WIPO-CARICOM MEETING OF EXPERTS ON THE CREATIVE INDUSTRIES AND INTELLECTUAL PROPERTY

Mapping the Caribbean Industries: The Process and Results

CARICOM Member States have historically expressed their commitment to promoting cultural diversity and safeguarding cultural heritage and have established a number of public and private sector institutions over time, to meet these objectives. It is only in the past 5-10 years that CARICOM Governments have turned their attention to the development of the region's creative industries as part of their national strategy for growth and sustainable development.

This paradigm shift is as a result of the recognition that for Caribbean countries, faced with myriad vulnerabilities, socially, economically and environmentally, the development of dynamic, indigenous cultural industries is a potentially important alternative to help reduce susceptibility to dramatic and external shocks in the world economy. Additionally, in moving towards the full implementation of the CARICOM Single Market and Economy, culture can play a major role in promoting a strong regional identity and sense of community, and the development of creative service industries will assist Member States in building their resilience while adjusting to changes in the regional and international trading environment. Also central to the development of the region's creative industries is recognition of the need to create opportunities for the full development of the creativity of the people of the Community and in particular young persons.

Several Caribbean countries have demonstrated their comparative advantage in the creative industries in areas such as music, art, craft, the literary and culinary arts, fashion, festivals, theatre, film and cultural tourism. Many cultural manifestations in these areas are among those for which the Caribbean is known and respected internationally, and should therefore be the logical point of departure for building competitive export industries that are built on local talents and resources. The development of these industries in CARICOM is also expected to positively impact on poverty reduction, diversification of the tourism product through the promotion of cultural and festival tourism, and the positive engagement of youth, who are among the primary

producers of cultural products and services in the region. CARIFESTA, the Community's flagship cultural festival has also been identified as a potential vehicle for stimulating festival tourism and creative industry development in the Region.

The International Context

The change in thinking about the role of culture and the creative industries in the development of the region has both influenced and been fuelled by changes in international development thinking on culture. There is an increasing acknowledgement on the part of international agencies that the creative industries are important to development, to global cultural diversity and to small island developing states. This has helped to support the lobbying efforts of industry principals in the Caribbean, to bring about greater attention on the part of Governments to the developmental potential and the need for mapping the creative industries.

Some important historical markers in the process include the first ACP Ministers of Culture Meeting in Senegal in June 2003 which affirmed the importance of cultural industry development in African, Caribbean and Pacific countries in the Dakkar Declaration and Plan of Action. UNDP's *Human Development Report (2004)* which is titled "Cultural Liberty in Today's Diverse World," highlights trade in cultural goods as an important means of widening choices through creativity and diversity. UNESCO remains at the forefront of the promotion of culture and cultural industries, and its 2000 Study on *International Flows of Cultural Goods, 1980-1998,* documented trade in cultural goods and services as being among the fastest growing sectors in the world economy. The 2005 adoption of the UNESCO Convention on the Diversity of Cultural Contents and Artistic Expressions is another important development in the process.

The World Bank has estimated that creative industries contribute as much as 7% of the world's GDP, and forecasts growth rates averaging 10% per annum in the near future. UNCTAD, in collaboration with the Brazilian Government, is spearheading the development of an International Centre for the Creative Economy (ICCE) to provide technical and financial assistance to developing countries in the creative industries. WIPO continues to lead in initiatives related to intellectual property protection and enhancement.

The CARICOM region gave leadership in the process that lead to culture and especially the development of creative industries being included as a "new and emerging" priority area for attention in the 10 year review process of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States. The UN mandated review process, culminated in an International Meeting in Mauritius in January 2005, where some 44 countries from the Pacific, Atlantic and Indian Oceans; Mediterranean, Caribbean and South China Seas, endorsed the Mauritius Strategy for Implementation which included culture in the sustainable development agenda for follow-up action by the international community. This was a significant achievement as previously the sustainable development agenda had been almost the exclusive domain of environmental matters.

Review of National and Regional Initiatives

At the national and regional levels in CARICOM, several studies and activities related to mapping the creative industries in the region have been implemented. Several studies that have been done on the music industry in especially Trinidad and Tobago, Jamaica and Barbados, and several externally funded projects in other areas have been implemented over the past seven years.

