

AS EPA INK DRIES.....What's Next for Our Creative Sectors?

It's now three months since the controversial CARIFORUM-EU Economic Partnership Agreement (EPA) was signed in Bridgetown, Barbados. It was back in October that the agreement was signed even as debate raged across the region about the broader implications of the EPA and our state of readiness for benefiting from potential opportunities. In the case of T&T, government officials had declared this country "ready to sign" several months before. Whatever the merits and demerits of the EPA, the dye is now cast. The region has entered 2009 with the ink dry on the deal and fully wedded to the EPA. So what now?

While by no means exhaustive, this article attempts to highlight some of the EPA text on the Protocol on Cultural Cooperation, with a focus on the implications for the region's Cultural Industries and Entertainment Sectors.

By way of brief background however, it is important to note that historically the Europeans have not allowed market access commitments into their audio-visual sector (television, film etc) in any trade agreement. This is a jealously guarded sector, integral to their sense of culture and identity and which is supported by a range of cross-cutting policies, incentives and institutional mechanisms designed to buttress and support it while strengthening its competitiveness. For example, over the past sixteen years Europe's MEDIA Programme has supported the development and distribution of thousands of EU-produced films and audio-visual works as well as training activities, festivals and promotion projects.

Between 2001-2006 more than half a billion Euros were injected into 8,000 projects from over 30 countries. Its successor programme, MEDIA 2007 which runs until 2013, provides 755 million Euros to Europe's audio-visual industry. MEDIA 2007 has some clearly defined objectives which seek to do the following:

1. Take account of both the importance of the creative process in the European audiovisual sector and the cultural value of Europe's cinematographic and audiovisual heritage.
2. Strengthen the production structures of small businesses to make the European audiovisual sector more competitive, as they constitute its core. This will mean contributing to the spread of a business culture for the sector and facilitating private investment.
3. Reduce imbalances between European countries with a high audiovisual production capacity and countries with low production capacity or a restricted linguistic area. This priority responds to the need to preserve and enhance cultural diversity and inter-cultural dialogue in Europe. It will foster transparency and competition on the single market, and thereby potential economic growth for the whole union.

The EU has also placed a new and strategic focus in MEDIA 2007 on the digital revolution and how the EU should adapt to remain competitive. These are but some of the markers on the other side of the Atlantic.

To emphasise, the EU has never permitted market access commitments in the audio-visual sector and the EPA is no different. What the EPA does provide, according to the officials at the CRNM (Caribbean Regional Negotiating Machinery), is a legal right to market access involving commercial enterprises in the entertainment sector except audio-visual. What has been agreed is a special Protocol on Cultural Cooperation which was seen by the CRNM as an opportunity to extract some development assistance. The CRNM says that in terms of objectives, “the Protocol aims to improve the conditions governing the exchanges of cultural activities, goods and services and redressing the structural imbalances and asymmetrical patterns which may exist in trade in these, between CARIFORUM states and the EU. The Protocol’s starting point is the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.”

According to the CRNM, the Protocol on Cultural Cooperation is meant to “provide ample room for collaboration to allow access for Caribbean audio-visual material through special mechanisms which broadly defined include the following:

1. Co-produced audiovisual products and services involving European and Caribbean creative teams (80-20 percent formula for the production budget) will qualify as domestic productions and meet the audiovisual content rules in all EU states and in the Caribbean. Co-production treaties when completed between individual EU states and Caribbean states or region, should make it possible for Caribbean audiovisual producers to access funding support for creative projects.

2. Artists and other cultural practitioners (who are not involved in commercial activities in the EU) will be able to enter the EU to collaborate on projects, get training, learn new techniques, engage in production, etc. They will be allowed to stay in any EU state for periods up to 90 days in any 12-month period.

4. Technical assistance through different measures, such as training, exchange of information, expertise and experiences, and counselling in elaboration of policies and legislation as well as in usage and transfer of technologies and know-how. This support will include co-operation between private companies, on-governmental organisations as well as public/private partnerships.”

The Protocol text therefore needs to be reviewed and discussed extensively with those in the creative sectors to determine what strategies are needed to understand the full implications of its provisions. It means, too, that we have to set our house in order or lose the chance to realise tangible benefits for our creative sectors and audio-visuals (TV, film and new media) in particular.

This should begin with a proper assessment of what is in the Protocol and how to use it..For example, we have to get a snapshot very quickly of what Caribbean producers and originators of audio-visual content will require in order to gain better market access to distribution platforms in the EU; find out if there are existing collaborations with EU firms

and/or producers; identify possible threats and opportunities for Caribbean producers and distributors; and identify possible areas of collaboration (technical co-operation, co-financing etc).

Several things are needed urgently in our own yards if our creative sectors are to realise any benefit from the EPA:

Local Content. We have to recognise and admit that, for a variety of reasons, we have developed very little content. If we have little or no output of local content, then we have little or nothing to market.

Co-production Agreements. Apart from Jamaica which has an agreement with the UK, the region has no co-production agreements with EU countries. The experts say that even the Jamaica-UK agreement is not forward looking with one glaring omission being new media, animation etc.

Financing. There are few financing instruments for the creative industries and even less for audio-visuals. The Protocol suggests that Caribbean producers can access EU funds once bilateral agreements are concluded with the Europeans.

Incentives. As with financial instruments, there is very little in the public policy space to encourage investment in the regional audio-visual sector. In T&T, a tax benefit to companies which support cultural/creative projects is yet to be implemented.

Culture Policy. We need regional harmonised policies in the areas of culture, media and telecommunications.

In a recent briefing on the EPA and opportunities for the audio-visual sector, a senior CRNM official contended that the region has a two to five year window to get into the game. We are way behind on the policy and regulatory fronts so if all these pronouncements about the competitive advantage of our creative sectors are to mean anything, then we have to move to put our collective houses in order.

Given the collapse of the traditional commodities and financial markets, there could be no better time to turn inward and support home-grown music, fashion, design, film & television and the rest of our cultural sectors which can provide new avenues for sustainable growth and employment. Industry must now aggressively roll out discussions in conjunction with our culture, technology, investment and trade officials to figure out what we want to extract out of this done EPA deal.

On the policy front, this is the time for our politicians to champion medium and long term measures in support of the knowledge-based or creative economy. More importantly, our governments have to ensure that National Indicative Programmes place creative industries at the centre of national development agendas.

The EPA may have been seen by some as a happy ever after fairytale, to boost the fortunes of creators and creative enterprises (mainly micro and small) with a desire to

survive the corporate filter that has all but killed local content and creativity. Because of the EPA, we are now engaged in earnest debates about quality and quantity of local audio-visual content. Yet for the last three decades, we have been contented as new independent states to view ourselves through the foreign media prism. Yes, even as grumbled about the quality of our culture on all fronts, we somehow lacked the perspective and commitment necessary to identify the importance of our home-grown media institutions to support our cultural, political and social development. And the Caribbean Media Corporation is in need of a life-line yet again!

So possibilities in the EPA will remain exactly those...possibilities...if we do not move to decisive and strategic action. With all the 'sexiness' around creative industries, this is the time to recognise that our cultural sectors not only add value to our tourism sectors but may very well be the key to developing a new and sustainable brand of tourism product that protects our fragile island environments. Topic for another time!

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