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**CULTURAL DIVERSITY IN DEVELOPING COUNTRIES –
THE CHALLENGES OF GLOBALISATION**

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CULTURAL DIVERSITY IN DEVELOPING COUNTRIES – THE CHALLENGES OF GLOBALISATION

Synopsis:

1. *The paper takes as its point of departure the work of the International Network on Cultural Policy (INCP) and the progress made in the working group on cultural diversity and globalisation. It does this from the perspective of a developing country isolating both what the development priorities are as well as the status of cultural sectors in developing countries and how these interact. Having identified these it offers proposals for an instrument that would enhance the ability of developing countries to realise their cultural policy objectives. The paper highlights the critical issues for South Africa's Minister of Arts, Culture, Science and Technology (DACST) opening address to the INCP October Summit, entitled: 'Cultural Diversity and Developing Countries – the challenges of globalisation'.*
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Background and Way Forward:

2. The INCP is an international forum through which culture ministers can exchange views on emerging cultural policy issues. It is an informal, international forum in which national ministers responsible for culture are able to explore new and emerging cultural policy issues and consider integrated ways to promote cultural diversity in our increasingly globalised world. Individual INCP member states have set up 3 working committees to consider specialised areas. All interested INCP members participate in these working groups. These are 1) a committee on the cultural diversity and globalisation which includes considerations on a new international instrument on cultural diversity (hosted by Canada), a working group on heritage (hosted by Mexico) and a third working group on media and broadcasting (hosted by Sweden).
3. South Africa is proposing that a fourth working group inside the INCP be established on 'Developing Countries and Cultural Diversity: the impact of globalisation'. This fourth working group would generate inputs in all three areas of the other committees and be tasked with research, information gathering and analysis and making suggestions, from the perspective of developing countries, about an international instrument to promote and preserve cultural diversity. Steven Sack, from South Africa's Department of Arts and Culture, as project team leader has set up teams of researchers and institutions in South Africa to interact with these issues. This process began with a meeting with Minister Ben Ngubane, the Minister of Arts, Culture, Science and Technology, Steven Sack and Peter Makhubela from DACST,



Avril Joffe; a consultant tasked to research and prepare the final position paper and Janette Mark, a Canadian technical expert. This led to a two-week series of meetings and discussions. During this time a number of cultural conversations were had with key institutions in South Africa. These included the Department of Trade and Industry (DTI), the National Economic Development and Labour Council (NEDLAC), the Trade and Industry Secretariat (TIPS), the Institute for Global Dialogue, the Africa Institute of South Africa, the Development Policy Research Unit (DPRU) at the University of Cape Town and the Human Sciences Research Council (HSRC).

4. The paper outlined below has as its major emphasis, cultural policy in developing countries, in particular the countries of the SADC region and the status of cultural industries in these countries. It considers the implications for trade, cultural policy, government capacity and support.
5. Many of these ideas were tested at the INCP working group meeting in May 2002 in South Africa, at which time further tasks were identified, including accelerating our interaction with other developing countries and inputting experiences and concerns from the SADC region. Further research would elaborate on and further explore the issues addressed in this paper for all developing countries.

Principle Issues from a Developing Countries Perspective Background Statement on Development Priorities:

6. Developing countries often have enormous development challenges and their priorities do not necessarily include the promotion and preservation of cultural diversity. Taking South Africa as the point of departure for instance, development priorities include issues of reconstruction; nation building; transformation; social cohesion; reconciliation; redressing the past (such as bias in funding); sustainable development; meeting basic needs (water, shelter, electricity, food); education; access to and presence of communication networks. These priorities are privileged. However, the constitution is quite categorical and upholds key principles that underlie diversity eg the constitution's position on languages, gender, ethnic minorities etc.
7. Amongst some developing countries there is a recognition that culture matters, and that developing priorities should include the promotion and preservation of cultural diversity. This is clearly evidenced in the Colombian government's contribution to the Experts Seminar on Cultural Diversity at the OAS (Organisation of American States), 'Building Development Through Culture' when they ask the question 'What sort of development?'



- A development that takes into account cultural specifics
 - A participatory development conceived by the citizens and that contributes to the realization of their dreams and aspirations
 - A development that does not exclude difference
 - A development that broadens creative opportunities and the expression of human capacities
 - A development that uses memory's potential to buffer creation, produce knowledge and improve quality of life
 - A development that guarantees cultural rights
 - A development that generates economic and social prosperity'
8. It is important to acknowledge that the definition of cultural diversity varies considerably between societies, and that for many, cultural diversity encompasses the totality of values, institutions and forms of behaviour within a society and the diversity of both human communities and biological ones since there is a fundamental link between the two. This view conceives of culture from a broad standpoint. The work of the INCP and the focus of this paper as well, is on a narrower conception of cultural diversity, one which includes all forms of artistic and cultural expression and cultural production, including popular culture, as well as traditional knowledge and practices and linguistic diversity. The review therefore of the SADC region which follows focuses on different cultural sectors and on the cultural industries. This represents a narrow definition of cultural diversity as is evidenced by the diagrammatic illustration in the text. It needs to be pointed out though, that by linking cultural diversity to social and economic development and investigating the impact of globalisation, it immediately opens up the definition again.
9. The link between social and economic development and cultural diversity is now well established. The 1995 UNESCO Report on the World Commission on Culture and Development 'Our Creative Diversity' highlighted the recognition and importance of cultural diversity to social and economic development. This was a major departure from previous views that held that culture was an obstacle to development (see, for instance, group of experts at UN in 1951 that held a view of development in which the homogenization of cultures was to be fostered). This began to change with the UNESCO Conferences of Venice (1970) and in Mexico (1982) where cultural differences were considered opportunities.
10. 'Our Creative Diversity' sees 'culture' as the ultimate goal of development: 'Culture then is not a means to material progress; it is the end and aim of 'development' seen as the flourishing of human existence in all its forms and as a whole'. Again in 1988, UNESCO's *Stockholm Action Plan on Cultural Policies for Development* identified



‘cultural policy as one of the key components of endogenous and sustainable development’. This document further asserts that ‘sustainable development and the flourishing of culture are interdependent’. Stockholm’s Action Plan makes the important point that cultures must not be isolated and cultural diversity must be protected. In other words it emphasises the importance of interaction: of national, regional and international cultural interaction. As it states ‘The defense of local and regional cultures threatened by cultures with a global reach must not transform the cultures thus affected into relics deprived of their own development dynamics’.

11. In November 2001 UNESCO adopted a Universal Declaration on Cultural Diversity. In addition, other international fora and venues such as the G8 and the World Bank have recognised the concept of cultural diversity and that it is an important component to quality of life, conflict resolution and human security. The Council of Europe has adopted a Declaration on Cultural Diversity (December 200) which highlights the need for instruments to sustain and promote cultural diversity in a global environment. The Francophonie passed a Declaration and Action Plan on Cultural Diversity in Cotonou, Benin (2001). Finally, the International Network on Cultural Policy, which is made up of Ministers of Culture, is developing an international instrument on cultural diversity.
12. An important contribution to the thinking about cultural diversity is the NAM Medillin Declaration for Cultural Diversity and Tolerance (adopted 4-5 September 1997) in which the Ministers agreed on the importance of preserving and advancing ‘cultural heritage by adhering to national cultural policies’ and of ‘solidarity against the ideological and cultural infiltration by the developed countries’. For the Ministers ‘globalisation, unipolarism and technological gaps, as well as aggression and occupation, threaten and marginalize our cultures and their national character, and jeopardize our survival as sovereign states’.
13. It does appear that the point of departure for developing countries cannot be a narrow conception of cultural diversity but must embrace, as the Ministers in Colombia said ‘ a culture-sensitive process of development which will be able to draw on the large resources of creativity and traditional knowledge and skills that are to be found throughout the developing world’¹. Further work on developing this position paper will need to consider these issues not only for the SADC region but also for all developing regions.

Role of Cultural Diversity in Development:

¹ The Declaration is contained in a publication entitled Primera Reunion de Ministros de Cultura del Movimiento de Paises No Alineados, Medellin, Colombia, Septiembre 3-5, 1997, Presidencia de la Republica y jministerio de Relaciones Exteriores.



What is the relationship between culture and development policies?

14. In developing countries the role of culture in development policies is not well established. There are many issues resulting from this: first, cultural policies are not consolidated as public policies; and, second, the cultural sector does not impact sufficiently on the direction of development policies and, in fact, will not do so until it itself is strengthened as a sector. Nor will the cultural sector transform and evolve with development. This is despite the fact that cultural sectors contribute massively to the achievement of development objectives, including access to information, diffusion of cultural values and ideas, nation-building, social cohesion as well as job creation, income generation and skill formation.

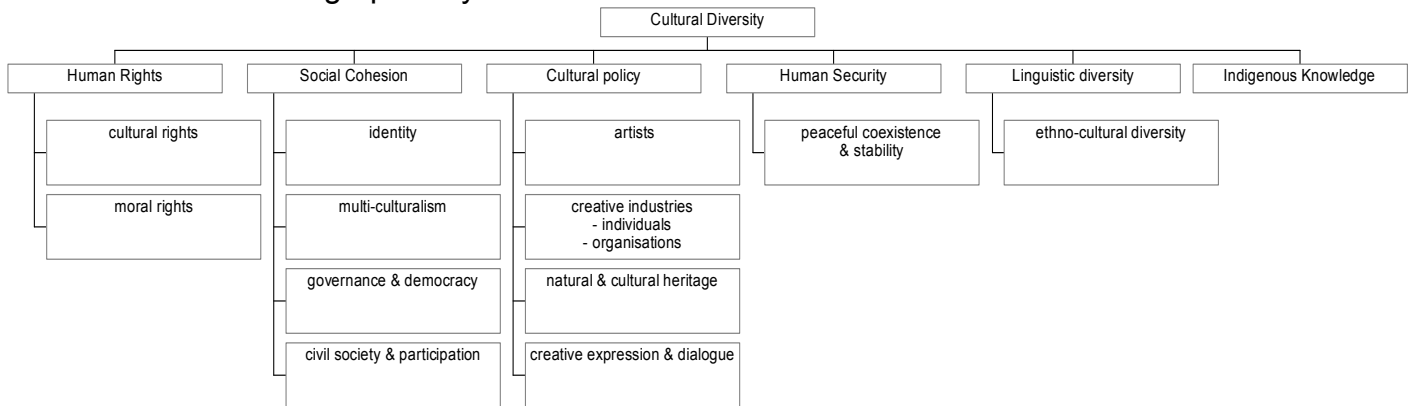
What is cultural diversity?

