

PRECIS OF MAJOR CONCERNS

Use of the Term: “Culture”

In November 2001, the United Nations Scientific and Cultural Organisation (UNESCO) adopted the Universal Declaration on Cultural Diversity in Paris, France. The Declaration said in part that, “...*culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs.*” It also recognised that, “... *culture is at the heart of contemporary debates about identity, social cohesion, and the development of a knowledge-based economy.*”

It is suggested that the use of the word “Culture” in the draft CIB is without adequate definition and is inappropriate in the context of the Bill and ought to be substituted by a modern definition of culture comprising as in some other jurisdictions the arts and heritage but also broadcasting, the cultural industries and new media. The evolving definition contains: the promotion of identity and diversity, support for creativity and participation and rights in cultural life, as well as ways of life, citizenship and identity.

It is recommended that the Bill be framed within the limits of an overarching National Cultural Policy aimed not only at encouraging creativity but at protecting and developing cultural industries as well as broadening access to the traditional arts and emerging cultural expressions.

The designation of the Bill as being Chapter 308 of the Laws of Barbados. The Companies Act 1986, is Chapter 308 of the Laws of Barbados. This appears to be an error on the part of the drafters of the Bill.

Disciplines within the Arts. These are all placed together, including matters of Heritage and the National Trust without due acknowledgement that each discipline (e.g. (a) live theatre; (b) electronic media; and (c) writing (inclusive of both word and music) and publishing; etc) has specific needs. Crafted in this way, it fails to address those needs and concerns. There is also a strong probability that this blurring of sectors could be mismanaged within the context of the CIB.

Funding. The CIB does not adequately differentiate between commercial arts and supported (by state or sponsorship) arts. Equally, it fails to meaningfully create the conditions that will be a magnet for the international commercial arts sector of Barbados in preference to countries that have well-established incentives to attract commercial arts ventures, e.g. Canada, Israel, the Isle of Man, New Zealand and Australia and, latterly, in the United Kingdom. For example, it is noted that the arts brought in excess of GBP 1 billion into the UK economy in the year 2010-2011 and that measures are before Westminster to attract in excess of GBP 3 million per year by 2014.

Public debate. The CIB has been produced with very limited public debate locally and to our knowledge not in the international sectors and countries that are so critical to improving Barbados' value added in export and imports of Creative Goods and activities. It therefore is not representative of the broader needs locally and fails to represent international needs in any viable way.

Law. While Barbados is a signatory of the *Berne Conventions for the Protection of Literary and Artistic Works*, local legislation in accordance with the Berne Conventions is inadequate and outdated and this needs to be addressed in conjunction and concurrent with and not subsequent to, any meaningful CIB.

Training and Education: Training and education that will fit Barbadian arts practitioners (including technicians) to compete in the international marketplace is not meaningfully addressed in the CIB (if at all). This is an area of major concern that ought to be addressed in conjunction with the Ministry of Education. It is unclear from the information available to us that meaningful dialogue in this area has occurred.

"Spill-over" into other industries. The "Arts" as a matter of necessity involve the participation and involvement of other industries that come under the authority of other ministries. The draft CIB does not demonstrate meticulous consultation with other ministries, e.g. Tourism and Industry and Transport as demanded by the urgency of reforming and upgrading the inputs of Creative Industries within the Tourism sector.

"Barbadian Content" is not defined in any clear and meaningful way.

Rights of women and children. In a society that is largely adult male-dominated, there is no meaningful recognition of the rights of and protection for women and minors in the CIB.

In sum, therefore, the draft CIB, while aiming to strategically increase the presence of the cultural industries sector in the global economy given the rise of the digital economy and the increasing commercialization of the arts and culture, may, with a broader interpretation of contemporary needs and interests of artists, offer more diverse and far-reaching options to better situate the Cultural and Creative Industries both locally and internationally.