



ADAPTING THE WHEEL:
CULTURAL POLICIES FOR AFRICA

Compiled by Delecia Forbes

2011

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FOREWORD BY THE CHAIRPERSON

The development of this template has been a joint undertaking, involving the Arterial Network steering committee, the Arterial policy task team and experts, with generous and supportive assistance from donors and funders.

This tool is expected to assist artists, cultural practitioners and stakeholders in Africa to focus their efforts on developing well-researched, well-analysed and thoroughly debated policy frameworks of relevance and significance to their circumstances, that ultimately result in raising the standard of arts and cultural theory and practice in their respective countries.

This cultural policy template is based on ideas, values and ideals articulated in international, continental and regional instruments, including the African Union's Plan of Action on Cultural Industries, the Belgrade Recommendation on the Status of the Artist, UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the African Union Charter on the Arts. It addresses an explicit rights-based agenda for improving the welfare of artists and the performance of cultural industries in Africa.

The cultural policy template is, therefore, also a call to action to improve the status of artists and to ensure that programmes of economic development and social mobilisation directly address the most urgent needs of the arts and culture sector.

Above all, the template embodies the vision and principles of Arterial Network, which holds that together we can effect positive change and collectively improve the status of the arts and culture sector, when we have the tools and information to do so.

Mulenga M Kapwepwe
Chairperson of Arterial Network

MESSAGE FROM THE OBSERVATORY OF CULTURAL POLICIES IN AFRICA

Looking back over the past decade, we can see that a significant new effort has been made to develop cultural policies in Africa.

At a regional level, this momentum has been nurtured by the African Union, acting in the spirit of the UNESCO Universal Declaration on Cultural Diversity of 2001 and the UNESCO Convention on the Protection and the Promotion of the Diversity of Cultural Expressions of 2005. A focus on African cultures and cultural policies was relaunched at three conferences of African ministers of culture and two sessions of the pan-African Cultural Congress.

African member states have also taken initiatives to provide technical assistance when requested; to help draft national cultural policies; and to update existing cultural policy documents. Member states have been conscious of changing realities, priorities and challenges and have been eager to integrate cultural objectives into national development strategies. According to the cultural policy database of the Observatory of Cultural Policies in Africa (OCPA), many African countries have worked or are now working towards the development of national cultural policies.

New regional organisations and networks have been created with a view to providing information that supports positive action in African countries; supporting regional co-operation; and promoting the exchange of information and knowledge between stakeholders on the African continent. These are:

- OCPA, established in Maputo in 2002 under the aegis of the African Union (AU) and UNESCO to monitor cultural trends and national cultural policies in the region and enhance their integration in sustainable human development;
- The African Academy of Languages launched in Bamako, Mali, in 2006, to promote African languages and language policies; and
- Arterial Network, established in 2007 on Gorée Island, Senegal with the aim of building sustainable networks within and across arts disciplines and helping civil society players in African countries devise cultural policies.

Other initiatives aimed at providing methodological support for the development of cultural policies were also launched. They include the OCPA compendium of reference documents for cultural policies in Africa of 2006; the 2008 OCPA guidelines for the design and evaluation of national cultural policies in Africa; and the UNESCO conceptual framework for cultural policies, published in 2010.

We welcome this initiative by Arterial Network, which serves to strengthen what has gone before and offers something new. The network's publication of a template for cultural policy development offers a new approach and a useful alternative instrument to support national cultural policy formulation. It succinctly interrogates the definitions relating to cultural policy issues, and provides a useful range of recommended actions to follow in designing appropriate cultural policies to cover the various aspects of cultural life in Africa.

Lupwishi Mbuyamba,

Executive Director of the Observatory of Cultural Policies in Africa (OCPA).

MESSAGE FROM THE DOEN FOUNDATION

The ambition of the DOEN Foundation is to help build a world in which everyone can make a contribution. The foundation is looking for frontrunners that will make a positive contribution to the following developments: cultivating positive effects on climate change; cultivating an open society based on solidarity; and promoting new economy. DOEN achieves its objectives through revenues it receives from the Dutch Postcode Lottery, the Sponsor Bingo Lottery and the BankGiro Lottery.

Social change can only become sustainable if those affected by it engage creatively in the possibilities of transformation that emerge from it. Because artistic processes tap into people's desires and open up space for imagining new, unexpected associations, the artists and organisations generating them have an important role in the production of meaning in their given context. It is against this background that DOEN contributes to strengthening the cultural infrastructure in Africa by stimulating creativity and cultural frontrunners. Its activities focus on project and long-term institutional funding to cultural organisations across the continent, currently with an emphasis on East, West and North Africa. DOEN also supports and participates in several international networks that have a broader impact on the sector at large; helps to develop local funds for arts and culture; and creates synergies between its own programmes, such as those in the cultural and micro-finance sectors.

The DOEN Foundation has supported Arterial Network since the first year of its existence. The Arterial Network provides a vital framework for artists and cultural organisations across Africa to join forces in developing their infrastructure; improve their capacity and working conditions; create support for the cultural sector; and develop policies that enhance its development.

DOEN admires the Arterial Network's participatory approach and the connection it makes with many layers of society, ranging from grassroots organisations to national political bodies and international foundations.

We are delighted to be associated with this publication of a template for the formulation of cultural policy, and trust that it will stimulate further debate.



MESSAGE FROM THE COMMONWEALTH FOUNDATION

The Commonwealth Foundation is an intergovernmental organisation that exists to strengthen the civil society and cultural sector of the 54 member countries of the Commonwealth. Through its work the Foundation equips individuals and organisations with the tools required to contribute to national and international goals of democracy, good governance, sustainable development and cultural diversity.

Its 2008, analysis of the connections between culture and development, *Putting Culture First*, concluded amongst other things that there are clear benefits for the national creative sector and cultural industries in designing and implementing strong and inclusive cultural policy. More recently, the *Commonwealth Statement on Culture and Development* noted that many Commonwealth countries still lack effective cultural policies, and this is a hindrance to the development of their creative capacity. An investment in the cultural sector and in the implementation of effective supporting policy is required so that culture can contribute to development, including social and economic, through the growth of the creative industries.

The Commonwealth Foundation has therefore welcomed its partnership with the Arterial Network. It sees the development of this document not as an end, but as a starting point for constructive conversation and collaboration between governments and civil society for the effective elaboration and implementation of cultural policy, with ensuing gains for the development of the creative economy and the protection and promotion of cultural diversity.



Commonwealth
Foundation

INTRODUCTION TO ARTERIAL NETWORK ADVANCING AFRICA'S CREATIVE SECTOR

What is Arterial Network?

Arterial Network is a continental network of artists, cultural activists, arts Non-Governmental Organisations (NGOs), cultural enterprises and others committed to developing African music, dance, theatre, literature, craft, design, visual art and film in their own right and as means of contributing to democracy, human rights and development in Africa.

What is the history of Arterial Network?

In March 2007, more than 50 delegates from 14 African countries met on Gorée Island, Senegal, to discuss the theme “Revitalising Africa’s Cultural Assets”. Research indicated that Africa contributes less than 1% to world trade in creative goods and services. Delegates resolved to unite across national borders to address their common challenges. A task team was elected to represent the five African regions and a secretariat was appointed to coordinate the activities of the network.

Arterial Network held its second conference in Johannesburg in September 2009, with 130 delegates from 28 African countries in attendance. A constitutional framework was adopted; a 10-person steering committee was elected; and country representatives were mandated to establish Arterial Network branches in as many African countries as possible.

What are the aims of Arterial Network?

- To develop networks to lobby on behalf of Africa’s creative sector at national, continental and international levels.
- To collect and distribute information to empower civil society in African countries to take informed action in their interests.
- To facilitate debate about local and international cultural themes and develop African positions and leadership on such issues.
- To help build new markets for African artists and Africa’s creative goods.
- To build capacity and leadership in the African creative sector through training programmes, mentorships and residencies.
- To help improve the working conditions and defend the rights of African artists.
- To promote and defend human rights, including the right to freedom of creative expression.

What does Arterial Network do?

In recent years, Arterial Network has:

- compiled and distributed monthly newsletters in English and French sharing news relevant to Africa’s creative sector;

- launched www.artsinafrica.com to provide information about the arts in African countries;
- hosted two 10-day “winter schools”, training activists from 17 African countries in building sustainable artists’ networks;
- established a cultural policy task team to devise a cultural policy framework for African countries based on international and African cultural policy instruments; and
- facilitated the participation of African artists and cultural activists in numerous international and regional conferences, workshops and training sessions.

Arterial Network is in the process of:

- devising toolkits on arts marketing, arts advocacy, fundraising and a directory of information about the arts on the continent;
- establishing an African Fund for Arts and Culture that transcends national boundaries;
- hosting regular seminars and preparing papers to inform its members about themes such as culture and development, climate change and the arts and the creative industries; and
- catalysing a range of networks, including festivals, creative cities and business sponsors of the arts to further lay the basis for advancing the creative sector

How is Arterial Network structured?

In terms of Arterial Network’s constitutional framework, the biannual conference of members elects a steering committee comprising two representatives per region to provide leadership for a period of two years. A general council comprising country representatives (the elected chairpersons of national Arterial Network chapters) meets at least once a year to evaluate progress and provide direction for the next year. Members in each country elect national steering committees to oversee the network’s affairs in that country.

A continental secretariat – currently based in Cape Town – manages the day-to-day affairs of the network, with secretariats being established in each region to decentralise organisation.

How does one become a member of Arterial Network?

Full membership is open to any African artist, cultural NGO or cultural enterprise based in Africa that subscribes to Arterial Network’s aims and agrees to abide by its principles. Membership applications may be completed online at www.arterialnetwork.org. There is no membership fee. Associate membership is available to partners and Africans living abroad.

What are the benefits of becoming a member of Arterial Network?

Members may stand for election and vote in all matters pertaining to the network; receive regular newsletters and preferential news alerts about benefits, project tenders, partnerships and opportunities; participate in Arterial Network events and training courses at no expense or at reduced costs; receive priority in the allocation of project tenders and other income-generating opportunities; benefit from touring, funding and other opportunities created for

members; and have access to the network's extensive database, website and newsletter to distribute information and marketing material.

What is the relevance of Arterial Network to your country's arts community?

African governments have signed commitments to a range of international and African cultural policy instruments and plans, including the African Cultural Charter, UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the Nairobi Plan of Action on Cultural Industries and the Belgrade Recommendation on the Status of the Artist. If these commitments were realised in practice, they would radically improve conditions for the arts on the African continent. The main reason for the fact that they have not been implemented – and for the general failure to implement arts and culture policy at national level – is the lack of political will. This will only change when there is sufficient civil society pressure, backed by regional and international partners, to effect such change.

Arterial Network offers the arts community in your country an opportunity to work together across disciplines in your collective interests, with the backing of African counterparts and international networks and partners.

How is Arterial Network supported?

Much of Arterial Network's support derives from European sources such as Hivos, DOEN Foundation, the Commonwealth Foundation, Africalia, the European Commission and Mimeta Foundation. The network's secretariat is based in Cape Town at the African Arts Institute, which is supported by Spier, a South African leisure and hospitality company and keen patron of the arts.

Who are the current Arterial Network leaders?

The steering committee members are: for North Africa, Khadija el Bennaoui (Morocco) and Salma Said (Egypt); for West Africa, deputy chairperson Tade Adegunle (Nigeria) and Igo Diarra (Mali); for East Africa, Joy Mboya (Kenya) and Sarah Nsigaye (Uganda); for Central Africa, Patrick Mudekereza (DRC) and Telesphore Mba Bizo (Cameroon); and for Southern Africa, chairperson Mulenga Kapwepwe (Zambia) and Filimone Meigos (Mozambique).

The secretary general is Mike van Graan (South Africa), with Margerie Vacle as project manager.

Contact details

The secretariat of Arterial Network is housed at the African Arts Institute, Union House, Second Floor, 25 Commercial Street, Cape Town, 8001. Tel: +27-21-4659027/8.

E-mail: info@arterialnetwork.org. Website: www.arterialnetwork.org. See also www.artsinafrica.com

INTRODUCTION

By Mike Van Graan, secretary general of Arterial Network

Understanding the motivation for developing the Network's cultural policy template and the consultation process

The historical context

The African Cultural Charter, adopted by the Organisation of African Unity in Mauritius in July 1976, states that “each African state agrees to work out a national cultural policy ... whose aim is to satisfy cultural needs through the optimal utilisation of all the available material and human resources”.

On June 20 2003, ministers of culture from the African, Caribbean and Pacific (ACP) countries met in Dakar, Senegal, to adopt a Plan of Action for the Promotion of ACP Cultures and Cultural Industries. They agreed to “formulate, where they do not exist, appropriate cultural policies and legislations, at national and regional levels, and ensure their integration into development strategies”.

UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005, ratified by nearly two-thirds of African states, affirms governments' “sovereign right to formulate and implement their cultural policies and to adopt measures to protect and promote the diversity of cultural expressions ...”

The African Union's Charter for the Cultural Renaissance of Africa, adopted in Khartoum, Sudan in January 2006, says that “the experience of previous decades recommends that an in-depth renewal of national and regional approaches in terms of cultural policy be carried out”.

The second session of the conference of African Union ministers of culture, which met in Algiers in October 2008, adopted a Plan of Action on the Cultural and Creative Industries in Africa. This encourages “member states to harmonise and coordinate their respective national policies on the development of the cultural and creative industries” and states that member states “have to create favourable policy and legal/institutional frameworks for the promotion of cultural and creative industries”.

Description of the consultation process

While policy is only the beginning – implementation is far more important – there is general agreement at international and regional levels about the importance of cultural policies that set the institutional framework for the development, protection and advancement of the arts, culture and heritage in African countries.

Arterial Network, a pan-African civil society network of artists, NGOs, cultural activists and other stakeholders, regards cultural policies as key to articulating a national vision for arts, culture and heritage, and calls for strategies to promote these both in their own right and to realise their social, economic and other benefits.

Given the myriad international, regional and national cultural policy instruments that already exist, there is no need to re-invent the wheel, and this cultural policy template draws from and builds on these instruments in order to assist African governments and their civil society partners in formulating cultural policies appropriate to their conditions.

In November 2009, Hivos, a key founding partner of Arterial Network, supported a seminar on cultural policy in Nairobi involving 35 participants from 20 African countries. A key recommendation was that a cadre of civil society cultural policy specialists should be identified and nurtured to help develop positions on international cultural discourses for Arterial Network; advise African governments on cultural policy from a civil society perspective; and represent Arterial Network at international conferences on cultural policy matters.

The establishment of the Arterial Network Cultural Policy Task Force

This led to the establishment of the Arterial Network Cultural Policy Task Force, which focused on developing an arts, culture and heritage policy template that can be applied and adapted to a range of African national contexts, and potentially to other regions. The task force also aims to establish an arts and culture barometer to assist African governments and civil society networks in developing, monitoring and evaluating national cultural policies and their implementation.

Arterial Network's steering committee agreed on the composition of the task force, ensuring that each region was represented. The members for North Africa are Basma El Husseiny (Egypt) and Ammar Kessab (Algeria); for West Africa, Tade Adekunle (Nigeria), Michael Soumah (Senegal) and Korkor Amarteifio (Ghana); for East Africa, Carole Karemera (Rwanda) and Joy Mboya (Kenya); for Central Africa, Paul Nkwi (Cameroon) and Patrick Mudekereza (DRC); and for Southern Africa, Mulenga Kapwepwe (Zambia), Farai Mpfunya (Zimbabwe) and Avril Joffe (South Africa).

Avril Joffe was commissioned to research and develop a skeleton framework for a cultural policy template, which she presented at the first meeting of the cultural policy task force in Harare in April 2010, also attended by Amarteifio, Kapwepwe, Mpfunya and Karemera. Changes were made to this framework based on the Harare discussions, and the document was circulated to the full task force for comment.

To test the policy ideas with civil society stakeholders, a seminar was held in Swaziland, with about 45 people attending. Swaziland had recently completed a cultural policy formulation process and the country's cabinet was considering the proposed policy at the time. Based on the responses gleaned at this seminar, and from task force members, Joffe extended the skeleton policy framework into a more substantial policy template.

This document was circulated to members of the task force and the steering committee, and then discussed at a full-day's workshop in Rwanda in July 2010. The workshop took place after a seminar with Rwandan civil society stakeholders in Kigali, along similar lines as the seminar in Swaziland.

Attending the workshop called to discuss the fuller version of the cultural policy framework, were task force members Ammar Kessab, Basma El Hussein, Michael Soumah, Carole Karemera, Farai Mpfunya and Avril Joffe; steering committee members Mulenga Kapwepwe, Tade Adekunle, Joy Mboya, Patrick Mudekereza, Telesphore Mba Bizo, Sarah Nsigaye and Khadija El Bennaoui; and members of the secretariat.

The framework's content and structure were rigorously debated and numerous amendments were made to the document, which was then circulated to task force members for their comments by August 31, 2010. The draft document was also forwarded to the Commonwealth Foundation – a key sponsor of the process, along with the DOEN Foundation – for their comments. Joffe then integrated this feedback into the document, before it was circulated to the task force for final comments.

It is our intention that this endeavour will serve as a meaningful basis for the research toward the establishment of an arts and culture barometer, which will be the second phase of the project.

CULTURAL POLICY TASK FORCE PROFILES

Tade Adegunle, Nigeria

Tade Adegunle was national president of the National Association of Nigerian Theatre Arts Practitioners (Nantap) between 1998 and 2003. He has served in various federal government committees, including the ministerial committee on the review of cultural policy (2000-2001) and the ministerial committee on the establishment of the national endowments for the arts (2001-2003). Tade contributes articles on socio-political and cultural issues to leading national dailies in Nigeria. He is a member of International Special Events Society (ISES) and Nigeria Institute of Public Relations (NIPR). He is currently a member of the steering committee of the International Network of Cultural Diversity (INCD) and is deputy chair of Arterial Network's steering committee.



Korkor Amarteifio, Ghana

Korkor Amarteifio started her career in the seventies in Montreal, where she created a platform for artists from Africa, the Caribbean and Latin America. She was also a member of the Canadian Arts Council. In Ghana she worked for the National Theatre until she founded the Institute for Music Development in 2004.



Basma El Husseiny, Egypt

Basma El Husseiny is an arts manager and a cultural activist who has been involved in supporting independent cultural projects and organisations in the Arab region for the past 20 years. She is currently managing director of Al Mawred Al Thaqafy (Culture Resource), a regional non-profit organisation that aims to support young artists and writers and stimulate cultural exchange within the region and with the world. She has also co-founded, and is a trustee of, the Arab Fund for Arts and Culture, an independent regional foundation.



Basma was a member of the first Arterial Network task team.

Avril Joffe, South Africa

An industry strategist, trainer, researcher and policy adviser specialising in the creative industries and creative economy in sub-Saharan Africa, Avril Joffe was formerly attached to the Department of Sports, Arts, Culture and Recreation in South Africa's Gauteng province as a specialist adviser. She conducts research and designs and implements projects for local and national government, research institutions and corporate and United Nations agencies.



Mulenga Kapwepwe, Zambia

Mulenga Kapwepwe is chairperson of the Zambia National Arts Council, where she works with a number of networks, funders and civil society organisations. She is a commissioner for UNESCO (Zambia) and has been involved in a number of policy developments in the cultural sector. She is currently chairperson of the Arterial Network steering committee.



Carole Karemera, Rwanda

Carole is an actress, a theatre practitioner and used to be the Director of the Festival of Panafrican Dance (FESPAD) in Kigali. She now runs the vibrant Ishyo Arts Centre and is very active in the cultural sector in and outside of Rwanda. Carole is the Arterial Network Country Representative in Rwanda and its Deputy Secretary General.



Ammar Kessab, Algeria

Deeply involved in the cultural debate in North Africa, Ammar Kessab is a founding member of “AlgerCulture”, an academic group that develops the tools of cultural management in the Algerian cultural field (www.alger-culture.com). Ammar is an expert in cultural policies for UNESCO, the Observatory of Cultural Policies in Africa (OCPA) and El Mawred El Thaqafy (Cultural Resources). He is also a member of the Permanent Secretariat of the Summit of Cultural Institutions in Africa and the African Diaspora (SICADIA), a member of the U40 World Forum “Cultural Diversity 2030” and a founding member of U40 Africa.



Joy Mboya, Kenya

Joy is the Director of the Performing & Visual Arts Centre Ltd, popularly called the GoDown Arts Centre, a nonprofit facility providing subsidised space for Kenyan artists and presenting artistic public programmes for local audiences. Through appointment by the Minister of Gender, Sports, Culture and Social Services, she has served on the Governing Council of the Kenya Cultural Centre, under which falls the Kenya National Theatre. Joy is a member of the Arterial Network Steering Committee.



Farai Mpfunya, Zimbabwe

Farai Mpfunya studied French and electrical engineering and worked successively in telecommunication, electronics and the IT industry in Paris, Harare and London. Back home, he changed careers and founded a consulting and creative industries firm called Ramafa Design. He also took up documentary film making before taking charge of the Zimbabwe International Film Festival Trust, which he helped found. Farai is now the Executive Director of the Culture Fund, one of the biggest funding organisations in Zimbabwe's arts and culture sector.



Patrick Mudekereza, DRC

Patrick Mudekereza is an author and a cultural operator from Lubumbashi in the DRC. With Sammy Baloji, photographer, he created and runs the association, Picha, which works in the field of visual arts and participates in advocacy for the status of artists in Congolese civil society. Patrick is a member of the Arterial Network Steering Committee.



Paul Nkwi, Cameroon

Paul Nchoji Nkwi is professor of African anthropology at the University of Yaounde, Cameroon. He studied anthropology and education at the University of Fribourg, Switzerland and obtained his habilitation in the same university in 1982. He taught anthropology at the University of Yaounde, at the Catholic University of Central Africa, Yaounde, and at the St.Thomas Aquinas Major Seminary Bambui, Bamenda, Cameroon. In his political career, he has served as the policy adviser and now shadow cabinet minister of the Cameroon Social Democratic Front (SDF), for Social Affairs, Youth Development and Sport.



Michael Soumah, Senegal

Michael Soumah is a well-known musician and radio DJ in Senegal. He also runs the Dakar Jazz Festival. Michael is the Arterial Network Country Representative in Senegal.





THE CULTURAL POLICY TEMPLATE

by Avril Joffe
in consultation with the
Cultural Policy Task Force

2010

ABBREVIATIONS IN THE TEMPLATE

Alecso	Arab League Educational, Cultural and Scientific Organisation
Aripo	African Regional Industrial Property Organisations
AU	African Union
CBO	Community-based organisation
ICT	Information and communication technology
IKS	Indigenous knowledge system
MP3	MPEG 1 Audio Layer 3. This is standard technology and format for compressing a sound sequence into a small file without losing sound quality
Musiga	Musician Union of Ghana
NAC	National Arts Council
NGO	Non-governmental organisation
PMNA	Performing Musicians Association of Nigeria
TV	Television
UNESCO	United Nations Education, Scientific and Cultural Organisation
UNCTAD	United National Conference on Trade and Development

INTRODUCTION

Arterial Network agreed to formulate a cultural policy template that can be adopted by countries in Africa. While many countries do have cultural policies, it is clear that some of these are outdated, fail to consider areas such as cultural and creative industries, or have not taken cognisance of the most recent texts that have been adopted, in particular, the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005 and the AU's Plan of Action on the Cultural and Creative Industries in Africa, adopted in Algiers in 2008.

However, it is also clear that there are many competing visions of the role of culture in society. In developing this cultural policy template, one of the most important challenges was to develop a common view on how to balance the various tensions and where to place emphasis.

The purpose of this template and how to use it

This template can be used by all countries on the African continent, either in adopting new cultural policies or amending existing ones.

To facilitate adaptation, sections, chapters and text are clearly outlined so that material can be moved around according to a particular country's policy format.

Governments and civil society stakeholders are expected to modify, amend, enhance, restructure and reword the text to meet the specific conditions and expectations of their countries.

This template is not an academic document, and we have not used the usual referencing associated with such documents. Nevertheless, it is important to acknowledge the source of the text and the definitions used, and these are included in an appendix for both the government and civil society actors who will eventually formulate their own cultural policies and draft their own documents.

