

# PROMOTING DIVERSE CULTURAL EXPRESSION: LESSONS FROM THE U.S. COPYRIGHT WARS

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## ABSTRACT

*In 2007, the United Nations adopted the Convention on the Protection and Promotion of the Diversity of Cultural Expression (CCD) with the goal of creating an environment that encourages individuals and social groups to create, distribute, and have access to diverse cultural expression from their own cultural and from cultures around the world. With regard to domestic and international efforts to implement the CCD and reconcile its goals with other international norms, the author argues that valuable lessons can be learned from current trends and issues in U.S. copyright law. Specifically, the author argues that the current debate over copyright's response to new technologies in general and how best to promote and protect musical expression in a digital and networked world illustrate the importance of disaggregating the interests of creators and distributors. Depending upon the funding mechanism chosen for creation, legal protection for distributors may undermine the goals of the CCD leading to fewer works being created, disseminated, and made accessible to the public.*

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**KEYWORDS:** *Convention on the Protection and Promotion of the Diversity of Cultural Expression, World Trade Organization, Copyright, Technology, Exclusive Rights, Monopoly Rights, Music, File Sharing, Peer-to-peer, public goods*