

# Fostering Musical Diversity

**Will the new UNESCO Convention bring the  
Golden Age of musical diversity?**

Garry Neil, Executive Director INCD  
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# Defining Culture

- Northrop Frye's three aspects of culture
  - 1) lifestyle, food, clothing, daily social rituals
  - 2) shared experiences, common language
  - 3) intellectual output: arts, television, music, films, writing, publishing, architecture, scholarship
- International Network for Cultural Diversity – 400 NGOs, 76 countries – artists, producers, academics, heritage
  - 1) working for flourishing of local artists, cultural producers and for more balanced exchanges between cultures
  - 2) working against homogenisation of Frye's 3<sup>rd</sup> aspect

# Factors leading to musical homogenisation

- Rising costs of producing/distributing/touring – big business needs to promote global tastes – “world music”
- Convergence of telecom, information technology, media – concentration and cross-ownership – Internet/iPod
- 70% of global music sales controlled by four companies: Universal, Sony BMG, EMI, Warner
- Over 50% of world’s 6,000 languages are endangered – 90% not represented on Internet
- Big screen is now the home theatre/small screen is mobile phone – almost 2/3 of Japanese cell time is entertainment

# Factors leading to musical diversity

- Music is fundamental to all cultures
- Artists are resilient and adaptable – always lead us into each new media
- Technology reduces costs of producing and distributing digital music – disintermediation
- New forms of distribution – Internet/iPod
- Collapse of traditional markets creates new opportunities – CD sales decline since 2000, digital sales rise
- World music attracts new audiences



# Homogenisation or diversity?

Ensuring musical diversity requires:

- 1) Proactive and supportive national public policies
- and
- 2) New forms of international cooperation

# 1) National Cultural Policies

- Financial subsidies of musicians, recordings, festivals
- Content regulations to guarantee domestic shelf space
- Preferential treatment of domestic CDs and musicians
- Controls on ownership of cultural industry firms – vertical integration, cross-media, market share, foreign
- Government agencies, public service broadcasters, education
- Regulations that obligate commercial interests to direct resources to domestic works, emerging musicians
- Special taxes that support production, tax credits

## 2) International Cooperation

- Funding, capacity building, technology transfers
- Preferential treatment of exports
- INCD advocacy to promote cultural development:
  - 1) integrate culture into PRSPs – Ghana and music
  - 2) public and private development agencies to allocate resources for cultural development
  - 3) cultural impact assessment of all development projects

# Pressure on Cultural Policies

- Multilateral trade agreements: U.S. and others seek inclusion of music and other cultural industries
- GATS has no cultural exemption; New Zealand broadcasting services; Canadian Periodicals Case
- Bilateral agreements: many U.S. agreements prevent partners, Chile, Morocco, Central America and Singapore from regulating products “stored or transmitted digitally”
- Cultural policies are constrained by trade agreements – theory of comparative advantage
- Direct pressure from multinational companies



**UNESCO**

***Convention on the promotion and  
protection of the diversity of cultural  
expressions***

# Rights and Obligations

## **RIGHTS AT NATIONAL LEVEL**

- Accent on rights – few obligations – language generally discretionary (“may” rather than “shall”)
- Broad scope – applies to policies/measures “related to ... the diversity of cultural expressions” – recognition of dual nature of cultural goods and services
- Measures parties “may” use: regulations; quotas; subsidies; public institutions; support for artists; measures to enhance media diversity, including public service broadcasting; ensuring access for domestic cultural industries

# Rights and Obligations

## INTERNATIONAL COOPERATION

- Modest commitments – “parties shall endeavour to ...”
- Integrate culture in sustainable development
- Cooperate for development – technology transfers, capacity building, financial support
- Cooperate to protect vulnerable forms of cultural expression
- International fund for cultural diversity – voluntary
- “Shall facilitate cultural exchanges” through preferential treatment for developing countries (Article 16)

# Relationship with other Treaties

- Statement that the rights and obligations in this Convention are equivalent to others
- Obligation to respect objectives and principles of Convention when interpreting or applying other international instruments
- Parties will work together in other fora to promote the principles and objectives
- BUT, nothing in this Convention shall modify rights and obligations in other treaties

# Is the Convention a Shield?

- In short term, Convention cannot halt erosion of cultural sovereignty
- Trade agreements essentially remain superior
- January 2006, Korea succumbed to U.S. pressure, slashed screen quota responsible for increasing domestic share from 15.9% to 45.2% and for emergence of Korean movies
- Canadian Periodicals Case – outcome identical

# Is the Convention a Tool to Promote Musical Diversity?

- Powerful political tool developed remarkably quickly for such a controversial proposition
- Focus and forum for parties to work together to roll back the influence of trade agreements
- Provides model cultural policies – advocacy
- Benchmarks for international cooperation
- Parties “acknowledge role” and “shall encourage” civil society in promoting cultural diversity

# Convention Implementation

- Provide formal place for civil society reps in all Convention processes
- Intergovernmental Committee
  - 1) monitor trade and investment treaties
  - 2) research, propose and monitor measures to promote international cooperation
  - 3) secretariat to develop a data collection framework
  - 4) ensure substantial new resources for International Fund

# Convention Implementation

- Implement substantive programs, such as Cultural Passport, Fair Trade Music campaign
- Make connections to ensure threatened languages and cultures, including those of indigenous peoples, receive special attention
- State Parties to reinforce provisions in bilateral relationships



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# Golden Age or Era of Mass Extinctions?

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- Critical crossroads: down one path lies diversity, a flourishing of cultures and music, respect and celebration of differences; down the other path lies fewer choices and homogenisation
- Which path we take depends on decisions, often irreversible, being made today
- Those favouring diversity must work for ratification and effective implementation of Convention!