Preamble: Mr. President, Distinguished delegates and guests, it has been my good pleasure to share in this historic conference of IFRRO, and for this opportunity to share in this seminar that addresses the “Administration of Copyright in Small and Vulnerable Economies.”

It is to the great credit of IFRRO, which is a truly global organisation, to have chosen to bring this level of focus to a matter of such profound importance, not just to Jamaica but to the entire Caribbean Community.

So on behalf of the Caribbean community, let me again welcome you to Jamaica…and to say to you, that in
anticipation of this historic meeting, we ensured that we created a little history at the Beijing Olympics as a fitting prelude to your time here in the land of the Fastest Men and Women in the World!

So welcome to JAMROCK, land of Usain Bolt, Asafa Powell, Shelly-Ann Fraser and Veronica Campbell-Brown and the greatest Jamaica Olympians of all time!

And just to add, if you came to Jamaica with the hope of maybe discovering the secret behind our great athletic success…I have one word for you…COPYRIGHTED! …We are not going tell you the secret! One day, we hope to develop a very expensive licence that we can sell to you on the secret behind Jamaica’s athletic prowess!

The Issue of Copyright

Ladies and gentlemen, I keep copyright issues dear to my heart because these rights constitute one of the principal foundations on which some of the most powerful elements of
our people’s identity and integrity as well as financial success in the areas of culture and cultural industries are anchored.

You see, in many instances a people’s worth is measured by what they have created or simply by what they own. A people who have not created anything or who may not be linked to something spectacular will not be respected by the world. A country that celebrates the two fastest men in the world will be respected. A country with a product of international reputation and renown will likely be revered.

Yet, in many ways, Jamaica’s identity and image worldwide are both largely linked to our most vibrant creation: Reggae Music. We have created a great product for which we can be justly proud, willing to celebrate and ready to establish mechanisms for the greater benefit of all its exponents. For this reason, my experience has shown me very clearly the need to establish regimes and strategies to protect what we create thereby
eliminating questions of ownership or who should benefit from the use of what, how, when and where.

At this point, then, it would be very remiss of me if I did not pause to acknowledge the work being done by JAMCOPY and JIPO in keeping the Jamaican community abreast of cutting-edge IP issues.

I was particularly pleased with the launch of a groundbreaking study in March this year that documented the Contribution of Copyright and Related Rights Industries to the National Economy of Jamaica by Professor Vanus James with support from WIPO. And as such, I also must thank very sincerely the World Intellectual Property Organization (WIPO) for selecting Jamaica among the countries for which a Copyright study was commissioned.

This WIPO Study reinforces global perception and recognition of the immense value we have added to the world across the wide spectrum of the creative process. It provides empirical evidence to support the view that the Jamaican Copyright
sector generates revenue, creates employment, and contributes positively to national GDP.

We now have extensive analysis of the true economic value and impact of the Copyright-based sectors, thanks to the Vanus James study, and again thanks to WIPO.

This study has therefore been fundamental to what we need to advance even more substantially the argument for greater allocations in national budgets to cultural industries or for the creation of greater incentives for the enhancement of these industries or for a transformation in the approach to the sector by the financial sector. As such, it will point us to the way forward for the development of strategies and programmes for the advancement of the sector.

Ladies and gentlemen, creativity is at the very heart of what we do. This has been so because ‘necessity has been the mother of invention’. Our vulnerability as island economies has forced us to be creative, as we say in Jamaica, we have had to “tun wi
han’ an mek fashion”. In other words, we have had to create new ways of producing goods, products and services. Yet, in spite of this propensity for creativity, a challenge for us over the years has been that in many instances we were not able to appreciate the value of some of the things we created or discovered. We are still learning the concept of ownership and the consequent need for copyright and patenting, perhaps because we saw it as a part of our communal existence.