Where is the information used in the template drawn from?

For the most part, this template contains text from publicly available documents. These are listed in Chapter 3, to facilitate governments' use of this cultural policy template to develop their own cultural policies.

The key texts are ones which African governments have been asked to sign, including the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the AU's Plan of Action on Cultural and Creative Industries, and the Recommendation on the Rights and Status of Artists.

Arterial Network believes that where governments have already endorsed these texts, their adoption as cultural policy can be expedited.

How will the full cultural policy come into being?

Extensive consultations should be held with leading stakeholders, including government, civil society organisations and artists.

Sufficient time needs to be allocated for these consultations, so that they can provide clarity on the key questions relating to the conception of culture in a society and its vision for culture and cultural industries, including the following issues of balance and proportional focus (see appendix for detail):

- Whether the focus is more on culture as a way of life or as artistic expression.
- How developmental the cultural policy is designed to be.
- The correct balance between public intervention in the cultural sector and the private sector.
- The priority given by the state to cultural resources in terms of community benefits and international recognition and consumption.
- The openness to other cultures, both inside the country (such as minority cultures) and abroad.
- The attention the country would like to devote to heritage resources and contemporary arts.
- The country's view on arts funding, and whether it should be based on subsidies or investment.
- Whether the focus is primarily on the consumption of existing arts and cultural practice or on the production of arts and culture.
- The nature of the state's decision-making policies, and whether arts and culture policy is centralised or decentralised.
- Whether the government intends delivering the range of services mentioned in this policy to the arts and culture sector itself, to establish institutions and organisations to do this, or to contract such services through a regular tender process.
- Whether the policy is designed to promote and protect artists or the arts.
- Whether the policy focuses on artistic activity or the management of artistic activity and infrastructure.
- The proportion of the budget that is geared towards arts and culture facilities and infrastructure, and the proportion geared towards the content and activities found in these facilities and cultural infrastructure.
- Out of these consultations a technical committee should be established to deliberate on the detailed content of this template. Stakeholders must decide on the composition of this committee.
- Who will form the core of the technical committee to develop content for the cultural policy? Will it be an interdisciplinary task team? Will it involve public and private participation and participation by stakeholders? Will it include or comprise experts?

What resources will be used?

- Financial resources, including money to be raised through grants, sponsorships, donations and fees.
- Technical resources, which may include national, regional, international or UNESCO documentation; legislation; statistics; and the mapping of resources, institutions and infrastructure.
- Partnerships with national, Africa-wide and donor organisations.
- The technical committee will oversee a range of other interventions, including submissions by all interested parties following a call for public comment by government, civil society, private sector stakeholders, creative industry businesses, artists and arts organisations.
- A national seminar or conference on cultural policy drawing in local and international experts will support the process.
- The final cultural policy will need to be drafted by the technical committee, drawing on other legal and technical expertise where required, and then adopted by the country's Cabinet.

Message from the minister

The relevant minister should write a message contextualising the cultural policy and setting out its scope and application

A good policy document is one where the government department responsible for the document really drives the policy and has a clear vision of what it should do. It should invite the relevant minister to write his or her vision for the cultural policy.

It is hoped that politicians will work with the document in framing their vision. It is important for civil society to engage fully with the minister to ensure that his or her comments are not manipulated.

In outlining the process involved in developing policy, the minister should highlight the following:

- Who will be consulted and when, and what the outcome of such consultations will be.
- Who will make policy submissions and how will they be managed.
- When and for whom conferences, including national conferences, will be staged, and how the outcomes will be dealt with.
- When public hearings will be held, who will be involved, and how their outcomes will be dealt with.
- When the Cabinet will adopt the policy.

Chapter

1

**ARTERIAL
NETWORK**



Introduction and definitions

1.1 Preamble

To be written by the head of government or the minister of arts and culture.

1.2 Purpose and goals

- To create conditions for cultures to flourish and interact freely in a mutually beneficial manner.
- To give recognition to the distinctive nature of cultural activities, goods and services as vehicles of identity, values and meaning.
- To realise our vision of a culturally vibrant, cohesive and progressive nation.

1.3 Definitions

Arts: All forms and traditions of dance, music, visual arts, crafts, design, literature, film and theatre, which serve as means for individual and collective creativity and expression.

Advertising: The activity of attracting public attention to a product or business, by paid announcements in the print, broadcast or electronic media, or on transport, infrastructure and billboards. The production of advertising requires artistic knowledge and skill in the form of film, music, writing, drawing and graphic design.

Architecture: The art and science of designing and erecting buildings. The artistic side is revealed by the form and the meaningful originality that it presents. Architecture relates to the beauty of a city, a town or a country.

Books and literature: This can take the form of printed or digital books, including graphic novels and comic books. Literature can take the form of works of fiction or non-fiction and can include physical books, oral literature and electronic literature (works which originate in the digital environment).

Crafts: An occupation or trade requiring manual dexterity or skilled artistry. The term is often used to describe the family of artistic practices within the decorative arts that are traditionally defined by their relationship to functional or utilitarian products (such as sculptural forms in the vessel tradition) or by their use of such natural media as wood, clay, glass, textiles and metal. Crafts practised by independent artists working alone or in small groups are often referred to as studio craft, which includes studio pottery, metalwork, weaving, wood-turning and other forms of wood-working, glass-working, glass-blowing and glass art.

Culture: The dynamic totality of distinctive spiritual, material, intellectual, emotional and aesthetic features that characterise a society or social group, including its arts but also such intangible aspects as values, world-views, ideas and beliefs, and the expression of these in individual and social behaviour, relationships, organisational and societal forms, and in economic, political, educational and judicial systems.

Cultural content: The symbolic meaning, artistic dimension and cultural values that originate from or express cultural identities.

Cultural expressions: Those expressions that result from the creativity of individuals, groups and societies and have cultural content.

Cultural diversity: The many ways in which the cultures of groups and societies find expression. These expressions are passed on within and among groups and societies. Cultural diversity is made manifest not only through the varied ways in which the cultural heritage of humanity is expressed, augmented and transmitted through the variety of cultural expressions, but also through diverse modes of artistic creation, production, dissemination, distribution and enjoyment, whatever the means and technologies used.

Cultural activities, goods and services: Those activities, goods and services that embody or convey cultural expressions, irrespective of the commercial value they may have. Cultural

activities may be an end in themselves, or may contribute to the production of cultural goods and services.

Cultural diplomacy: The peaceful and constructive interaction between different cultures, or “the exchange of ideas, information, art, lifestyles, value systems, traditions, beliefs and other aspects of cultures with the intention of fostering mutual understanding”, to quote American political scientist and author Milton Cummings.

Cultural industries: Those industries that combine the creation, production and commercialisation of products that are intangible and cultural in nature and are typically protected by copyright and take the form of goods or services.

Creative industries: Industries that have their origin in individual creativity, skill and talent with a potential for wealth and job creation through the generation and exploitation of intellectual property.

Cultural mediation: This has the objective of facilitating relations between local and foreign citizens, to promote reciprocal knowledge and comprehension aimed at favouring a positive relationship between subjects of different cultural backgrounds. The main characterising elements of cultural mediators are communicative competence, empathy, active listening and a good knowledge of both the host country and the country of origin’s culture, laws and traditions.

Cultural policies and measures: This refers to those policies and measures related to culture, whether at the local, national, regional or international level, that are either focused on culture as such or are designed to have a direct effect on the cultural expression of individuals, groups or societies, including the creation, production, dissemination, distribution of and access to cultural activities, goods and services.

Cultural heritage: Monuments, groups of buildings and sites from the past that constitute a witness to the cultural expressions of ancient communities.

Cultural dimension of development: The dialectical relationship between economic, social and human development on the one hand and culture – including the arts, creative industries and heritage – on the other, and the way that they mutually serve, inhibit or interact with each other. There are three broad categories of artistic practice that have relevance to the “cultural dimension of development”:

- the arts practised for their own sake and as the creative means through which a society or community reflects on itself, and is challenged to move on or is affirmed in where it is;
- the arts utilised for overt developmental purposes, such as the use of theatre to spread health messages or the appropriation of photographs or visual art to counter negative images of women; and
- the creative industries, where the primary drivers are the generation of profit and other economic benefits through the arts.

Cultural tourism: Tourism that is concerned with a country or region’s culture, specifically the lifestyle of the people in that area, their history, art, architecture, religion(s), and other elements that have helped shape their way of life. Cultural tourism has been defined as “the movement

of persons to cultural attractions away from their normal place of residence, with the intention to gather new information and experiences to satisfy their cultural needs". The World Trade Organisation defined cultural tourism in 1985 as "all movements of persons ... because they satisfy the human need for diversity, tending to raise the cultural level of the individual and giving rise to new knowledge, experience and encounters". Cultural tourism includes tourism in urban areas, particularly to experience historic or large cities and their cultural facilities, such as museums and theatres; and in rural areas, to be exposed to the traditions, festivals and rituals of indigenous cultural communities, and their values and lifestyle.

Design: This sector includes the purposeful or inventive arrangement of parts or details, decorative or artistic, of a work, or ornamental pattern, basic scheme or pattern that affects and controls function or development.

Development: The generation and application of resources to create and sustain the optimal political, social, educational, economic and other conditions for human and societal growth, so that inhabitants may enjoy the full gamut of human rights and freedoms.

Fashion: A general term for the style and customs prevalent at a given time, but in its most common usage a reference to styles of clothing. The term "fashion" means clothing generally, and the study of it. Fashion can also imply the make or form of anything; its style, shape, appearance or structure; or a pattern or model, as in the fashion of a coat, house or building. It involves workmanship and execution.

Film and audio visual: These relate to materials such as film and tape recordings that present information in audible and pictorial form and engage the senses of sight and sound. Film is a form of entertainment or information composed of a sequence of images and shown in a cinema.

Groups of buildings: Groups of separate or connected buildings which, because of their architecture, homogeneity or place in the landscape, are of outstanding universal value from a historical, artistic or scientific point of view.

Heritage: The sum total of sites of scientific and historical importance, national monuments, wildlife and scenic parks, historic buildings and structures, works of art, oral and written traditions, museum collections and their documentation which provide the basis for a shared cultural and artistic creativity.

Immovable cultural heritage: This includes monuments and archaeological sites in a fixed location.

Intangible cultural heritage: Intangible or living heritage, as part of cultural heritage, refers to traditions transmitted, verbally and through body language, from generation to generation. Intangible cultural heritage mainly concerns the following vast domains:

- languages, dialects and groups speaking a language;
- performing arts, music, dance and all forms of theatre;
- social practices, rituals and festive events;

- knowledge and practices concerning nature and the universe;
- traditional craftsmanship including techniques and skills; and
- the interaction of these elements with the physical and social environment, leading to the development and dynamic elaboration of local identities.

Interculturality: The existence and equitable interaction of diverse cultures and the possibility of generating shared cultural expressions through dialogue and mutual respect.

Intercultural dialogue: A process that comprises an open and respectful exchange or interaction between individuals, groups and organisations with different cultural backgrounds or world-views. Among its aims are to develop a deeper understanding of diverse perspectives and practices; to increase participation and the freedom and ability to make choices; to foster equality; and to enhance creative processes.

Monuments: This includes architectural works; works of monumental sculpture and painting; elements or structures of an archaeological nature; inscriptions; and cave dwellings of outstanding universal value from the point of view of history, art or science.

Movable cultural heritage: This includes paintings, sculptures, coins and manuscripts.

Performing arts: The forms of creative activity that are performed in front of an audience, including dance, drama, live music, theatre, opera and marching arts such as brass bands.

Protection: The adoption of measures aimed at the preservation, safeguarding and enhancement of the diversity of cultural expression.

Publishing: The process of producing and disseminating literature or information for public consumption. In some cases, authors may be their own publishers, in which case they are the originators and developers of content (writing) and the media to deliver and display the content. Traditionally, the term refers to the distribution of printed works such as books and newspapers. Since the advent of digital information systems, especially the internet, the scope of publishing has expanded to include electronic resources such as the electronic versions of books and periodicals, as well as micropublishing, websites, blogs and video games. The publishing value chain includes the development, acquisition, copy-editing, graphic design, production, printing, marketing and distribution of newspapers, magazines, books, literary works, musical works, software and other works conveying information, including the electronic media.

Sites: Works of people or the combined works of nature and of people, and areas including archaeological sites which are of outstanding universal value from a historical, aesthetic, ethnological or anthropological viewpoint.

Software and computer services: Computer software is a generic term primarily used for digitally stored data such as computer programmes and other kinds of information read and written by computers, as well as application software. This now includes data that has not traditionally been associated with computers, such as film, tapes and records. In contrast with hardware (physical equipment), software is intangible, meaning that it “cannot be touched”. Computer

services provide information technology services and business process outsourcing solutions to businesses, government agencies and non-profit organisations.

Tangible cultural heritage: Physical or “tangible cultural heritage” includes buildings and historic places, monuments and artefacts considered worthy of preservation for the future. They include objects significant to the archaeology, architecture, science or technology of a specific culture. “Natural heritage” is also an important part of a culture, encompassing the countryside and natural environment, including flora and fauna. These heritage sites are often an important component in a country’s tourist industry, attracting visitors from abroad and locally. The heritage that survives from the past is often unique and irreplaceable, which places the responsibility of preservation on the present generation. Smaller objects such as artworks and other cultural masterpieces are collected in museums and art galleries. Grassroots organisations and political groups have been successful in gaining support for their efforts to preserve the heritage of many nations for the future.

Television and broadcasting services: These comprise a widely used telecommunications medium for transmitting and receiving moving images, usually accompanied by sound. “Television” may also refer specifically to a television set, television programming or television transmission. Since the 1970s, the availability of video cassettes, laser discs, DVDs and blu-ray discs have resulted in television sets frequently being used for viewing recorded and broadcast material.

The most common use of the medium is broadcast television, which uses high-powered radio-frequency transmitters to transmit a signal to individual TV receivers. Until the 2000s, broadcast TV programmes were generally recorded and transmitted as an analog signal, but in recent years public and commercial broadcasters have been progressively introducing digital broadcasting technology. Broadcasting is the distribution of an audio and/or video signal to transmit programmes to an audience. The audience may be the general public or a relatively large subset of this, such as children or young adults.

The recording industry: This specialises in recording and producing song and sound on discs for wide audiences. The term applies to the field of music industry.

The live music industry: This specialises in organising concerts, which are live musical performances for an audience.

Visual arts: These include painting, sculpture, graphic art, photography, drawing, new media arts and installation works.

1.4 Guiding principles

The following are guiding definitions, but may be applied and interpreted in different contexts.

Respect for human rights and fundamental freedoms, particularly freedom of expression, information and communication, and the ability to choose cultural expressions

Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, and the ability of individuals to choose cultural expressions, are guaranteed. No one may invoke the provisions of this convention to infringe human rights and fundamental freedoms, as enshrined in the Universal Declaration of Human Rights or guaranteed by international law, or limit their scope.

Sovereignty

The sovereign rights of states to maintain, adopt and implement policies and measures that they deem appropriate to protect and promote the diversity of cultural expressions in their territory should be reaffirmed, while ensuring the free flow of ideas and works. States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to adopt measures and policies to protect and promote the diversity of cultural expressions within their territory.

Equal dignity of and respect for all cultures

The protection and promotion of the diversity of cultural expressions presuppose the recognition of equal dignity of, and respect for, all cultures, including the cultures of persons belonging to minorities and indigenous peoples.

Openness to all cultures in the country and of the world

When states adopt measures to support the diversity of cultural expressions, they should seek to promote, in an appropriate manner, openness to other cultures of the world and ensure that these measures are geared to the objectives pursued under the present convention.

Complementarity of economic and cultural aspects of development

Since culture is one of the mainsprings of development, the cultural aspects of development are as important as its economic aspects, which individuals and peoples have the fundamental right to participate in and enjoy.

Sustainable development

Cultural diversity is a rich asset for individuals and societies. The protection, promotion and maintenance of cultural diversity are essential requirements for sustainable development for the benefit of present and future generations. In accordance with international conventions, this supports the integration of culture in our development policies at all levels for the creation of conditions conducive to sustainable development and to foster aspects relating to the protection and promotion of the diversity of cultural expressions.

International solidarity and co-operation

International co-operation and solidarity should aim to enable countries, especially developing countries, to create and strengthen their means of cultural expression, including their cultural industries, whether nascent or established, at the local, national and international levels.

Equitable access to a rich and diversified range of cultural expressions

Equitable access to a rich and diversified range of cultural expressions, and to the full spectrum of ways of expressing and disseminating them, constitute important elements for enhancing cultural diversity and encouraging mutual understanding.

1.5 Review

A national action plan with appropriate indicators shall be developed to guide policy implementation. In addition to annual monitoring and a mid-term review, this policy shall be reviewed every five to seven years and/or modified where necessary through a process of independent evaluation, public hearings and submissions with key stakeholders, as well as a national conference to ratify and adopt its final version.

Chapter

2

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The context

2.1 Country-specific historical context

This section deals with the history of the country in question in relation to heritage, arts and culture.

2.2 Country-specific current context

This section provides an up-to-date description of cultural practices, artistic activities and major political and socio-economic trends affecting the cultural domain.

2.3 Country-specific legislation and policy

Starting with the constitution of the country, this section outlines the specific national policies of the country which affect the arts and culture sector and have a bearing on this policy document. It includes all international conventions and agreements in the field of arts and culture which the country has ratified.

Each country should list all the laws and executive bills that exist or need to be introduced or amended to legitimise, facilitate and encourage cultural action. These include laws relating to freedom of expression, association and religious expression, as well as legislation that covers public funding, taxation, intellectual property rights, data protection, language, labour and social security.

General

This chapter outlines the country-specific priorities which emerge from the assessment of national conditions and specificities, as well as the human resources, financial and national resources and governance and institutional capacities. The chapter also provides a connection between the historical context and current political, economic and social conditions of the country in question. Finally section 2.3 contains the key elements and references to what the relevant legislation and constitution says in the country. This forms the starting point for how the cultural policy is framed.

The chapter should provide the answers, gleaned from consultations with stakeholders, to key questions about the conception of culture in the society in question and its vision for culture and cultural industries, including the following questions of balance and proportional focus:

- Is the focus more on culture as a way of life or culture as artistic expression?
- How developmental is the cultural policy designed to be?
- What is the correct balance between public intervention in the cultural sector and the private sector?
- What priority should the state give to cultural resources in terms of community benefits and international recognition and consumption?
- How open is the country to other cultures, both inside and outside the country? This includes openness to the cultures of national minorities.
- What focus would the country like to give to heritage resources and contemporary arts?
- What is the country's view of arts funding and whether it should be based on public funding through subsidy or investment?
- Is the focus principally on the consumption of existing arts and cultural practice or on the production of arts and cultural practice?

- What is the nature of the state's decision-making policies, and is arts and culture policy centralised or decentralised?
- Does the government intend delivering the range of services mentioned in this policy to the arts and culture sector itself? Will it establish institutions and organisations to do this, or will it contract these services by putting out tenders?
- Is the policy designed to promote and protect artists or promote and protect the arts?
- Does the policy focus on artistic activity or the management of artistic activity and infrastructure?
- What proportion of the budget is geared towards facilities and infrastructure of arts and culture, and what proportion towards the content and activities found in these facilities and infrastructure?

Chapter

3

**ARTERIAL
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Policies, legislation and institutional frameworks

There is a number of frameworks that policy-makers should draw on to inform the drafting of national policies.

3.1 Pan-African policies and institutional frameworks

The African Cultural Charter (Port Louis, 1976)

Adopted by heads of state and governments, the African Cultural Charter aims to provide Africa with sound cultural policies for the development of the continent. It is a comprehensive document that explores measures to strengthen the African economy through arts and culture and especially to create wealth and employment. http://www.africa-union.org/root/au/Documents/Treaties/Text/Cultural_Charter_for_Africa.pdf

The African Charter for Cultural Renaissance (Nairobi, 2005)

This Charter for African Cultural Renaissance replaces the 1976 Cultural Charter for Africa and deals with objectives and principles; African cultural diversity, identity and renaissance; cultural development; the use of African languages; the use of the mass media; the role of states in cultural development; intra- and inter-African cultural co-operation; and Africa and the African diaspora. http://www.africa-union.org/root/au/Documents/Treaties/text/Charter%20-%20African%20Cultural%20Renaissance_EN.pdf

Plan of action for the cultural and creative industries in Africa (Algiers, 2008)

This plan, which supports the growth and development of the cultural and creative industries in Africa, was signed by all cultural ministers at an African Union meeting in 2008. It provides a comprehensive guide for all African countries wishing to support their cultural and creative industries. Its economic objectives are to generate new resources, open new markets, strengthen the competitiveness of African cultural and creative goods and services and private and community initiatives, and establish an African cultural common market. Its social objectives are to foster cultural identity and new and pluralistic forums of cultural expression, and to broaden people's participation. Its political objectives are to ensure regional integration; reduce external dependence; and foster new institutional partnerships between the private and public sectors, south-south and new south/north co-operation. It addresses 11 areas for intervention: reinforcing African ownership; addressing the need for statistical data; institutional and legislative capacity-building; building stakeholder capacity; facilitating access to markets and audience; improving infrastructure; improving working conditions; targeting and empowering women, vulnerable groups and refugees; protecting African intellectual property rights and labels; preserving African tangible and intangible cultural heritage; and mobilising resources for sustainable implementation. <http://www.artsinafrica.com/Nairobi%20Plan%20of%20Action%202008.pdf>

3.2 International legislation and institutional frameworks

The Universal Declaration of Human Rights, (UN 1948)

This declaration, adopted on 10 December 1948, recognises men and women as the same by emphasising equality and ethical principles. In article 27, it enshrines the freedom of artistic and cultural activities and the importance of copyright. Article 27 says that everyone has the right freely to participate in the cultural life of the community, and to enjoy the arts and share in scientific advancement and its benefits; and that everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he/she is the author. <http://www.udhr.org/UDHR/default.htm>

Universal Copyright Convention (1952, revised 1971)

This convention was adopted in Geneva in 1952 and revised in Paris in 1971 by UNESCO. The document provides mechanisms for effective and adequate protection of creative literary, scientific and artistic works. According to the terms and conditions of registration outlined by the document, writing; musical, dramatic and cinematographic works; and paintings, engravings and sculpture should be protected in the interests of proprietors. <http://unesdoc.unesco.org/images/0018/001879/187965e.pdf>

Convention for the Protection of Cultural Property in the Event of Armed Conflict (First protocol in 1954, second in 1999)

This convention was ratified after the massive destruction caused to cultural heritage by World War 2, with the aim of protecting such heritage from destruction in future national and international armed conflicts. The convention outlines the use of an emblem to identify sites of cultural heritage and calls for the establishment of special units in military forces to take responsibility for protecting them. http://portal.unesco.org/en/ev.php-URL_ID=15207&URL_DO=DO_TOPIC&URL_SECTION=201.html

The Convention Concerning the Protection of the World Cultural and Natural Heritage (1972)

This is designed to preserve the world's natural and scenic areas and historic sites for the present and the future of the worlds' citizenry. It promotes an international perspective on cultural heritage by inviting each member state to submit an inventory of properties forming its national cultural and natural heritage, to be included in a list of World Heritage sites. The convention encourages national efforts at protecting cultural and natural heritage and promotes international recognition and co-operation in safeguarding the heritage of the world. <http://whc.unesco.org/archive/convention-en.pdf>

The Belgrade Recommendation on the Rights and Status of Artists (1980)

This is important in both defining what an artist is and his/her rights. An artist is "taken to mean any person who creates or gives creative expression to, or recreates works of art, who considers his artistic creation to be an essential part of this life, who contributes in this way to the development of art and culture, and who is or asks to be recognised as an artist, whether or not he/she is bound by any relations of employment or association". The recommendation appeals to member states to ensure that appropriate legislation is in place to ensure that artists have the freedom and right to establish trade unions and professional associations and are protected, defending and assisted in their freedom of creation. The recommendation covers

areas such as the vocation and training of the artist; his/her social status, employment and working and living conditions; professional groups and trade unions; cultural policies; and participation in decision-making. <http://unesdoc.unesco.org/images/0011/001114/111428mo.pdf>.

