

# Traditional Cultural Expressions and Their Significance for Development in a Digital Environment

Keynote  
Dr. Miriam Sahlfeld, LL.M.

Symposium "Traditional Cultural Expressions in a Digital Environment"  
8-9 June 2007, Lucerne, Switzerland

- Human Development and TCE
- Economic Development and TCE
- The Digital Dimension
- Conclusion - Reconciling Human and Economic development by means of TCE and the WIPO-Draft

- A value ladded term
- Comparative Process
- Development – a process with a debatable aim
- Amartya Sen's theory of poverty?
- Mary Douglas: Positively put, development then is the effort to enable individuals to make the exchanges that define members of a given society.

- Aim: To live a meaningful life as defined by a society
- or *Douglas'*: development takes place if people are put in the position to make the exchanges and communications that define a member of society.
- The Exchanges and Communications are shaped by culture and TCE

- Cultural Identity is manifested in TCE
- Consequence of destroying traditional meaningful patterns of life: psychological disorders; mortality
- Commercialisation as a destruction of meaningful patterns of life

## PRELIMINARY OBSERVATIONS:

- Cultural predisposition to economic development
- Commodity Fetshism
- The Problem of Hetrogeneous Societies

- Sale of Products
- Cultural Tourism
- Licensing TCE

- Careful assessment of the local culture regarding three step test:
  - Habit of trading
  - Heterogeneity within a cultural community with different degrees of modernization
  - Attitude to culture
  
- Development of Societies:
  - A certain level of economic development is conducive to democracy
  
  - BUT Trade with TCE may degrade the cultural identity which can be seen as a prerequisite to fruitful participation in a democratic society

- **Lack of technological infrastructure**
- **Supportive Function in Human Development/**
- **ICT and Economic Development by TCE**
  - Marketing (cheap, effective, targeted)
  - Sale of digitized goods
  - Marketing a cultural tourism destination
  - Tracking misappropriations

## Desiderata and Compatibility with WIPO-Draft (1)



- **International Protection? Yes**
- **But How?**
  - **No one size fits all solution (Art. 3 Draft)**
  - **Let communities decide; provide for dispute resolution in case of heterogeneous societies; determine who has the prevailing right (missing)**

- **No overprotection compared to first world countries as TCE are a manifestation of one pathway to meaning**
- **Requiring a cultural assessment where governments and IO suggest economic development by means of TCE or by measures affecting TCE, inter alia**
  - Habit of trading
  - Heterogeneity within a cultural community with different degrees of modernization
  - Attitude to culture

# Thank you

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