

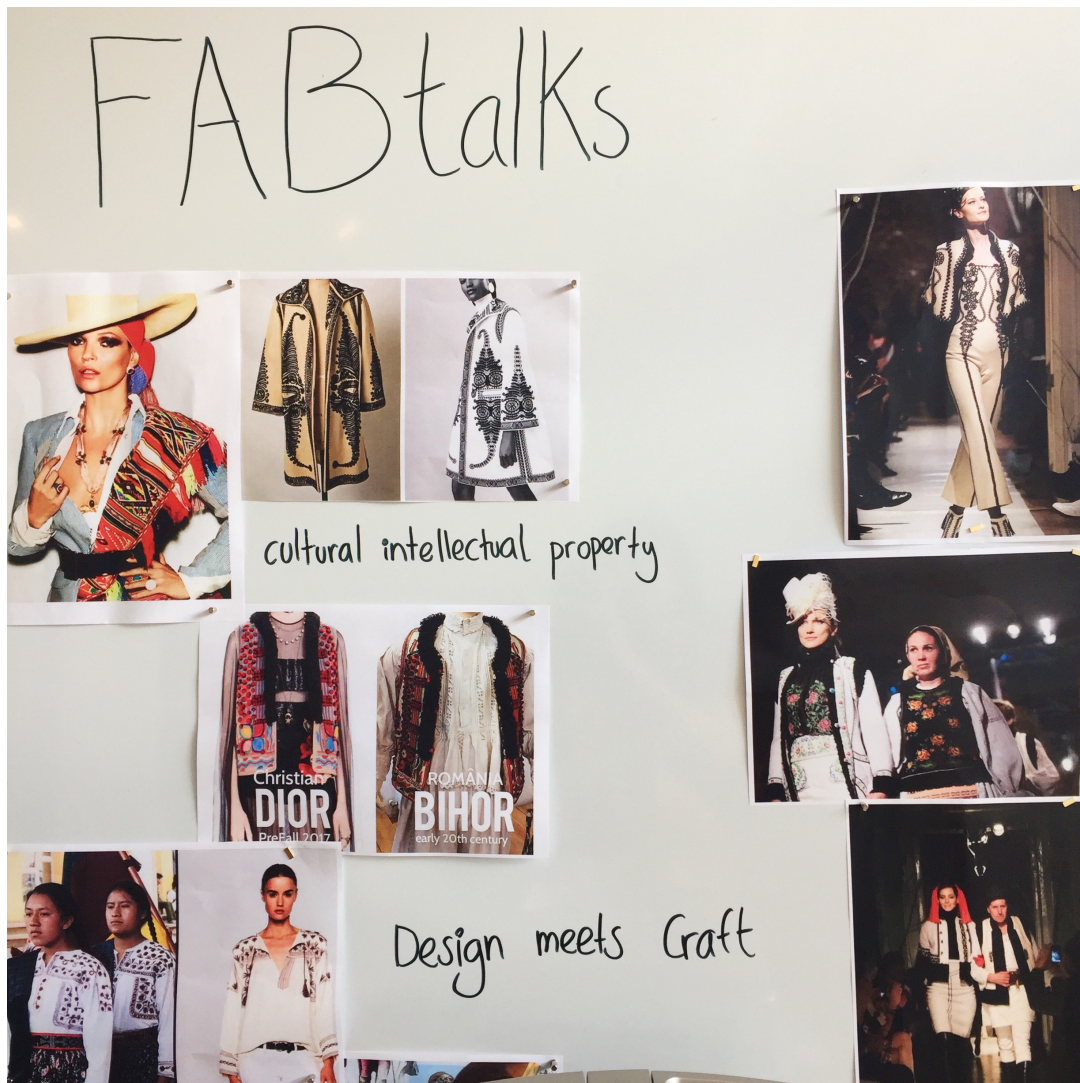
FABtalks

by ABURY

FASHION, ARTS AND BUSINESS

FASHION AND CRAFTS A RETURN OF INVESTMENT FOR GENERATIONS TO COME

The idea behind the FABtalks is to host fresh fashion talks in an inspiring environment and connect them with business-networking in a new innovative way. The aim is to trigger interesting discussions about the topic of fashion and let experts respond to open questions. Ultimately, we want to build an interdisciplinary network and establish and implement projects together in the long run.



The 15th Edition of the ABURY FABtalks was hosted on the 26th of April 2018 in the new ABURY Showroom at Bikini Mall Berlin. Andrea Bury hosted this event on the Cultural Intellectual Property Day to raise awareness around the topic, discuss opportunities and problems. Together with cultural intellectual property lawyer Monica Moisin, who discussed the legal frameworks, Andrea used the date to launch the Cultural Intellectual Property Initiative with the purpose to empower traditional artisans. At the present time artisan and indigenous communities across the world face cultural appropriation and exploration of their cultural heritage because there is no laws or copyrights recognising this specific matter.

The event started off with traditional Japanese music by Josh Chuang playing a Tsugaru Shamisen, a three-stringed Japanese instrument used to play eastern style Jazz. Andrea Bury briefly introduced the guests and reminded the audience why she had chosen that specific date: "Fashion Revolution", a movement evolved after the disastrous accident in a sweatshop in Bangladesh five years ago causing the death of over 1000 people. Its main ambition is to make the supply- or production chain of fashion brands visible and hold brands that produce under unfair conditions accountable for their practices.



