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CANADA AND QUEBEC'S REFLECTIONS ON THE DIVERSITY OF CULTURAL EXPRESSIONS IN THE DIGITAL AGE

INTRODUCTION

The expansion of digital technologies on one hand presents opportunities to enrich the diversity of cultural expressions, but at the same time also presents challenges. Digital technologies directly affect the creation, production, access, distribution and dissemination of cultural expressions, all of which are protected and promoted under the *UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (the "Convention"). This means that those involved in the various parts of the cultural value chain must address the opportunities and challenges presented by these technologies, just as the various parties of the Convention need to consider the impact they have on the diversity of cultural expressions.

Canada and Quebec consider the text of the Convention to be technologically neutral and enduring because of its flexible nature. In fact, the Convention does not contain the word "digital,"¹ but uses instead expressions like "new technologies"² and "information and communication technologies,"³ which should be understood to include digital technologies. This neutrality implies that the Parties' commitments under the Convention and the objectives and guiding principles it conveys, apply to the analog as well as the digital environment. The relationship with digital technologies is particularly relevant in the context of implementing the Convention, which is what led us to propose, at the sixth ordinary session of the Intergovernmental Committee in December 2012, that we begin considering this issue.

Though digital technology brings with it opportunities for cultural expressions—for example, by facilitating their dissemination and increasing public access to them—attention must be paid to the challenges they present. For example, the temptation of some States to treat digital cultural products differently from traditional cultural products in international trade negotiations may be perceived as contradictory to the principles that form the basis of the Convention, including the States' ability to maintain, adopt and implement the policies and measures that they deem appropriate (Article 1, paragraph h). Therefore, an integrated approach by the governing bodies of the Convention is important to ensure consistency and complementarity of international activities related to the diversity of cultural expressions in traditional and digital environments.

In this context, we feel it is relevant to think about how to implement the Convention, paying special attention to Articles 5, 6 and 7 of the Convention, which reaffirm the States' right to adopt measures that protect and promote the diversity of cultural expressions. From Canada and Quebec's perspective, these articles are key to our thinking which focusses not only on issues related to the creation and production of cultural expressions, but also on those related to dissemination, distribution and access to local and foreign cultural expressions.

¹ The term "digital" does not appear in the text of the Convention. It appears only in the Operational Guidelines related to Article 10 of the Convention.

² The expression "new technologies" appears in Article 12 of the Convention at paragraph (d), and in a number of its Operational Guidelines. See Operational Guidelines for: Article 7, paragraph 3.2; Article 10, paragraph 7; Article 12, paragraph 7.3.3; and, Article 14, paragraph 6.3.2.

³ See text of the Convention: Preamble, 19th whereas clause and Operational Guidelines on: Article 10, paragraph 7; Article 14, paragraphs 6.2.2, 6.3.2 and 6.3.3; and, Article 19, paragraph 5.

This document presents the Canadian and Quebec perspectives and experiences with respect to the impact of digital technologies on the diversity of cultural expressions. It also offers best practices for benefitting from technological advances and preparing for the challenges they present. Although it mainly addresses the central theme of policies and measures for promoting cultural expressions in the digital era, it also covers education and public awareness, integrating culture into sustainable development, and international cooperation. For the purposes of this exercise, these themes are addressed separately, even though they are related. In the conclusion, actions are proposed to better adapt the implementation of the Convention to the digital era, and the work of the Intergovernmental Committee (“the Committee”).

1. POLICIES AND MEASURES TO PROMOTE CULTURAL EXPRESSIONS

1.1 Adaptation of the cultural industries to the digital age

Digital technologies are disrupting business models and changing the boundaries between the roles (e.g., creation, production, distribution and consumption) of the various stakeholders in the cultural value chain. Consequently, cultural industries need to develop new approaches and continually adapt to the constantly changing technologies, business models and consumer behaviours.