15. Very simply, cultural diversity can be understood as ‘the positive expression of the overarching objective to prevent the development of a uniform world by promoting and supporting all world cultures’. Artistic and cultural expression may transcend, or be regionalised within national borders so that national cultures should not be viewed as fixed entities. It consists of a number of components (see graphic). This position paper will focus principally on that of cultural policies. It is worth quoting at length from UNESCO to establish the origins of the concept.
16. Over hundreds of millions of years, nature developed an astonishing variety of life forms which are tightly interwoven; the survival of all are necessary to ensure the continued existence of natural ecosystems. Similarly, "cultural ecosystems" made up of a rich and complex mosaic of cultures, more or less powerful, need diversity to preserve and pass on their valuable heritage to future generations. This parallel between biodiversity and cultural diversity was first made in Our Creative Diversity, the 1995 Report of the UN/UNESCO World Commission on Culture and Development. This Report called for concerted action to address development challenges and to sustain cultural diversity in a global world. Discussions on these linkages continued during the Intergovernmental Conference on Cultural Policies for Development (Stockholm 1998) and were reflected in the recommendations of its Action Plan. The idea of cultural diversity was evoked in the preparatory phase of the WTO Seattle Ministerial in relation to goods and services: Just as policies of biodiversity preservation are needed to guarantee the protection of natural ecosystems and the diversity of species, only adequate cultural policies can ensure the preservation of the creative diversity against the risks of a single homogenizing culture. The cultural exception is just one of the possible means for achieving this objective of promoting cultural diversity. It must be acknowledged that those cultural goods and services (books, music, multimedia games, films, and audiovisuals) are



different from other goods and services, and deserve different and/or exceptional treatment that sets them apart from standardised mass consumption. Obviously, this requires a differential treatment in international trade agreements and possibly effective strong regulatory frameworks to redefine cultural policies focusing on the promotion and development of cultural industries’.

17. To illustrate this graphically



18. In many post-colonial countries, the question of cultural diversity has been taken to mean the amalgamation of discrete cultural entities. This has promoted ethnicist outlooks that have invariably resulted in distinguishing between indigenous and non-indigenous cultures. Mahmood Mamdani’s recent study of the genocide in Rwanda has described the acute tensions that have accompanied the issue of ethnic diversity and how the notion of a cultural essence lends itself to often violent outcomes for post-colonial societies. The horrors that attend to such self-contained conceptions of culture are increasingly being felt in developing countries from India to the DRC. If cultural diversity refers to the plurality of identities of the groups and societies making up humankind, then acknowledgement must be given that these identities have been moulded in relation to specific experiences and histories and, at times been used to legitimise rather violent political projects. The perils of globalisation, says Paul Gilroy, ‘have unleashed some potent versions of national and ethnic absolutism. They have been made all the more desperate and volatile by the destructive power of processes that flatten cultural and linguistic variation in the blander, more homogenous formations in which elements of consumerism can take hold’.²

19. In many developing countries, the promotion and protection of culture has at times been encouraged at the expense of cultural diversity. We take as a point of departure for this paper the view that our region’s cultural diversity is a source of

² Paul Gilroy, *Between Camps: Nations, Culture and the Allure of Race*, Penguin (2000) 271-272.



great wealth and that the promotion and preservation of cultural diversity can be a factor for social cohesion and development of the region's countries³.

What is cultural policy?

20. As indicated by the diagram, cultural policy is an aspect of cultural diversity and refers to the full range of government tools to support artistic expression, to promote and conserve natural and cultural heritage, to give support to creative expression and dialogue and ensure that the creative industries grow and thrive, for promoting fair trade and flow of cultural products and for expanding the opportunities for the creation and trade of cultural goods. In this way, governments' create the conditions in which cultural diversity may thrive and set the context within which such diversity is to be pursued. It is the responsibility of governments to facilitate a national discourse and practice that underpins and supports cultural policies. This national discourse needs to include artists, intellectuals and cultural practitioners to ensure a strong national commitment to the value of each country's culture or cultures and its development.

Why do we need to preserve cultural diversity?

21. Cultural diversity is a key component of development in that it promotes social cohesion, nation building, identity and pride. Cultural diversity is also a strategic resource for a country, and if successfully nurtured, could create prosperity (growth, productivity, and employment) for the country. Cultural diversity is embodied in products and performances of different sectors of society and ensures a diversity of domestic and foreign content. In order to realise the objective of the promotion and preservation of cultural diversity, governments are obliged to pay attention to information infrastructure (access, affordability, digital literacy) anti-competitive behaviour, investment practices and the necessary legislative and policy measures. Cultural policies therefore need to promote cultural diversity both as a means and an end to development and should aim to increase awareness, understanding and respect of diverse cultures within the world. In this sense, cultural diversity is both something that exists and needs to be promoted and preserved, and something that is yet to be achieved. This understanding of cultural diversity transcends narrow ethnic identity claims and is mindful of the legacies of racism and the process of development given the histories of displacement and centuries of human migration and movement.

³ These sentiments are well expressed in the [Third Summit of the Americas](#) held in Quebec in 2002 which considered that 'the cultural diversity that characterizes our region to be a source of great wealth for our societies. Respect for and value of our diversity is a cohesive factor that strengthens the social fabric and the development of our nations' (Chapter 17 of the Plan of Action).



22. In our globalising world, promoting and preserving cultural diversity also allows the holders of a unique culture the ability to enter or adapt to a globalising world on their own terms rather than those of a dominant culture. This is fundamental to the successful participation of developing countries or countries in transition in the world economy. It is also fundamental to the ability of district or village level economies to withstand the disruptive influences of foreign economic practices and the consequent social problems and climate of dependency that ensue. In the colonial period there are many examples of how economic disruption was used as a tool of subjugation, e.g. taxation, to force people into a cash and/or labour driven economy. It is important for social stability and economic well being in developing countries, to conserve and preserve local economic practices. In many ways, it could be argued that heritage, in a developing country, is more about current behaviour patterns and economic systems (land use patterns for instance) than about aspects of the past which survive as reminders and which can be exploited by the tourism sector as might be the case in the developed world.

Culture and Cultural Diversity in Developing Countries:

23. Current research⁴ reveals that developing countries have a rich and varied array of talent and cultural assets with a very uneven development of cultural sectors or cultural industries in their domestic economies. In many cases, however, these cultural sectors and cultural industries have been able to survive despite a lack of cultural policies in their respective countries.
24. The economic value of cultural products lies both in their cultural properties and their intellectual properties. While the activities of firms in the creative industries are based on some of the world's oldest and most low-tech activities (singing, painting, dancing, design, telling stories), they are, at the same time, being recognised as the new high-growth economic sector which supports social and urban regeneration, embodies lessons for the knowledge economy and have become a large player on global markets. The economic potential of the cultural sector is often not recognised by key government departments in developing countries such as trade and industry, and it is therefore not recorded in official statistics and its impact is necessarily undermined. Not only is the promotion and preservation of cultural diversity important for social and developmental reasons, but many important economic impacts such as job creation, the promotion of small business, the earning of foreign exchange, and skill development can be derived from promoting the growth of these sectors.

⁴ See variously through international agencies such as ILO, UNCTAD, WIPO, and UNESCO as well as individual government commissioned studies and others noted in chapter entitled Relevant Texts and Institutions.



25. It is significant that the creative industry ecology worldwide is one of a few high-profile global players, stars and multinational companies and a vast number of project-based micro enterprises on whom the rest are dependent for artistic creativity, technical inventiveness and cultural entrepreneurship. The developing world has many representatives from the latter group but few large global players. These micro firms need to operate in global markets and are hungry for financial and business support as well as recognition from both trade and industry ministries for their contribution to the economy and from cultural ministries for their contribution to creativity, culture and product. This support and recognition will assist these organisations to retain their local specificity but also build a global presence. Without this local support, this creative enterprise could threaten cultural diversity rather than promote it.

The Heritage Sector in Developing Countries:

26. The public cultural sphere is significantly invested in cultural heritage. Unlike other cultural products – such as film, video, media, visual arts, television, music and books, - where the flow of trade is generally from north to south and the developing world is largely a consumer of cultural products from the developed countries⁵, when it comes to cultural heritage or the trade in cultural artefacts of symbolic significance, the flows are significantly reversed. Often artefacts of enormous cultural significance, where value is symbolically inscribed, are transformed and packaged as art in the markets of the developed world. In more marginal sectors of cultural production such as craft and cultural sectors related to cultural heritage the developing world is largely an exporter/supplier of cultural products to the developed world. There are significant structural inequities that attend to the exchange in cultural products and that ultimately impinge on the realisation of the goal of cultural diversity within the current conditions of globalisation. Much of this has to do with the discrepant economic and social value attributed to cultural products that come from developing and developed countries. From a developing country perspective the realisation of the promotion of cultural diversity on the international level will require a significant shift in emphasis from cultural product to cultural producer as the source of cultural diversity.
27. Many states have made concerted efforts to curtail the movement of cultural goods that have symbolic importance for a society by introducing legislation to control the traffic in heritage. At a national level in SA, there is legislation (the National Heritage Resources Act or NHRA) that seeks to protect local tangible and intangible heritage

⁵ A good example of this is the public broadcaster in South Africa. In 2001 SABC 3 imported foreign content to the value of approximately R120 000 000 and exported R700 000 worth of local content. The industry average for the cost of imports totals \$85 000 per hour of primetime content while the cost for local production amounts to \$200 - \$280 per minute. The import of foreign content thus proves cheaper than locally produced content.



resources from damage, loss or export without control. It stipulates the conditions for the movement of heritage objects protected in terms of laws of foreign countries and provides for the restitution of heritage objects. Also, the various legacy projects of DAC have focused on encouraging the development and protection of heritage resources relating to nation building and reconciliation. In practice, the NHRA is having problems with implementation (provincial bodies have not been appointed and monitoring is poor) and the legacy projects may not all have been fully implemented or achieved their aims. One of the key challenges for DAC is to ensure that the state's focus on cultural heritage resources does not become skewed towards income generation from tourism rather than improving internal development initiatives (e.g. housing projects) or fostering a new national identity for locals. It also needs to ensure an integration with other government initiatives.

