

**PROMOTING THE CONVENTION AS AN INSTRUMENT FOR  
DEVELOPMENT**  
**Keynote Speech by Holly Aylett**  
to  
**SEMINAR ON INTERNATIONAL DEVELOPMENT AND DIVERSITY OF  
CULTURAL EXPRESSIONS**  
**Commonwealth Foundation, Marlborough House, Nov 6<sup>th</sup> 2008**

This event has been brought together with the aim of identifying and mobilising key players – from government, at local, national and regional level, from creative and cultural organisations and from NGOs. Our challenge is to seek ways to make UNESCO's Convention for the Protection and the Promotion of Diversity of Cultural Expressions, 2005, work for development.

The Convention is a groundbreaking instrument, brought together in record time by both developing and developed world in March 2007 and becoming law in this country in March this year, one year later. Already there are 93 signatories, and the aspiration is that over 150 countries should sign, thereby giving the Convention the impact and international authority of other key treaties such as the Kyoto Treaty on the environment.

The process of building this Convention has been supported by the advocacy and input of civil society organisations from the beginning. Many of these have now come together to form the International Federation of Coalitions for Cultural Diversity (IFCCD) of which the UK Coalition for Cultural Diversity, which has convened this event, is a founding member. The IFCCD offers a unique network of over 600 organisations worldwide and has observer status on the Intergovernmental Committee of Convention.

The role of civil society is acknowledged in Article 11, which states that "Parties shall encourage the active participation of civil society in their efforts to achieve the objectives of this Convention". At UNESCO's headquarters in Paris last June, civil society was given an official audience prior to the meeting of the Intergovernmental Committee, the first of its kind, a record-breaking four hours in the sixty years of UNESCO's existence.

Facilitating greater exchange between north and south & channelling support for greater diversity of creative expression in the developing world is fundamental to the Convention. Article 13 maintains that countries should "endeavour to integrate culture into development policy at all levels to create conditions leading to sustainable development and to prioritise aspects linked to protection and promotion of diversity of cultural expressions.

Furthermore, the link between the aims of the Convention and Development is inscribed in Section 4 of the instrument which deals with "Rights and Obligations of Parties": using diversity of cultural expressions for development is therefore not simply an objective but an obligation on all signatories. Articles 12 to 16 then indicate ways to achieve greater exchange and cooperation.

This Convention therefore represents a major shift in thinking which brings cultural values and diversity of expression into agendas for development. These have been dominated up until now by the three pillars of economy, social justice and the

environment. These principles are now complimented by cultural considerations: culture squares the triangle.

The Convention also comes at a critical time, World leaders have signed up to the United Nations Millenium Development Goals and made a commitment to eradicate poverty by 2015. In this country, Tony Blair's Commission for Africa also states that "we want culture to become an inherent component of all development strategies – not just in terms of cultural products but also in defining the terms of the development debate and the actions that follow" (Section 3.6 Culture and Development Policy, no 48)

These commitments are made with the awareness that years of imposed strategies based predominantly on economic analysis and economic restructuring have at best had limited impact and at worst have aggravated the situation for developing countries.

Poverty can no longer be seen simply as an economic consideration. Increasingly, it is being recognised that strategies for development must include the aim of "enhancing human capabilities – to expand choices and opportunities so that each person can lead a life of respect and value" (UN Development Programme - Human Development Report, New York, 2002) Choice, in this context is not about being a consumer in a global marketplace, but about each individual's right to play an active role as a citizen in a world community. These ideas inform the context of the Convention, giving centrality to the idea that access to creative expression can empower people to escape economic deprivation.

The Convention also recognises that in this era of global markets culture and creative activity needs to be defended – that countries need cultural policies to support the development of their indigenous expressions and to evolve and be protected from the arbitrariness and imbalance of the global marketplace. It is paradoxical to free market prescriptions, but protection in this context is the guarantee of pluralism of access and expression, rather than the reverse.

