Nations General Assembly in 1996, which, *inter alia*, “stresses the need to support two-way communication systems that enable dialogue and that allow communities to speak out, express their aspirations and concerns and participate in the decisions that relate to their development” and “recognizes the relevance for concerned actors, ... policy-makers and decision-makers ... to attribute increased importance to communication for development, and encourages them to include it ... as an integral component in the development of projects and programmes”,

*Recalling* resolution 4.6 on “Promotion of independent and pluralist media” adopted at its 28th session in 1995, as well as resolutions 34 and 35 adopted at its 29th session in 1997 which stressed the outstanding importance of and endorsed the declarations of regional seminars to promote press freedom, and independent and pluralistic media (Windhoek, Almaty, Santiago, Sana’a and Sofia) and invited the members of the Intergovernmental Council of the International Programme for the Development of Communication to take the Declarations into account when selecting the projects that will be financed by this programme,

*Mindful* of the resolutions “Information in the Service of Humanity” (55/136A, 56/64A, 57/130A) adopted by the United Nations General Assembly respectively at its fifty-fifth, fifty-sixth and fifty-seventh sessions in 2000, 2001 and 2002, which urge all countries, organizations of the United Nations system and all others concerned “to provide full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization, which should support both public and private media”,

1. Resolution adopted on the report of Commission V at the 18th plenary meeting, on 15 October 2003.