28. This focus on tourism as the key source of income from cultural products (other than, perhaps, handicrafts) is probably true in most developing countries. The focus on developing tourism rather than local cultural benefits can alienate locals from their cultural resources (through high entrance fees, cultural village-like set-ups) and damage heritage sites (through uncontrolled access, destruction of intangible heritage by loss of connection with communities).
29. Cultural products have to be generated and marketed locally in order to create revenue and foster development. Heritage sites and museums in Southern Africa tend, generally not to take advantage of the apparent opportunity to market locally produced and culturally-relevant products in museum shops. One can contrast this with art museums in Europe or America, and even the Bodleian library in Oxford, where one can buy prints of the famous paintings, calendars, books and other articles (although some of these may be made in China) that are relevant to the contents of that museum or heritage site. This kind of specific heritage product marketing could be limited locally because of low turnover, capital constraints on small producers or lack of infrastructure to create small businesses that produce specific products. The generation of income for small community-based cultural producers is a critical component of local economic development whether in urban or rural areas. Besides the marketing of local products, outsourcing and staffing policies in local heritage institutions are central to this kind of strategy – outsourcing to small locally-owned businesses should be encouraged and, local people can be employed as staff to input cultural knowledge about the area and increase community interest in the project.
30. Some of the more difficult questions relate to situations in which cultural resources do not abide by the human rights principles or that prevent freedom of expression. The preservation of cultural diversity would include documenting and discussing cultural practices that become marginalized or die out because the local, national or



international community considers them wrong. This highlights the relationship between the past and the present since what countries have may not be what the nation wishes to take forward. An important but sensitive question relates to cultural products which should not, according to the rules of a community, be sold to cultural outsiders such as secret cultural rituals or intellectual property that had to be kept within a specific culturally-defined community or restricted to adult men within the community.

31. In summary, it is important to define cultural diversity in ways that transcend narrow ethnic identity claims and to define cultural heritage as more than simply a link for a community to its past. The vast literature on heritage suggests that it is created in relation to constantly shifting power alignments and in relation to increasing demands for trade and tourism. Heritage is thus not simply that which we inherit from the past but that which we deem to be worthy of preservation. The latter is increasingly coming under pressure of expanding trade networks so that what is deemed worthy of preservation is being determined by economic prerogatives rather than for older symbolic reasons. For developing countries, the pursuit of cultural diversity does not only open new markets for cultural products but also contributes to dealing with the legacies of racism and underdevelopment.

Cultural Industries in Developing Countries:

32. In developing countries, artistic talents and the country's cultural heritage are very little exploited commercially. Their contributions to local job creation and foreign exchange earnings are limited. This sector is to some extent neglected in the majority of developing countries. This is contrary to what occurs in developed countries, where the sector contributes to a significant proportion of gross national product⁶. Yet, there are many examples of artistic creations or of cultural products deeply rooted in the cultural heritage of developing countries which have crossed borders and established significant market niches in a large number of industrialized countries: music from Africa and Latin America, sculptures inspired from Africa, textiles and fashion from Africa and Latin America; video documentaries, and dance forms from Africa, etc⁷. However, the commercialisation of these 'cultural' transfers has often not benefited the countries of origin. They have instead benefited the richer countries that copied, adapted and commercialised the artistic creations and a wide range of consumer goods rooted in the cultural heritage of developing countries. In this way, what commercialisation has occurred, does so at the expense of the preservation of the countries' heritage rather than to boost local communities.

⁶ The UNESCO 2000 World Culture Report, Diversity, Conflict and Pluralism, documents the size and scope of the cultural sectors in all regions of the world.

⁷ See, for instance, ILO's Ford Foundation funded project proposal on 'SME Development and Enterprise in the Cultural Sector in SADC', InFocus Programme on Boosting Employment through Small Enterprise Development (IFP-SEED).



33. Products from developing countries are faced, not only with a lack of market access to the rich western countries, but the considerable strength of both infrastructural and financial muscle underpinning these markets. Likewise, an area of considerable importance for developing countries, especially those in Africa, is access to markets for the full range of cultural products. This would have the potential of both encouraging domestic cultural policy and reversing, at least in part, the heavy dependence on the export of primary commodities. Domestic cultural policy that promotes and ensures trade of cultural products is necessary for the development of new cultural forms and for sustaining the integrity of cultural production as an arena of creativity and social development.
34. This sector could play a much more important role in the economy of these countries with government support, through a clearly articulated cultural policy and appropriate measures to promote the various sectors, and, in particular, to promote what may be called 'cultural entrepreneurship'. Cultural entrepreneurship focuses on the sustainability of the enterprise (whether supported by funders or income generating) and has, as its objective, social and cultural purposes (such as the empowerment of women) and not necessarily that of profit. Women are frequently involved as the primary producers of many cultural products (sometimes-specializing in particular crafts, processes or services), but often find themselves having to sell and market their products through male-dominated intermediaries and supply chains. There is an opportunity for empowering these producers of cultural products and ensuring that they generate decent incomes from their productive efforts, as well as linking them to market opportunities.
35. Currently, programmes aimed at preserving the cultural heritage and those intended for small and medium enterprise development have been implemented separately by national and international development agencies. The approaches and methodologies used in these two types of programmes are also fairly different. In certain areas, such as crafts, major international agencies (e.g. UNESCO, ITC, UNDP, ILO) have, over the past few years, joined efforts in promoting policies and implementing integrated programmes that focus on both the cultural and economic/enterprise development aspects of the crafts sector. However, similar approaches are seldom used in other sectors closely related to the cultural heritage of a country, such as music, film, dance, plastic arts, painting, etc. In these sectors, it is mainly the 'cultural development' approach that is applied. The few cases, where a 'commercial' approach complements the 'cultural' approach, are mostly the result of initiatives by individuals who have combined artistic and entrepreneurial skills.



36. This is contrary to what occurs in developed countries, where artistic talents, which are deeply rooted in the national cultural heritage, are fully exploited by a wide range of individuals and firms for the benefit of both the artists and the economies of these countries. In these countries, artists are able to draw on sophisticated support mechanisms and can seek the help of agents in order to develop a market niche. Manufacturers and distribution channels ensure the commercialisation of an artist's creations. Sectoral associations of artists lobby on behalf of their members in order to help them acquire rights accorded to other workers (social security, unemployment benefits, pension, etc.). Artistic creations are protected against copying by national intellectual property organisations. In addition, a dense web of public and private organizations encourage and protect artistic creation and, in many cases, the preservation of the cultural heritage.
37. A serious consequence of the limited commercialisation of cultural and artistic creations on both the domestic and foreign market is a **gradual impoverishment of the cultural heritage of countries**. This is because talented people may not be attracted by a career as an artist, musician, filmmaker or craft worker, rooted in the country's cultural heritage, if this is not going to provide them with a decent income. Many factors may explain this state of affairs, including:
 38. Limited national market demand, resulting from a low purchasing power of the majority of the population, which does not create the economies of scale required for the local commercialisation of artistic and cultural creations, and by extension, their export on terms favourable to the country. On the other hand, there is often a vibrant, dynamic and unrecognised segment of an informal economy. In addition, there is limited capacity to adapt artistic creations and 'cultural' goods to the characteristics of demand in industrialized countries and to evolving demand in domestic markets. There have been only limited efforts to transform the abundance of talent and cultural assets of developing countries into thriving creative industries.
 39. Limited production, commercial and distribution infrastructure, including access to international advertising. This is a direct result of the limited domestic and foreign investments in the cultural sector of developing countries as well as the absence of clearly articulated and funded cultural policy frameworks in developing countries. Paradoxically, some developing countries use scarce foreign exchange to import artistic productions based on their own culture and/or produced by their own nationals (e.g. music CD ROMs).
40. Lack of effective protection of the intellectual property rights of the local artists.



41. A combination of the extensive influence exerted by some foreign cultures on the younger people, that may view their own culture as being inferior to the foreign ones, and the more attractive conditions offered to local artists by industrialized countries, that induce them to immigrate to these countries, has resulted in a 'leakage of talent'. This occurs between developed and developing countries as well as within regions of the developing world as well.
42. In the SADC region, there are inspiring examples that clearly show that it is possible for individuals and enterprises to overcome the above constraints and succeed in commercialising artistic creations at home and abroad, particularly in the fields of music, film, video production, visual arts, crafts and performing arts and dance. These examples of cultural entrepreneurship however, highlight the lack of support from government and the private sector, the absence of a regulatory framework that is conducive to protecting the arts and cultural products and insufficient understanding of intellectual property.
43. The following are some issues that have arisen out of the INCP meetings and the drafting of an instrument on cultural diversity that pertain to developing countries:
 - Developing countries have cultural assets and cultural products. They do not necessarily have fully-fledged cultural industries⁸
 - Developing countries do not possess the capital required for the development of competitive infrastructure in the cultural sector, especially with respect to the distribution of cultural products⁹
 - Developing countries are only beginning to address the challenges of establishing cultural and media infrastructure where basic technological infrastructure is still absent or underdeveloped¹⁰
 - Developing countries, in particular the SADC region, have many cultural initiatives that focus on arts, music, film, theatre, dance and festivals, but not necessarily, cultural policy frameworks or measures to support these sectors¹¹. This varies substantially between countries. There are examples of substantial policy development but limited implementation or adoption of specific measures to give effect to the policies as well as examples in which cultural policy is developed, discussed and implemented¹².