Nowhere have we been more vulnerable than in the cultural and creative arts. All over the world, people have come to respect and even simulate the Jamaican way of expressing and being. And yet, in many instances, we did not do enough to protect it, and so many persons either distorted it or misappropriated it or even denied our involvement in its creation.

Consider how the 1995 9th edition of the British Concise Oxford Dictionary defines Reggae Music: “a West Indian style of music with a strongly accented subsidiary beat”.
Naturally, I have issues with the definition.

In the first place we insist that Jamaica’s ownership of this product called Reggae Music is identified in the definition. Secondly, we must determine for ourselves if the description is accurate.

It seems to me that the first step in administering copyright in small, vulnerable states must begin with a concerted and coordinated effort to convince our people that the fruits of the creative intellect and expression hold the key to economic growth and development, and the unlocking of national wealth and prosperity.

In this realm, the promotion of creativity must be linked to our celebration of the role of the creator. This can only be done through the recognition of the rights of the creator to own and use his/her creation and to benefit from it in some way. This ownership must be given prominence because it has been one way in which grassroots people have been able to re-construct their identity and fortify their livelihood.
We must come first to acknowledge again some universal truths about cultural industries, as follows:

- Cultural and creative industries represent one of the fastest growing sectors of the global economy, representing up to 7% of the world’s GDP with growth forecast at 10% per annum.
- Studies show that creative industries contribute to the economies of the regions in which they are located through income generation and purchases of supplies and by enhancing the design, production and marketing of products and services in other sectors.
- Jamaica has competitive advantage in this area and possesses the potential to develop its cultural industries into a major economic sector.
- The Vanus James study indicates that the Copyright Sector contributes about 4.8% of the GDP of Jamaica and accounts for 3% of all employment in Jamaica. By comparison, copyright industries contribute 7.8% of the
GDP of the USA (2001), 5% of the GDP in Australia (2000), and 3% of the GDP in Singapore (2000).

In the context of globalization and a competitive advantage paradigm, Jamaica seeks to construct from this rich socio-cultural bedrock, the architecture and structure of a modern creative economy. Such a socio-economic state would flow from the wellspring of the Jamaican culture, giving rise to learning, creativity and innovation and spawning an abundance of creative industries.

Creative industries are those that have their origin in individual creativity, skill and talent, and that have a potential for wealth and job creation through the generation and exploitation of intellectual property. The Jamaican people as the living embodiments of our culture, defined as that intrinsic quality which differentiates us from the rest of the world; and that traditionally manifests in stellar achievements.
in the fields of sports, culture and music, represent the nation’s greatest treasure.

But equally important, is that the Jamaican culture is the cradle of our creative imagination and will as a people. Leveraging our people’s culture therefore, into high-value, globally competitive niche products and services for economic wellbeing and sustained prosperity represents the next economic frontier for the Jamaican and the Caribbean Creative Economy. It is the developmental tenet upon which we seek to brand ourselves to the world.

So today, as we consider the present and the future of small and vulnerable economies in the context of Copyright Administration, I think our resolve is clear:

• Our size is not an excuse for not exploiting our tremendous potential as one of the most vibrant regions in the world.
• In a word, a great Jamaican word, we are ‘TALLAWAH’. We will not roll over and die in the face of globalization and the ‘big-ness’ of the world.

• What amounts for trade in the world today is really a ‘trade in cultures’. It follows that at the essence of what we seek to copyright or protect is really our intrinsic cultures as expressed in many creative products.

• For us in Jamaica and the Caribbean, it is about creativity and innovation as exemplified in our exotic cuisine, our ubiquitous rhythms, our highly differentiated designs and our indomitable human spirit and culture;

• It is also about business acumen and entrepreneurial drive and global connectivity.

• It is about culturally inspired creativity and innovation that gives us distinct relevance in the world.

I thank you for your attention today. Continue to enjoy the culture of Jamaica. My very best wishes to IFRRO as you continue to grow and chart new frontiers in the field of Intellectual Property Management!