The document was updated in June 1997 when, after UNESCO had conducted research in various disciplines and regions, the World Congress on the Status of the Artist was organised and issued a final declaration as well as a collection of articles under the title “Art and Society”. <http://unesdoc.unesco.org/images/0010/001090/109018e.pdf>

The Convention on the Protection of the Underwater Cultural Heritage (2001)

This encompasses all forms of human existence that lie underwater and have a cultural or historical character. Adopted by the UNESCO’s general conference, it is the response of the international community to the looting and destruction of underwater heritage and sets high international standards for its protection. It consists of a comprehensive legal framework and protection regime providing appropriate legal, administrative and operational measures, adopted by state parties according to their capabilities. <http://unesdoc.unesco.org/images/0012/001260/126065e.pdf>

The Convention for the Safeguarding of the Intangible Cultural Heritage (2003)

This includes intangibles such as indigenous knowledge systems, folklore and dance, as opposed to monuments and museums. The convention aims to enhance countries’ ability to decolonise their heritage. It also encourages them to share international expertise and best practice with other countries with which they share many cultural and heritage features. The convention obliges state parties to identify, define and devise appropriate measures to ensure the preservation of intangible cultural heritage. <http://unesdoc.unesco.org/images/0013/001325/132540e.pdf>

The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)

This was adopted by the 33rd general conference of UNESCO in October 2005 and came into force on March 18 2007. The convention seeks to strengthen the value-chain of cultural and creative production, from creation, production, distribution/dissemination and access, to the enjoyment of cultural expressions conveyed by cultural activities, goods and services. In particular, the convention aims to reaffirm the sovereign right of states to draw up cultural policies; to recognise the specific nature of cultural goods and services as vehicles

of identity, values and meaning; and to strengthen international co-operation and solidarity in order to favour the cultural expressions of all countries. <http://unesdoc.unesco.org/images/0014/001429/142919e.pdf>

The Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970)

This defines cultural property as “property, which on religious or secular grounds, is specifically designated by each state as being of importance for archaeology, prehistory, history, literature, art or science”. (Article 1) Among other things, the convention obliges state parties to prohibit the importation of cultural property stolen from a museum or monument in another participating country (Article 7b). It allows state parties whose archaeological or ethnological patrimony is in jeopardy from pillage to ask other states for help in protecting the affected categories of materials, through measures that may include restrictions on imports and exports (Article 9). Furthermore, state parties pledge to oblige antiquities dealers “to maintain a register recording the origin of each item of cultural property, names and addresses of the supplier, [and] description and price of each item sold” (Article 10a), as a way of deterring illicit trade. http://portal.unesco.org/en/ev.php-URL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html

The Rome Convention on Intellectual Property

This seeks to protect the intellectual property rights of performers (actors, singers, musicians, dancers and other persons who perform literary or artistic works), producers of phonograms and broadcasting organisations. The convention allows national laws to make exceptions to the rights it outlines for private use; for short excerpts in connection with the reporting of current events; and for ephemeral fixation by a broadcasting organisation by means of its own facilities and for its own broadcasts, used solely for the purpose of teaching and scientific research. http://www.wipo.int/treaties/en/ip/rome/trtdocs_wo024.html

Chapter

4

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The role of partners

4.1 The role and competence of spheres of government

Aims: To ensure that all spheres of government play a role in promoting and implementing this cultural policy.

Area of focus: National, provincial and local government.

Objectives:

- Divide expenditure on arts and culture, cultural and creative industries, heritage, regional and international co-operation between the different spheres of government, according to the most effective location for implementation.
- Ensure a quarterly meeting of the inter-governmental coordination committee to plan and review implementation of this cultural policy.

Interventions:

- Create a favourable policy and legal/institutional/environmental framework for the promotion of cultural and creative industries.
- Allocate adequate resources for the development of the cultural sector in general and the cultural industries in particular.
- Set up mechanisms for standardisation and quality assurance.
- Create and maintain the necessary infrastructure for the development of the cultural and creative industries.
- Encourage linkages between the private and public sectors, and between rural and urban areas.
- Ensure the cultural dimension of development is adopted, adhered to and implemented across all relevant government departments.

4.2 The government has signed a number of international agreements, conventions and treaties, and hereby agrees to implement them in full

List the international agreements, conventions and treaties here.

4.3 The role and competence of government institutions and mechanisms

Aims: To ensure that government institutions and mechanism comply with principles of good governance.

Area of focus: Government institutions and mechanisms in all spheres, national, provincial and local.

Objectives:

- To ensure compliance with good governance practice.
- To ensure compliance with accounting practice as specified in the government's code of conduct and treasury regulations.
- To ensure that these practices are adopted by all departmental bodies and quasi-independent institutions or institutions such as museums and galleries.

Interventions:

- Develop, communicate and implement documentation on good government practice.

- Develop, communicate and implement a government code of conduct.
- Develop, communicate and implement treasury regulations.
- The government should provide technical support and expertise to individuals, groups and institutions engaged in the production and promotion of the cultural and creative industries.
- The government should create local and regional forums for the exchange of ideas and experiences.
- The government should facilitate training and capacity-building for local and national cultural practitioners.
- The government should maintain an extensive database of international donors and foundations.

4.4 Institutions of government

Aims: To establish institutions of government to support the delivery of this cultural policy.

Area of focus: National Arts Council, provincial arts councils and libraries and information services.

Objectives:

- To establish and support library and information services.
- To establish and support a statutory National Arts Council to support the funding and research needs of the cultural sectors.

Interventions:

- Encourage, through existing and new community and cultural centres, the opening and running of community libraries. These should be stocked with books, films and music (in the form of tapes, CDs and DVDs) and other multimedia material on African arts and culture.
- Provide a parliamentary grant for the National Arts Council.
- Provide funding by transfer payments to individuals, organisations and institutions subject to the same provisions of reporting and treasury requirements as other statutory bodies.
- Specify that the National Arts Council should publish an annual report which in addition to financial accounts, should include a narrative section detailing the trends in the arts and culture sector and an evaluation of its work in developing sustainable organisation, promoting arts and culture and growing audiences.
- Clearly establish the tasks of the National Arts Council, including the distribution of public funds to artists, cultural institutions, non-governmental bodies and community-based organisations; the provision of bursaries for studies in the fields of arts and culture to

practitioners, administrators and educators; and the conducting of research and investigations into the trends in the creative sector, the state of organisations in the sector, audience participation and the like.

4.5 Infrastructure for the cultural sector

Aims: To ensure the provision of infrastructure to support the implementation of this cultural policy.

Area of focus: Infrastructure for cultural policy, such as galleries, exhibitions, musical expression, rehearsals and performances.

Objectives:

- Provide infrastructure for all cultural and artistic forms in the form of galleries, exhibitions, musical expression, rehearsals and performance. This policy should aim to provide such infrastructure close to where people live.
- Identify, build, provide and maintain facilities in which the arts (including the visual arts, film, music, art, dance, theatre and literature) can be promoted and enjoyed.

Interventions:

- Conduct a national audit of existing public facilities to develop a plan of coordination to ensure the most efficient use of these spaces. Facilities should include spaces for internet access, the collection of resources, meetings and rehearsals.
- Invite local authorities and cultural organisations to participate in the identification and use of such facilities.
- Enter public-private partnerships for the provision, maintenance and running of these facilities.
- Identify and employ a facilities manager.
- Ensure the provision of maintenance budgets.
- Provide for funding mechanisms for pilot projects in these facilities.

4.6 Participation of civil society

Aims: To ensure that this cultural policy is developed with, supported by and implemented in collaboration with civil society.

Area of focus: Civil society bodies including professional organisations, private institutions, networks, foundations, NGOs and voluntary associations, religious organisations, community-based organisations, traditional leaders and traditional decision-making structures.

Objectives:

- To ensure the participation of civil society.
- To recognise the fundamentally important task of protecting and promoting the diversity of cultural expressions.
- To recognise the importance of civil society actors in realising the objectives of the cultural and creative industries, and in delivering of objects for the arts, culture and heritage sector.
- To pursue this cultural policy in collaboration with a range of civil society stakeholders, both domestic and on the continent.
- To ensure that all civil society organisations comply with good governance and accounting practice, as specified in the government code of conduct and treasury regulations relating to finance and funding.

Interventions:

- Civil society bodies should refer to this cultural policy as the guiding framework for their work, projects, programmes and initiatives.
- Civil society bodies should provide support, technical expertise and best practice case-studies on programme design, implementation strategies and methods of evaluation.
- Civil society should make use of the extensive networks of research and support in international organisations, including the Arts Management Network, UNESCO, Culturelink, Euclid, the International Federation of Arts Councils and Culture Agencies and Arterial Network in supporting research and data-gathering at national level; supporting monitoring and evaluation of the implementation of the cultural policy; creating appropriate forums for the exchange of experiences and best practices; and encouraging Africa's development partners, member states and the private sector to invest in the promotion of the cultural and creative industries.

4.7 The role and action of inter-African bodies

Aims: To ensure that this cultural policy is developed with, supported by and implemented in collaboration with inter-African bodies.

Area of focus: Inter-African bodies, including the African Union and regional economic communities.

Objectives:

To support the implementation of this cultural policy.

Interventions:

- Facilitate monitoring and evaluation of the implementation of the cultural policy.
- Support the national government so that it can harmonise and coordinate national cultural policy.
- Create appropriate forums for the exchange of experiences and best practices.
- Encourage African states, their development partners and the private sector to support this cultural policy and invest in the promotion of the cultural and creative industries.
- Facilitate capacity-building programmes, such as training and workshops, for artists, creators, managers and decision-makers in the cultural and creative industries.
- Develop capacity-building programmes relating to institution-building and the elaboration and advocacy of cultural policy.
- Protect and promote the diversity of cultural expressions.
- Protect cultural goods, services and expressions deemed at risk.
- Create and nurture local, national and regional markets.
- Access international markets.

4.8 The joint role of inter-African and international co-operation

Aims: To ensure the effective implementation of this cultural policy.

Area of focus: Inter-African and international co-operation

Objectives:

- To strengthen bilateral, regional and international co-operation for the benefit of the effective implementation of this cultural policy.
- To create conditions conducive to the promotion of the diversity of cultural expression and the implementation of this cultural policy.

Interventions:

- Facilitate dialogue on cultural policy.
- Enhance strategic and management capacities in public sector cultural institutions, through professional and international cultural exchanges and the sharing of best practices.
- Reinforce partnerships among civil society organisations and NGOs and the private sector in fostering and promoting this cultural policy.
- Promote the use of new technologies
- Encourage partnerships to enhance information-sharing and cultural understanding.
- Encourage and facilitate the conclusion of co-production and co-distribution agreements.

Chapter

5

**ARTERIAL
NETWORK**



Artists and the disciplines of the arts

5.1 Cultural practice and creativity by discipline

Aims: To develop and promote cultural practice and creativity by discipline.

Area of focus: Visual arts, books and literature and the performing arts.

Objectives:

- To preserve the country's cultural practice and creativity from theft, illegal commercial exploitation or destruction.
- To promote, develop and make accessible the full range of traditions in all our cultural practice and creativity by discipline.
- Encourage creativity, the appreciation of the country's dramatic arts and culture, education and entertainment.

Interventions:

- Enact legislation to protect the country's cultural practice and artistic and creative disciplines from theft, illegal commercial exploitation and destruction.
- Ensure the full use of literature in educational policy to develop speaking, reading, writing, comprehension and critical skills.
- Introduce programmes devoted to literature, writing and reading on all language services in the broadcast media (radio and television) and other forms of digital media. (This is distinct from policies that support the book industry, which are dealt with in the chapter on cultural and creative industry).
- Encourage educational institutions to teach performance of the arts and create opportunities for the youth to participate in the dramatic arts and performance at community level.
- Support the establishment of conservatories and resource centres to support and sustain the development of our performing skills and our artistic and creative disciplines.
- Form associations in all disciplines to develop and promote this sector and support the development of the welfare of individual artists.
- Catalyse and ensure the production of research, documentation, development and promotion of all disciplines.
- Ensure the development of capacity, both formally through institutions and informally through shadowing and apprenticeships, to facilitate participation. This will cover both traditional forms in the performing arts and contemporary forms of dance, drama and live music.

5.2 Arts and culture education

Aims: To ensure the full development of arts and culture educational and training.

Area of focus: Formal and vocational arts education; adult arts education and human resource development in creative enterprises; and creative and artistic organisations, both public and private.

Objectives:

- To pursue arts and culture education through formal education in schools, colleges and universities
- To pursue arts and culture education by means of public education, workshops, trainings, public forums, publications and the media for the benefit of the general public and public officials, including policy-makers, managers and administrators.
- To pursue arts and culture education through special education for creative and talented individuals to produce artists, craftsmen, administrators and advocates in all areas of arts and culture.

Interventions:

- Develop programmes and curricula appropriate to the various artistic and creative disciplines as well as in management, communication, administration and funding and finance.
- Build capacity in existing institutions to deliver on these programmes and curricula, in particular through the training of trainers and educators from school level through to university.
- Ensure the provision of continuing arts education and training inside organisations and companies in areas appropriate to the jobs and roles of cultural workers, administrators and managers in public and private organisations and companies.

5.3 The rights and status of the artist

Aims: To improve the status of creative and performing artists.

Area of focus: All artists and cultural workers.

Objectives:

- To ensure the legal and economic conditions necessary for the exercise of artists' creative work.
- To align existing tools in the field of employment and other areas with the needs of artists and other creative workers, to build a specific set of measures for the cultural and creative sector.

Interventions:

- Improve and strengthen existing social protection schemes with a view to extending it to artists and creators and their families, who are currently excluded.
- Develop appropriate legislation to guarantee the protection of artists' copyright, which involves the suppression of piracy.
- Develop taxation for artists.
- Improve occupational safety, health and hygiene for artists and cultural workers in their places of work.
- Guarantee freedom of expression for the creative and performing artists.

Chapter

6

**ARTERIAL
NETWORK**



Cultural identity and diversity

6.1 Cultural identity and diversity

Aims: To promote and ensure respect for cultural identity and diversity as important ingredients for nation-building.

Area of focus: All cultural groups in the country.

Objectives:

- To ensure freedom of cultural expression through language, dress, religion, traditional beliefs and myths, customs, values, ethics, food, settlement patterns and heritage.
- To promote and preserve these forms of cultural identity and diversity.
- To address the promotion of linguistic arts as a means of developing local languages.

Interventions:

- Protect and promote local languages, particularly during early childhood and the early years of formal education, but also in official government documents.
- Encourage literary artists to write in their mother tongue and support the publication of such works.
- Promote the learning of braille and sign language and the production of appropriate materials for the visually and hearing-impaired.
- Promote and preserve beliefs, values, customs and traditions that enhance human dignity, and ensure action against customs and traditions that undermine human dignity.
- Promote respect and tolerance among different religions, beliefs and value-systems.
- Facilitate the holding of festivals, national days and ceremonies.
- Encourage the preservation and development of indigenous design.
- Encourage farming communities to grow indigenous grains and vegetables in an organic manner to preserve good health.
- Ensure that all languages develop orthographies.
- Ensure that languages are taught and spoken in educational and other institutions.
- Facilitate the preservation and development of literature.
- Support the development of dictionaries in local languages.
- Promote the learning and use of local languages.

6.2 Intercultural dialogue

Aims: To promote intercultural dialogue to avert segregation and cultural entrenchment and prevent conflict.

Area of focus: All cultural groups in society

Objectives:

- To promote intercultural dialogue.
- To avoid segregation and cultural entrenchment.
- To prevent conflict and maintain peace and world unity.

Interventions:

- Promote intercultural dialogue as an instrument to assist all citizens in acquiring the knowledge and aptitudes to enable them to deal with different environments.

- Develop programmes to raise the awareness of all citizens of the importance of developing active citizenship which is open to the world, respects cultural diversity and is based on common values.

6.3 Gender, disability and income equity

Aims: To target and empower female and vulnerable groups of artists and creators with disabilities and diseases, as well as refugees or those from poor communities.

Area of focus: Women, vulnerable groups of artists and creators with disabilities and diseases, as well as refugees or those from poor communities.

Objectives:

- To ensure job creation and poverty alleviation through programmes and policies for the development of the cultural and creative industries.
- To target vulnerable groups, youth and women with creative potential, and ensure that their participation in the development, implementation and evaluation processes is promoted at all levels.
- To build empowering programmes for women and youth through training and in the curriculum to facilitate job acquisition and creation in the field of cultural and creative industries.

Interventions:

- Invest in and empower youth and women's organisations by harnessing their creative talents and contributions to productivity.
- Mainstream targeted programmes for vulnerable groups of artists and creators.
- Empower those working in artistic and cultural organisations and creative enterprises through training and on-the-job experience, such as internships.
- Facilitate the involvement and participation of vulnerable artists and creators.
- Establish economically viable cooperative enterprises and creative centres for vulnerable artists and creators.
- Recognise the role of women in the informal economy.

Chapter

7

**ARTERIAL
NETWORK**



Heritage

7.1 The heritage sector

Aims: To promote, support, protect and preserve all heritage.

Area of focus: Sites of scientific and historical importance, national monuments, wildlife and scenic parks, historic buildings and structures, works of art, oral and written traditions, and museum collections and their documentation, which provide the basis for a shared culture and artistic creativity. The sector encompasses cultural heritage, monuments, groups of buildings, sites, intangible cultural heritage, and tangible movable and immovable cultural heritage.

Objectives:

- To establish institutions that will promote the principles of this policy.
- To promote heritage conservation and awareness of such items as museums, monuments and historic sites, as well as immaterial heritage including oral tradition, indigenous knowledge systems and folklore.

- To preserve and protect the infrastructure of heritage.
- To create the conditions for better dissemination and appreciation of cultures that are a part of heritage or suffer because of historical, political or linguistic factors and, as a result, cannot express themselves through commercial channels.

Interventions:

- Establish an umbrella body such as a national heritage promotion institution, to promote the preservation of the country's heritage.
- Prepare a national heritage map that shows the distribution of the sites of the country's historical, cultural and natural heritage.
- Preserve and maintain the sites of the country's historical and natural heritage.
- Enact legislation to protect heritage from theft, illicit trafficking and illegal exchanges, wars and other armed conflict, expatriation and other forms of illegal merchandising or trade.
- Ensure the protection of heritage sites from damage caused by construction works or other development activities.
- Engage architects, planners, civil engineers and designers to incorporate indigenous ideas, aesthetics and traditions in the design of settlements, public facilities and buildings to showcase the country's unique heritage in contemporary architecture and urban design.
- Support pan-African cultural festivals and cultural programmes in the country.
- Incorporate the teaching of cultural and heritage studies in the school curriculum in African languages to ensure the youth's involvement and ownership of heritage.
- Encourage the production and dissemination of textbooks, literary works, radio and TV journals and movies in African languages in the context of community participation and empowerment.
- The government may determine the existence of special situations where cultural expressions in the country are at risk of extinction, under serious threat or otherwise in need of urgent safeguarding, and will take all appropriate measures to protect and preserve them.

7.2 Indigenous knowledge

Aims: To promote and preserve indigenous knowledge systems within communities.

Area of focus: Indigenous knowledge systems comprise the traditional local knowledge in communities that are indigenous to a particular geographical area. These are mostly used in

agriculture, traditional medicine, health care, food preparation, education, natural resource management and other activities practised by men and women in rural communities.

Objectives:

- To overcome the limitations in existing research on, documentation about, quantification of or development in indigenous knowledge.
- To develop appropriate responses to the marginalisation of indigenous knowledge systems in the country by modern or westernised knowledge systems and environmental degradation.
- To develop indigenous knowledge systems to ensure that they are used to the benefit of all our people.
- To develop interventions which emphasise preservation, integration, utilisation, promotion and protection of indigenous knowledge.

Interventions:

- Ensure research, documentation and dissemination of indigenous knowledge; and support the study of the practice, efficacy and value of traditional medicine and encourage its development and integration into primary health care.
- Promote indigenous knowledge in formal and informal institutions. and in particular, facilitate the inclusion of traditional medicine in training curricula for health practitioners.
- Evaluate indigenous knowledge for its efficacy and use.
- Facilitate the setting up of organising frameworks for innovators.
- Establish a mechanism to support institutions involved in indigenous knowledge development and support collaboration with other related research institutions.
- Evaluate and develop appropriate mechanisms to protect indigenous knowledge through the intellectual property rights system, including the enactment of legislation to patent and protect the plants, cures and techniques used in the country's traditional medicine.

Chapter

8

**ARTERIAL
NETWORK**



Cultural and creative industries

8.1 The growth and development of cultural and creative industries

Aims: Although Africa is endowed with talent in the cultural and creative industries, the development of the industries is still, in many cases, in its infancy. This section focuses on the policies, programmes and strategies needed to promote the development of talent and creativity in all sectors and ensure that the creative industries function in a growing and sustainable manner. The aim is to generate a diverse range of cultural and creative products and services and increase employment, income-generation, the number of micro, small and medium enterprises, foreign exchange earnings and turnover. The benefit to the country, apart from a new, vibrant and growing industry which promotes development, will be the promotion and preservation of our heritage and culture through appropriate commercialisation.

Area of focus: The cultural and creative industries, including the production and trade of cultural goods and services by the following sectors: advertising, architecture, crafts, cultural

tourism, design, fashion, film and audio-visual, the recording industry, the live music industry, the performing arts, publishing, software and computer services, and television and broadcasting services

Objectives:

- To stimulate and strengthen local cultural and creative industries.
- To ensure the development of cultural and creative industries as a way of promoting job creation, income-generation and poverty alleviation.
- To ensure that the cultural and creative industries are promoted, supported and enhanced to maximise the government's developmental objectives, and to foster the emergence of a dynamic cultural sector.
- To build the capacity of artists, cultural workers, arts administrators and cultural managers.
- To ensure the transfer of appropriate technologies related to the cultural and creative industries.
- To facilitate the adoption of a trade and investment environment conducive to the growth and development of the cultural and creative industries.

Interventions:

- Create and strengthen cultural production and distribution capacities in developing countries.
- Facilitate wider access to the global market and international distribution networks for their cultural activities, goods and services.
- Facilitate the emergence of viable local and regional markets.
- Adopt measures aimed at facilitating access for the country's cultural activities, goods and services.
- Provide support for creative work and facilitate the movement of our country's beyond its borders.
- Encourage collaboration between our country and other developed and developing countries in music and film, among other areas.
- Facilitate technology transfer through the introduction of appropriate incentives for the transfer of technology and know-how, especially in the cultural and creative industries and enterprise.
- Build public and private sector capacity by providing information, experience and expertise, and training of human resources relating to strategy and management; policy development and implementation; the promotion and distribution of cultural expressions; small, medium and micro-enterprise development; the use of technology; administrative and technical production skills; traditional and new skills; skills development and transfer, and the appreciation, protection and promotion of environmental sustainability.

- Use international standards and create new mechanisms and an enabling environment to promote investment in the country's creative industries.
- Encourage linkages between public and private enterprises for job creation and the production of goods and services in the cultural and creative industries.
- Create an appropriate legal and regulatory framework and investment-friendly environment through appropriate policies to attract international investment and encourage entrepreneurs to invest in the cultural and creative sector, while protecting the authors' rights and the country's heritage.
- Develop a system of fair trade which promotes and supports each cultural and creative industry, their creators, producers and distributors.
- Adopt appropriate customs laws and tax exemptions that promote local content and the growth of cultural and creative industries.
- Develop export incentives for the cultural and creative industries relating to products and services, as well as marketing and promotion.

8.2 Institutions relevant to the growth and development of the cultural and creative industries

Aims: To establish a dedicated Cultural and Creative Industry Development Agency to support the cultural and creative industries and ensure their long-term sustainability.

Area of focus: The cultural and creative industries

Objectives:

To ensure the growth and sustainability of the cultural and creative industries.

Interventions:

- Establish the agency as the chief driver and champion of the promotion and development of the cultural and creative industries.
- Promote the establishment of a body that can raise funds from the government, the private sector and the donor community.

The agency, once established, will:

- Develop a series of incentive packages to support sector-specific initiatives appropriate to the cultural and creative industries.
- Conduct ongoing research into the cultural and creative industries, internationally and domestically.
- Broker public-private partnerships to support the growth and development of the industries.