⁸ Ministerial Roundtable, UNESCO Dec 11 and 12 2000 Paris France

⁹ 200-2001 Cultural Diversity: Challenges of the Marketplace Roundtable of Ministers of Culture, UNESCO Headquarters, 11-12 December 2000, Final Report

¹⁰ International Network on Cultural Policy: Working Group on Cultural Diversity and Globalisation Paper for Ministerial consideration: Scope and Framework of an International Instrument on Cultural Diversity, July 15, 2001

¹¹ http://64.26.177.19/meetings/2001/initiatives_e.html

¹² See for instance the substantial cultural policy development in South Africa, as well as the NAM Medillin Declaration of 1997, the Mercosur Cultural Parliament and initiatives by CARICOM in the Caribbean, etc.



*The Music Industry in the SADC Region*¹³

44. In SADC there is a wealth of music assets in the region, but little opportunity to develop these into a vibrant industry. Thus, while the live music industry is vibrant and growing, the recording industry is limited and plagued by piracy. Of the six multinationals that dominate the global market, four are present in South Africa and none elsewhere in the SADC region.
45. In South Africa, the music industry is associated with consumption patterns of mostly foreign repertoire, which results in an import-export deficit in favour of international products and international intellectual property revenue flows. On the other hand, in the SADC region there exists parallel economies in the recording industry through piracy, which results in poor revenue flows to support the sector or contribute to the national economy while for distribution the networks are informal. Both these aspects result in cheaper and more accessible product to local communities but limit the ability of the authorities to track developments in the sector. Key problems for this industry in the SADC region are import regulations, such as in Zimbabwe and Malawi, which limit the growth of the music industry through limiting availability of music instruments, public address systems, recording and reproduction equipment. In addition, piracy has hindered the growth of the formal music industry in the SADC region by undermining value generation for all those who invest in development of music products. Some countries have developed innovative responses to the piracy problem. In Zambia, for instance, piracy of audio and videotapes is rampant. The most pirated musical products are audio and videotapes from the developed countries. Others are works of artists from DR Congo, South Africa and Malawi. Despite the ban by the Zambian Customs Department on the importation of pirate tapes, the tapes continue to drastically outnumber the authentic product on the market. The ratio between pirate and authentic tapes is estimated by the Zambia Association of Musicians to be higher than 3:8 (as investigated in 1999). In 2002 for the first time music publishers have come forward to help Zamcops fight piracy and, in an important collaboration with the private sector, a music-publishing firm has promised to contribute K50 per cassette sold towards the anti-piracy fight. This will contribute K4,5m/month to this much-needed campaign¹⁴. In Malawi, the state sponsored copyright society introduced a system for mechanical royalty collection based on record sales. The system targets local production and has no impact on music produced outside the country where piracy is still rife. The simple system allows the musician to agree with the recording studio on the number of copies to be

¹³ This section on the Music sector draws substantially on C Amberg's Music Industry in the SADC Region completed for the ILO's IFP-SEED project, Small Enterprise Development and Job Creation in the Cultural Sector.

¹⁴ Information from the Zambia Association of Musicians' 'Country report on the status of copyright and neighbouring rights in Zambia' presented in Malawi by Mr. Brian Chengala Shakarongo at the WIPO symposium held in Blantyre, 17-19 July 2002.



made from the master tape and what their remuneration as a percentage of sales will be. Inlays for tapes are manufactured according to the exact number of tapes agreed upon and sent to the copyright society for numbered banderols that identify the product as legitimate. However the recent WIPO symposium held in Blantyre, Malawi noted new forms of corruption within this system¹⁵.

46. A central problem with this industry as with other cultural industries, is the absence of statistics and qualitative information across the SADC region on which to base policy decisions and develop measures to support the industry. While some SADC countries (South Africa, Namibia, Zimbabwe and Mozambique to a limited extent) are able to take advantage of new technological developments such as Internet and digital technologies this is hampered by poor telecommunications infrastructure throughout the region. In South Africa production facilities are established principally to support international product rather than local product in contrast to the rest of the region. The deregulation of forex in Zambia has substantially improved the availability of music instruments. Regulation and legislation is uneven across the region. While royalty collection agencies exist across the region these lack infrastructure and enforcement capacity such as in the DRC and in Zimbabwe. Legislation pertaining to music industry and institutional capacity are at great variance in the region such as in DRC, Zambia and Mozambique.
47. Stakeholder bodies in the region are few. They comprise musicians associations or unions, as representatives of composers and musicians. They are relatively weak and lack administrative and technical support to effectively organise the musician corps, let alone the industry.
48. This situation is symptomatic of the low profile that such institutions hold in the region. Mostly, such organisations reflect the manner in which musicians operate in their trade, with little technical and management ability, and little impact on the manner in which the recording industry operates. Other stakeholder bodies in the region include music educators and the institutions they represent. These are seldom organised or structured and lack both financial and administrative capacity. Collection and rights protection organisations are operating in all the countries of the region. However, as stated above, their impact is often limited, and in some countries, such as the Democratic Republic of the Congo, they exist mainly in name.
49. Few co-ordination bodies exist in the region. Where they do, they primarily operate at the national- not regional scale. Co-ordination has also been undertaken by governmental organisation. National Arts Councils exist in most countries in the region; however, their political affiliations can be perceived by musicians as

¹⁵ WIPO symposium, Blantyre 17-19 July 2002 Malawi.



hindering their legitimacy as representative of the industry. In South Africa, the musicians union has been seeking to strengthen musicians' rights and has been active in promoting the development of legislation and a collection system that acknowledges neighbouring rights. The extent of the union's success in this respect has been extremely mitigated, which suggests that its bargaining power tends to be limited.

50. Recording industry stakeholder bodies are only present in South Africa, under the aegis of the Recording Industry of South Africa (RISA), which has primarily provided a platform for recording companies to co-operate in fighting piracy¹⁶. Non-governmental organisations, such as the MIDI Trust tend to focus on training and education, networking and industry development. Such initiatives are rare.
51. Musicians Unions can also play a co-ordination role, by acting as agents between live music venues and musicians, as is the case in Lusaka, although some interviewees alleged that political patronage tends to limit access to the agency functions of the Union, to specific members of the musical corps. The Zambian Association of Musicians represents both individual musicians and groups in each of the 9 provinces. They exist as a lobby group as well on issues such as piracy.
52. In Tanzania the co-ordination and remuneration of bands was undertaken by parastatal organisations in the 1970s and 1980s. Because of strong political linkages between the government and the leadership of these organisations, little if any creative license in terms of political and social messaging was allowed. In much of the region the role of not-for-profit organisations operating at the city scale in co-ordination has also been important.
53. In Maputo, certain percussion ensembles have been formed linked to institutions such as arts' centres in order to combine their activity with dance and theatre. Often, these initiatives are led by a limited number of persons with a restricted prospect for sustainable and effective co-ordination.

The Performing Arts and Dance Sector:

54. Integration and co-operation is very limited in the region. The key forms of co-operation for artists and arts institutions are festivals such as Linkfest in Zimbabwe and Grahamstown in South Africa. This means that cultural exchange is lacking. In addition, there is a pull for dancers and choreographers to migrate to Europe and America.

¹⁶ <http://www.risa.org.za>



55. There is a wide gulf between the formal and informal performing arts and dance sector as evidenced by differential access to technology, funds (government, corporate and donor) and rehearsal and performance space. The formal sector consists of established professional arts institutions and arts such as the Market theatre in SA, Tambuka Dance Company in Zimbabwe and Bagamoyo Arts in Tanzania. The informal sector can be described as the small, community groups that make use of whatever little infrastructure is available to them such as school halls, community centres and churches. The status of theatre in Southern Africa is set to receive a boost since the formation of the Southern African Theatre Initiative (SATI) which will work with theatre practitioners to improve, develop, promote and uplift the status of theatre. SATI facilitates the exchange and sharing of ideas, experiences and resources in the region through its annual workshops and seminars. SATI's future plans include conducting a region-wide study on the role of women in the arts over the past 100 years – it has been discovered that women in the performing arts are employed mainly as actors, especially at the community level where they are often exploited, ill-treated, abused and under-paid. SATI will employ one female researcher per country.
56. An important new co-ordinating body is the Performing Artists in South Africa (PANSA) launched in 2001 with the aim of providing 'a national forum and organisational base for performing arts practitioners (singers, actors, dancers, musicians, etc), creative artists working within the performing arts field (writers, composers, choreographers, directors, etc), technical and stage workers, designers, administrators, educators, organisations, institutions and service providers – to debate, set an agenda and act in their respective and collective interests within the performing arts'¹⁷.
57. The performing arts and dance sector is characterised by much experimentation and creativity with substantial time and effort given to workshops and seminars. An area of growth has been dance sport, a variation of ballroom dancing that has achieved the status of the third largest sport in South Africa. It successfully attracts advertisers and sponsorships as well as large audiences to its numerous competitions. The participants are largely drawn from previously disadvantaged communities around South Africa.
58. There are numerous opportunities for growth for this sector in the SADC region and the rest of Africa. Theatre for development, for instance, has become widespread in Africa over the last 20 years and makes use of mainly amateur performing arts groups to disseminate information about international and national programmes, enabling communities with no access to television to be reached. Performances are

¹⁷ Performing Arts Network of South Africa Newsletter, (06/2001).



usually in the local language and are aimed at illiterate rural people or people living in poor urban areas. The initiative started in 1974 in Botswana, then Nigeria, from Zimbabwe to Cameroon, from Tanzania to Mali to Burkina Faso. Community theatre, on the other hand, has an important role in the townships, compounds and high and low-density areas of Lesotho, Malawi and Zimbabwe. The key challenge facing community theatre is the lack of proper facilities for the communities, as well as a lack of funds, access to information and financial resources and proper management¹⁸. A third area of growth and opportunity is theatre associated with cultural tourism. Increasingly, the people of Southern Africa are learning to appreciate and market their cultural heritage and cultural diversity. The Molatedi Theatre Group, for instance, has a contract with private lodges to perform for their guests. They are currently developing a play that tells the history of the Madikwe area and Molatedi Village in particular. Jumping Dust, a theatre company formed by well known local actors assisted the group. Community based cultural tourism provides these kinds of business opportunities for theatre groups in communities. Children's theatre, both in South African and Zimbabwe, is particularly well developed with organisations dedicated to education of children through the arts (theatre, music, dance, storytelling) and to performance. Finally, the biggest single employer of performing artists in South Africa is industrial theatre. This is used by corporates to expose people in the workforce to new ideas and problems (such as team work, HIV/AIDS, performance management) but also exposes them to the medium of theatre.