UNDP funded the CARICOM Music Industry Development (CARMID) Project, 1998-2000, from which the main outcomes were draft Copyright Legislation for Member States, draft Articles and Memorandum of Association for the establishment of collecting societies, and a series of workshops across the region with legal drafters and musicians. This study made the key recommendation that copyright and related rights should be managed on a regional, collaborative basis.

The European Union funded the CARIFORUM Cultural Centres Programme under the 7th European Development Fund in the amount of EURO 2M, which established offices in Jamaica, Trinidad & Tobago, Dominican Republic and Barbados, during the period 1998-2002. The project sought to stimulate cultural development through assistance to archives, libraries and museums; the organization of youth and cultural exchanges; the development of a regional information system; facilitating touring exhibitions; the publication of the CARIFORUM Review and a multi-Lingual lexicography of Caribbean fauna, flora and food; training for cultural administrators; and grant support to cultural

organizations and groups.   However, an important gap in the conceptualisation and consequently in the implementation of the programme, was a comprehensive regional approach to developing capacity in the creative industries.   A subsequent 8th EDF proposal which included the establishment of an Entertainment Industry Support and Development Centre in St. Lucia, was not approved for funding. However, the region's experience in implementing this project and the review and monitoring of the programme by Directors of Culture at the annual Regional Cultural Committee Meeting, served to raise greater awareness among governments and stakeholders alike, of the need for a structured programme and greater attention to creative industry development in CARICOM.

UNDP collaborated with the ILO to fund studies on the export potential of Caribbean creative industries in Grenada, Trinidad and Tobago, Jamaica and Suriname (2001-2002).   National project proposals and a regional programme were developed which made recommendations for the development of 4 clusters with differing degrees of emphasis across the four countries, namely: music and entertainment; heritage tourism, cultural and archeological heritage; craft, fashion and medicinal arts; and domestic financial capital and intstitutions, especially venture capital. This initiative however, did not advance beyond the proposal stage.

Caribbean Export Development Agency based in Barbados, funded a study on the Caribbean music industry in Jamaica, Trinidad & Tobago, Dominican Republic and Barbados (2001).   This provided an analysis of the music industries in these Member States of CARICOM and made recommendations through a 9-point Strategic Plan for the development of the industry through interventions such as business support and development, facilitation of export marketing, strengthening of anti-piracy measures, copyright protection and collective administration; human resource development, among other areas.

In the area of festival tourism, with emphasis on music festivals, the Inter-American Development Bank financed a study that focused on Jamaica, Barbados, Trinidad & Tobago, St. Kitts & Nevis and St. Lucia in 2001. The study was groundbreaking in terms of it being the first attempt to do economic impact assessment of festivals in the region, to assess their contribution to national economies, and provide a model for future data

collection and analysis. The study reviewed six festivals which were grouped in 3 categories: **carnivals**, including Trinidad Carnival and Barbados' Crop Over Festival; **indigenous music festivals**, namely Jamaica's Reggae Sunsplash/ Reggae Sumfest, and the Merengue Festival in the Dominican Republic; and **tourist-oriented festivals**, exemplified by St. Lucia's Jazz Festival and the St. Kitts Music Festival.

In April 2002, UNESCO funded a regional meeting on developing cultural industries, which was convened in Dominica, from which emerged a regional action plan; and the UNESCO Global Alliance Project funded a project to develop a National Strategy and Action Plan to Further Develop the Jamaican Music Industry (2003-2004). Both projects entailed consultations with a wide range of national and regional stakeholders. WIPO has given assistance in establishing Caribbean Copyright Link in Trinidad & Tobago, which seeks to build capacity and regional collaboration among rights management organizations in St. Lucia, Trinidad and Tobago, Jamaica and Barbados. This ongoing initiative has served to highlight the urgent need for priority attention to the strengthening of national and regional institutions in collective management.

UNCTAD has supported several studies on music and the Jamaican economy (Foga & Montague, 2000, Kozul-Wright & Stanbury, 2001; Witter, 2002), and the development of a Caribbean Music Industry Database (James, 2000). The latter project, is an important work in terms of its attempt to refine definitions and approaches to data collection on Caribbean music.

The CRNM convened a regional meeting of creative industry stakeholders in October 2004 to gain a better understanding of the characteristics and diversity of the region's creative industries and to look at trade-related issues impeding their development. Arising from this meeting and follow-up discussions with Ministers of Trade in (CARICOM's) Council for Trade and Economic Development (COTED), CRNM in collaboration with the EU's PROINVEST facility, launched a regional study in 2005 which will examine the *Liberalization of Trade in Cultural and Entertainment Services in the Caribbean Region*, and make recommendations for an action plan for the development of these services. The study is still in the process of being completed.