This is an absolutely live issue today, particularly after world trade talks failed in Doha this year. The slowness of reaching international agreement through the World Trade Organisation has led to a proliferation of bi-lateral agreements which, given the increasing value of creative content, not least on-line, frequently result in governments from the developing world surrendering their rights to cultural policy in a trade-off for donor support or support from stronger governments. The trade agreement between the United States and South Korea is one recent example. South Korea has built up a very successful, indigenous film industry through a framework of government support and regulation including quotas for local content in the cinemas of 40%. The strength of Korean output, and particularly its export market in South East Asia, represents a threat to Hollywood interests, forced now to seek more of its profits outside of America. At the negotiating table, driven by the American, film industry lobby. the demand was for an end to all quotas. Significantly, it was only action by local creators' organisations and civil society, which managed to support the South Korean government in maintaining its quotas, albeit at only 20%.

This is the point to explore briefly the question of terminologies. There is a constant slippage between culture, cultural diversity, and diversity of cultural expression. Culture is an all-embracing word whose multiple meanings often defy simple definition and tend to befuddle politicians and agencies alike when trying to define its role in policy or projects. There exist several UNESCO Conventions dealing with culture in its more generic, anthropological sense of community, traditions and

heritage. However, the Convention under discussion is much more specific. It addresses creative works and diversity of cultural expressions, and, most importantly, it addresses the challenge of maintaining diversity, or pluralism, particularly in an era of digital change.

Fundamentally, this is a question of giving local communities access to the extraordinary range of creative works which are available. Equally, it means building infrastructures so that local communities can tell their own stories in their own words, images and gestures.

Creative works are recognised in this Convention not as commodities, but as important vectors of meaning — building our sense of who we are, of the imagined communities we are part of, but also building our understanding of what we are not, of the other, of those who are unfamiliar, even enemies, who we must tolerate and negotiate with if we are not to end up in social conflict, even worse, war. In this sense creative industries and creative expression play a central role in achieving objectives of social stability, good governance and conflict resolution – objectives which are at the heart of development policy.

The articles of the Convention offer practical frameworks for policy through which to deliver the international support needed to assist governments in developing countries. Article 12 commits signatory states to facilitate dialogue between countries on cultural policy, and to re-enforce the strategic capacity for the public sector and civil society to play a role in cultural institutions and cultural policy

Article 14 urges cooperation through

- Creating and strengthening cultural production and distribution capacities in developing countries;
- Facilitating wider access to the global market and international distribution networks for their cultural activities, goods and services;
- Enabling the emergence of viable local and regional markets;
- Adopting , where possible, appropriate measures in developed countries with a view to facilitating access to their territory for the cultural activities, goods and services of developing countries;
- Providing support for creative work and facilitating the mobility of artists from the developing world
- Encouraging appropriate collaboration between developed and developing countries in the areas, inter alia, of music and film.

Article 15 & 16 refer to strategies for collaboration:

- Partnerships between the public and private sectors and associations concerning infrastructures, human resources in general, cultural policies and exchanges of activities, cultural goods and services (Art 15)
- Preferential treatment accorded to developing countries (Art 16) both to cultural goods and services , and artists and other cultural professionals.

Translating these articles into action should be greatly facilitated by the research and statistics offered by the UN Conference on Trade & Development in this year's

excellent report on the Creative Economy, *Creative Economy Report 2008*. The ongoing evolution of practices facilitated by digital technologies in many creative industries should also make the objectives more, not less, possible. However, the digital transformation depends on technologies which do not guarantee in themselves the changes which we all imagine or hope for. That will depend on policy as much as it does on innovation and the new gatekeepers.

The success of indigenous creative industries is essential to achieve diversity of cultural expression in developing world, and it is no accident that the push for this Convention has evolved alongside a growing interest in the value of the creative economy. In the UK the creative industries are valued at 7% of GDP and their value is growing twice as fast as the rest of the economy. (*Creative Britain Report* - Foreword). In Europe, the turnover is estimated to be growing 12.3% faster than the overall European Union economy (UNCTAD Creative Economy Report).