- Identify grants and loans to support cultural and creative enterprises, projects and programmes.

8.3 The intellectual property regime: copyright and neighbouring rights

Aims: To adopt appropriate legislation and measures to protect intellectual property rights and labels of cultural and creative products and services.

Area of focus: The cultural and creative industries.

Objectives:

- To protect artistic creations and their creators through national and international intellectual property organisations, with the full backing of national law enforcement agencies.
- Pass legislation to ensure the realisation of this objective.

Interventions:

- Support, strengthen and cooperate with the African Intellectual Property Organisation based in Yaoundé, Cameroon, to enable it to play a leadership role throughout Africa.
- Encourage and support the establishment or strengthening of organisations and societies of authors and creators in each sector in the country.
- Support collection societies in their efforts to monitor and administer copyrights, as these societies stand between the legal and the financial systems.
- Support the establishment of a sector on copyrights and neighbouring rights within the African Regional Industrial Property Organisations such as Aripo, based in Harare, and Alecso, in North Africa, and others to be created.
- Increase the financial and personnel resources needed to counter piracy at borders.
- Enter bilateral agreements to curb piracy such as that between the Performing Musicians Association of Nigeria and the Musicians Union of Ghana.
- Develop computer tools to deal with copyrights, and promote the development of a dense web of public and private organisations that encourage and protect artistic creations. Integrate issues surrounding electronic trade into traditional concerns of copyright and protection.
- Develop common strategies to fight piracy, illegal copying and especially the impact of new forms of technology which reduce sound and visual signals to electronic messages via computer transmission technology, cellular phone technology and MP3 software.
- Advocate the adoption of international conventions on copyright and neighbouring rights and adopt appropriate legislation and measures in the country.

- Coordinate with neighbouring states.
- Develop clear copyright laws and reinforce all laws that take into account not only the right to exploit intellectual work but the human rights of artists.
- Develop awareness campaigns about copyright and neighbouring rights for artists, agents, studio managers, consumers and the enforcement agencies.

8.4 Infrastructure for the cultural and creative industries

Aims: Improve and control the quality of cultural goods and services while increasing the quantities produced through the provision, development and maintenance of appropriate infrastructure.

Area of focus: The cultural and creative industries.

Objectives:

- To support the work of artists, the consumption of artistic practice and heritage services by improving infrastructure for the development of the cultural and creative industries.
- To modernise the technologies and tools used in these industries, as well as the methods and structure used in the production and dissemination of cultural goods and services to enhance the quality and quantity of cultural goods and services.

Interventions:

- Improve and control the quality of cultural goods and services while increasing the quantities produced.
- Establish mechanisms and tools for the standardisation and mass production of cultural goods and services.

8.5 The role of cultural and creative industries in urban regeneration

Aims: To ensure a vibrant, liveable, community-friendly urban environment that draws on the local cultural sector and cultural and creative industries

Area of focus: Urban areas, the cultural sector, artists and the cultural and creative industries.

Objectives:

- To develop urban environments that reflect local culture.
- To identify mechanisms, partnerships, programmes and funds that enable the cultural and creative industries to support city life.
- To prepare a development plan to facilitate a cultural city.

Interventions:

- Broaden access to public art in the cities.
- Actively retain skills in the artistic community.
- Build capacity through institutional and artist development.
- Revitalise public and natural spaces through the arts.
- Realise the economic potential of the local cultural sector and the cultural and creative industries.
- Map the relevant cities based on cultural heritage and artistic creative assets.
- Develop and maintain appropriate, accessible and sustainable infrastructure.
- Rehabilitate cultural institutions such as libraries, theatres, cinemas, information infrastructure and public utilities, and develop natural assets.
- Develop, promote and nurture traditional and contemporary art forms that reflect the people and their culture.
- Implement a development plan that includes partnerships with local economic development, tourism, arts culture and heritage.
- Prepare and implement a communication and marketing plan with residents of the city.

Chapter

9

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Audience and market development

9.1 Access and participation

Aims: To enhance access and participation for audiences, stakeholders and communities.

Area of focus: Government, public and private organisations and institutions, and consumers and audiences of arts and culture.

Objectives:

- To ensure the development of programmes for audience development.
- To ensure increased access of consumers and audience to arts and culture.
- To facilitate the participation of consumers and audience in arts and culture programmes.
- To facilitate information-sharing and transparency in all arts and culture programmes and institutions.

Interventions:

- To provide appropriate information in all reporting on arts and culture programmes and institutions.
- To create mechanisms such as an internet portal to ensure the visibility of Africa's cultural heritage, productions and works.
- To make all reports publicly available to audiences and consumers in the country, as well as to international bodies such as UNESCO, in fulfilment of obligations to protect and promote the diversity of cultural expressions, as specified in the UNESCO convention.
- Designate a point of contact responsible for information-sharing in relation to the UNESCO convention.
- Share and exchange information relating to the protection and promotion of the diversity of cultural expressions.

9.2 Audience and market development

Aims: To facilitate global market access for our creative products and services.

Area of focus: All cultural and creative industries.

Objectives:

- To develop local audiences and consumers for the products and services of our cultural and creative industries.
- To develop regional and international markets.

Interventions:

- Ensure that cultural and creative industries are given priority in national, regional and Africa-wide development authorities, to avert their marginalisation in the domestic market, the global development process and the strategies of regional economic communities.
- Put in place a legal and institutional framework for the development of cultural and creative products and their free movement in all African countries.
- Identify, develop and implement legislative and fiscal measures to foster cultural and creative industries, including grants, subsidies, equity and direct investment.
- Take special measures to promote the production and distribution in cultural and creative products and support trade in them in the African Cultural Common Market. This was recommended in UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions'.
- Consider and adopt legal and institutional measures to support the organisation of the cultural and creative economy, including the movement of products, artists and creative workers, taxation, methods of payment, visa restrictions and work permits.

- Ensure backward and forward linkages between the cultural and creative industries and the conventional industrial sector, including linkages between rural and urban producers.
- Identify market outlets and provide up-to-date information on market opportunities at national, regional and international levels.
- Build the capacity of local investors and provide tax incentives for small and medium enterprises in the cultural sector.
- Facilitate significant access of cultural products and the movement of artists from Africa to regional and international markets.
- Ensure that the country can benefit from globalisation by bringing together global and local actors and producers of cultural goods and services.
- Extend the benefits of global trade by facilitating the promotion and exhibition of the products of domestic cultural and creative industries for global audiences.
- Create infrastructure for the production and presentation of products and services designed, produced and distributed domestically and on the African continent.
- Collaborate with other African countries on a “Made in Africa” label for the products and services of the cultural and creative industries.
- Adopt national legislation against monopolies and mechanisms to prevent unfair competition in the cultural and creative industries.
- Undertake market studies and research of the global market with the aim of developing partnerships and creating networks, and establishing trends and development programmes.
- Give priority to the training of competitive managers for the conception and commercialisation of cultural products.
- Support cultural industries to increase production capacity and improve quality, while preserving the aesthetic originality of products.
- Strengthen promotional action to advertise the values of African creators and cultural goods at national and international levels and to obtain a large share of the market.
- Ensure the use of information and computer technologies to intensify the production and distribution of cultural goods in the global market.
- Facilitate the mainstreaming of information and communications technologies in all cultural development programmes.
- Set up development programmes for the transfer of technology and training in audio-visual production and the management of intangible cultural heritage.
- Place all existing information on websites.
- Develop electronic trade by forming enterprise networks in order to better defend and protect rights.

- Contribute to a site on cultural industries in Africa in partnership with regional organisations.
- Facilitate contact with, and a network of, specialists through the creation of liaison bulletins and “list servers”.

Chapter

10

**ARTERIAL
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Cultural tourism

10.1 Stimulation and promotion of cultural tourism

Aims: To stimulate and promote tourism based on the country's unique culture, and develop and promote the cultural sector by diversifying tourism.

Area of focus: Cultural tourism is the consumption of art, heritage, folklore and many other cultural manifestations by tourists. It includes archaeological sites and museums; architecture (ruins, famous buildings and whole towns); art, sculpture, crafts, galleries, festivals and events; music and dance (traditional, classical, folk and contemporary); drama (theatre and film); language and literature study, tours and events; religious festivals and pilgrimages; and cultures and sub-cultures.

Objectives:

- To ensure tourists' involvement in cultural processes in which they learn about the history and heritage of the country, about its ways of life and thought, and its unique cultural identity or identities.

Interventions:

- Design and implement programmes for the protection and conservation of cultural products, intangible aspects, contemporary cultural expressions and other cultural processes, to facilitate tourists' understanding and appreciation of the country's heritage significance in an equitable and affordable manner
- Design and implement interpretation and presentation programmes that facilitate and encourage a high level of public awareness and support the long-term survival of the natural and cultural heritage
- Monitor and evaluate tourism projects, activities and developments to ensure that they achieve positive outcomes and minimise adverse impacts on the country's heritage and lifestyles, while being responsive to tourists' needs and aspirations.
- Allocate resources to ensure continuing research and consultation to enhance the understanding and appreciation of the complex or conflicting aspects of heritage significance of particular sites.
- Consider the use of local materials, architectural styles, linguistic traditions and other important elements of heritage in developing tourism and infrastructure projects.
- Carry out environmental impact assessments and detailed management plans to assess the natural and cultural values of resources, and the impact on the local community, traditional leaders, property owners and other stakeholders before developing heritage sites.
- Involve host communities and indigenous people through consultation and participatory workshops in the planning of all cultural tourism projects and programmes.
- Provide training for tour guides and site interpreters to enhance the skills of local people in presenting and interpreting their cultural values and sites.

Chapter

11

**ARTERIAL
NETWORK**



Arts and culture education and training

11.1 The arts and heritage sectors

Aims: To ensure the full development of arts and culture education and training.

Area of focus: Formal and vocational arts education, adult arts education and human resource development in creative enterprises and creative and artistic organisations, both public and private.

Objectives:

- To pursue arts and culture education through formal education in schools, colleges and universities.
- To pursue arts and culture education by means of public education, workshops, training, public forums, publications and the media for the benefit of the general public and policy-makers, managers and administrators.

- Pursue arts and culture education by means of special education for creative and talented individuals to produce artists, craftsmen, administrators and advocates in all areas of arts and culture.

Interventions:

- Develop programmes and curricula appropriate to the various artistic and creative disciplines, as well as in management, communication, administration and funding and finance.
- Build capacity in existing institutions to deliver on these programmes and curricula, in particular of trainers and educators from school level to university.
- Ensure the provision of continuing arts education and training in organisations and companies in areas appropriate to the jobs and roles of cultural workers, administrators and managers in public and private organisations and companies.

11.2 Cultural and creative industry education and training

Aims: To ensure the development and implementation of education and training programmes for the cultural and creative industries.

Area of focus: The enterprises of the cultural and creative industries.

Objectives:

- To pursue cultural and creative industry education through formal education in schools, colleges and universities, focusing on the business and commercial side of these industries to ensure their contribution to the country's wealth and development objectives.
- To pursue cultural and creative industry education and training through public education, workshops, training, public forums, publications and the media for the benefit of the general public and public officials, including policy-makers, arts managers and arts administrators, as well as entrepreneurs and managers of creative enterprises and other commercial cultural and creative organisations.
- Pursue cultural and creative education through special education for entrepreneurs, managers and creative workers to produce, manage and run creative and cultural enterprises, and strengthen their capacity to enhance the productivity and quality of creative and cultural products and services.
- Provide capacity and training to existing institutions that service small businesses, train business people and provide extension services to the cultural and creative industries.

Interventions:

- Develop training programmes in all aspects of the value chain of the cultural and creative industries, including creation, production, distribution, exhibition, marketing and audience awareness, as this is critical to the development of quality cultural products.

- Establish training facilities to promote professionalism in all production-related and creative cultural activities, and improve the training of creative and performing artists, technicians and those responsible for designing, implementing and managing cultural projects, including firms involved in producing and commercialising cultural goods and services and those in charge of the maintenance of equipment.
- Foster cultural entrepreneurship through needs-based training and by empowering producers of cultural products – especially women, children and other creative but vulnerable groups – and ensuring that they generate decent incomes from their productive efforts, as well as linking them to market opportunities.

To enhance the role of artists in society:

- Support a wide range of individuals and firms that wish to fully exploit artistic talents that are deeply rooted in the national cultural heritage for the benefit of the artists and the country's economy.
- Ensure that artists can draw on sophisticated support mechanisms and seek the help of agents to develop a market niche.
- Promote both manufacturers' and distribution channels to ensure the commercialisation of artists' creations.
- Encourage the development of sectoral associations of artists to lobby on behalf of their members and help them acquire rights accorded to other workers, including social security, unemployment benefits and pensions.
- Explore the use of digital technology for the production and exhibition of cultural industry products, especially music and film.
- Establish permanent national and regional forums of cultural entrepreneurs, and within this framework initiate an internet website on cultural and creative industries in Africa.

To enhance the capacity of cultural institutions, cultural ministries and departments, and cultural entrepreneurs:

- Create mobility funds and other mechanisms to promote and facilitate the movement of artists, designers, managers, works, goods and services.
- Conduct an inventory of Africa's cultural institutions and reinforce their capacity for the benefit of cultural stakeholders.
- Identify and mobilise training opportunities for cultural stakeholders, managers and administrators, and managers and entrepreneurs in the fields of cultural heritage and industry, within the framework of regional co-operation.
- Promote country exchange programmes to fully utilise human capital for mentoring and support in the field of arts administration and management, as well as entrepreneurs in the field of culture.
- Document best practice case studies in African of arts and cultural organisations, foundations and businesses.

Chapter

12

**ARTERIAL
NETWORK**



Funding and financing of the cultural policy

12.1 Funding and financing

Aims: To support artists and the disciplines of the arts with appropriate funding and financing.

Area of focus: Artists, artistic disciplines and the heritage sector.

Objectives:

- To provide funds for the interventions contained in this cultural policy.
- To resource infrastructure, projects and practitioners.
- To form collaborative alliances with all partners in the cultural sector.
- To facilitate the participation of all partners in the cultural sector with incentives and mechanisms to promote private sponsorships and loans.
- To encourage the international community to continue to provide support to arts and culture organisations, project and events.

- To pursue collaborative partnership agreements with the international community in developing the country's human resources, to build organisational capacity and develop infrastructure.
- To develop joint projects between the departments of community participation, gender, youth, education and training, and environmental affairs and tourism.
- To devise a national funding policy in consultation with other national departments and relevant authorities at other levels of government to address the needs of heritage.

Interventions:

- Explore creative inter-departmental co-operation to unlock public resources for the arts relating to the many areas in which they have an impact.
- Identify synergies between this cultural policy and the work of other government departments, including those of community participation, gender, youth, education and training, and environmental affairs and tourism.
- Devise a national funding policy in consultation with other national departments and the relevant authorities at other levels of government and in collaboration with civil society.
- Investigate and implement programmes such as one requiring the earmarking of a percentage of major public and private building expenditure for the incorporation of artworks into the design or public enjoyment of the building.
- Research and implement systems of tax relief when the public and private sectors make donations to arts, culture and heritage.
- Develop appropriate legislation for tax exemption in the case of bequests of artistic or heritage items for public benefit.
- Develop heritage trails and heritage sites.

12.2 Funding and financing for the cultural and creative industries

Aims: Support the growth and development of the cultural and creative industries through innovative and appropriate funding and financing mechanisms.

Area of focus: The cultural and creative industries

Objectives:

- To provide funds for the interventions contained in this cultural policy.
- To resource infrastructure, projects and practitioners in the cultural and creative industries.
- To form collaborative alliances with all partners in the cultural sector.

- To explore creative inter-departmental co-operation as a way of unlocking public resources for the cultural and creative industries relating to the many areas in which they have an impact. This could include work in the area of community, gender, youth, education and training, environmental affairs and tourism, and trade and industry.
- To facilitate the participation of all partners in the cultural sector by means of incentives and mechanisms to promote private sponsorships and loans.
- To encourage the international community to continue to support arts and culture organisations, projects and events.
- To pursue collaborative partnership agreements with the international community in developing the country's human resources, building organisational capacity and developing infrastructure.
- To devise a national funding policy in consultation with other national departments and the relevant authorities at other levels of government to address the needs of the cultural and creative industries

Interventions:

- Provide public funding for the establishment of a fund for cultural industries.
- Develop collaborative arrangements between public private and donor funders, to provide development assistance, including technical assistance, to stimulate and support creativity.
- Explore all forms of financial assistance, such as low-interest loans, grants and other funding mechanisms.
- Devise a national funding policy in consultation with other national departments and relevant authorities at other levels of government and in collaboration with civil society.
- Diversify funding through ongoing research into public, private, donor and international best practice for the financing of the creative industries.
- Explore creative inter-departmental co-operation to unlock public resources for the arts relating to the many areas in which they have an impact.
- Investigate and implement programmes such as one that requires the earmarking of a percentage of major public and private expenditure for the incorporation of artworks into the design or public enjoyment of the building.
- Research and implement systems of tax relief that apply when the public and private sectors make arts, culture and heritage donations.

Chapter

13

**ARTERIAL
NETWORK**



Monitoring and evaluation

13.1 Policy review and associated instruments, structures and timelines for implementation and monitoring of the cultural policy

Aims: To ensure a mandatory review of all elements of the policy every five years, including an evaluation of interventions.

Area of focus: The cultural policy.

Objectives:

- To identify the lead department for this cultural policy.
- To establish inter-ministerial and inter-departmental committees to manage the implementation of this cultural policy.
- To review all elements of the cultural policy every five years.

- To establish mechanisms to ensure that this review is comprehensive.
- To include reviews and evaluation of the relevant aspects of this cultural policy in an annual programme.
- To periodically study all aspects of arts and culture programming and changes in economic performance.

Interventions:

- Establish a sub-committee of each of these inter-ministerial and inter-departmental committees to monitor the cultural policy through an annual review of the work of the lead department and its agencies, together with key stakeholders in each of the respective sectors.
- Strengthen the capacity of the relevant ministry and institutions to conduct research and facilitate effective monitoring and evaluation of the activities of the cultural policy programme and the management of information systems.
- Establish an annual reporting mechanism based on a five-year review period for sectoral and overall national policy review.
- Develop comprehensive monitoring and evaluation indicators to provide the framework for monitoring implementation of the policy at various levels.
- Conduct periodic reviews which take no longer than one year. During these, the existing cultural policy remains fully in force.
- Make cultural policy impact assessments an integral part of national economic surveys, local and national assessments and monitoring of all programmes.

13.2 Information management system

Aims: Develop a comprehensive information system to support this cultural policy

Area of focus: Artists, the artistic disciplines, the heritage sector and the cultural and creative industries.

Objectives:

- To address the need for statistical data.
- To devise evidence-based and informed policies, strategies and plans of action, using reliable, up-to-date and comprehensive data.

Interventions:

- Map or develop an inventory of the country's existing cultural activities, structures, resources and valuable products.

- Identify and strengthen sectoral specificities and strengths to facilitate the rationalisation of legislation, policies and resources.
- Conduct research on the economic contribution of the cultural and creative industries to the national economy.
- Conduct an assessment and analysis of organisations, structures and firms involved in producing and disseminating cultural goods and services, sector by sector (including book publishing, audio-visual and recording industries, arts and craft and tourism), as well as intellectuals, artists, creators, craftsmen and other specialists concerned with the quality and quantity of goods produced, commercialised, exported and imported.
- Undertake in-depth studies on existing and potential challenges – economic, political, fiscal, legal and cultural – to the country's cultural industries.
- Collect and analyse existing treaties, agreements and conventions on economic and cultural co-operation and customs, with a view to adapting them to the requirements of the market in Africa, taking into account recommendations, conventions and other international standard-setting instruments adopted in these fields.
- Facilitate research and development at national and regional levels to evaluate the contribution of the cultural industries to sustainable socio-economic development.
- Foster data collection and create databases, web portals and directories of reference material on culture and cultural industries.
- Analyse policies, legislative measures and other regulations affecting creative works, as well as the production and dissemination, export and import of cultural goods, with a view to adapting them to the requirements of the African Cultural Common Market.
- Study and adapt mechanisms used by foreign countries to finance and support the creative arts, and the production and dissemination of cultural goods and services in the African context.
- Enhance research, innovation and design in regard to the use of new forms of expression and new products of an original character to be commercialised, while ensuring that they are rooted in the country's cultural creativity.
- Conduct marketing studies at the national and international levels.
- Research the profitability of investments in the various fields of the sector, showing the resources and jobs that can be created through such investments.
- Establish and update data banks on the cultural industries in co-operation with regional and pan-African bodies.
- Complete and maintain a comprehensive inventory of cultural operators and entrepreneurs in the different cultural fields.
- Contribute to the publication of up-to-date documents on the situation of different cultural industry sectors and make these available to all stakeholders and the public.

- Prepare and disseminate periodical reports assessing the value of the cultural field and its impact on development.
- Develop sector-based composite monitoring indicators to include in the planning stages of all projects and programmes to support this cultural policy.
- Set benchmarks and establish internal verifiable indicators for assessing the implementation of this cultural policy and programmes at all levels.

13.3 Capacity-building for monitoring and evaluation

Aims: To ensure that there is capacity in the government and non-government sectors to conduct monitoring and evaluation.

Area of focus: This cultural policy, artists, the artistic disciplines, the heritage sector and the cultural and creative industries.

Objectives:

- To build capacity and enhance skills development among administrators, managers and entrepreneurs in these sectors to conduct monitoring and evaluation.
- To ensure that the public sector and all national institutions set up transparent institutional mechanisms to facilitate the access of local stakeholders to officials in the respective ministries.

Interventions:

- Build institutional capacity and skills development in key ministries relevant to the development of cultural and creative industries, including the ministries of culture, tourism, trade and industry, foreign affairs, labour and finance.
- Build institutional capacity and skills development for all stakeholders of this cultural policy to enable them to research, monitor, assess, evaluate and conduct reviews.
- Establish departments in charge of the development of cultural and creative industries in government, and include clauses favourable to the movement of cultural products, the publication of cultural works, and the partial or total removal of taxes on works of culture and payment in the national currency in the trade in cultural goods.
- Establish appropriate divisions in each sub-sector to bring about sustainable development of the cultural and creative industries and integrate sectoral programmes under the umbrella of the appropriate ministries.
- Set a clear agenda and mission for each institution, agency or division that has links with others in the same ministry or other ministries.

13.4 Role of civil society stakeholders in monitoring and evaluation

Aims: To establish partnerships and collaborative programmes with civil society comprising arts, culture, heritage and creative industry stakeholders, to ensure the effective implementation of this cultural policy.

Area of focus: Civil society stakeholders.

Objectives:

- To identify civil society stakeholders to develop, participate in and implement the monitoring and evaluation of this cultural policy.
- To provide capacity-building for civil society stakeholders to participate fully in the monitoring and evaluation of this cultural policy.

Interventions:

- Provide assistance and support for civil society stakeholders to be organised along sectoral lines representing the various disciplines of the arts and culture sector across the value chain.
- Ensure a functioning representative body or bodies in civil society to work within implementing, monitoring and evaluating these cultural policy interventions.
- Ensure transparency in all aspects of this cultural policy to the benefit of civil society stakeholders.

APPENDIX 1: HOW TO START THINKING ABOUT CULTURAL POLICY

Policy-making involves clear, often difficult choices. To assist in the discussion of policy, the table on pages 62–63 has been adopted from a text entitled “Balancing act: twenty-one strategic dilemmas in cultural policy” produced by François Matarasso and Charles Landry for the Council of Europe.

Although agreement on these dilemmas is neither feasible nor necessary, debating them will enhance clarity and creativity in developing a generic cultural policy that is relevant and can be applied to the African continent.

The dilemmas in the table raise issues of content, priority and process in regard to how cultural policies should be implemented.