In addition to these efforts, Directors of Culture in CARICOM meet annually in the Regional Cultural Committee to discuss matters on the cultural agenda for the region, and have more recently, made a significant contribution to bringing to the attention of CARICOM Governments, the need for the development and mapping of the creative industries.

Lessons Learned

In terms of lessons learned from these initiatives, it should first be noted that there has been very little follow-up on many of these projects beyond the initial diagnostic study. This has led to much frustration and fatigue among the region's stakeholders who generally hold the perception that the majority of the available resources is being spent on studies, meetings and sometimes training, with little attention or commitment to the many other aspects of creative industry development that need to be addressed. What has been lacking is a coordinated and sustained regional effort that takes into consideration relevant intersectoral linkages with education, culture, trade, technology, youth, tourism, sustainable development and intellectual property.

It is also evident that relatively few studies have been done on OECS member countries and in light of the severe economic fall out from the decline of the banana industry in especially the Windward Islands, the need to examine the potential of the creative industries in these countries is urgent. Additionally, is also clear that the legal and policy framework is lagging and not providing the enabling environment required for creative industry development in the region. Very few member states have cultural policies (Jamaica, Dominica and St. Lucia have recently developed theirs), or copyright and patents legislation that adequately address the complexities of the current environment in which creative industry development is taking place. The work on mapping the creative industries has further demonstrated the need for greater synergy among tourism, trade, IT, industrial, and educational policies as they relate to the cultural policy and the creative industries. At the regional level there has been a call for culture and trade officials to meet to discuss and develop a regional culture-trade policy framework to guide external negotiations and the development of national policies that impact on the creative industries.

The work conducted to date has also highlighted the need for the strengthening of industry associations at the national level where they exist, and the creation of regional associations of artists and other industry professionals. There are no regional associations of artists, festival producers or other entertainment specialists. The only regional associations in creative industry related activities that are currently active are the Caribbean Publisher's Network (CAPNET) and the Museum's Association of the Caribbean (MAC).

The work that has been done so far has however, provided some baseline data, significant industry analysis (though disproportionately skewed towards the music industry), and raised awareness levels among governments on the need for greater attention and resource allocation to the sector; and among stakeholders, raised awareness of the need for a stronger lobby. Finally the need for data collection and ongoing mapping activities, through government institutions, private researchers and industry associations, has been demonstrated to be urgent.

The Way Forward: The Role of the CARICOM Secretariat

This overview has sought to give a historical perspective of the mapping activities and approaches in CARICOM to creative industry development over the last decade. Although several studies and some projects have been implemented over the period, there are still several developmental gaps at the national and regional levels. The current focus of the CARICOM Secretariat in the development of the region's creative industries is as follows:

1. Highlighting the importance of a coordinated approach to policy development and encouraging the development of cultural policies in all Member States.

2. Advocacy and lobbying at the national and regional levels for greater attention to creative industry development and ensuring regional representation at relevant international fora related to the sector.

3. Renewed efforts to develop a sustainable mechanism for financing cultural and creative industry development in the region. The CARICOM Foundation for Art and Culture (established by Intergovernmental Agreement in 1996) and the CARIFORUM Cultural Support Fund (2002) which are to be merged, are greatly in need of capacity building and capitalization.

4. Implementing the provisions set out in Articles 66 and 74 (2) of the Revised Treaty of Chaguaramas, related to the protection of intellectual property rights within the Community, as well as harmonising laws and administrative practices in respect of IP rights.

5. Advancement of the restructuring process of the Caribbean Festival of Arts (CARIFESTA), the regional, roving, multidisciplinary, arts festival established in 1972, that brings artists from over 30 Caribbean and Latin American countries together. The festival has the potential to act as catalyst for creative industry development, especially of the performing arts and festival industries, but this is contingent on the festival developing a stronger management structure, stronger brand and marketing plan, by strengthening the IP value of the festival. A Strategic Plan for the festival, developed in 2003, is currently being implemented.

6. Developing and seeking financing for a comprehensive regional programme on the creative industries, which would include support to national and regional industry associations; rights management organizations; data collection on the contribution of creative industries to regional economies; grant support for regional cultural projects; business support services and market intelligence gathering.

The Secretariat welcomes further dialogue on this programme of action.

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