Summary of the Presentations:

1. Monica Moisin

The lawyer stressed that unlike Josh introducing the audience to the origin of his instrument and music, most of the actors in the fashion industry do not give their costumers any information or context where their influences and designs originated from. They might come from cultural backgrounds and evolved as part of a cultural identity over hundreds of years within different cultures. Some of these traditions are even religious. The usage of these traditions in a commercial way without a context or the real meaning only destroys its value. To explain where certain patterns or designs originate from means paying respect to cultural intellectual properties. Otherwise its just theft, the same way we know it from copyright infringements.

This was the case with some examples given by the lawyer: Haute couture house Louis Vuitton exploited the Masaai tribe's intellectual property commercially by not paying shares or giving any credits. The same happened when Dior copied off Romanian traditional styles from the Bihor region. There have been numerous similar cases around the globe, in which powerful western businesses commercially exploited mostly less privileged indigenous communities. The main problem is that these indigenous communities are vulnerable towards globalised markets and often lack networks or legal aid helping their point.

The problem with that: it is unfair although it is legal. There is no legal protection as we know it from copyrights or trademarks which only apply to brands or products not to share traditions with unknown authors. Mostly it is collective property. So how could copyrights be applied to these properties? In general there is a time limit of 7 years to ensure the process of innovation. A different set of rules must be established because these traditions are traded down over generations, some of them for hundreds of years. According to Moisin now CIP has to ensure these traditions can be traded for more generations to come. A further step towards appropriate behaviour would be not only understanding cultural backgrounds but transforming business models to share benefits and reinvest in the communities based on cultural property rights.

As mentioned before the current legal situation provides no regulations so far. The UNESCO is aware of this and liaises as advocate. They suggest new laws but can not implement them. The only thing achieved is a convention businesses can sign. So in case of violation the UNESCO is able to call the violation out and ask for reparations for the communities and a public excuse. This convention however has

existed for a long time without greater impact because progress or change is driven by business and not by conventions. So the main approach should be to raise awareness and implement the ideas in business models themselves.

You can read further information on <https://www.culturalintellectualproperty.com>.



2. Andrea Bury

After Monica's overview over legal matters Andrea spoke about her experiences running a social business like ABURY. 10 years ago she moved to Marrakesh and was surprised by the cultural capital of traditional craftsmanship not being used or even acknowledged by its own people. So there was no need for copyright laws by then. More recently traditional crafts have become more important and used by fashion brands to a bigger extend. Due to this the cultural capital raised in value and its worth protection. ABURY is trying to pay tribute to these cultural heritages and give a fair share to all parties involved. Moreover the idea is applicable to all indigenous communities around the world with similar rich heritages in crafting. And this is where ABURY stands now, building a network with communities of artisans in Morocco, Ethiopia, Romania, Ecuador and Chile.

At this point the talk turned into an open discussion with brisk participation. The first idea mentioned was to create an app that brings together artisans and designers from everywhere to create smaller networks and collaborations. This would result in small but transparent globalised markets and would cut the costs for middlemen which are profiting too much from the process.



Another problem is the missing technology in artisan communities to promote and distribute products in globalised markets. An app would work better in this case because smartphones are more common than computers. Also there has to be some sort of quality management to ensure logistics and the like to work right. There could be a rating system to ensure fair treatment and wages for the communities on the one side and the quality of goods on the other.

The platform also has to have guidelines regarding cultural intellectual property because the new designs are mostly rooted in traditional crafts and patterns. In ABURY's case the issue is handled by contracts between all parties involved. The communities agree to exclusively produce the specific design for ABURY and ABURY agrees to produce the design only with the community and not with third

parties. Another topic is the production chain. The sources of production should be local if possible, so that the communities are able to create a production chain on their own for later business without ABURY's involvement or network but with the local industry.

Towards the end the discussion touched more general thoughts on cultural intellectual property. There is an imbalance of power between western and mostly white privileged and indigenous communities in less developed countries. Most people are not familiar with the critical whiteness or post colonial studies will not realise these privileges. So the awareness and sensibility should be increased to prevent the exploitation of those minorities. The best case scenario is giving back to communities if there is profits made of cultural intellectual property. A higher sensibility makes it easier to decide whether its appropriate to use a foreign culture's heritage or not instead of reproducing the mechanisms of exploitation like in colonial times. That is important because cultures or communities may differ in their decision what is appropriate and what is not: For one of the guests with Syrian background giving credits about the origin would be enough for the use of certain traditions. Other sacred ones should be off limits: As in the unfortunate case of Victoria's Secret using native American headdresses. So a dialogue is indispensable in the first place. This case raises the question whom to ask. Who has the authority to decide over such things? There may not be common ground even within a single community. In case you are trying to do business with artisans there might be hesitation in the first place. In order to establish a business partnership trust must be established first and that might be a long process.

To conclude the discussion a statement was made to remind everyone present of their responsibility to raise awareness of the topics discussed. It is the responsibility of privileged people with education, tied to businesses and resources to be able to travel to change these imbalances and working in favour of fair cultural exchange because the majority of people around the globe does not have these privileges.

We thank everybody who joined the event and our partner Pro Chile!

SEE YOU NEXT TIME!

ABURY