Spectrum between the poles	Key question	Suggestion of balance: 50:50, 60:40, 70:30, 80:20 or 90:10
Framework dilemmas:		
1. Culture as the arts or culture as a way of life	How wide-ranging should cultural policy be?	_____ 5 4 3 2 1 – 1 2 3 4 5
2. Cultural democracy or democratisation of culture	What is the political conception of cultural policy?	_____ 5 4 3 2 1 – 1 2 3 4 5
3. Culture as a self-justifying value or culture as development	How developmental should cultural policy be?	_____ 5 4 3 2 1 – 1 2 3 4 5
4. Art as a public good or art as a contingent social activity	How neutral is art conceived to be?	_____ 5 4 3 2 1 – 1 2 3 4 5
Implementation dilemmas		
5. Consultation or active participation	How should cultural policy be determined?	_____ 5 4 3 2 1 – 1 2 3 4 5
6. Direct control or insulation from the political process	How should cultural funding be distributed?	_____ 5 4 3 2 1 – 1 2 3 4 5
7. Public or private	What is the right balance between public intervention in the cultural sector and private sector activity?	_____ 5 4 3 2 1 – 1 2 3 4 5
8. Prestige or community	Where should the state prioritise its cultural resources?	_____ 5 4 3 2 1 – 1 2 3 4 5
9. National or international	How much should cultural policy concern itself with national or international culture?	_____ 5 4 3 2 1 – 1 2 3 4 5
Social development dilemmas		
10. Communities or community	How should cultural policy respond to the expression of minority identity?	_____ 5 4 3 2 1 – 1 2 3 4 5
11. Cultural diversity or monoculture	To what extent should cultural policy activity promote cultural diversity?	_____ 5 4 3 2 1 – 1 2 3 4 5
12. Heritage or contemporary	How much should cultural policy prioritise heritage resources or contemporary experimentation?	_____ 5 4 3 2 1 – 1 2 3 4 5

Spectrum between the poles	Key question	Suggestion of balance: 50:50, 60:40, 70:30, 80:20 or 90:10
13. Visitors or residents	Where should the focus of cultural policy be?	_____ 5 4 3 2 1 – 1 2 3 4 5
14. External image or internal reality	How much should culture be presented for internal or external consumption?	_____ 5 4 3 2 1 – 1 2 3 4 5
Economic development dilemmas		
15. Subsidy or investment	On what basis should public funding of culture be provided?	_____ 5 4 3 2 1 – 1 2 3 4 5
16. Consumption or production	How can the state best nurture the production and consumption of culture?	_____ 5 4 3 2 1 – 1 2 3 4 5
Management dilemmas		
17. Centralisation or decentralisation	Where should decisions about implementation of cultural policy lie?	_____ 5 4 3 2 1 – 1 2 3 4 5
18. Direct provision or contracting-out	How should cultural services be delivered?	_____ 5 4 3 2 1 – 1 2 3 4 5
19. The arts or the artist	How much should cultural policy promote artists or the arts?	_____ 5 4 3 2 1 – 1 2 3 4 5
20. Infrastructure or activity	How should cultural resources be distributed between facilities (containers) and activity (contents)?	_____ 5 4 3 2 1 – 1 2 3 4 5
21. Artists or managers	How much attention needs to be given to effective management of artistic activity?	_____ 5 4 3 2 1 – 1 2 3 4 5

APPENDIX 2: USEFUL WEB-BASED REFERENCES AND SOURCES

International Resources

Arts Management Network/Kulturmanagement Network

<http://www.artsmanagement.net>

Arts Management Network offers content for arts managers and cultural administrators around the world, including an education guide, news, background topics, newsletter, books, a web guide, discussion board, job market and polls. The online resource is available in German and English.

Association for Cultural Economics International

<http://www.culturaleconomics.org/>

The Association for Cultural Economics International (ACEI) is a scientific society that includes academic scholars, government officials, foundation officials, managers of arts and cultural organisations, and artists, united in their interest in furthering understanding of the economic aspects of the arts and culture in their own countries and throughout the world. It holds international research conferences every two years, and sponsors small conferences, workshops, and sessions concerned with cultural economics at meetings of other scientific societies. It also sponsors a journal and other publications.

Commonwealth Foundation

<http://www.commonwealthfoundation.com>

The Commonwealth Foundation is an intergovernmental organisation set up almost fifty years ago to make civil society stronger. We work on behalf of the people of the Commonwealth of Nations, a voluntary association today spanning 54 countries, six continents and almost a third of the world's population. We empower charities, non-governmental organisations, professional associations, trade unions, faith groups and cultural practitioners by equipping them with the tools required to contribute to national and international goals of democracy, good governance, sustainable development and cultural diversity.

Culturelink

<http://www.culturelink.org>

Culturelink, the Network for Research and Co-operation in Cultural Development, was established by UNESCO and the Council of Europe in 1989 in Paris, at the Consultation of Representatives of Regional and Sub-regional Networks for Cultural Development Research and Co-operation. Its mission is to strengthen communication among its members, encouraging international and intercultural communication and collaboration, as well as to conduct joint research projects.

Culture and UNESCO

<http://www.unesco.org>

The main objective of UNESCO is to contribute to peace and security in the world by promoting collaboration among nations through education, science, culture and communication in order to further universal respect for justice, the rule of law and human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

UNESCO has always emphasised the links between culture and the broader aims of human endeavour. This has been part of its core constitutional mandate of “advancing, through the educational, scientific and cultural relations of the peoples of the world, the objectives of peace and the common welfare of mankind”.

UNESCO seeks to foster a social and legal environment that is conducive to creative activity and critical thinking in all its forms. It encourages individual creativity, with its roots in traditional or popular culture, and industrial creativity, which draws its force from social and economic institutions that stimulate market activity and innovation.

Cultural Policies for Development

<http://www.unesco.org/culture/>

UNESCO's rapidly evolving culture and development agenda came to a head in 1982 in Mexico City, where the World Conference on Cultural Policies (Mondiacult) adopted the celebrated broad definition of culture that linked culture so irrevocably to development.

Mondiacult also affirmed that “balanced development can only be ensured by making cultural factors an integral part of the strategies designed to achieve it.” It was to attain this objective that UNESCO conceived the idea of the World Decade for Cultural Development (1988-1997). During the ten-year period, whose fruits are still being harvested, UNESCO mobilised the international community to pursue the following four key objectives, the first of which marked the crystallisation of its culture and development agenda: acknowledging the cultural dimension of development; affirming and enriching cultural identities; broadening participation in cultural life; and promoting international cultural co-operation.

Euclid

<http://www.euclid.info>

Euclid provides research and consulting services in the creative and cultural industries, primarily in Europe. These include publications and the Culture-Tracker and Culture-Match databases. They also provide a directory of conferences and the ACRONIM bibliographic database.

International Federation of Arts Councils and Culture Agencies
<http://www.ifacca.org>

The International Federation of Arts Councils and Culture Agencies (IFACCA) is the first global network of national arts funding bodies. Inaugurated in December 2000, its mission is to create an international resource and meeting ground for all those whose public responsibility it is to support excellence and diversity in artistic endeavour.

International Network on Cultural Policy
<http://www.incp-ripc.org>

The International Network on Cultural Policy (INCP) is an international forum through which culture ministers can exchange views on emerging cultural policy issues. The INCP was born out of the idea of creating an informal, international venue where national ministers responsible for culture could explore new and emerging cultural policy issues and consider integrated ways of promoting cultural diversity in an increasingly globalised world.

International Network of Observatories in Cultural Policies
<http://www.observatoire-culture.net/>

The International Network of Observatories in Cultural Policies seeks to promote networking among entities across the world that analyse, collect and disseminate policy-relevant knowledge and information. The project consists of a dedicated web page and list designed to present the activities of the network and connect the efforts of network participants.

Arts Policy Branch, Canadian Heritage
http://www.pch.gc.ca/progs/arts/index_e.cfm

The Arts Policy Branch (Canada) develops national strategies and creates policies and programmes to address issues such as funding, arts organisation stabilisation projects, taxation, promotion and arts dissemination. Programmes include the Cultural Initiatives Programme, National Arts Training Contribution Programme, Arts Presentation Canada, the Canadian Arts and Heritage Sustainability Programme and Cultural Spaces Canada.

Canada Council for the Arts
<http://www.canadacouncil.ca>

The Canada Council for the Arts, which reports to parliament through the Minister of Canadian Heritage, is a national arm's-length agency that fosters the development of the arts in Canada through grants, services and awards to professional Canadian artists and arts organisations, as well as by administering scholarly awards. It has under its aegis the Public Lending Right Commission and the Canadian Commission for UNESCO.

Canadian Heritage

<http://www.pch.gc.ca>

The Canadian Heritage Department is responsible for national policies and programmes relating to broadcasting, cultural industries, arts, heritage, official languages, Canadian identity, Canadian symbols, exchanges, multiculturalism and sport.

The department, agencies and crown corporations that are part of the Canadian heritage portfolio contribute to the growth and development of Canadian cultural and sporting life, the promotion of a fairer, more equitable society, and the nation's linguistic duality and multicultural character.

Australian Government's Department of Broadband, Communications and the Digital Economy

<http://www.dbcde.gov.au/>

This provides policy advice and programme support to the Australian government on arts, information technology, communications and sport portfolio issues.

Creative New Zealand/Arts Council of New Zealand

<http://www.creativenz.govt.nz/>

The arts council sets the policy and strategic direction of Creative New Zealand and undertakes initiatives. Creative New Zealand's mission is "to encourage, promote and support the arts in New Zealand for the benefit of all New Zealanders". The council also develops initiatives to promote and support the arts.

New Zealand Ministry for Culture and Heritage

<http://www.mch.govt.nz/>

The Ministry for Culture and Heritage provides advice to the New Zealand government on culture and heritage matters. It assists government in its provision and management of cultural resources for the benefit of all New Zealanders, and undertakes a number of activities that support and promote the history and heritage of the country. The ministry is responsible for the provision of policy advice on arts, culture, heritage and broadcasting issues, as determined in consultation with ministers, including legislation, major policy proposals and developments and initiatives which have significance to the sector.

European Resources

Arts Council, Ireland

<http://www.artscouncil.ie>

The Arts Council/An Chomhairle Eala'ón is an autonomous body established in 1951 to stimulate public interest in and promote the knowledge, appreciation and practice of the arts. It is the Irish state's principal instrument of arts funding and an advisory body to government on arts matters, operating under the Arts Acts of 1951 and 1973. As an advocate for the arts, the council commissions and publishes research and information and undertakes a range of development projects, often jointly with other public sector or non-governmental agencies.

Arts Council England

<http://www.artscouncil.org.uk>

Arts Council England is an independent, non-political body working at arm's length from the government. It is the national "voice for the arts", increasing awareness and support for the arts. It promotes the case for the arts through national debate and research and by identifying important trends. It maintains an overview of the arts and seeks to raise standards, as well as working with others to ensure the arts are given priority in sectors such as education and employment. The council distributes public money from government and the lottery to artists and arts organisations, both directly and through regional arts boards. It also uses funding to spearhead initiatives to develop the arts, make them more accessible and enhance their role in wider society.

Arts Council of Wales

<http://www.artswales.org>

The Arts Council of Wales is responsible for funding and developing the arts in Wales. It supports arts activity, projects and facilities through money from central and local government and the National Lottery.

Boekman Foundation/Boekmanstichting

<http://www.boekman.nl/EN/index.html>

The Boekmanstichting is a centre in Amsterdam where information about arts and cultural policy is collected and disseminated. It covers the areas of policy-forming and all aspects of implementation. It encourages research and opinion-forming connected with the production, distribution and spread of the arts, and in connection with international art policy. The Boekmanstichting conducts a cultural-political debate between representatives from the worlds of management, academia and the arts. It acts as an independent intermediary between interested parties from official public bodies, the academic world and the cultural field. This makes it a unique centre for policy advisers, members of boards, politicians and managers;

for researchers, teachers and students from many different disciplines; as well as for the staff of art institutions, artists and journalists.

Budapest Observatory

<http://www.budobs.org/>

The Budapest Observatory seeks to help those who want to know more about the ways cultural activities and products are being financed in east-central European countries. The term “east-central Europe” is applied generously to cover 18 states between the Baltic and the Adriatic Seas which share the same (or very similar) historic legacy of authoritarian communism.

Despite the flood of words about the successes and failures of the dramatic transformation of cultural funding in the region, reliable first-hand evidence is hard to find. The Budapest Observatory aims to fill this information gap. As a resource organisation, the observatory wants to facilitate research; collect and provide information; and establish contacts in areas that include the financing of culture, cultural policy, legislation and statistics.

Compendium: Cultural Policies in Europe

<http://www.culturalpolicies.net>

Compendium: Cultural Policies in Europe is a transnational project initiated by the Council of Europe's culture committee and secretariat, and has been run as a joint venture with the European Institute for Comparative Cultural Research (ERICarts) since 1998.

The Compendium is a compilation of cultural policy country profiles. Its structure reflects the priorities of the Council of Europe and its member states and those states party to the European Cultural Convention: promotion of identity and diversity, support of creativity, and participation in cultural life. The profiles provide users with an opportunity to learn more about the historical or administrative context for cultural policy-making and a snapshot of current trends, figures, strategies and meaningful examples in different European countries.

Council of Europe

<http://www.coe.int>

The Council of Europe is an intergovernmental organisation which aims to protect human rights, pluralist democracy and the rule of law; promote awareness and encourage the development of Europe's cultural identity and diversity; seek solutions to problems facing European society (including discrimination against minorities, xenophobia, intolerance, environmental protection, human cloning, Aids, drugs and organised crime); and help consolidate democratic stability in Europe by backing political, legislative and constitutional reform. The council covers all major issues facing European society other than defence. Its programme includes the following fields of activity: human rights, media, legal co-operation, social cohesion, health, education, culture, heritage, sport, youth, local democracy and transfrontier co-operation, the environment and regional planning.

Cultural Information and Research Centres Liaison in Europe (Circle)

<http://www.circle-network.org>

Circle is a network of research, information and documentation centres and individuals concerned with culture. It undertakes collaborative research and collects and disseminates information on research and documentation in the cultural field in member states of the Council of Europe. It attaches particular importance to providing a bridge between researchers and policy-makers, and ensuring that information on cultural research is disseminated to those in a position to benefit from it.

Cultural Policy Research Online

<http://www.circle-network.org/cpro.htm>

Cultural Policy Research Online (CPRO) is an online database of research studies concerning the arts and culture in a political, social, educational, historical and management context, which touches on policy issues.

CPRO is a free service for researchers, policy-makers and arts managers who are interested in the study of arts in society and cultural policy. It is constantly updated with new and ongoing research, as well as historical research completed within the past five years.

Department for Culture, Media and Sport, UK

<http://www.culture.gov.uk>

The department has policy responsibility for museums, galleries and libraries; the built heritage; the arts, sport, education, broadcasting and the media and tourism; as well as the creative industries, the Millennium and the National Lottery.

ERICarts: European Institute for Comparative Cultural Research

<http://www.ericarts.org>

ERICarts is a nonprofit association founded in 1993 by a group of researchers, most of whom were members of the Circle network. Since its foundation, the ERICarts secretariat has been located in Bonn, Germany.

ERICarts's mission is to set up an independent and multinational research institute focused on cultural policy and media developments, cultural education and the status of various arts and media professions and fields. Through its comparative research projects and partnerships, it strives to ensure systematic consideration of cultural issues and dimensions in diverse policy areas and supports universal principles such as cultural diversity, productivity and equality.

Europe of Cultural Co-Operation

http://www.coe.int/T/E/Cultural_Co-operation/

The Council of Europe's cultural programme aims to promote awareness of Europe's multifaceted cultural identity and to meet the challenges facing European society. This programme

offers governments support in developing democratic cultural policies based on respect for the principles promoted by the Council of Europe: identities, diversity and participation; integration of the cultural dimension and the concept of human and sustainable development; and assistance for member states in the conception, planning and management of their cultural policies on the basis of comparative analyses.

French Ministry of Culture and Communication

<http://www.culture.gouv.fr>

Ministry of Education, Culture and Science, The Netherlands

<http://www.minocw.nl>

Österreichische Kulturdocumentation, Internationales Archiv für Kulturanalysen

<http://www.kulturdocumentation.org>

The Österreichische Kulturdocumentation, Internationales Archiv für Kulturanalysen is an independent institute for applied cultural research and cultural documentation founded in 1991. Applying an interdisciplinary approach, the institute documents, analyses and publicises national European and international developments in culture, cultural policy and cultural research.

Scottish Arts Council

<http://www.sac.org.uk>

The Scottish Arts Council is one of the main channels for government funding for the arts in Scotland, receiving its funding from the Scottish executive. As an “arm’s length” body it is independent from but accountable to the executive. It funds about 80 arts organisations for annual programmes of work. In addition, it makes project and lottery grants to individual artists and arts organisations.

In addition to its funding role, the council provides valuable information services to the arts community; conducts research; and plays an important part in encouraging support for the arts from local authorities, the education sector, economic development agencies, private sponsors and charitable trusts.

Spanish Ministry of Education, Culture and Sport/Ministerio de Cultura
<http://www.mcu.es>

Zentrum für Kulturforschung (ZfKf)/The Centre for Cultural Research
<http://www.kulturforschung.de>

African Resources

Observatory of Cultural Policies in Africa
<http://www.imo.hr/ocpa>

OCPA is an independent pan-African professional organisation which aims to enhance the development of national cultural policies in the region and their integration in human development strategies. The site offers a newsletter, links to the cultural policies of African nations, and a directory of reports and white papers.

Arterial Network
<http://artsinafrica.org>; www.arterialnetwork.org

Arterial Network is a dynamic, continent-wide network of non-government organisations, creative industry companies, festivals and individual artists engaged in the African creative sector. At its second biennial meeting in Johannesburg in September 2009, attended by 132 delegates from 28 African countries, a decision was taken to build a more formal network leading to the adoption of a constitutional framework, the election of a ten-person steering committee (two for each African region), the appointment or election of 28 country representatives, and the adoption of strategic priorities for the next three to five years. Arterial Network is administered by a secretariat based in Cape Town, with regional secretariats emerging in east, west, central and north Africa.

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Chapter 1

1.3. Definitions

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Case Studies:

Examples of Existing African Cultural Policies

Republic of Kenya

OFFICE OF THE VICE-PRESIDENT
MINISTRY OF STATE FOR NATIONAL
HERITAGE AND CULTURE

NATIONAL POLICY ON CULTURE AND HERITAGE

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NATIONAL POLICY ON CULTURE AND HERITAGE

Acronyms

ACHPR	African Charter for Human and Peoples' Rights.
CPPDCE	The Convention for the Protection and Promotion of the Diversity of Cultural Expressions.
UNESCO	United Nations Educational Scientific and Cultural Organization.
ICCPR	International Covenant for Civil and Political Rights.
ICESCR	International Covenant for Economic Society and Cultural Rights.
ICPPPPBO	International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations.
UDCD	Universal Declaration on Cultural Diversity.
UDHR	Universal Declaration of Human Rights.
TRIPS	Trade Related Aspects of Intellectual Property.
WTO	World Trade Organization.
WIPO	World Intellectual Property Organizations.

CHAPTER ONE

1.0 OVERVIEW

1.1 Introduction

The centrality of culture and national heritage to the socio-economic and sustainable development needs of a country can neither be over-emphasized nor gainsaid. The global partnership established among countries around the Millennium Development Goals (MDGs) underlines the important role of culture in meeting international development challenges.

Culture as articulated by the United Nations Educational Scientific and Cultural Organization (UNESCO) and Universal Declaration on Cultural Diversity (UNCD) takes diverse forms across time and space. The diversity is embodied in the uniqueness and plurality of the identities of groups and societies making up humankind.

Policies that aim at the inclusion and participation of all citizens are guarantees of social cohesion and a prerequisite for peace. The government recognizes the vital role culture plays in sustainable development. In particular, cultural diversity widens the range of options open to every citizen; it is one of the roots of development, understood not simply in terms of economic growth but also as a means of achieving a more satisfactory intellectual, emotional, moral and spiritual existence.

Policy statements:

- The Government shall take all necessary steps to ensure the protection and promotion of culture and of cultural diversity among Kenyans.
- The Government shall take all necessary steps to ensure the protection and promotion of the country's national heritage.

1.2 Definition

Kenya adheres to UNESCO's definition of culture as "that whole complex of distinctive, spiritual, material, intellectual and emotional features characterizing a society or social group. This definition encompasses, in addition to art and literature, lifestyles, ways of living together, value accepted systems, traditions and beliefs".

Culture gives a people their identity, which is passed on from one generation to another. Culture is thus the totality of a people's way of life. However, culture is dynamic and may be enriched by a gradual and innovative change process.

National heritage on the other hand may be defined as the sum total of all the creativity in all its forms preserved, enhanced and handed over to future generations as a record of human experience and aspirations.

1.3 Rationale for the Cultural and National Heritage Policy

The need for a Kenyan Culture and National Heritage Policy is informed by the challenges posed by modernization, free trade, democracy, good governance and the need for the respect of human rights, as well as balancing the diversity of cultural expression with economic and sustainable development.

In pre-colonial times, different communities lived in harmony within their socio-cultural, physical and natural environment. However, the situation changed drastically with the onset of colonialism, which imposed foreign languages, values, beliefs, lifestyles and traditions. Colonialism suppressed indigenous elements of culture and heritage and alienated Kenyans from many of their cultural practices. Moreover, the colonizers imposed various legislations and institutions with the objective of protecting their own cultural, political and economic interests. Post independent Kenya is now free to develop a Cultural and Heritage Policy that will rectify the situation and restore national pride. This policy will enable the country to overcome the challenges posed by modernization, globalization, liberalization, democracy and governance.

Kenya is a multicultural nation and requires a Culture and National Heritage Policy that recognizes this diversity. It has huge cultural resources and talents, which should be incorporated into national agenda.

Since culture provides the ideological and philosophical foundation for national development, which is central to all development programs, the Kenyan cultural policy shall help in assessing and selecting ideas before adapting them to development programs.

Moreover, this policy recognizes culture as a repository of 'knowledge' which is manifested in all aspects of life as a guide to evolution of morals, attitudes, beliefs and values in society.

This Culture and National Heritage Policy therefore places culture and heritage at the centre stage of development. It encourages the selection of appropriate technology and knowledge suitable for national development. It comprises actionable objectives and methods whereby district, provincial and national authorities support and encourage cultural development. It encourages the participation of Kenyans in the development and promotion of culture, while enhancing cultural exchange and co-operation with other countries regardless of geographic or linguistic differences.

The Kenyan Culture and National Heritage Policy is aimed at creating the benchmark necessary for mainstreaming culture and heritage and setting standards as well as raising awareness and the capacity building necessary for infusing culture and heritage as integral parts of public policy and development plans.

Finally, this policy seeks to define the major components of Kenyan culture as well as national heritage and further identifies and outlines major cultural institutions. The policy

statement maps out operational strategies and identifies the resources, approaches and administrative practices necessary for cultural renaissance and the sustainable preservation of national heritage.

Policy statements:

- The Government shall promote culture as the centerpiece and driving force behind human, social and economic development, and shall encourage cultural pluralism.
- The Government shall take appropriate measure for the protection, conservation and preservation of tangible and intangible national heritage situated within its boundaries.

1.4 Aims of the Culture and National Heritage Policy

The Kenyan Culture and National Heritage Policy is aimed at ensuring the fullest possible expression of culture and heritage in all their facets including equal access for all cultures to art and to scientific and technological knowledge, including in digital form. It is also aimed at ensuring the possibility for all cultures to have access to the means of expression and dissemination.

The Kenyan national vision, shall therefore be based on the Government's conviction that its national policy shall consider culture and national heritage as one of the keys to the country's sustainable development at large and, in particular, the development of its economy and of its democratic values. This national vision will enrich Kenya's international co-operation, especially in all aspects related to information and transfer of technology.

Culture and heritage are increasingly threatened with destruction not only by the traditional causes of decay, but also by the changing social and economic conditions which aggravate the situation.

The Culture and National Heritage Policy shall ensure that national heritage in all their forms are preserved, enhanced and handed over to future generations as a record of human experience and aspirations, so as to foster creativity in all its diversity and to inspire genuine dialogue among Kenya's diverse cultures.

1.5 Culture, heritage and national cohesion

Cultural diversity acknowledges the fact that each culture is distinct and has its own value to the community embracing it as well as to other communities interacting with it. Making cultural diversity a recognizable fact and working towards preserving it is a bold statement of the Government that the richness of our diversity does not negate national cohesion. A key objective of this policy is to provide the means by which the Kenyan nation can carve out a strong and vibrant national identity that will ignite pride and patriotism in our nationhood. The National

Culture and Heritage Policy shall ensure that deliberate effort is made towards developing national values and ethos to promote national cohesion, national pride and identity.