But creative industries in themselves do not guarantee diversity of cultural expression. In fact, as in other areas of the economy, the market is already hugely imbalanced and without regulation and national cultural policy, the market is likely to perpetuate such distortions. It is no accident that Africa with its huge creative base, and enormous contribution to many sectors of the world's creative industries, sees a return which represents just 1% of existing global trade in this area.

We are all familiar with the domination Hollywood with over 70% domination of American product in many countries. In the UK this dominance extends to both distribution and exhibition ownership, with an equal dominance of production and sales of content on-line. In the Caribbean, the best known movie is probably *Pirates of the Caribbean*. In parts of Africa and in India, local expression is just as likely to be displaced by Bollywood, an extraordinarily successful creative industry, producing more movies than its namesake, over a 1000 a year, and employing about 5 million people. However, in India, a continent with over 16 principal languages, how often can an audience see films from these other communities, let alone make a film in their own idiom and image?

The value of the creative industries, particularly with the changes brought by digital technology, is huge and growing. As companies and creators' organisations struggle to find appropriate business models to protect their share of the market, there is little incentive for industry leaders to make concessions in favour of diversity of cultural expression. This can only come if government policy develops to compliment the innovations of the marketplace.

This is the significance of UNESCO's Convention. It offers an international, legal instrument through which to achieve this objective. It gives incentive to governments to develop policy toolkits for sustainable, diversity of expression. No one size fits all, but here is a framework encouraging for example, fiscal measures such as tax breaks and subsidy, regulation to control returns on intellectual property and/or incentives for the development of national infrastructures to properly support creative businesses.

The challenge is now to implement the Convention. We need to encourage those countries which have not signed to go through the necessary process to come on board. We need to insist that national governments, UNESCO's national commissions and the Intergovernmental Committee, facilitate the means for civil society to continue to play a key role. Crucially, we also need to ensure that the wealthy nations contribute, and sufficiently, to its Cultural Fund (Article 18 - International Fund for Cultural Diversity), and we need to ensure that governments build the Convention's objectives into their development strategies and projects.

Civil society has the vital role to give constructive support and to insist on change where signatory states may take a passive rather than active approach to their commitments.

The UK has played an active role in negotiating the Convention through its draft stages, not least through the astute leadership of the former permanent representative to UNESCO in Paris, Tim Craddock. Likewise, Michael Helston and his team at the International Unit of the Department of Culture, Media and Sport, have played a significant role in achieving UK ratification. But this is only the beginning, and in the context of a certain complacency that this country is already competent and committed to national policy for the arts and creative industries, civil society will have to advocate greater action in the interests of the developing world. It is significant that although £70.5 million is to be allocated to the achievement of the strategy envisaged in Department of Culture, Media and Sport's excellent *Creative Britain Report*, there appears to be neither strategy nor reference linking these initiatives to agendas for development.

It will also be civil society's challenge, with the assistance of influential partners such as the Commonwealth Foundation, to encourage connectivity between the different departments of government, and to demonstrate links between their policies and budget priorities. There is a disconnect which is part of this challenge, evident perhaps in the difficulty of finding either officers or civil servants carrying development portfolios, or indeed key players in the NGOS, to take part in this seminar.

Now that the Convention has been legally adopted in this country, it will be up to civil society and cultural organisations, to all of you in this room, to provide the direction: to make sure that this country, with its excellence in public service broadcasting, theatre and so many creative sectors, plays a leading role exemplifying best practice and putting the Convention to work.

Barack Obama's election victory in the United States has shown how vision and determination can change deeply embedded patterns of thinking. Today, we are embarked on a different kind of shape-shifting exercise: implementing UNESCO's Convention in the service of development and the vision of justice, long overdue, expressed in the Millenium Development Goals.

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