For example, in Canada:

- More than 10 years ago, the music sector was the first cultural industry affected by the emergence of digital platforms and devices. Since then, new distribution models have appeared and sales of digital recordings have increased, now accounting for 40% of sound-recording sales in Canada. The music industry is currently facing a new challenge, this time involving consumer behaviour with regard to streaming subscription services and hosting services for music files where users can store their personal music libraries on servers that they can access at any time. It is unclear at this time what impact these new services will have.
- The book sector is currently going through a significant period of transition in Canada. Publishers must adapt to new digital markets, while continuing to meet consumer demand for print books. Although eBooks are gaining in popularity overall, Canadian publishers have not yet received the full return on their investment in digital projects.

1.2 Emergence of new forms of funding

Digital technologies and social networks have facilitated the emergence of a new type of private-sector funding called crowdfunding. This alternative funding approach consolidates the capital of a large number of people who use the Internet and social media to fund projects.

Though crowdfunding platforms are still in their infancy, their numbers have increased considerably in Canada in recent years. One success story for this funding model is Xavier Dolan, a local filmmaker and actor who, with the help of 353 online subscribers to his website, *touscoprod.ca*, raised about \$36,000 to promote his film *Laurence Anyways*.

1.3 Approaches of the governments of Canada and Quebec

Canada and Quebec, like other governments, quickly realized the importance of adapting their approaches and programs so that they could continue to promote the development of a rich and diversified range of cultural expressions available on various platforms.

The Government of Canada has used various approaches to help Canada's cultural industries adapt to the digital age.

- In 2011, Canada made the transition to digital television.
- In 2012, it modernized its *Copyright Act*, making it easier for Canadians to deal with the challenges and opportunities of the digital age.
- To encourage cultural stakeholders to integrate digital technology into their business models and remain current with new technologies, the Department of Canadian Heritage modernized the *Canada Periodical Fund*, the *Canada Music Fund* and the *Canada Book Fund*⁴ and established the *Canada Media Fund*. This last fund actively supports the creation of cutting-edge digital content⁵ tied to films and television programs.
- The Canadian Broadcasting Corporation (CBC), the national public broadcaster, and the National Film Board of Canada (NFB), the national public producer of audiovisual, artistic and creative content, consistently provide access to a wide variety of online collections, social media tools, games and smartphone apps.
 - The NFB site received 5,294,898 views in 2010–11 on multiple platforms—iPhone, iPad, Android and nfb.ca.⁶
 - Radio-Canada's website, *tou.tv*, is an on-demand Web-television entertainment site operated by Radio-Canada and some 20 partner broadcasters and producers. It is Canada's largest French-language Web-television entertainment site.⁷

In terms of digital technology, the Quebec government developed the following cultural measures, among others:

- It provides substantial support to developing digital arts creation organizations and festivals that showcase emerging arts.
- It offers tax credits in the field of 3D creation.
- The Quebec's ministère de la Culture et des Communications (MCC) is working with government corporations and agencies in the Culture and Communications Network to develop a digital cultural strategy. The strategy, focused on Quebec's cultural expressions, will include three goals: enriching the supply of digital cultural content, providing for the dissemination and accessibility of content, and creating an environment conducive to the development of digital technology.

2. EDUCATION AND PUBLIC AWARENESS

Digital technologies are education and public-awareness tools that can be used for the protection and promotion of the diversity of cultural expressions. Implementing education and outreach initiatives depends on target audiences having access to digital technologies and possessing the skills to use them.

When integrated into educational and training programs, digital technologies encourage creativity and strengthen production capacity in cultural activities, goods and services. For

⁴ These programs allocate funding for the development of business plans, marketing plans, or market studies, as well as for training or professional development, specifically in the area of new technologies.

⁵ This cutting-edge content can take the form of apps, videos (webisodes, mobisodes, etc.), interactive media, games, eBooks, podcasts or social media.