59. One of the key problems facing the performing arts and dance sector in the SADC region is limited access to cultural institutions to showcase their works. There is a concentration of cultural centres in urban areas which ignores the people who live in rural areas and who find it difficult to access them.
60. Artists, choreographers and poets in the SADC region have little knowledge of their rights particular with regard to copyright. There is little ownership of output. Performing artists and arts institutions in the region make little use of the new technologies to improve production processes, market themselves or network.

The Film and Television Industry in the Region:

61. Film, or translating cultural expressions into images, is one of the ways of keeping a community's identity alive. This implies the capacity and infrastructure to produce them locally, or, as we argue, to develop an indigenous film and TV industry. While Southern Africa has the infrastructure and skills, this has not successfully translated

¹⁸ See, for instance, Ngugi wa Mirii's comments on Zimbabwe's towns and cities in Zimbabwe Association of Community Theatre, 3rd National Convention, (01/1999)



into a vibrant indigenous film industry. The SADC region¹⁹ has a wealth of creativity and stories, but the Film and TV industry is undeveloped and in a state of decline. The Film and TV industry in the SADC region is small, donor led and severely lacking in finance and exists primarily in South Africa, Zimbabwe, Mozambique, Botswana, Mauritius and Namibia. In Ghana and Zambia, the broadcasters produce a few local productions. South Africa is the only country in the SADC region where private sector investment (as opposed to sponsorship) is available for film production. However, even in South Africa, there is very little indigenous cinematic expression, production, discourse, training or distribution. For all filmmakers in Africa, the key problem remains distribution and access to international markets as Africa's screens remain dominated by Hollywood and Bombay product. During 2000, less than 2% of Africans had ever seen an African film. US films have a 70% share of the African market, while African films have a 3% share. As Mbye Cham has so eloquently said, 'One of the major challenges for African cinema in the new millennium is to devise more effective and sustainable ways and mechanisms with which to break out of its traditional confines of festivals, schools, universities, museums and community centres into cinema theatres both in Africa and elsewhere'²⁰. Efforts to remedy the marginal status of African films within the global industry place 'a major premium on the importance of distribution and the need to shift ever so slightly away from the current emphasis on production'.

62. Francophone Africa has developed a substantial industry of feature films with both French Ministry of Co-operation support and government involvement. This government intervention into cultural policy has made a substantial contribution to supporting the distribution of African films and an African film culture. A clear example here is Burkina Faso where people fight for tickets to view African films and queue for blocks at FESPACO, the bi-annual festival of African film in Ougadougou. On the other hand, Anglophone Africa lacks government support but tends to be more advanced in the use of video and documentary making. Southern Africa has a comparatively high level of infrastructure for film and television production but filmmakers have been deeply affected by the rate of political change in the region. African filmmakers on the continent have developed a film culture that regards film as a place for collective reflection and community building.
63. The state of the film industry on the rest of continent reflects a deep commitment to the promotion and preservation of cultural heritage. For the past three decades, filmmakers in former Lusophone and Francophone African colonies have drawn on

¹⁹ Acknowledgement to ILO study prepared by Joffe, A and Jacklin, N 'The Film Industry in the SADC region' completed for the ILO's Ford Foundation funded project on Employment Creation and Small Enterprise development in the SADC region, InFocus Programme on Boosting Employment through Small Enterprise Development (IFP-SEED), November 2001.

²⁰ Mbye Cham, The Dynamics of African Filmmaking in UNESCO's World Culture Report 2000: Cultural diversity, conflict and pluralism.



the legacy of the cultural policy of assimilation to ‘wrest knowledge and understanding of cinema practice from the colonizers and turn it to African advantage’²¹. The resulting films draw from the cultural heritage of African social reality and modes of communication such as oral storytelling traditions and are rooted in a powerful critique of the power relations and hypocrisies of African social reality. There are many lessons for filmmakers in southern Africa to draw on from African film: ‘the value of a historical understanding of the pre-colonial past, the delightful parodies of potential contradictions of a new regime shown in *Xala* (by Senegalese novelist Sembene Ousmane) and the reminder of the power of imperialist relations shown so poignantly in *Camp de Thiaroyeb* (an entirely African financed film by Ousmane) but most importantly the refreshing, internally generated aesthetically depicted images and sounds of our own continent, its space, tempo and people’. The experiences of African film on the continent north of the Limpopo suggest that it is possible, through concerted action, government support and a transformed broadcasting environment to avoid the degraded images of African people so common in Hollywood movies and to offer up experiences of African social reality not filtered through a ‘westernised’ experience such as depicted in ‘*Out of Africa*’ or ‘*The Sheltering Sky*’.

64. Co-productions between African countries, other countries in Asia and Latin America would assist in developing a film culture that serves the people of these countries rather than those between developing countries and the developed countries. Co-production agreements while useful for facilitating entry into international markets are known for creating cultural *mélanges*. The NAM Medellín Declaration for Cultural Diversity and Tolerance²² made significant comments on these issues. The Ministers ‘agreed on the need for intensive research efforts by Non Aligned countries in the development of communications technology and cooperation amongst the NAM members as a means of redressing the continued imbalances and inequalities between developed countries and developing countries in the field of information and communication. They made a commitment ‘to take specific actions to strengthen the South-South cooperation in the information and communication fields, as well as in other forms of cultural cooperation, including education and training, based on the principle of collective self reliance. They acknowledged that ‘modern telecommunications know-how and updated audio-visual and printed information services should not be employed as a means of cultural dominance against the vernacular cultures of the world’. The Ministers appealed for broadcasting content that supports and enhances the culture and moral values of the developing countries.

²¹ Bridget Thompson, ‘African cinema – a well kept secret’

²² <http://www.culturelink.org/review/24/cl24res.html>



65. Much of the film and television production in Southern Africa focuses on the communication of educational, social and development messages with the aid of donor funding. The choice of southern Africa for location by USA and British producers has resulted in a strong and viable location industry in countries such as Mozambique, Mauritius, Zimbabwe, South Africa and more recently, Namibia. However there are strong arguments that while this brings in much needed foreign exchange and provides jobs, it does not add to the individual countries' cultural heritage or to the development of an indigenous industry. Increasingly, foreign producers have complete freedom to bring in their own staff and facilities, which threatens the utilisation of local resources. This argument is repeated within the region as well with South Africa often seen as the beneficiary.
66. The level of state control of the broadcasters and censorship practices impact directly on the development of a local indigenous film industry. Legislative and policy frameworks in Southern Africa support local content. However what is in policy and law is not translated into what is in the budget of public service broadcasters in the region. Not only is the import of foreign content cheaper than locally produced content, but many broadcasters have no budgets for commissioning work thus ensuring that Africa remains a consumer of cultural products from the developed countries.
67. Broadcasting is a relatively new industry in Africa. In Tanzania it is five years old and in Botswana it has just been established. While the world boasts a television penetration of 7 out of 10 households, Africa can only claim one in five households. The highest penetration in the SADC region is in Mauritius with 228 televisions per 1000 people compared with 2 and 4 televisions per 1000 people in Malawi and Mozambique respectively²³. Where broadcasting is established the quality is considered to be poor both in terms of programme material as well as the broadcast technology.
68. Infringement of copyright of audio-visual product is widespread in the region with little legislation or enforcement capacity in African countries outside of South Africa.
69. South Africa plays host to a number of organisations and institutions that work in the SADC region. There are very few coordinating bodies active in the region. Those that do exist tend to work beyond their original mandate to fill in the gaps. They are under-resourced and plagued by different and at times competing expectations from their constituencies. However, they would be the first port of call in developing a strategy to grow the industry.

²³ J Du Toit, ((2000) South African Development Community: An economic profile. Absa Bank publication



70. Southern African Communication for Development (Sacod)²⁴. SACOD is a coalition of progressive filmmakers from the Southern African region. Their overall mission is to support and promote production and distribution of Southern African videos and films that contribute to democracy, peace, popular participation, race, gender equality, development and cultural activity. They are involved in a number of activities in support of this mission and work with a number of partners including, the audiovisual entrepreneurs of Africa, the National Film and Video Foundation, the Independent Producer's Organisation, the Southern African Broadcasters Association and the Media Institute of Southern Africa. They intend to run a mini-video festival parallel to SAFF (the Festival in Harare) and ZIFF (the festival in Zanzibar) focusing on social issues and would run a workshop in tandem with the festival.
71. Southern African Broadcasting Association (SABA). SABA is now based in Johannesburg (previously in Windhoek) and works to facilitate access to programmes by broadcasters in the region. It is a membership organisation of public service and other broadcasting organisations, covering the countries of the SADC region. It works with not only commercial broadcasters in Southern Africa and the rest of the world but also with community and private broadcasters.
72. Regional co-production forum. A new initiative (still in discussion) launched at the Sithengi Market in Cape Town in 2001 is a co-production agreement between countries of the Southern African region. Ice Media (Zimbabwe, South Africa and Namibia) and FRU have joined forces with Zimmedia and M-Net to initiate a forum for producers and broadcasters to come together with the object of greater co-operation and bi-lateral agreements between member nations of SADC. As Ice Media's Dan Jawitz explains: 'this initiative will be driven by organisations who have a vested interest in regional co-productions. It will run on the basis of the Mama Africa experience and other regions' co-productions, which have enjoyed success in the past. These include Africa Dreaming, Fools, Flame, Steps for the Future and African Renaissance'²⁵. While it is early days yet, the initiative has support and a process that is consultative.
73. The Film Resource Unit (FRU). FRU is a distribution agency, located in South Africa, which represents mainly Southern African filmmakers and has the rights for distribution of these products in African territories. They distribute products to the region by sending their catalogue to television stations in the region. They also send out their video catalogue to all countries and target government, NGOs and retail outlets. They have sub-distributors or representatives in Namibia, Zimbabwe,

²⁴ Interview with Chris Kabwato, coordinator of SACOD and SACOD Annual Report 2000

²⁵ 'Forum to prompt regional co-prod treaty' in *Sithengi Daily News* Tuesday 13 November 2001.