This policy proposes the establishment of constituency/district Community Culture Centres. The Community Cultural Centre will be the hub for the development, preservation, promotion and dissemination of culture and more significantly serve as centres of intercultural dialogue for the promotion of national unity through community interactions.

Policy statements:

- The Government shall promote national unity in cultural diversity and, support the commitment of all citizens towards the development of the spirit of nationhood and patriotism.
- The Government shall establish and support Community cultural Centres in all constituencies/districts as focal points for the promotion of intercultural dialogue, national cohesion and expression of cultural heritage.

1.6 Culture, heritage and sustainable development

Development theories over the years have tended to undermine the role of culture in development. In the Western world, culture was for a long time portrayed merely as art, music, dance and literature. However, it is now recognized that culture is much broader. It constitutes a fundamental dimension of the development process, and helps to strengthen the identity, independence and sovereignty of a nation. The person is the origin and the goal of development. Therefore, balanced and sustainable development can only be ensured by making cultural factors an integral part of the strategies designed to achieve it.

National heritage also arises from the country's commitment to preservation, maintenance and promotion of Kenya's heritage. This can be illustrated in the legal steps in ratifying the Convention Concerning the Protection of the World Cultural and Natural Heritage passed and adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organizations (UNESCO) meeting in Paris from 17th October to 21st November, 1972, at its seventeenth session in Paris.

The national development plans since independence have endeavored to promote various principles of cultural diversity. The national development plan of 1966-1970 viewed culture, national heritage and development in terms of social justice, equal opportunities and political equality. By that very fact, the principle of sustainable development was modeled along the African way of life.

At the international level, UNESCO has underscored the role of culture as an integral part of development. Article 13 of the UNESCO Convention on the Promotion of Cultural Diversity (CPPDCE) enjoins state parties to integrate culture in their development policies, in particular, to achieve poverty eradication. Principle 6 of the UNESCO CPPDCE provides that cultural diversity is a rich asset for individuals and societies. The protection, promotion and maintenance of

cultural diversity are an essential requirement for sustainable development for the benefit of present and future generations.

The African Charter on Human and Peoples' Rights (ACHPR) under Article 22 links development to integration of culture. It provides that: "All peoples shall have the right to their economic, social and cultural development with due regard to their freedoms and identity and in the equal enjoyment of the common heritage of mankind. Every state shall ensure the exercise of the right of development".

1.7 Culture, heritage and economy

Kenya's policy on culture and national heritage is also a reaffirmation of the Government's commitment to the protection of intellectual property rights of artists, creators and performers. In this regard, the Government, in line with Article 16 of the Universal Declaration on Cultural Diversity (UDCD) and Article 17 of the Universal Declaration of Human Rights (UDHR) shall strive to ensure protection of copyright and related rights in the interest of development of contemporary creativity and fair remuneration for creative work while, at the same time, upholding a public right of access to culture.

The Kenyan government recognizes the need to explore ways and means of how innovations and intellectual property laws will assist individuals and communities achieve their personal, cultural and economic development, with greater international avenues being explored to ensure protection of Kenya's Cultural Heritage.

Cultural creativity is an intellectual property accruing to individuals, communities, artist or performers and falls within the World Intellectual Property Organization (WIPO) meaning of protection. It is a key concern of various international conventions on culture, cultural diversity and protection or promotion of their expression.

The economic dimension of culture also appears in the employment capacity generated by the sector through all forms of cultural expressions, whether traditional or contemporary, individual or industrial. Moreover, a prosperous cultural sector has a positive effect on the attractiveness of Kenya to foreign tourism, thus increasing the country's sources of hard currency income as well as its general economic potential.

1.8 Culture and environment

Culture is dynamic. The interdependence between environment and culture influences the manner in which communities harness resources and enrich the quality of their lives.

Policy statement:

The government in collaboration with the local and international agencies will actively assist in the sustainable management, preservation and conservation of the environment in conformity with culture, heritage and development using indigenous knowledge, modern techniques and methods.

1.9 Culture, heritage and democracy

The liberty to freely express and participate in cultural practices, communicate and disseminate cultural traditions, knowledge and practices is an attribute of a functional democracy. Without the freedom to practice and express one's culture, there can be no true democracy.

Democracy extols the virtues of freedom to hold beliefs, knowledge, expression and the right to information. Democracy also presupposes the existence of freedom of access to information as well as free and vibrant media.

In turn, the media, whether written or audiovisual, have to be in a position to disseminate culture to all categories of the population and, thus, contribute actively to the processes of democracy. The media shall ensure that culture does not remain a privilege of the elite.

Policy statement:

- The Government shall promote the democratization of all Institutions in a manner that engenders cultural harmony and tolerance.

1.10 Culture and international co-operation: information and transfer of technology

Culture is characterized by constant change. In the face of globalization, culture acquires new trends and in the process assimilates new and foreign values. This creates inter-dependence and a need to share information among international bodies, nations and people.

The transfer and sharing of technology, knowledge and information is a key concern of most international legal instruments on culture, its protection as well as its promotion. Kenya is a committed member of many of these bodies and supports exchange of culture, technology and information.

Cultural exchanges facilitate regional integration as well as inter-African communication. Moreover, culture is one of the privileged sectors of exchanges on an international level, both on a bilateral and multilateral basis. Numerous financial instruments are available for the development of international co-operation in the field of culture.

Policy statements:

- The Government shall take all necessary steps to ensure the promotion of culture through regional and international exchanges.
- The Government shall put in place measures designed to ensure that culture plays a role in the realization of the goals of Vision 2030 and beyond.

1.11 Vision

The attainment of unity within cultural diversity for sustainable development.

1.12 Mission

The Mission of the Cultural and National Heritage Policy of the Republic of Kenya is to provide direction to sustainable cultural development in Kenya, and to enhance and promote creative participation of all Kenyan people in their cultural life.

CHAPTER TWO

2.0 CULTURE AND HERITAGE

2.1 Tangible cultural heritage

Tangible culture refers to objects, movable and immovable, which men and women use to benefit from their physical environment. Tangible culture is, therefore, the outcome of design and product development that incorporates our past and adds value to our future. It includes the archaeological findings, which testify to the high degree of our past civilization, as well as contemporary architecture, which is a visible sign of Kenyan creativity. As Kenyans progressively continue to interact with world technologies, this aspect of their culture needs to evolve in a sustainable and relevant fashion.

2.1.1 Craft

The production of traditional crafts concerns activities inherited from individual and collective traditional creativity. It reflects an important aspect of the country's culture, heritage and social environment. The craft sector provides an entry point into the economy for industries.

Policy statements:

The Government shall enhance, support and assist in the promotion of the cultural heritage of Kenya by encouraging, preserving, sustaining and disseminating knowledge of traditional and contemporary tangible culture.

The Government shall be committed to the protection, preservation and even retrieval of important objects of tangible culture, including archaeological findings, which bear witness to the antiquity of Kenyan cultural expression.

The Government recognizes the importance of research in the promotion and preservation of tangible culture and shall take all necessary steps to facilitate and encourage research in all tangible aspects of culture.

The Government shall put into place mechanisms to prevent financial and artistic exploitation of craftsmen and artists.

The Government shall take all necessary steps to ensure that the use of tangible cultural heritage translates into the creation of wealth and employment.

The Government shall undertake to establish national arts galleries, to recognize, protect and promote art and creative talents.

The Government shall endeavour to preserve cultural landscapes that testify to the creative genius, social development and imaginative spiritual vitality of humanity, all of which are part of Kenya's cultural identity.

The Government shall be committed to the prevention of illicit trafficking of protected cultural objects.

The Government affirms its commitment to international conventions concerning the protection of world natural heritage to enhance the beauty and value of Kenyan natural landscapes, thus generating added economic value for the country.

2.1.2 Kenya national dress

Owing to the diverse cultural traditions, each ethnic community in Kenya has its own dress styles that are consistent with their physical environment and lifestyles. The impact of outside influences relegated these traditional modes of dress to the back seat in favor of the dominant Western and non-Kenyan modes of dress. Domination by non-Kenyan modes of dress has inhibited the evolution, acceptance and use of national attires.

Policy statements:

The Government shall facilitate evolution of national attire and adornments and shall constantly review and promote existing dress codes as well as help to promote the wearing of various African attires and adornments.

The Government shall protect the Kenya national dress under the Industrial Property Act, 2001 and shall license its production for commercial purposes.

The Government shall support the production of Kenyan attires and adornments, which will contribute to the economic development of urban communities especially among women groups.

2.1.3 Design

The Government of Kenya recognizes the importance and role of design in cultural development and will work towards reduction of the impact of importation, external imposition and invasion of alien cultures and designs.

Consequently appropriate legislation and administrative mechanisms will be put in place for the protection, promotion and development of a Kenyan identity in the field of design, whether two dimensional or three, including dress, designs, artistic works, visual arts and architecture.

Policy statements:

The Government shall review the enforcement of various statutes that apply to design and shall encourage public and private institutions and individuals to research, develop and promote all fields of traditional designs.

The Government shall encourage and support creativity and skill in the development of new designs and expressions.

The Government shall protect innovation through the Industrial Property Act of 2001 and endeavor to provide an enabling environment for innovation to thrive.

The Government shall encourage and support the creation of design institutions.

2.1.4 Visual arts

In African traditions, visual arts have been closely associated with the daily lives of the people and have played an important functional role in African societies.

Pre-colonial Africa had a strong tradition of painting based upon both body and architectural paintings, which has survived up to the present times among many communities. Together with painting, sculpture and the graphic arts, they play an important role in fostering cultural identities, cultural dialogue and cross fertilization of ideas, styles and practices.

Policy statements:

The Government will encourage the teaching of visual arts at all levels of the education system.

The Government will enable partnerships with the private sector in promoting the visual artists and their works, especially through tax-facilities in compensation for private sponsorship of Kenyan artists.

The Government shall promote visual arts by facilitating exhibitions and art fairs, locally, regionally and internationally, and promote exchanges between artists from different cultural horizons.

2.1.5 Health and medicine

Health refers to the total physiological and psychological wellbeing of an individual. It also includes the systems of public, preventive and curative health management. However, although traditional medicine continues to play a significant role in many Kenyan communities it has not been accorded the respect it deserves.

There is need for formal institutions as well as legal regulatory framework in order to create parity between traditional medicine and contemporary medicine.

Policy statements:

In order to control and improve traditional medicine, the Government undertakes to protect traditional healing methods and indigenous knowledge and in particular shall conserve and preserve natural resources as an important source of traditional medicine.

The Government will also establish regulatory measures and licensing guidelines for traditional medicine and facilitate integration of traditional medicine into modern health care systems and promote its national use through development of technical guidelines and adherence to international standards in the field of traditional medicine.

The Government shall undertake to establish legal and regulatory measures and licensing guidelines for herbal medicine and the practice of traditional medicine

2.1.6 Food and drink

Food and drink are part of people's culture. Cultures have various foods that are suitable for sustenance on various occasions, ceremonies and rituals. The culinary habits of each ethnic community have made them evolve specific ways of preparing their own food and drink while acknowledging the accompanying taboos and etiquettes.

The food and drink satisfy and guarantee the communities' nutritional requirements and add nourishment as well as inherent medicinal value.

Policy statements:

The Government, in collaboration with the private sector, shall encourage the use and consumption, development and popularization of inter-ethnic traditional dishes and drinks. It shall also encourage growing of traditional food crops, their preparation, preservation and presentation.

The Government shall encourage cultural exchange amongst committees in culinary arts.

The Government shall initiate research, documentation and conservation of knowledge of traditional foods and drinks.

2.1.7 Historical sites, monuments and physical environment

Sites and monuments form the nation's immovable heritage. These cultural landscapes are a testimony of identities and shared aesthetic values.

The conservation and appreciation of such sites and monuments promotes a stable society and ensures recognition and respect for the differences and cultural identities of distinct communities.

Contemporary inspirational Kenyan architecture testifies to creativity and paves the way for tomorrow's heritage.

Policy statements:

The Government will establish and fund institutions at different levels to ensure the conservation and promotion of Kenya's immovable heritage and will further enact laws that provide the appropriate legislative and administrative framework for the protection of sites and monuments.

The Government will encourage the participation of local communities in the planning and management of sites and monuments.

The Government is committed to the protection and promotion of Kenyan contemporary architecture, which, together with well thought out urban planning, contributes to a culturally adapted physical environment for a growing part of the Kenyan people.

The Government shall encourage sustainable projects in areas with immovable heritage so as to contribute to people's social welfare, improved quality of life and sustainable development.

2.1.8 Intangible cultural heritage

Intangible culture is defined under the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage of 2003 as "the practices, representations, expressions, knowledge and cultural spaces associated therewith that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.... Intangible Culture manifests itself through oral tradition, performing arts, social practices knowledge and practices concerning nature and the universe and traditional craftsmanship".

Artists in Kenya, like others in Africa, have always functioned as custodians of mores and the voices or vision of the society. They illuminate the society's social realities and prophesy about its potential. They make the society aware of aspects of nature to which it might remain blind or at least relatively indifferent.

They also play a significant role in the economic development of the country, with their creative activities contributing to the development of cultural industries, which in turn attracts foreign investment and tourism and generates income.

It is through art that society can react with understanding and interpret its physical and social environments, express its views, define its family and kinship systems, as well as demonstrate the power of language. Appreciation of the creative arts in their entirety and the role of the artists in society in particular awaken and contribute to the development of the individual in imaginative perception and insight into a wide range of life.

Policy statements:

The Government shall enhance, support and assist in the promotion of the intangible cultural heritage of Kenya by encouraging, preserving, sustaining and disseminating knowledge of traditional and contemporary intangible culture.

The Government shall be committed to the use of information technology as a means for the preservation of intangible cultural heritage, especially its endangered aspects. In particular, the Government shall be committed to the preservation of intangible culture using computer technology.

The Government shall be committed to the training and education of personnel on aspects of inventory use, research, audiovisual documentation, and archiving and conservation practices.

The Government recognizes that intangible culture is part of Kenya's national treasure and heritage and needs to be embraced, appreciated, promoted and protected.

The Government shall be committed to the exportation of intangible culture as well as its development.

The Government shall put in place mechanisms to prevent exploitation of artists.

The Government affirms its commitment to the Convention for the Safeguarding of the Intangible Cultural Heritage (CSICH).

The Government shall commit itself to facilitate the work of artists and of all cultural practitioners both at home and through regional and international co-operation.

2.1.9 Performing arts

Performing arts refer to music, drama, dance and recitals (narratives, histories and poetry). In the African set up, performances always reflect the aesthetic principles and ethical values of the society. Some of the performing arts include teaching the young and passing language values, literary traditions and styles from one generation to another in the society.

In Kenya, music is traditionally used to entertain, educate and communicate important messages. Through it, people express their hope for the future.

Music and dance among Kenyan communities play important roles in various development activities.

Due to their roles, research and formal study of music should be given due emphasis in both formal and informal education.

The economic contribution of music cannot be over-emphasized. A well developed music and dance industry will create employment and wealth.

Policy statements:

The Government shall create and sustain an enabling environment in which performing arts will thrive and, in particular, shall support creative expression as an effort to revive and revitalize dying languages, traditions and practices.

The Government will improve legislation to enhance protection of artistes' rights.

The Government shall endeavor to promote the development of talent in the performing arts. In particular, the government shall utilize the Kenya Music and Cultural Festival as the principal channel for talent development with a view to greater promotion of intangible culture.

The Government shall take all necessary steps to promote and encourage research in all aspects of performing arts: music, drama, dance and recitals, oral narratives, histories and poetry.

The Government shall support and promote the use, teaching and examining of music and dance in all learning institutions as a means of transmitting and promoting culture and inspiring creativity among Kenyans.

The Government shall ensure that an appropriate administrative and regulatory framework is put in place to ensure equity and cohesion in the use and accessibility of performing arts centres at local, provincial and national level.

The Government will create an enabling environment within which music and dance will be promoted as an integral component of culture. To achieve this, the Government will facilitate enactment of appropriate legislation to protect copyright and all intellectual property rights of Kenyan modern and traditional music and dance.

2.1.10 Games and recreation

Games, sports, recreation and entertainment are important for intellectual, emotional and physical development, as well as relaxation of the mind and body. Apart from contemporary sports and games, Kenya has a rich heritage of traditional games and sports that have been afforded inadequate exposure; examples include traditional wrestling, bullfighting, ajua, gicandi and boat racing. These have a significant public relations role to play in boosting the national image.

Policy statements:

The Government will encourage the revival, preservation and promotion of traditional forms of recreation and entertainment and facilitate provision of adequate facilities for traditional sports, games and recreation equitably throughout the country.

The Government will also put in place institutional structures to manage and coordinate traditional games, sports, performing arts and recreational activities.

2.1.11 Language

Language is central to human communication. It is an indispensable tool which is used to describe, classify and catalogue experience, concepts and objects. There is therefore a symbiotic relationship between language and culture. This relationship is indexical, symbolic and sacrosanct. It must therefore be upheld and promoted.

A language long associated with the culture is best able to express most easily, most exactly, most richly, with more appropriate overtones, the concerns, artifacts, values and interests of that culture. Language and culture are complementary, in that language is learnt culturally and culture largely acquired through language.

Kenya is a multi-lingual country with over 40 indigenous languages, numerous dialects and several other languages, including English, which is also used as a language of instruction.

There is lack of adequate legislation protecting and promoting Kenya's languages. This situation persists despite UNESCO's efforts in various fora to provide direction and enforceable policy statements under the Universal Declaration of Linguistic Rights (UDLR), which emphasizes

the need to revitalize and develop the ethnic languages, so that they can effectively participate in national development. Few efforts though have been made by Government to come up with language policies that provide pragmatic directions on functional institutional support.

Kenya's indigenous languages have the capacity to awaken people's imagination. The loss of these languages would result in a total loss of knowledge of the bio-diversity and its interaction with the environment as well as the culture of the community they represent. The study of indigenous languages therefore has to be given its due priority at all levels of education from primary school to university.

The Government education policy on the use of indigenous languages provides for the learning and teaching of these languages up to an elementary level.

However, it does not adequately sustain their growth and development. Consequently, the languages can hardly cope with the demands of development in Kenya as witnessed in many community projects and initiatives, which have collapsed due to communication breakdown.

Realizing that Kiswahili is becoming the lingua franca of East and Central Africa and the Great Lakes Region, there is need to accentuate the place of Kiswahili and promote and popularize it as a national language.

Policy statements:

The Government shall encourage and create an enabling environment within which languages including non-verbal, sign and text languages will be promoted.

The Government shall harmonize education, language and cultural policies and ensure consistency while encouraging the teaching of indigenous languages at all levels of education including schools, colleges and universities.

The Government shall undertake to promote Kiswahili as a language of instruction and as a national and regional language of communication as well as one of the official languages of the United Nations.

The Government shall encourage families, educational institutions, media and individuals to develop facilities, equipment and human resources to promote a mastery of indigenous languages in order to evolve a base on which other languages could be learnt.

The Government shall encourage learning of foreign languages as a means of interaction with other people and to promote international communication.

The Government shall take appropriate steps towards the realization of a national language policy.

2.1.12 Literature

Literature refers to the written works of creativity published in Kenya, and the rest of the world, that are read and discussed informally and formally, and/or oral texts which are in indigenous and foreign languages, recorded and published and which are available for study, viewing, discussion, and literary analysis.

Books play an important role in culture and the promotion of cultural heritage as the principal medium for the transmission of both oral and written aspect of culture.

Policy statements:

The Government will encourage writing and publication in Kiswahili and other indigenous languages and encourage and protect artistic expression among creative writers and oral artists as provided for in the Copyright Act of 2001.

The Government will also facilitate and support the study of local literary works in our educational institutions and promote imaginative writing, choreography and oral expressions which may manifest themselves in narratives, poetry, dance, music, drama, autobiography and reminiscence among others.

The Government undertakes to support and facilitate research in written and oral literature both traditional and contemporary as well as encourage a culture of reading.

CHAPTER THREE

3.0 CULTURAL INDUSTRIES

3.1 Publishing industry

With the globalization of cultural exchanges and the severe international competition accruing from it, the promotion of strong national cultural industries has become a strategic challenge for Kenya.

The publishing industry plays an important role in promoting the country's literary traditions, culture and identity and allowing full expression to the creativity and originality of Kenyan writers. Moreover it is an essential contribution to education through the production of manuals for primary, secondary and higher education, as well as research.

The export potential of this industry is important and contributes to the dissemination of Kenyan culture. Within Kenya itself, the distribution of books through an efficient role of bookshops will improve the income of writers and publishers as well as contribute to the democratization of culture.

3.2 Cinema and audio visual industry

These industries (film and audio visual production) concern creators and distributors country-wide as well as an increased population of viewers throughout Kenya. These productions portray all Kenyan activities. Today all film and video productions represent a major stake in the perception of Kenyan society as well as a potential source of income.

The development of specifically Kenyan film and audiovisual industry rests on the training of actors, directors, technicians and the existence of funding capabilities by local producers. International co-operation through co-productions, participation in international competitions and professional fairs are an integral part of the strategy for developing these industries through the national and international market. The promotion of local talents drawing on local themes and realities, have in the eyes of foreign publics an added cultural value, which has to be taken into account for active promotion.

3.3 Multi-media industry

Multi-media productions are progressively gaining ground in world markets. They rely on techniques, which Kenyan artists have mastered, and on creative powers, which they show abundantly. With due promotion, their work will meet with success, nationally and internationally.

3.4 Recorded music industry

In Kenya as in most countries, the record industry suffers from illegal copying and consequently from a dramatic loss of income arising from copyright infringements. This situation is all the more serious as Kenyan music has traditionally been the foremost Kenyan form of cultural expression.

Policy statements:

The Government in partnership with the private sector shall create an enabling environment for the development of cultural industries, in line with the overall economic development of Kenya. Partnership, on a regional, continental and international basis, will be sought to promote Kenyan cultural industries.

The Government in partnership with right-holders will ensure the efficient protection of copyright and related rights in Kenya.

The enforcement of the law will be accompanied by information campaigns for the benefit of all right-holders.

The Government shall encourage the activities of creators, producers and distributors all over the country by placing emphasis on training in Kenya and abroad and on promoting both old and contemporary works in order to create a national consciousness of the value of national film and audiovisual productions.

The Government will combat all forms of piracy, which deprive Kenyan artists, and creators of their income.

The Government shall encourage the production, distribution and broadcasting of local cultural programmes with a view to promoting a sustainable cultural industry and awareness of national cultural identity.

CHAPTER FOUR

4.0 THE FAMILY

The foundation of the Kenyan society has always been the family as the smallest unit of society and kinship relationships. However, with the advent of modern culture we have embraced contemporary concepts of family brought about by inter-marriages between Kenyans and other nationals.

Policy statements:

The Government will work in concert with other institutions to strengthen the family and kinship relations as a foundation for a unified nation.

The Government will provide easy access to families by developing cultural facilities at local level i.e. libraries, facilities for performing and visual arts for the benefit of small rural communities, increased facilities for artistic education for young children at primary school level.

CHAPTER FIVE

5.0 PROTECTION OF COMMUNITY RIGHTS

The peoples of Kenya have unique cultural innovations resulting from their long-term interaction with their environment and nature. These cultural expressions are threatened with extinction by internal and external influences.

Some of the community cultural properties are literally stolen or illicitly transferred from their places of origin to destinations that have no bearing on the cultural objects thus denying the communities the right to pass on their heritage to the younger generations for posterity.

There is need to adopt interventions geared towards promotion and protection of the cultures of Kenya's communities.

Policy statement:

The Government shall ensure the protection of the rights of all peoples and in particular promote the rights as are enshrined in international legal instruments by either adopting or domesticating them.

CHAPTER SIX

6.0 HEROES AND HEROINES

Heroes and heroines are individuals who through selfless sacrifice have contributed to the well-being of Kenya and/or their communities in diverse ways.

Persons who fall in this category include individuals who through patriotism, integrity, commitment and vision contributed to the liberation struggle, prophecy, knowledge, cultural values and practices, arts, sports, scholarship research, statesmanship and other special achievements.