⁶ Source: http://onf-nfb.gc.ca/medias/download/documents/pdf/2012_Evaluation-NFB-ca.pdf

⁷ Source: <http://www.tou.tv/fag> [French only]

example, since 1997 in Quebec, the ministère de la Culture et des Communications (MCC) and the ministère de l'Éducation, des Loisirs et du Sport (MELS) have been linked through a memorandum of understanding (MOU) on culture and education. This MOU brings together resources for organizing cultural activities at school or field trips to cultural settings with artists, writers or professional cultural organizations. The updated MOU, renewed in November 2013, better takes into account emerging cultural practices and diversity through the means of artistic expression and dissemination of culture, including technological or virtual methods, and new cultural practices.

Other outreach instruments can also be developed to meet the needs of other audiences. For example, in 2001, the MCC created a website dedicated entirely to the Convention, which hosts the Department's monthly publication, the *Diversity of Cultural Expressions Newsletter*. This trilingual publication (English, French and Spanish) is an international reference that compiles relevant news releases, statements, speeches, publications, studies and best practices. It is consulted by some 5,500 readers and subscribers from over 120 countries every month.

3. INTEGRATING CULTURE INTO SUSTAINABLE DEVELOPMENT

The Convention commits Parties to endeavour to integrate culture into their policies at all levels so as to create conditions conducive to sustainable development, and to foster aspects linked to the diversity of cultural expressions.⁸

This integration can be achieved by using new technologies and strengthening network communications systems.⁹ Quebec has favoured new technologies and network communications systems in developing and implementing its Agenda 21 for Culture, a substantial approach to raise awareness of the role of culture in sustainable development. The MCC has put in place a Web platform,¹⁰ designed to be a place of inspiration that supports exchanges and networking through a blog and social media. This platform has also led to the creation of original innovative content and the showcasing of best practices here and elsewhere. Moreover, as part of *Chantier Culture* — the government's key action plan to implement Agenda 21 for Culture — the Quebec's ministère du Développement durable, de l'Environnement, de la Faune et des Parcs developed a government extranet that includes content on culture and sustainable development, which is accessible to the officials of the departments and agencies subject to Quebec's *Sustainable Development Act* (2006).

4. INTERNATIONAL COOPERATION

In Canada and Quebec's opinion, international cooperation should be approached in light of several Convention articles (articles 12 and 14 to 18), as well as through other means, such as the implementation of the International Fund for Cultural Diversity (IFCD).¹¹ Digital technologies are can be used to encourage integration of culture into development policies and to contribute to the emergence of a dynamic cultural sector in developing countries. The Parties can

⁸ Article 13 of the Convention

⁹ Operational guidelines on Article 13, paragraph 7.3.3.

¹⁰ <http://www.agenda21c.gouv.qc.ca/> [French only]

¹¹ Some projects already funded under the IFCD concern digital technologies, for example, in 2010, Kër Thiossane's project in Senegal, "African artists embrace the digital era," and the Tunisia's Ministry of Culture's project, "Online solutions revitalize book sector." See: <http://www.unesco.org/new/en/culture/themes/cultural-diversity/diversity-of-cultural-expressions/funded-projects/2010/> (October 24, 2013).

undertake cooperative projects using these technologies – projects that can be supported by the IFCD.

In this regard, Canada and France agreed in June 2013 to implement an Enhanced Cooperation Agenda favouring digital innovation, particularly in the creative and cultural sectors. This program, under the aegis of the Convention, is intended to foster exchanges between experts to help the targeted sectors fully benefit from digital innovation. Quebec is supporting a three-year program for artist exchanges and resident workshops in the digital arts,¹² under the 2013–14 agreement concluded between the Institut français and the Conseil des Arts et des Lettres du Québec. Under this program, visiting artists reside in the host country, network within the digital arts cultural community of the host country, and work on artistic projects in this field.