Mozambique, Botswana, Kenya and a mobile video unit in Lesotho. These representatives are trained to engage with different target audiences. FRU subsidises the cost of the videos, for dubbing, freightage, posters and promotion through donor funds.

74. African Broadcast Network (ABN). ABN or the Africa Broadcast Network, based in South Africa has been established to provide quality product and content to the broadcasters in Africa in return for their ability to sell advertising space to the big corporations. This new television network was launched on the 29 January 2001. This broadcaster includes the African Bartering Company, which has pioneered the concept of syndicated bartering with African broadcasters for advertising space. The problem being addressed by this concept is that African broadcasters are caught in a catch 22 situation. They do not have access to good quality programming because they do not have the funds to buy it, as a result they do not attract a lot of advertising which in turn results in a lack of funding to buy quality productions. ABN's bartering concept is one in which advertising time is exchanged for one or two hour(s) of peak broadcasting time which they fill with quality programmes. They then sell the advertising time to advertisers. So, broadcasters receive programmes for free and ABN gets its income directly from advertisers.
75. The first countries to experience ABN were Ghana (GBC), Kenya (KBC), Zimbabwe (ZBC), Tanzania (ITV), Zambia (ZNBC), Nigeria (AIT) and Swazi TV. However, they have now stopped screening in Zimbabwe as the ZBC has prohibited them from working there. They are using the most advanced satellite link up technology ever used in the history of African broadcasting and are planning to broadcast 20% local content within the first year and 40% by 2006. While some Southern African filmmakers argue that ABN is only interested in 'dumping cheap international product' on African audiences and making profits from the advertising revenue, ABN has made a commitment to use South African programmes and to invest in local productions. In addition they have launched an African Movie of the Week, featuring 13 acclaimed African films such as Slavery of Love (South Africa) and Ama (Ghana).
76. Sithengi, the Southern African International Film & TV Market, is held in Cape Town in South Africa. It is one of Africa's premier media and entertainment events and is now well entrenched as an integral part of the annual international Market and Festival circuit. It is a world-class showcase for South African and Southern African cinema, broadcasting and related industries. Each year there is an increase in the number of stands. Compared to 50 stands in 1988, in 1999 there were 65 stands including both the British and French Pavilions and an additional 25 desks. Interest from new countries saw two Swedish stands, a Portuguese stand, a Ghanaian one and a Nigerian Pavilion representing 25 producers. 30 African countries received invitations to attend the market. The market in 2000 attracted over 1350 delegates



from more than 40 countries. The Sithengi Market includes 3 core areas and holds a number of side events:

77. The Media Development Trust (MDT) is a non-profit welfare organisation seeking to promote development through communication. They are involved in the distribution and production of high quality socially conscious films and video. Their video resource centre, was launched in 1995 and carries 900 videos in different categories. They are also involved in public screening of their video services. Their videos are sold to NGOs, educational institutions, health centres, civic education and outreach programmes as well as to individual film enthusiasts. Together with FRU, the MDT has a monopoly on distribution of African productions. In addition they market their catalogue of productions to African broadcasters and have distributed productions to the Zimbabwe Broadcast Corporation, the Namibian Broadcasting Corporation and Malawian television. There is much collaboration between FRU and MDT. They distribute each other's products and MDT seems to focus on territory 'north of the Limpopo' while FRU's main market is in the south²⁶.
78. The Media Institute of Southern Africa (MISA). The Media Institute of Southern Africa was established in 1992 to realise the aims of the Windhoek Declaration²⁷, and specifically, to promote media diversity, pluralism, self-sufficiency and independence amongst all players in the media in Southern Africa. They have head offices located in Namibia and chapter offices located in other Southern African countries. The head office has nine people in the secretariat while chapter offices are typically 2-4 people. 30% of MISA's staff are women. MISA has historically concentrated on the print media but over the last year has started doing more work in the audiovisual industries. They are currently running campaigns in Southern African countries concerning the freeing of the airways and liberalisation of the broadcasting environment. MISA are setting up a database to collect information they receive from the chapters. Their intention is to develop an Intranet facility so that this database is available on line and to facilitate online conferencing and communication between chapters and head office. This will substantially reduce their costs. However, apart from South Africa and Namibia, telecommunications in the region is unpredictable and inconsistent making this more difficult.
79. MISA's other activities include publications, a library and resource centre and a legal defense fund. MISA has observer status to the SADC. MISA's representation does not stop with Southern Africa. It represents WAJA, the West African Association and NDIMA the East African Association. Because of this broad and significant

²⁶ MDT website

²⁷ The Windhoek Declaration was adopted in 1991 to protect and promote freedom of expression and of the media. See Appendix 1 for the Windhoek plus 10 Charter on broadcasting which was adopted at the 10th Anniversary of the Windhoek Declaration.



representation, MISA would like to enter into dialogue with relevant Ministries to jointly discuss media policy.

The Visual Arts and Crafts Industries:

80. The visual arts and crafts industries are very much informed by country-specific contexts, characterized by socio-economic, traditional and political issues, small local markets, lack of training and support, and skills to develop the industries in terms of exchanges and sustainable trade relationships within the region and into international markets. The industries are further complicated as small local markets cannot sustain niche specialties. Very few practitioners can survive as full time artists and curators. This is particularly true of the visual arts industries. Key role-players frequently perform more than one function, working as producers, agents, consultants, facilitators and writers, or producing commercially in response to market needs in order to support a less viable career as a contemporary or performance artist.
81. There are over 1000 formal craft retail outlets in South Africa and many more across the region. However, Southern Africa is not a large player in the global craft industry due to the lack of quality and unreliable distribution. There is no doubt that this poor quality, limited design capability and inability to fulfil large orders impacts negatively on the competitiveness of African crafts. Added to this is the difficult question raised by the 'place of origin' requirement in AGOA (the Africa Growth and Opportunity Act) since many of our craft inputs are imported. Craft industries occupy both urban and rural spaces and are both informally and more formally organised. The importance of the industry resides in its contribution to a number of important development objectives. These include self-empowerment, skills transfer and community building; economic growth through cultural tourism; broad based visual literacy useful for other cultural sectors; SME opportunities and the development of 'cultural ambassadors' for countries. South Africa is considered a gateway to international markets, in terms of both trade and career opportunities. Across the region, the lack of access to training, materials and exhibition facilities is prohibitive to development. Many countries in the region have trade and export laws in place, which are obstacles to effective SME development. The section below, entitled, National Cultural Policy Framework and Institutions in the SADC Region details the scope of organisation of the visual arts and crafts sector in the region.
82. In many countries, such as the United States of America, Canada, Australia, Peru and South Africa, traditional handicrafts and artworks are highly marketable products that can be a lucrative source of income for traditional communities. Some customers are attracted by the ethnic origins of such products and may be willing to



pay extra when they are convinced of their authenticity. Therefore, trademarks could have a useful role to play especially those groups and communities that are concerned about reproductions falsely attributed to such groups or communities. A kind of trademark that exists in the laws of some countries is the certification trademark. Small-scale producers to guarantee to customers that goods are genuine in some way or another can use certification marks. Certification marks indicate that the claims made by the traders have been authenticated by an organization independent of the individual or company making or selling the product. This is likely to be a regional trade association that has registered its own collective mark. In the United States, the Intertribal Agriculture Council licenses use of its annually-renewable 'Made by American Indians' mark for the promotion of agricultural or other Indian-made products that have been produced and/or processed by enrolled members of recognised Tribes.

Ethno-Tourism in the SADC Region:

83. The ethno-tourism sector raises many issues of relevance to the discussion about cultural diversity since it showcases indigenous communities to the tourist (both domestic and foreign). Work in the sector emphasizes both the rights of the indigenous community as well empowerment and sustainability possibilities (through income generation and small business promotion) for communities. In the SADC region, ethno-tourism shows a continuum of economic scale of operation from non-commercial through small-scale commercials to large-scale commercial ethno-tourism. This continuum is paralleled by a continuum of authenticity, with small-scale commercial ventures revolving around genuine functioning villages and the largest enterprises tending to be spectacular reconstructions and portrayals of traditional ethnic features.
84. Ethno-tourism has huge potential in the region given the diversity of ethnic groups and other natural heritage features. There are many opportunities for development particularly village tours, accommodation, food, traditional dance, artifacts and products, music and story telling. The industry is particularly important to the promotion of cultural diversity since it is so dependent upon indigenous knowledge, practice and values. Importantly for developing countries, small-scale developments require very little capital investments and technological input, can generate revenues quickly and local ownership of ethno-tourism products is relatively easy to achieve.
85. Since most aspects of the industry tend to be controlled by the tour operators in this region, it is incumbent on the governments to provide training and support on individual and community rights, on small business function particularly marketing and on cultural heritage and its promotion and preservation to this group of entrepreneurs. This domination by a single category of players is a feature both of



the industry's rapid growth and of developing countries. Domestic and regional tourists are an insignificant proportion of the consumers of the ethno-tourism product. This is a reflection both of poor promotion of cultural diversity in the countries and only partly due to the low purchasing power of the region.²⁸ While most consumers of single day products are more affluent and older international tourists, younger, less affluent tourists are more likely to participate in home stays in a traditional village or community. Some of the threats or challenges to the industry include possible exploitation of villagers and individual and collective rights, cultural stereotyping, and unpredictable tourism markets.