Policy statements:

The Government shall ensure that an appropriate legal and administrative framework is established to facilitate the identification and recognition of heroes and heroines.

The Government shall establish appropriate institutions to oversee the administration of the national and community heroes and heroines scheme.

CHAPTER SEVEN

7.0 MEDIA

7.1 Cultural Information

The modern methods of communication such as newspapers, books, films, television, radio and Internet may not be culturally sensitive, but are effective means of modern information dissemination. Recognizing that culture must operate within the current technological framework, there is a need to encourage the merging of the traditional and the modern media, while maintaining professional, moral and ethical standards.

7.2 Print media

Recent developments in the area of civic education and electoral activities arising from the democratic perception of governance indicate that there is a need to invest in public information and education through the print media.

7.3 Electronic media

The electronic media has the capacity to entertain, inform and educate. It is a powerful means of arousing the interest of people by portraying and projecting images of their day-to-day activities.

Policy Statement:

The Government will encourage dissemination of positive cultural information about Kenyan communities through all media, and undertake to further ensure that organizations, individuals and institutions in all forms of media offer Kenyans culturally oriented programmes which are competitive in terms of relevance and aesthetics.

CHAPTER EIGHT

8.0 EDUCATION

Education is a continuous process in which a society and a nation passes knowledge skills and values from one generation to another. It is formal, institutionalized and informal, occasioned by various social dynamics within the society. This also includes research and training in higher institutions of learning.

Education should lead to the appreciation and strengthening of one's cultural identity as well as the appreciation and acceptance of other cultures. It should also be designed and tailored in a manner that it becomes a carrier and transmitter of knowledge, appropriate skills, values, identity and outlook that enables people to survive and prosper within their own environment and culture.

Education should aim at promotion of the varied and rich cultural diversity in Kenya.

The earliest possible association of all forms of artistic expression within the educational process at school should favor the development of the creative potential of Kenyan children. They should be given the possibility of early contact, not only with works of art, but with artists themselves. The direct contribution of artists to the education of children would also be of profit to them.

Policy statements:

The Government will encourage links between industry and educational training institutions as well as the infusion of cultural values, knowledge and attitudes in the school curriculum from early childhood through to university.

The Government will encourage individuals and institutions to conduct research in culture and also document and disseminate the findings.

The Government will encourage cultural exchange programs within schools and inter-cultural exchange programs among schools. In this regard, the Government will also encourage educational institutions in establishing links with foreign institutions for the purpose of facilitating student exchange programmes.

The Government will encourage capacity building within all departments dealing with culture and shall in particular undertake training of cultural personnel.

The Government will encourage the development and training of cultural personnel.

The Government will encourage the development of indigenous media of communication using relevant languages, art, design, architecture, music, dance, literature, drama and theatre.

The Government shall support and strengthen Kiswahili and other languages as compulsory subjects in early childhood education, primary, secondary and tertiary education and shall encourage its use. The Government will encourage and support a holistic education process, which will enable learners to develop their identity and personality, thereby enhancing their prospects for economic independence.

CHAPTER NINE

9.0 CULTURAL TOURISM

Whereas cultural tourism is a vital foreign exchange earner and a major employment sector in our country, it is also an important avenue for local, regional and international understanding and has implications for intercultural relations and reduction of conflicts. However, there are negative values that may come with tourism and globalization which lead to sexual exploitation, drug abuse, the distortion of aesthetic and ethical values, commercialization and loss of cherished artistic tangible and intangible cultural items and the undermining and distortion of cultural norms and values.

Policy statements:

The Government shall encourage the public, private individuals and institutions to establish and maintain networks that promote cultural tourism while ensuring that cultural products and services are not unduly exploited and/or corrupted.

The Government will actively assist individuals, public and private institutions/organizations and communities in organizing, managing and marketing cultural products, festivals and services.

CHAPTER TEN

10.0 CAPACITY BUILDING

A sustainable national policy on culture requires highly trained and informed professionals in all sectors in order to ensure its implementation and the achievement of its goals. Moreover, the development of cultural industries and the gradual transformation of performing arts groups into real business enterprises, necessitates that an increasing number of persons be trained in cultural marketing and management practices.

Due to the globalization of the cultural markets and of the diffusion of their products, the training of Kenyan nationals in that field should have an intellectual outlook.

Policy statements:

The Government shall establish capacity building programs in all cultural sectors with special emphasis on cultural project management. Among the sectors, special mention shall be made of cultural research and information, cultural administration and management, and regional and international cultural co-operation.

The Government shall facilitate regional and international co-operation and bilateral linkages.

CHAPTER ELEVEN

11.0 IMPLEMENTATION STRATEGIES

Several ministries are currently involved in the promotion of cultural activities in one way or another. However there is need for a coordinated approach to the promotion of such activities to create cohesion and consistency in the implementation of the cultural policy.

The ministry in charge of culture and heritage will have the overall responsibility of implementing the National Culture and Heritage Policy of the Republic of Kenya.

Policy statement:

The government shall establish a National Council of Culture and Heritage as an advisory body to the ministry in charge of implementing the Kenya National Culture and Heritage Policy.

CHAPTER TWELVE

12.0 FUNDING

To support implementation of this policy the Government will source funding from the following:

- (a) The Consolidated Fund
- (b) Private sector
- (c) International and local non-governmental organizations
- (d) Multilateral and bilateral co-operating partners
- (e) Endowment Fund

Policy statements:

The Government shall set aside funds and engage donors and other private sector actors to ensure the proper funding of the proposed structure set out in the culture policy.

The government shall ensure the National Council of Culture is financially independent and autonomous in the sourcing of funds.

CHAPTER THIRTEEN

13.0 INSTITUTIONAL AND ADMINISTRATIVE FRAMEWORK

13.1 Existing Framework

The existing institutions on culture have largely revolved or been centered around the ministry responsible for culture and heritage. However a number of other public and private institutions have their own cultural programmes and policies which govern their work, as opposed to the ministry in charge of culture which has a wider mandate in terms of the depth of its activities and programs spread across the whole country.

There is a need to vest the overall administration, supervision and coordination of all these activities to the ministry responsible for culture and heritage in the government which also has the duty to ensure the proper implementation of the cultural policy of the Republic of Kenya.

Policy statement:

The Government shall make appropriate legislation to encourage the integration of key actors dealing with culture within existing structures to work together in ensuring the

successful implementation of the National Culture and Heritage Policy. In particular the following Government Ministries shall be integrated into the Government action plan for the implementation of the National Culture and Heritage Policy:

- Education.
- Youth Affairs.
- Planning and National Development.
- Finance.
- Culture.
- Heritage.
- Health.
- Foreign Affairs.
- Information and Broadcasting.
- Local Government.
- Tourism and Wildlife.
- Trade and Industry.
- Sports.
- Environment.
- Wildlife.
- Agriculture.

13.2 The Rationale for establishment of the National Commission on Culture and Heritage

In order to realize the objectives of the National Policy on Culture and Heritage there shall be established the National Commission on Culture and Heritage.

13.3 National Commission on Culture and Heritage

The National Commission on Culture and Heritage shall have the overall advisory role over all aspects of cultural activities of the Republic of Kenya.

Members of the National Commission for Culture and Heritage shall be appointed by the minister responsible for culture and shall report directly to the minister.

CHAPTER FOURTEEN

14.0 MONITORING AND EVALUATION

In order to monitor and evaluate the implementation of this policy, the Government will develop monitoring and evaluation instruments to guide cultural service delivery.

Policy statement:

The Government shall enact necessary legislation to put in place a proper monitoring and evaluation mechanisms for the implementation of the cultural policy.

SCHEDULE

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Republic of Namibia

Unity
Identity
and Creativity
for Prosperity

Policy on Arts and Culture of the Republic of Namibia

This policy was accepted in principle by the Cabinet of the Republic of Namibia in August 2001.

Published by the Ministry of Basic Education, Sport and Culture

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Introduction

1. This document states and explains the vision, mission and goals of government in relation to arts and culture¹. An outline is provided of the main lines of action that government will follow to achieve these intentions.

Our vision

2. We envisage ourselves as a united and flourishing nation, celebrating the diversity of our artistic and cultural expressions and globally admired, as is the skin of an African leopard.
3. We envisage ourselves as a united and flourishing nation, achieving sincere reconciliation through mutual respect and understanding, solidarity, stability, peace, equality, tolerance and inclusion.
4. We envisage ourselves as a united and flourishing nation, treasuring and protecting our material and spiritual heritage and customs, developing our creative talents throughout our lifetimes, and employing our skills and knowledge for economic development and the common good.

Mission and goals

5. The mission of government in arts and culture is to promote unity in diversity, to give all Namibians a sense of identity and pride in their own creative talents, and to improve the quality of life.
6. Our first goal is to uphold unity in diversity. We understand by this that all Namibians feel free to practice any culture (provided this does not infringe on the rights of others) while still retaining a strong sense of loyalty to one nation. Unity is maintained by mutual understanding, respect and tolerance.
7. Our second goal is to safeguard, extend and promote our physical, linguistic and spiritual heritage. It is this rich heritage that provides us with our unique Namibian and African identity, and which is the foundation for our development.
8. Our third goal is to promote widespread cultural and artistic expression. Our wish is that all Namibians should take part in creative activities, in many different art forms, to share their understanding of life, release their creative potential and contribute to economic development. The status of the arts and of artists should therefore also be improved,

¹ UNESCO defines Culture as “.... The whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or cultural group. It includes not only arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions of dance, drama, music, theatre, visual arts, crafts, design, written and oral literature, all of which serve as means for individual and collective creativity and expression through performance, execution, presentation, exhibition, transmission and study.

inter alia through education and training, and by exploring the economic potential of this sector.

Background

9. This policy is guided by certain international instruments, including the Universal Declaration of Human Rights, the UNESCO Recommendations on Culture and the Status of Artist, the World Report on Culture (Stockholm), the OAU Policy on Culture Industries Development, the SADC Policy on Culture, Information and Sport, the SADC Draft Protocol on Culture, Information and Sport. The recommendations of the Presidential Commission on Education, Culture and Training (1999) have been considered and included where possible. This document was further refined through a National Conference on Arts and Culture Policy held in June 2001.
10. Article 19 of the Constitution of the Republic of Namibia provides that:

Every person shall be entitled to enjoy, practise, profess, maintain and promote any culture, language, tradition or religion, subject to the terms of this Constitution and further subject to the condition that the rights protected by this Article do not impinge upon the right of others or the national interest.
11. The development of arts and culture programmes is naturally built upon this constitutional guarantee, which acknowledges Namibia's rich diversity of culture, and encourages freedom of expression, while also considering the national interest. At another extreme, the Constitution and recent legislation forbid all forms of apartheid and racism.
12. In "Towards Education for All, a Development Brief for Education, Culture and Training" published by the then Ministry of Education and Culture in 1993, it is stressed that culture should be "a unifying and nation-building force". The policy calls for cultural renaissance through consultation, partnership and networking.
13. Legislation dating back to 1969 has been utilized to establish the National Monuments Council with certain responsibilities for the protection of Namibia's physical cultural heritage. This legislation, has, however, been found to be inadequate in some respects and a National Heritage Council Bill has therefore been drafted and accepted by Cabinet. The National Art Gallery Act was approved in July 2000.
14. The Arts and Culture Grants Bill makes provision for the establishment of an Arts and Culture Council and gives this body powers to run a fund and make grants.
15. The legal framework relating to arts and culture is therefore being developed, and will have an important effect in the next few years and beyond.
16. In the first years after independence the responsible Ministry surveyed arts and culture activities, established regional and head office infrastructure, and determined priorities for the development of arts and culture programmes. In 2000, the Office of the Prime Minister approved the creation of two Head Office Directorates, for Arts Programmes

and Cultural Heritage respectively. Many of the needs identified in arts and culture are therefore being addressed, and in the process new challenges are emerging.

17. However, policies for the development of arts and culture in Namibia have not yet been formally articulated in detail, or consolidated, which is one of the factors giving rise to this document.

Stakeholders

18. The main partners in the development of arts and culture in Namibia can perhaps best be considered in terms of some categories.

Government

19. Government is a major role player, as the main source of funds for the arts and culture, and because of a public expectation that a matter of such nation importance should be attended to by government. Sometimes it is only government that has the facilities, influence and resources to act on a national scale.
20. Arts and culture programmes have major opportunities and responsibilities in our schools, colleges, polytechnic and university. After all, all learning is imbedded in culture. Arts subjects make up part of the new curriculum, and should also enrich the extra-curricular programme of a school. Arts and cultural content can of course also be used in cross-curricular teaching. In an environment where this is attended to, the learners are sure to acquire many skills and self-confidence through exploring their own creative abilities.
21. Government also has direct responsibility for several major national cultural institutions, such as the College for the Arts, the National Museum, the National Monuments Council, the National Art Gallery and the National Archives. The National Institute for Educational Development has an important role in curriculum development, including languages, which are central to culture. The Ministry of Higher Education, Training and Employment Creation is of great importance because of its responsibilities for teacher education, youth development and employment creation in relation to arts, crafts and culture.
22. State occasions and nation events provided important opportunities to project Namibian arts and culture and create a sense of nationhood. The cultural agreements, which Namibia has concluded since independence, also provides for exchange and training at an international level. International cultural centres add considerably to the country's cultural life.
23. The Ministry of Basic Education, Sports and Culture has a pivotal role in the development of arts and culture, especially to negotiate policy within government and in co-operation with the other stakeholders. Many ministries and government agencies have an influence on cultural development and must be actively involved as partners. This includes national,

regional, local and traditional authorities. The need for co-operation is evident when one thinks, for instance, of the impact of tourism, trade and foreign policy on arts and culture.

Traditional authorities

24. In terms of the Traditional Authorities Act, 1995 (Act 17 of 1995) recognised traditional leaders and authorities have functions in relation to culture, language, tradition, values, cultural sites, ceremonies, works of art and literary works of particular traditional communities. The trust fund of a traditional community can also be used to support such functions.

Independently managed national institutions

25. Important responsibilities for the development of performing arts have been allocated to the National Theatre of Namibia, an independently managed not-for-profit company. Their programmes include a training element and have a national reach. Similarly, the Visual and Performing Arts Department at the University of Namibia are significant resource for the development of the arts and culture in Namibia, for instance in the development of artistic skills and research in Namibian modes of expression.

Artists and their organizations

26. Artists are central to the development of the arts. Several artists' organizations do exist in Namibia, including those for differently abled artists, and these should be encouraged so that artists have bodies, associations and unions that can represent their profession, protect their copyright and neighbouring rights, and generally enhance their status and employment conditions.

Media

27. The print and electronic media, especially the Namibian Broadcasting Corporation and other broadcasters, also have a tremendous influence over our cultural and artistic life, even if this is not yet fully realized. More reviews and critique would be welcome to build up audiences. Greater awareness of our rich cultural heritage could be created through documentaries on heritage sites. Several NBC radio and television programmes, such as the Namibia Oral Tradition Project, have shown the broadcasting potential of arts and culture.

Non-governmental organizations

28. Namibia is fortunate to have a number of non-governmental organizations involved in the visual and performing arts and in aspects of cultural heritage. These organizations, that have played a key role in enhancing the sector's potential at home and abroad, and too numerous to list here, but most have been captured in surveys and databases.

Churches

29. The history of interaction between various churches and aspects of Namibian culture is long and complex. However, it cannot be disputed that the churches and other religious bodies are significant informal learning centres for the arts and culture, and have a major role to play in the development of ethics and norms.

Private sector

30. The private sector has a large role to play in the development of arts and culture in Namibia, although this role has perhaps not yet been fully developed. Both employers and unions have realized the importance of arts and culture in our multi-cultural workplaces, and the role that culture can play in achieving happy and productive organizations. Some parts of the private sector are also an important source of funding for artists and culture. This is not just by way of donations. Many companies in Namibia are, for instance, concerned about art displayed at workplaces and in their annual reports, and use art in their corporate image building. The power of the arts in advertising and marketing is growing daily. Investment in the arts and culture can therefore have positive repercussions for the private sector.

International partners

31. International and national agencies are engaged in the development of arts and culture in Namibia, to our mutual benefit. It is hoped that with a more clearly defined national programme they will be inspired to provide even more generous support, in harmony with our development priorities, and that promotes sustainable development.

International organizations and exchange programmes

32. International organizations, including UNESCO and the Southern African Development Community (SADC), have an important normative role to play in Namibia, especially in helping us to share experiences with others, and in establishing international links, which can greatly enrich our activities. Exchange programmes exist with many countries through

bilateral and multilateral cultural agreements, which Namibia has cemented with key international allies, including our African neighbours.

Families

33. Since culture has to do with the ways in which we live our daily lives it is important for us to remember that our cultural life is embedded in our most basic social institution, the family, which must be respected for its pivotal role. It is from such basic communities that cultural values and artistic initiatives are nurtured for a creative, prosperous and tolerant society.

Rationale for our Mission

34. The following arguments are offered for our Mission and Goals as stated in paragraphs 5 – 8 above.
35. Culture has to do with daily life, and the arts have to do with human expression. The arts and culture are therefore at the heart of nation building, development and democratization in Namibia. How successful we are in dealing with cultural interaction – coming as we do from many different backgrounds – will determine whether or not we are able to understand one another at work and in the broader society. Our social integration, on which civil peace depends, relies upon cultural and artistic knowledge and skills. Culture also concerns deeply seated values and ethics. It influences the character and actions of each citizen, and how we resolve the many issues that confront us.
36. We should not forget that before independence people were divided and the majority discriminated against on the basis of race and culture. The culture of different groups was studied, and manipulative actions decided upon to “divide and rule”. It served apartheid’s purposes to foster a culture of enmity, inequality, isolation and dependence. Certain cultures and values were projected as superior, and a sense of inferiority was embedded in the minds of many of our people. Cultural actions were therefore also an important part of the resistance to apartheid and colonial rule. Some of our artists showed just what a powerful role art can play in bringing about a change. The African Renaissance, based on arts and culture, must therefore be seen as an important part of our continuing emancipation.
37. The founders of our new nation wisely saw in our diversity of cultures a source of wealth through which we could unite in a common commitment to build the nation. Hence the crucial adoption of the policy of national reconciliation. Our recognition in Namibia of the need both for cultural freedom and for shared responsibility is essential for development and peace. It is also in line with thinking at an international level. The World Commission on Cultural Development, for instance, has noted that:

“Attempts at ‘nation building’ through making all groups homogenous are neither desirable nor feasible. Nor can the domination of one ethnic group provide long-term stability in a

society. The most durable way to accommodate ethnic diversity is to create a sense of the nation as a civic community, rooted in values that can be shared by all ethnic components of the national society. Such a sense of community is best achieved if the concept of 'nation' is freed from any connotations of ethnic exclusivity..."

"...Cultural policy should be directed at encouraging multi-cultural activities. Diversity can be a source of creativity..."

38. National reconciliation, however, can remain a partially fulfilled promise unless action is taken for Namibians to grow together culturally. The cultural aspects of national development of a Namibian culture of mutual understanding, peace and democracy, is based on free expression, respect, participation, dialogue and unity. Unity around national symbols and basic principles such as those contained in the Constitution and reconciliation policy must be stressed as a core of national identity. New projects and ventures need to be considered in terms of their impact on culture. It is also necessary to reverse an alarming trend for the downgrading of arts and culture which has resulted, for instance, in the marginalisation of arts and culture in some schools and in a very small number of government bursaries for arts and culture.
39. Further, we need a spirit of creativity, inventiveness and self-confidence among the people so that we assert our humanity, fulfil our dreams, create new businesses, and solve our problems using the resources to hand. To achieve this, a solid foundation of education in the arts and culture, and thriving arts and culture industries, are needed.
40. This creativity also needs stimulation of international contacts and exchange to overcome the effects of many years of isolation.
41. The flourishing of all forms of cultural interpretation and artistic expressions, such as music, drama, dance, literature and the visual arts, can help us to develop better ways of living together and of coping with crises such as unemployment, indiscipline in schools, HIV/AIDS, corruption, the unequal status of women and environmental degradation, to name but a few.
42. In developing our cultural and artistic expressions we can be inspired by a rich variety of Namibian traditions and inherited styles. It is therefore also important for us to research and engage with our entire Namibian cultural heritage, whether physical, spiritual or linguistic. This diverse cultural base is the foundation, which will give us our own identity and character, and which should be explored by contemporary artists.
43. But, however much we may be concerned with our unique heritage, culture remains a dynamic phenomenon, and one which is moreover associated with social change. Arts and culture must therefore take new forms and use new media and technology, especially to attract and engage the young, so that we have a sense of roots, but are also engaged in contemporary expressions and ways of life.
44. While the valid things from the past must be preserved, there are practices in all our cultures which must be changed, especially when these are in conflict with the rights enshrined in our Constitution or with internationally accepted ethics or the common good

or environmental limitations. We have seen the significance of this cultural change in relation to some gender issues, when the Married Persons Equality Act was debated and became law. The revision of certain cultural practices, especially those that disadvantage women and children, is essential in addressing the spread of HIV/AIDS and domestic violence.

45. To foster the widespread cultural expressions, which are needed in Namibia, we also need to give a special status to our artists. We need to create many more platforms where our artists can express themselves on the issues of the day, and develop their skills through training programmes. These platforms should be in accessible places in our communities, and not just in museums, galleries and theatres in central areas. First and foremost, the arts and culture must be part of all levels of education, if we are not just to raise technocrats without values or ethics. Aesthetics cannot be confined to an elite unless we wish to create conditions for vandalism and other forces of alienation in our society.
46. To foster the widespread cultural expressions, which are needed in Namibia, we also need to give a special status to our artists. We need to create many more platforms where our artists can express themselves on the issues of the day, and develop their skills through training programmes. These platforms should be in accessible places in our communities, and not just in museums, galleries and theatres in central areas. First and foremost, the arts and culture must be part of all levels of education, if we are not just to raise technocrats without values or ethics. Aesthetics cannot be confined to an elite unless we wish to create conditions for vandalism and other forces of alienation in our society.
47. Cultural expression also has its commercial and vocational side and it should therefore be understood that artists are as worthy of their wages as other workers. A symbiotic relationship therefore needs to be fostered between our artists and the industries which gain from them, be they crafts, advertising, exhibitions, tourism and in all areas of design. These industries are a growing source of employment and economic gain for the country. Government and the private sector should therefore invest, through training and other means, in the development of the applied arts.
48. Finally, for culture to have its envisaged impact on our national life, it is necessary that the government, the private sector and many different cultural organizations and interest groups should collaborate to optimize the use of resources. The relevant government ministries include not only the Ministries of Education, but also the Ministries of Environment and Tourism, Regional and Local Government and Housing, Foreign Affairs, Information and Broadcasting, and Trade and Industry.

Priorities for Action

The following are our priorities for action in realizing our vision, mission and goals:

Encouraging unity in diversity and mutual understanding

49. All bodies working in the arts and culture need to actively create opportunities for different cultural traditions and manifestations to be exposed and explained to one another. On national and other important occasions a variety of expressions should be represented; minority groups and differently abled people should not be forgotten, Programmes of internal cultural exchange to promote cohesion, unity and nation-building will be launched.
50. Schools and all institutions should take care, with pride and dignity, in showing respect for the national flag, the coat of arms, the Constitution, and other symbols or acts that unite us as a nation. Educational institutions – especially during school assemblies – and the community at large should be educated in hoisting of the national flag and the regular singing of the national anthem and the African Union anthem. National sporting teams and many events also provide wonderful opportunities to develop this sense of nationhood.
51. Each school management and the leaders of other educational, sporting and cultural institutions will be given special training in the development of multi-cultural institutions, and the equal treatment of social groups, for instance through the development of agreed statements of common values and norms that will be observed and enforced at the school or institution. Any form of discrimination against minorities in schools will be stamped out.
52. Each town or local authority will be encouraged to hold an annual cultural festival or day for that town or village. Such festivals should reflect the diversity of Namibian culture. Local artists will be encouraged to create murals, welcoming boards, songs and stories that reflect the history and character of the town or village.
53. More arts and culture events, competitions and festivals will be held at school level to develop the highest possible standards of performance, and to identify learners who might be selected for specialised arts schools.
54. The criteria used in the planning and evaluation of national programmes and projects should include the cultural aspects, in the same way as environmental impact, gender and HIV/AIDS are considered. All ministries, offices and agencies will be encouraged to include in their development projects relevant aspects of cultural development.