In addition, under Article 14 of the Convention, the Parties “shall endeavour to support cooperation for sustainable development [...] especially in relation to the specific needs of developing countries, in order to foster the emergence of a dynamic cultural sector.” For example, in 2012, the governments of Canada and the People’s Republic of China renewed a 2013–15 program of cooperation that promotes such elements as sharing of best practices within public cultural institutions, and training for cultural-sector employees in the digital technologies sector. Quebec has concluded cultural cooperation agreements with developing countries that factor in the new technologies by, for example, promoting sharing of new technologies¹³ and professional exchanges by specialists or researchers in the fields of new technologies used for cultural purposes.¹⁴

CONCLUSION

Digital technologies are quickly transforming methods of producing, distributing and accessing cultural expressions. The world’s cultural industries must adopt new business models to remain competitive and meet the demand of ever more exacting consumers for quality content that is accessible anywhere, and at any time.

Digital technologies offer new approaches to addressing the central issues of the Convention. According to Canada and Quebec, one of the most important of these issues is adapting cultural policies and measures to the digital age, since well-adapted state approaches and tools support development and access to a rich and diversified cultural environment. Moreover, integration of the digital dimension into the issues of education and public awareness, integration of culture into sustainable development, and international cooperation will enable the Parties to take full advantage of the implementation of the Convention by promoting innovation, creativity and capacity-building in the area of cultural expressions.

As agreed at the fourth session of the Conference of the Parties, the following are Canada and Quebec’s proposals for action that the Committee could review at its seventh session:

¹² Digital arts are understood here to be a series of artistic explorations and practices, for which the process and works primarily use digital technology for creation and dissemination. Digital arts integrate practices based on the use of communication and information technologies, whether computer-based, electronic, digital, audio, interactive or Web-based, and include audio art.

¹³ This is the case for the establishment of a technical cooperation program between the Government of Quebec and the State of Rio de Janeiro. The document can be viewed at: <http://www.unesco.org/culture/cultural-diversity/2005convention/fr/internationalcoordination/d/documentview/20/> [French only]

¹⁴ This is the Déclaration commune relative à la coopération dans le domaine de la culture entre le Québec et la ville autonome de Buenos Aires. The document can be viewed at: <http://www.unesco.org/culture/cultural-diversity/2005convention/fr/internationalcoordination/d/documentview/19/> [French only]

Section on digital technologies in the periodic reports

The Committee could consider the possibility of dedicating a section of the quadrennial periodic reports to the impact of digital technologies on the diversity of cultural expressions. This would provide continuity and advance thinking by monitoring developments in the adaptation of States' cultural policies and measures involving digital technology, and would also promote information-sharing and exchanges between the Parties. The Committee could keep this proposal in mind when it re-examines or revises, if necessary, the Framework for Quadrennial Periodic Reports during its 2013–15 term.

Questionnaire on best practices

The Secretariat could send the Parties an annual questionnaire to identify best practices and explore future opportunities to use digital technologies in implementing the Convention. As is the case with the questionnaire on Article 21, the results of the consultation could be compiled in a summary document that would be discussed within the Committee. Best practices (reference documents, Internet links, etc.) could then be shared online from the existing database, which, at present, contains information on the quadrennial reports, the IFCD and the promotion of Convention objectives and principles in other international forums. This option would facilitate information-sharing and exchanges between the Parties.

Coherence of work across international organizations

To do a proper job of monitoring developments in digital technologies and understanding their impact on the diversity of cultural expressions, it is important that the Parties to the Convention remain informed of the work and negotiations going on in other international forums. International monitoring could be conducted by the Parties, civil society and/or the Convention's Secretariat. The global knowledge-management system planned as a future activity of the Committee (Resolution 4.CP 13, paragraph 7) would constitute an appropriate instrument for sharing the information collected.

Expertise and research

The Committee's discussions should also be based on research by experts studying cultural diversity in general and cultural expressions in the specific context of the emergence of a new paradigm focused on digital technology. This would help promote study and information exchange, particularly between government and academic experts, as well as encouraging contributions from civil society.

Other courses of action could be considered by the Committee. Discussions at its next session in December 2013 will no doubt highlight promising ideas to ensure the future of the protection and promotion of the diversity of cultural expressions in the digital age.