86. Although there are not specialist organisations and coordinating bodies for the ethno-tourism, there are tourism councils that have ethno-tourism in their field of competence. The only regional coordinating body with an agenda that includes ethno-tourism, is RETOSA – the regional tourism organisation of southern Africa. This organisation is answerable to a board of directors composed of two representatives from each of the 14 SADC countries. One of these representatives is a private sector representative and the other is a public sector representative. RETOSA therefore claims to represent the tourism interests of both the public and private sectors in all of the SADC countries. RETOSA has been in existence since 1997, and its role is to market the region as a tourist destination
87. Although not restricted to ethno-tourism, Fair Trade in Tourism is a NGO that has recently opened an office in South Africa. It is an independent non-profit programme of the IUCN, the World Conservation Union, which aims for fair trade in the tourism industry. This means involving disadvantaged communities and population groups in tourism, obtaining a fair share for those involved in the tourism industry, ensuring respect for human rights, culture and environment (both by host and visitor) and transparency throughout the tourism industry.

*The Publishing Sector in Africa:*²⁹

88. Publishing in Africa began as an extension of missionary activity and has since been characterised by the dominance of multinational companies. Africa accounts for 12% of the world population but only 2% of the world's books are originated and produced in Africa. Of this 2% indigenously owned private-sector companies produce only 20%. Publishing constitutes less than 3% of the continents economic

²⁸ It is important to note that despite this low purchasing power, the largest tourist market for South Africa is the rest of Africa. See also SATAWA figures which indicate that more than 60% of tourism in South Africa is made up of South Africans.

²⁹ Extract from Memo 'Publishing in Africa' written by Steve Kromberg, part of the HSRC research team for DACST. Two key sources are Ruth Makotsi. *Expanding the Book Trade Across Africa: A Study of Current Barriers and Future Potential*. Association for the Development of Education in Africa, in collaboration with the African Publishers' Network. Oxford. 1999 and the unpublished proceedings of a Seminar on "Scholarly Publishing in Africa" held in July 2002 in Zanzibar, hosted by the African Books Collective and the Dag Hammarskjöld Foundation.



activity. Africa imports approximately 70% of its book needs but exports less than 5% of its local output. Most imports originate in Europe and the United States of America. Of the books consumed in Africa, approximately 75% are textbooks and the rest are general trade books, whereas in developed countries textbooks are likely to account for less than 40% of book consumption.

89. Factors constraining book production in Africa include the following:
- Relatively small markets (high levels of illiteracy, poverty, unemployment and low per-capita incomes, piracy and illegal copying, low levels of reading and even lower levels of book buying, inadequate funding of textbooks and libraries)
 - Fragmentation of the market by language, educational curricula and nation-states with small populations
 - Lack of a reading culture as other leisure activities (sport, television) compete
 - High input costs (specially for imported materials and machinery)
 - Poorly developed and inefficient infrastructure (e.g. electricity, communication, transport, postage, banking)
 - Limited access to finance
 - High levels of inflation, constantly devaluing currencies and weak balance of payments leading to shortage of foreign exchange
 - Debilitating political instability, regional conflicts and war
90. Multinational companies and their local subsidiaries benefit from economies of scale, which allow them to distribute development and fixed costs more effectively. They are also more flexible and trade in stronger currencies. Consequently, they are better able to benefit from foreign aid and international loans flowing into Africa. Book dumping is often disguised as foreign aid, resulting in low cost or free products squeezing out local products that are educationally and culturally more appropriate for local readers.
91. Attempts to lower the cost of books by relaxing intellectual property regimes can harm the local industry and result in major conflicts of interest between local producers and consumers. This could serve to further undermine origination and production of local content.
92. The high levels of imported products often result in inappropriate content that further marginalizes local cultures. Although more content is exported from Africa than finished products, this content is also distorted by the demand for content that conforms to stereotyped images of Africa. In this way, global markets can and do distort local content and local cultural production. These problems constitute major challenges to African governments wishing to grow local and export markets, nurture local book production and ensure the survival of local languages and culture.



93. Given the extent of the problems, measures to protect and nurture cultural diversity through ensuring adequate levels of local content production must of necessity span a wide front. They have to address critical weaknesses across the entire value chain, from origination through to consumption. The primary challenge is to do this in a way that nurtures indigenous private sector activity without distorting markets.
94. Few developing countries have coherent book development strategies, which are crucial given the fact that book development by definition requires inputs from and coordination between government departments. Regional coordination is also necessary to grow markets across national borders. African publishers are organised into the African Publishers Network (APNET), which is at the forefront on publishing development in Africa. APNET, with its international donor partners, has also facilitated contact between Ministries of Education and Culture.
95. African publishers have also founded the African Books Collective that supports sales and distribution of African publishers' books in the global North. In order to address the physical challenges of distributing books from Africa through the United Kingdom, it has also investigated the opportunities presented by digital and short-run print technologies.

Intellectual Property Issues in the Cultural Sectors in the SADC Region:

96. Protection of intellectual property can be seen as a way of stimulating creation and creativity. There is a general lack of protection for intellectual property rights related to culture. However, even with excellent legislation, intellectual property rights infringement is typically more acute where enforcement is weak. Some examples from the SADC region include:
97. Copyright protection of audiovisual products is a big problem in the Southern African region. Infringement is rampant in Mozambique, Angola and Swaziland. Moreover there is a general lack of copyright enforcement in some African countries. Copyright infringement occurs in cinema, video and TV. TV infringement occurs when broadcasters re-run programs for which they have a specific viewing agreement. Video piracy, like music piracy is rampant in the region. Finally, exhibitors don't report accurately on box office take. This all results in the filmmaker losing out. In South Africa, any of the rights to South African works were sold to overseas companies long ago. This was particularly true of stories, which were critical of the apartheid government, and therefore unlikely to be made into films in South Africa prior to 1994. One such example is Athol Fugard's *Boesman and Lena*, which was produced locally by local independent producers, but the rights were held overseas. This gave the overseas partners a strong bargaining chip in the development of the



film³⁰. The film was directed by an American and included American actors in major roles.

98. Copying of crafts products has been a particularly difficult issue as few crafters have knowledge about their rights. A SADC wide initiative, SACIS, the Southern African Information Systems project was set up to begin to collect and document data as well as provide an online information guide relating to copyright, conventions and legislation. It will collect cultural data from the region and disseminate the information throughout the region and beyond. The project aims to establish a system whereby interested parties worldwide can access information on the cultural aspects of the region. The information will cover a variety of cultural products, institutions and policies, conventions, legislation and copyright issues, based on the data received from SADC member states³¹.
99. Opportunities for crafters to come together and discuss problems that affect them across the region are few. One of these, though, is Linkfest, a multidisciplinary festival of the arts and culture of the region. Participants are mainly from countries from the SADC region with guest artists from the United States, Canada and Europe. Linkfest hosts an arts & craft market, over 20 performances, and morning discussion sessions regarding global arts and culture. Topics included preservation and promotion, arts and culture management and intellectual property issues. Linkfest usually takes place in Bulawayo. In 1999, the host country was Namibia. It is hoped the festival will tour the region. It is directed by Nomadlozi Kubheka and funding has been provided by the Swedish Embassy (SIDA –Stockholm) and the Rockefeller Foundation (USA).
100. All SADC countries, with the exception of Angola, Mozambique and Seychelles, are party to the Berne Convention. Swaziland is the only SADC country, which according to WIPO records does not have a copyright legislation. In the remaining Member States, copyright is protected in various copyright acts dating from 1986 (DRC) through to 2001 (Zimbabwe).
101. In the SADC region, Angola, Botswana, Lesotho, Seychelles and Swaziland have no copyright societies. Namibia, South Africa, Zambia and Zimbabwe have private copyright collecting societies, while the rest have either parastatals or State-funded societies. In most cases, the "parastatal" collective management societies have dual responsibility i.e. that of administering the economic rights of their members but also that of enforcing the provisions contained in the national legislation e.g. in Malawi, Mauritius and Tanzania³²

³⁰ Hold Onto your rights!, African Film and TV, February - April 2001

³¹ <http://www.sadcreview.com/sectoral%20reports%202001/cultureinformation&sport.htm>

³² <http://www.wipo.int/africa/en/>



102. WIPO has a long history of co-operation with SADC countries in the field of Copyright in which it has provided legal advisory and technical assistance aimed at modernizing and/or establishing national copyright protection regimes.
103. As of April 30, 2002, none of the SADC States have ratified neither the WPPT nor the WCT. However it is important to note that initiatives are underway in Mauritius, Malawi, United Republic of Tanzania and soon it is hoped Botswana and Mozambique to ratify the two treaties.

The Impact of Globalisation on Cultural Diversity in Developing Countries:

104. Globalisation has both positive and negative impacts on developing countries ability to achieve their cultural policy objectives. The negative impacts for cultural diversity consist primarily of the homogenizing effect of globalisation which shape a collective consciousness of 'modernity'. It is, in essence, the McDonalds fast food syndrome writ large. With its particularly strong influence over the culture of 'entertainment', video clip, cable link and music, its impact is to discredit and undermine the identity of each nation³³.
105. It is important to note that cultural industries are not yet an important element of developing country's economies. However, these same countries have accepted the trend toward more open markets and 'free' trade. In particular, they recognise the need to ensure predictability and certainty in a rules-based context. This means that domestic cultural policies can not be developed and implemented in isolation and indeed, challenges governments to negotiate trade agreements that recognise cultural diversity and the particular nature of cultural goods and services.
106. Globalisation impacts on developing countries through changes in ownership and control of media, telecommunications infrastructure and the extent of connectivity of the population as well as the increased movement of artists, cultural producers and tourists. Globalisation also affects the range of tools (the toolbox) that governments use to preserve and promote the diversity of cultural expression. A positive impact for the developing countries from technology for instance, is the improved means of communication and interaction that derive from low cost network technologies and the Internet. Other technologies such as that used for music recording, video recording and editing is now cheaper and simpler. Cultural diversity can be fostered

³³ These views are well expressed by Subercaseaux, B (2002) 'Globalización y cultura en América Latina. Desafíos y estrategias para preservar la diversidad cultural' and summarised in 'Cultural Diversity, Development and Globalisation: A perspective of the Organization of American States', document prepared by the Unit for Social Development, Education and Culture of the General Secretariat for the First Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities, July 12-13 July 2002, Cartagena de Indias, Colombia.



by certain aspects of globalisation³⁴ such as the interaction across boundaries which leads to a mixing of cultures in particular places and practice; the fact that cultural flows occur differently in different spheres and may originate in many places; the reactions and resistance that result for integration, the spread of ideas and images and the range of interpretations of global norms or practices from local tradition.