Safeguarding and promoting our physical, linguistic and spiritual heritage

55. Research is an important priority for all bodies with an interest in heritage. This work must be properly registered, coordinated, monitored and prioritized. Particular attention should be paid to local dissemination. The Directorate of Cultural Heritage will therefore initiate a

committee on Cultural Heritage Research and be required to obtain permits for culturally sensitive studies. A regulation will be prepared to enforce the deposit of research results and data within Namibia where this is not already covered by the National Archives Act of 1992.

56. Legislation concerning the National Heritage Council will be expedited. That National Heritage Council will create and maintain mechanisms to prevent the continued expatriation and theft of the country's national heritage and strive to achieve the repatriation of cultural heritage items that have already left the country. The National Heritage Council should increase the proclamation of national monuments and sites to ensure that they are representative of the whole nation and their traditions and histories, while at the same time taking into account national aspirations and achievements. In order to protect the cultural heritage of Namibia, the National Heritage Council of Namibia will maintain a national inventory of heritage objects, sites and monuments. The National Heritage Council should assist the relevant national institutions in identifying and expediting the repatriation of Namibian national cultural heritage on the basis of the 1972 UNESCO Convention and other relevant international instrument. The National Heritage Council will regulate and control the export of listed cultural heritage objects.
57. All heritage bodies need to give full attention to their advocacy and educational responsibilities. The Museums Association of Namibia will be strengthened to facilitate the establishment of heritage institutions at regional and local level and to support such institutions by providing guidance, assistance and expertise where necessary and possible. The Directorate of Cultural Heritage will create an annual prize for the best manuscript popularizing the Namibian private sector entity. It will include publication of the manuscript.
58. The National Heritage Council and the Directorate of Cultural Heritage will get more involved with the training of tour guides and government workers with key ministries (such as Foreign Affairs, Environment and Tourism, and Trade and Industry), traditional authorities and local authorities (without assuming the responsibilities of other bodies.) A cultural guide to Namibia, aimed at the tourist market, will be produced by the Directorate of Cultural Heritage or a commissioned body in collaboration with relevant ministries and other bodies.
59. The National Museum will remain as part of the structure of the Ministry of Basic Education, Sport and Culture. The forthcoming Education Act will be used to establish and strengthen bodies to document and preserve Namibia cultural heritage at national, regional and local level and to conduct educational functions related thereto.
60. Given that there are several bodies with an interest in language development, a mechanism will be established by the Ministry of Basic Education, Sport and Culture, representative of all stakeholders, with a view to collaborative language development in Namibia.
61. The Directorate of Cultural Heritage will identify staff training programmes for bodies engaged in heritage. Based on this preparatory work, the Ministry of Basic Education, Sport and Culture will task relevant institutions such as the University of Namibia, the Polytechnic and Teacher Training Centers to introduce cultural heritage courses to train

professional heritage workers. The Public Service Commission should recognize arts and culture workers as professionals.

62. At least two bursaries will be given annually to disadvantaged and deserving students recommended by the Directorate of Cultural Heritage to study in the field of heritage. The Ministry of Basic Education, Sport and Culture will discuss with the Ministry of Higher Education, Training and Employment Creation the proportions of bursaries allocated to different sectors including arts and culture and the impact of this on development.
63. A commission on place names will be established by the Directorate of Cultural Heritage to investigate the relevance of existing place names and to control and coordinate the coining and allocation of new place names. The Ministry of Basic Education, Sport and Culture will refer artists and authors to the relevant agencies and ministries for the protection of copyright and other intellectual property rights. The Ministry of Basic Education, Sport and Culture will also make recommendations to these bodies concerning Namibian rights and regulations. The Directorate of Cultural Heritage will work with traditional leaders and authorities to identify, proclaim, establish and conserve cultural landscapes. The Ministry of Basic Education, Sport and Culture will ensure that the Arts and Culture Institution surrender its control and comply with the Affirmative Action Act. The Regional Cultural Officers will work with traditional authorities for the validation and affirmation of appropriate traditional values, knowledge and beliefs, for example in the development of cultural tourism and cultural villages, cultural industries and herbal remedies, in conjunction with relevant ministries and agencies.

Promoting widespread cultural and artistic expression

64. The system of regional and national culture festivals will be developed under the leadership of the Directorate of Cultural Heritage.
65. The Department of Formal Education will ensure that all primary and junior secondary schools implement the compulsory arts subject as stipulated in the curriculum for basic education. Advisory services will be provided. The relevant subject panels will be requested to investigate the feasibility of making arts and culture subjects promotional subjects. Some secondary schools in each region will also offer the prevocational arts subjects at IGCSE level. Schools will be encouraged and assisted to hold cultural days and run culture clubs as a standard extramural activity. Competitions between schools, such as in drama and other arts, will be encouraged, especially with support from the private sector. Those with special talents will be provided with opportunities for further development of their skills, through a variety of strategies. The Arts and Culture Council should set up awards or other forms of recognition. Provision will be made for the employment of specialized arts teachers at schools in each region, to support the implementation of arts subjects in the curriculum.
66. International cultural and artistic exchange will be utilized to the fullest possible extent, not neglecting the training opportunities which arise through such programs.

67. The College of the Arts will become a statutory body through appropriate legislation. The National Extension Programme of the College for the Arts will be further supported. The Namibian repertoire of the National Youth Choir will be extended and where possible arrangements made with Windhoek boarding schools to include more choristers originating from outside the capital city. Regional and local choirs will also be supported and a national choir event will be organised.
68. All cultural institutions should seek to involve communities not previously reached in their programmes, and to use venues within communities whenever possible. Regional Cultural Officers will maintain a list of such facilities in their regions. Special attention will be given to the needs of traditional, disadvantaged and disabled artists and the transfer of traditional skills.
69. The Directorate of Arts Programmes will work with the Association of Namibian Architects to negotiate an agreement for the development of local artwork through the setting aside of at least one percent of building costs for associated artworks. The Directorate of Arts Programmes and the National Art Gallery of Namibia will advise local authorities on beautification of parks and public places. An annual prize, sponsored by the private sector, if possible, might be awarded in this regard.
70. The Directorate of Cultural Heritage will identify heritage villages and museums under local management, to be promoted and supported through management training and other inputs. Funding will be the responsibility of the local authority. Existing projects will be studied so as to learn from experience. The former migrant workers' hostel in Katutura will be converted into a multi-purpose arts and culture center networked with similar centres around the country. The after-school center in Windhoek will be more fully utilized. Cultural centres established with international support will be promoted so that Namibians take full advantage of these programmes.
71. The Directorate of Arts Programmes will provide training for the development of Namibian writers, composers and film directors in collaboration with other bodies.
72. The National Art Gallery in Namibia will advise government on the acquisitions of visual art. The Directorate of Arts Programme will negotiate with Ministry of Finance for the revision of tax to encourage the acquisition of works of art and to encourage the donation and commissioning of visual and performing arts.
73. By all means possible, our artists should be given recognition and rewarded for their contribution to the development of our society. In the media, in general, exposure for Namibian artists should be increased.
74. Priority will be given to the disadvantaged, to differently abled people, and to marginalized Namibian artists without any formal art training.
75. A structure of formal qualifications for artist will be established in terms of the Namibia Qualifications Authority Act of 1996. To this end, the Directorate of Arts Programmes will convene a National Standards Setting Body for Arts and Culture to design the career path and matching qualifications that are required in terms of the National Qualifications

Framework and the estimated market for employment or self-employment. During training, artists should be made aware of Namibian cultural identity, including traditional cultures, and copyright law. There must be proper coordination between educational institutions.

76. The Directorate of Cultural Heritage will encourage the formation of a body to improve the quality and marketing of Namibian crafts. This will be done in consultation with relevant NGOs and bodies responsible for trade and micro-enterprise development. Similarly the Directorate of Arts Programmes together with relevant stakeholders will try to enhance markets for the creative skills and innovative products of Namibian artists, including in the applied arts and entertainment industries.
77. Widespread public participation in the building and design of new monuments should be encouraged. There will be a monument to the late John Muafangejo. Regional Cultural Officers will encourage regional and local authorities to allocate space for monuments and work of arts.
78. At least two government bursaries will be offered annually to Namibian artists.

Overall coordination and policy development

79. Arts and culture policy development and coordination, and any new legislation in this field, is the function of the Ministry of Basic Education, Sports and Culture. As in the past, policy will be developed through consultation with relevant stakeholders. The National Heritage Council and the Arts and Culture Grants Council will be established by legislation to advise the minister and carry out certain functions.
80. The Directorate of Arts Programmes and Cultural Heritage will establish and maintain a database of cultural institutions, groups and artists.
81. The Directorate will develop a communication and information system to keep relevant institutions, groups and artists informed of developments in the arts and culture.

Republic of Seychelles

Ministry of Local Government,
Department of Sports and Culture

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Foreword

Preamble

Seychelles has a rich and unique culture that developed as a result of contact between descendants of various ethnic groups from Africa, Europe and Asia. History, and in particular the blending of cultures, has led the Seychellois people to adopt Kreol, English and French as national languages.

Our pristine environment has played an important role in inspiring the Seychellois people to develop a unique expression that today is described as “Kreol” in all its variety and forms.

Culture can be generally defined as the way of life of a society or a particular group of people, with their shared set of learned manners, customs and beliefs.

Our culture, which includes our ideology, our way of life, our entertainment and the manner in which we give outward expression to these, is what makes us Seychellois and gives us our identity as a people.

Access to cultural development and expressions is the right of every citizen. Through this policy, the Government intends to broaden cultural spheres with the aim of promoting cultural awareness in order to cultivate the cultural pride of the people of Seychelles.

Article 39 (1 & 2) of the Seychelles Constitution (June 1993) states:

The State recognizes the right of every person to take part in cultural life and to profess, promote, enjoy and protect the cultural and customary values of the Seychellois people.

The State undertakes to take reasonable steps to ensure the preservation of the cultural heritage and values of the Seychellois people.

The overall responsibility for the implementation of the government’s cultural policy falls within the mandate of the ministry responsible for culture. It is also responsible for ensuring that culture will encompass all aspects of our national life, and will also invite other ministries to collaborate in this national endeavour. The ministry will also recognise the supporting role of the private sector in the implementation of the national cultural program.

The policy

The Cultural Policy of the Republic of Seychelles is based on three underlying principles:

- Democratization of culture.
- Continuing development of our culture.
- Protection, preservation and promotion of the natural and cultural heritage.

The Cultural Policy is the document that will guide all cultural institutions and other ministries and partners in the formulation and development of cultural activities and programmes in Seychelles.

Aims of the cultural policy

1. Promote and develop a Seychellois Kreol identity.
2. Protect, safeguard, and develop the moral, ethical, and spiritual values of Seychellois culture and dignity, including the protection of intellectual property, and the cultural, as well as the natural heritage of Seychelles.
3. Preserve our traditional culture and values alongside contemporary lifestyles and developments, in order to ensure the preservation and protection of our small island culture against all adverse cultural industries, national and international.
4. Ensure that the population of Seychelles participates, contributes, as well as benefits from the promotion and development of Seychellois culture.
5. Ensure the access and availability of the arts and culture to all, through the various cultural institutions.
6. Ensure the promotion of a cultured nation by providing access to knowledge and information in all fields of the arts and culture.
7. Provide access to education and training in the arts and culture at different levels.
8. Keep abreast with, and provide access to Information, Communication, Technology, (ICT) for the furtherance of our cultural development.
9. Encourage the participation of all communities living in Seychelles, in all artistic and cultural exchanges, as well as foster cultural tolerance in order to enhance inter-cultural understanding, innovation, peace and harmony among the Seychellois population, for social and cultural cohesion.
10. Develop a cultural marketing strategy in order to generate revenue as a means of contributing to the national economic growth and development.
11. Develop co-operation with other countries and organizations for the promotion and development of the arts and culture.

Policy statements

Article 1: Promotion and development of a Seychellois Kreol identity

- Promote and develop a Seychelles Kreol identity based on our traditions, values, customs, beliefs, languages and way of life.

- Promote the linguistic, social, creative and aesthetic values of the Seychellois Kreol language alongside English and French as recognized national languages by the Constitution of Seychelles.
- Protect our Kreol values with a view to creating and sustaining an appreciation of the same.
- Promote our thinking, wisdom and our culture, to the rest of the world, in our maternal and other languages.
- Promote the understanding and appreciation of the Kreol culture from the earlier stages of formal education, among all Seychellois.
- Promote awareness, understanding and respect of our biodiversity through museums of natural history.
- Promote cultural artifacts for public viewing through a proper preservation system, and develop programs that will create awareness in the general public on the importance of their preservation.
- Encourage Kreol studies in all academic fields for the development of a Kreol academia.

** Articles 2 & 3: Protection, preservation and development of Seychellois Kreol culture and values*

- Protect and promote the cultural values of the Seychellois people through the preservation of the national cultural heritage, making it accessible to all segments of the Seychellois community.
- Preserve the various aspects of the Seychellois way of life, and promote and develop the cultural landscape and the natural heritage as assets for cultural tourism.
- Promote the multi-faceted and positive dimension of the Seychellois Kreol culture, both traditional and contemporary.
- Establish cultural agencies in Seychelles and abroad.
- Develop programs to preserve our cultural artifacts and documents, as well as our cultural landscapes.
- Protect all intellectual property and copyright.
- Establish national legal deposit legislations for the acquisition and protection of printed material.
- Protect our cultural artifacts against illicit, illegal appropriation, exportation or leakage.
- Establish a system whereby Seychelles' cultural objects, artifacts, and natural history specimens, cultural and historical documents are repatriated for the Seychellois people.
- Establish a system to prevent the exploitation of Seychelles' cultural heritage, or the Seychelles' Kreol identity in an adverse manner.
- Establish measures for the protection of tangible and intangible cultural properties.

- Protect, safeguard and develop the moral and ethical values of Seychellois culture and dignity.
- Develop the Kreol Festival into an international forum, encouraging all Kreol communities to celebrate and create a sense of pride in Kreols and among all Kreolophone nations, thus enriching the world cultural heritage.
- Establish norms and standards to promote a positive image of the Seychellois culture.

* *Articles 2 & 3 refer to 2 and 3 in Aims of the Cultural Policy.*

Article 4: Popular participation in cultural development

- Foster the development of Seychellois artistic talent at district level to ensure high quality participation of all in cultural and artistic events, at both the national level, as well as in the international arena.
- Develop awareness programs on our cultural heritage for the youth in collaboration with the ministry responsible for youth.
- Produce educational programs on the arts and culture in order to sensitize the population and encourage their participation in the protection of our national heritage.
- Encourage the formation of arts and culture circles, associations and NGOs who support arts and cultural development.
- Initiate and create awareness of arts and cultural activities in the districts through participation, promotion and the exchange of information.

Articles 5 & 6: Access to cultural information and institutions

- Ensure the development of the National Library as one of the country's main information centres.
- Provide public library services for educational, informational and recreational needs of all individuals.
- Provide national library services for the preservation and bibliographic control of the country's literature.
- Ensure that the documents of the National Archives are protected, preserved and made accessible to the general public and depositors.
- Provide the necessary training in the field of arts criticism to allow better public appreciation of the arts.
- Ensure public appreciation of the visual arts through the proper display of the National Art Collection.

- Encourage the setting up of private libraries, museums, and archives according to specific standards as defined by the appropriate policy.
- Ensure access to cultural information.
- Network with national, regional and international cultural institutions.

* Articles 5 & 6 refer to 5 and 6 in Aims of the Cultural Policy.

Article 7: Education and training in the arts and culture

- Provide the education, training, knowledge, skills, attitudes and perceptions necessary for national development and prospective artistic distinction.
- Stimulate creativity in all artistic disciplines and develop those individuals who have special aptitude in their studies.
- Develop training programmes in the literary, visual and performing arts.
- Ensure that artistic opportunities exist at both the national and international level, and as well as part of lifetime education for all in the arts, especially for the youth.
- Ensure that artistic opportunities are available to all Seychellois nationals interested in promoting the arts at both the national and international level, wherever they may be residing.
- Promote the development of the different ranges of cultural expressions and their acceptance as part of our everyday life.
- Promote the appreciation of our artistic, archaeological, anthropological, historical, linguistic, natural, archival and ethnographical dimensions of our heritage.
- Maintain links with Seychellois associations or organisations abroad that are interested in promoting the arts and culture of Seychelles.

Article 8: Promotion and development of the arts and culture through Information Communication Technology (ICT) and the media

- Provide greater promotion of the arts and culture through the media.
- Make use of current technologies to obtain funds for sponsorship to finance development projects in the various fields of the arts and culture.
- Make use of new technologies to further the development of cultural programmes for public education.
- Assist in the development of current Information Communication Technology (ICT) in order to further development in the arts and culture.

- Promote and encourage the development of Seychellois feature films and documentaries, as well as the media, for cultural promotion and development.
- Promote the utilisation of Information, Communication Technology (ICT), in order to preserve, as well as access cultural knowledge and information.

Article 9: Allow cultural diversity, as well as foster cultural and religious tolerance among all people living in Seychelles

- Promote and develop our cultural diversity based on our ethnic origins: Africa, Asia and Europe.
- Promote respect for all ethnic and cultural differences and develop ethnic tolerance as a means of encouraging harmony in Seychelles.
- Cultivate tolerance for the cultural traditions, customs, beliefs and also religious differences between the different communities living in Seychelles.
- Promote and develop the fusion of our different ethnic cultural elements, as a means of enriching and enhancing our contemporary artistic expression in all art forms.
- Promote and encourage inter-cultural exchanges in the arts and culture between the Seychellois and other ethnic groups in Seychelles.
- Ensure that women and men have equal access to all opportunities in the arts and cultural fields.

Article 10: Establish a promotion and marketing strategy.

- Collect fees for entrance into the art galleries, museums, national monuments and natural heritage sites.
- Encourage and promote cultural activities, performances and events.
- Promote the sale of publications and souvenir items.
- Encourage the development of cultural industries, and new forms of cultural activities.
- Loan cultural artifacts that are available for hire.
- Provide professional services for writing, translations or editing of texts.
- Provide opportunities for filming at cultural locations, monuments and sites.
- Provide expert advice or professional assistance, or make provision for sound, visual material, texts or documentation for filmmakers.
- Provide opportunities for cultural research in conformity with the laws of Seychelles.
- Promote other ways of collecting revenue for furthering cultural development.

Article 11: Develop co-operation at regional and international level with all organizations for the promotion and development of the arts and culture.

- Conduct bilateral and multi-lateral co-operation with other countries and organizations.
- Conduct dialogue with countries in the North-South and South-South context in order to promote cultural enterprises and exchange.
- Network with other regional and international organizations.
- Organise training workshops, seminars, conferences, colloquiums, twinning with other institutions, ('jumelage'), well as the exchange of expertise, with both regional and international organisations.
- Conduct research at national, regional and international levels on the history, natural, and cultural heritage of Seychelles.
- Pursue inter-cultural dialogue with the other Indian Ocean islands on the concept and development of *Indianoceanity*.

Conclusion

The Seychellois people have a valuable openness, and an awareness and appreciation of different aspects of culture that must be explored, nurtured and exploited. The cultural policy takes into account the need to ensure the continued development of this appreciation whilst making provisions for the broadening of our cultural horizons through exposure to and exploitation of different aspects of other cultures. As a small country with a culture based on the convergence of peoples from three different continents, and bearing in mind our colonial past, it is easy for our traditional values to be eroded by the rapidly expanding popular cultures of the world, leaving behind an infertile soil for the re-growth of a benevolent culture to all, devoid of all values that make it rich.

The policy is based on the concept that wealth, both material and mental, must inevitably co-exist as one leads to the other. Material wealth enables the development of culture through the creation of a need for leisure activities whilst a solid educational foundation enables the exploitation of cultural assets to create wealth.

Thus, in order to make full use of the cultural opportunities as defined by this policy and enhance the cultural awareness of our people, the ministry responsible for culture must, as stated in the policy, work in collaboration with other organizations, which participate actively in the production and perpetuation of culture, with particular attention to the following authorities:

- **Education:** The solid foundation whereby culture will be nurtured from a young age and made available to all children; where young talents will be discovered and cultivated for the greater wealth of our society.

- **Media:** For an efficient and effective diffusion of culture through information, educational programmes, opportunities for creativity (in local productions for example), especially in the domains of language, literature, arts and science.
- **Tourism:** For the exploitation of our cultural wealth to create material wealth, with the added dimension of exposing our culture to other peoples. Necessity being the mother of invention, this is sure to effect more creativity as culture becomes exposed to business.
- **Environment:** for the preservation and careful exploitation of our natural heritage, both for touristic and educational purposes.
- **Private Sector:** In our endeavour to further enhance exploitation of our entire natural and cultural heritage with the view to generate more national wealth, the ministry will encourage the creation, improvement and expansion of local businesses with special emphasis on the arts and culture, in order to tap into the markets, both national and international.

The ministry responsible for culture will ensure proper cultural planning for effective implementation of the policy, with provisions for evaluating and reviewing cultural development as our society evolves and develops new needs. In particular, there will be emphasis on the cultivation of tolerance for other cultures, in order to promote cultural democracy.

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CATALOGUE OF AFRICAN STATES THAT HAVE DRAFTED OR ADOPTED CULTURAL POLICIES

*List of countries sourced from the AU website

*Most information for the table gleaned from:

Observatory for Cultural Policies in Africa (OCPA) www.ocpanet.org and Arterial Network <http://artsinafrica.com>

Name of State	Do have a policy	Do not have a policy	Title of Policy Framework
Algeria		✓	Monographies on Cultural Policies in member states (1977)
Angola		✓	
Benin	✓		Cultural Policy of Benin (1991)
Botswana	✓		Cultural Policy of Botswana (2001)
Burkina Faso	✓		Cultural Policy of Burkina Faso (1994)
Burundi		✓	
Cameroon		✓	Monographies on Cultural Policies in member states (1975)
Cape Verde		✓	
Central African Republic		✓	
Chad		✓	
Comoros		✓	
Cote d'Ivoire		✓	
DR Congo		✓	
Congo		✓	
Djibouti		✓	
Egypt		✓	Monographies on Cultural Policies in member states (1972)
Equatorial Guinea		✓	
Eritrea		✓	
Ethiopia	✓		Cultural Policy, Republic of Ethiopia (1997)
Gabon		✓	
Gambia		✓	
Ghana	✓		Cultural Policy of Ghana (2004)

Name of State	Do have a policy	Do not have a policy	Title of Policy Framework
Guinea		✓	Monographies on Cultural Policies in member states (1979)
Guinea-Bissau		✓	
Kenya	✓		Cultural Policy of Kenya (2009)
Lesotho		✓	
Liberia		✓	Monographies on Cultural Policies in Members States (1974)
Madagascar	✓		Law on the National Cultural Policy for Socio-Economic Development, Madagascar (2005)
Malawi		✓	
Mali		✓	
Mauritania		✓	
Mauritius		✓	
Morocco		✓	Monographies on Cultural Policies in members states (1981)
Mozambique	✓		Cultural Policy of Mozambique (1997)
Namibia	✓		Cultural Policy of Namibia (2001)
Niger	✓		Politique Nationale de la Culture (2009)
Nigeria		✓	Monographies on Cultural Policies in member states (1973)
Rwanda		✓	
Western Sahara (SADR)		✓	
Sao Tome and Principe		✓	
Senegal	✓		National Program for Cultural Development (2005)
Seychelles	✓		Cultural Policy of Seychelles (2004)
Sierra Leone		✓	
Somalia		✓	
South Africa	✓		White Paper on Arts, Culture and Heritage (1996)
Sudan		✓	

Name of State	Do have a policy	Do not have a policy	Title of Policy Framework
Swaziland		✓	
Tanzania	✓		Cultural Policy of Tanzania (1997)
Togo		✓	
Tunisia		✓	Monographies on Cultural Policies in member states (1970)
Uganda	✓		Cultural Policy of Uganda (2006)
Zambia		✓	
Zimbabwe		✓	