107. Negative impacts include an accelerated converging entertainment content, 'leakage' of talent, industry consolidation and internationalisation of production in audio visual works affecting both ownership and cultural content. In response to this, for instance, South Africa's policy on media ownership is one in which foreign ownership is limited to 20% for broadcasting whereas in print media the regulation is less restrictive. As a developing country South Africa feels the pressure and impact of globalisation since up to 90% of its media landscape is filled with non South African media. Its broadcasting system (both radio and television) has a high concentration of foreign media especially US imported programming. However, more important than this is the loss of identity, sense of community, personal esteem and a sense of belonging to one's own culture³⁵. This is exacerbated by both the power of certain states - which seek to establish western ideals as universal and thereby override local traditions – and, multinational corporations, which promote a consumerist culture with its own values and habits. There is no doubt that a strong cultural policy that will promote local and indigenous media sectors that can compete in the global arena³⁶.
108. The accelerating converging entertainment content provides a real challenge to developing countries in particular as broadcasters can be regarded as a cultural industry³⁷. There is a difference between entertainment and culture. Not all TV is culture. In fact most is not. At the same time, not all cultural film product is entertaining. However broadcasting is regarded as a cultural industry and far too little attention is being paid to the content and the content providers with much attention paid to rolling out the information infrastructure that achieves universal access. What makes broadcasting a cultural industry is that it is a content provider and it is here that our attention must be placed.

³⁴ Noted in The Globalisation Website question 5: Does globalisation diminish cultural diversity at <http://www.emory.edu/SOC/globalisation/issues05.html>

³⁵ Ministers in charge of culture of the Member states of the NON-Aligned movements met in Medellin, Colombia, 4-5 September 1997 to propose actions to promote cultural cooperation. These ministers noted the impact of the present trend towards globalisation and agreed that 'equitable and mutually beneficial globalisation is the best option by which countries of the South may enrich the cultural heritage of mankind'. (<http://www.culturelink.org/review/24/cl24res.html>)

³⁶ Comments on South African media landscape by Glenn Mosokoane, South African Broadcast and Media researcher to the INCP Special Policy Research Team on Media Issues.

³⁷ Commentary from Joffe, A and Jacklin, J The Film and TV Industry in the SADC Region prepared for the International Labour Organization's Project: Small Enterprise Development and Job Creation in the Cultural Sector which is part of the InFocus Programme ----- November 2000



109. The South African Minister for Communication, Dr Ivy Matsepe-Caseburri said exactly this in a speech to the Southern African Broadcasting Association Conference. 'The tendency has been to focus on technologies, infrastructure and facilities, yet we must be aware that in bringing about a meaningful 21st century and the African Renaissance, we must pay attention to the cultural and historical context and therefore focus also on content and services to be delivered via these technologies. Broadcasting is regarded as a cultural industry. The content issues remain the most important for it, and if Africans are to be shapers of their destiny, and define for themselves their identity – broadcasting has an important role to play. We must promote cultural excellence, intellectual vibrancy, showcase the tremendous promise, exceptional talent and resourceful people and bring together the communities yearning for and primed for positive transformation of our societies, countries and our continent'³⁸.
110. However, in addition to these negative impacts, other interesting dynamics of globalisation may present opportunities or at minimum impose challenges for developing countries. There are, for instance, the many different platforms to deliver content, convergence of telecommunications, exponential growth of computing and content industries, vertical and horizontal (cross-media) ownership, increasing knowledge and concern about competition and copyright, the mega merger trend, expanded and contracted consumers choice and diversity of content and the creation and control of content. These all pose both opportunities and threats to the cultural sector. The opportunities derive from the 'increased opportunities for creative content generation and production, greatly enhanced distribution and promotional capacity for cultural products, and the simple but revolutionary fact of interactivity, where every consumer can also become a creator/producer of cultural values and products'³⁹. These opportunities are less significant in the developing countries but remain possible for pockets of cultural producers. Nevertheless, aspects of globalisation, such as new information technology also serves to increase dialogue and communication between cultures, giving rise to the possibility of increased awareness and respect for cultural diversity and allowing for its expression. Notable examples from South America include 'Guatemalan and Brazilian campesinors that fax their reports on human rights violations, or indigenous peoples using cellular telephones, videos and emails to express their diverse lifestyles and cultures'⁴⁰. This is the part of the hydrogenising tendency of globalisation that opens up opportunities for the developing world.

³⁸ Dr Ivy Matsepe-Casaburri, Communications Minister, South Africa – Opening speech to the Southern African Broadcasting association conference, Cape Town, 10, 2000.

³⁹ From the Introduction by Colin Mercer to Convergence, Creative Industries and Civil Society – The New Cultural policy, a special tenth anniversary special issue of Culturelink Review. 2001

⁴⁰ Quoted in 'Cultural Diversity, Development and Globalisation: A perspective of the Organization of American States', document prepared by the Unit for Social Development, Education and Culture of the General Secretariat for the First Inter-American Meeting of Ministers of Culture and Highest Appropriate Authorities, July 12-13 July 2002, Cartagena de Indias, Colombia.



111. The threats, on the other hand, are more significant for developing countries. They come in the 'form of a massive and disabling "digital divide" both within and between countries, in which, as Guiomar Alonso from UNESCO asserts 96% of the world's people do not have access to the Internet and 50% have never made a telephone call. These massive inequalities in the distribution of access to communications and digital capacity pose perhaps the most urgent 'infrastructural' problems relating to the contemporary and emergent field of cultural policy and stress the need for thinking and acting in joined up ways between policy fields of industry, communications, community development and culture".
112. The challenges of globalisation for the preservation of traditional culture and the sustainability of traditional practices are equally ambiguous. Internationally there is concern amongst critics of ethno-tourism that it subverts important heritage and spirituality and reduces it to trivialised entertainment for the global tourist. Supporters counter this argument by pointing-out that cultural tourism has many beneficial impacts including revitalising cultural interest, income generation and employment creation. A Maori parliamentarian of the early 20th Century summed-up this attitude in a single sentence. Referring to Maori culture he said, 'We need to learn to sell it or lose it'⁴¹. This view, that the objective of government is to take advantages of global demand can be extended for developing countries to include the objective of empowering local communities to support local supply. These local communities, including those in remote rural areas that have few or no alternatives, will thereby benefit from the dispersed nature of interesting heritage sites from government funding for this local involvement. This exposure to global demand and global tourism is however, fraught with dangers. As with heritage, global tourism can pose a threat to indigenous knowledge and intellectual property rights, traditional technologies, religions, sacred sites, social structures and relationships, wildlife, ecosystems, economies and basic rights to informed understanding by 'reducing indigenous peoples to simply another consumer product that is quickly becoming exhaustible'⁴².

What Kind of Instrument would be needed by Developing Countries to Promote and Preserve Cultural Diversity?

113. The INCP is in the process of developing an international instrument to promote and preserve cultural diversity. This paper has highlighted a number of concerns for

⁴¹ Mafisa (1999) Culture, Tourism and the Spatial Development Initiatives: Opportunities to promote investment, jobs and peoples' livelihoods. Prepared for the Department of Arts and Culture.

⁴² Pera, L & D. McLaren (1999) Globalisation, Tourism & Indigenous Peoples: What you should know about the world's largest "industry" The Rethinking Tourism Project MN USA.



developing countries. Any instrument developed would need to accommodate development priorities and concerns in such a way as to assist a developing country's ability to pursue their development priorities and cultural policy objectives.

114. Many developing countries' still view social and economic development as different and isolated from and at times contradictory to cultural diversity. Hence, resources, budgets and personnel are not allocated to the cultural policy component of government nor are other more traditional components of development linked to cultural policy programmes or principles. Many developing countries do not have a clearly articulated cultural policy framework that guides the government's work from heritage, museums, linguistic diversity, and the visual and performing arts to the more commercial activities of the cultural industries. The instrument should perform the function of a set of guidelines to governments who wish to promote and preserve cultural diversity. This is more clearly identified in the INCD draft convention and could form a starting point for the discussion. This role of the instrument should be assessed *vis-a-vis* all other declarations on cultural diversity. The instrument would need to be mindful of the differential capacity of developing countries to honour these agreements whilst at the same time encouraging the development of a clearly articulated cultural policy framework in these countries.
115. As an extension to the above, the instrument needs to recognise and accommodate both future cultural policy frameworks, as well as future as yet unspecified cultural measures, and importantly, to encourage member states to adopt measures to ensure the development of domestic cultural expression. This ought probably to have a time-frame obligation attached. The instrument, to have effect, needs to impose obligations on participating parties and be an enforceable agreement.
116. A critical role of the instrument is to provide a framework for support (financial and technical expertise) and cooperation between North and South, South and South (e.g. South America and Southern Africa), countries within a specified region (e.g. SADC, Mercosur) and between countries with a particular cultural affinity (e.g. all Lusophone countries). The establishment of cultural observatories has been found to greatly facilitate policy development and evaluation and could be supported to achieve these goals.
117. Of central importance to developing countries, especially those enjoying growth in their domestic economies or those embarking on a programme of integration, nation-building and reconciliation is the prevalence of xenophobia or cultural exclusivity within domestic policies. The instrument therefore needs to assert the importance of the promotion of domestic cultural expression and the importance of being open to others. This openness is inherent in the concept of cultural diversity. It therefore precludes xenophobia or cultural exclusivity within domestic policies. In this way the



instrument is able to operate as a guiding principle for developing countries that have not yet developed a coherent cultural policy.

118. The creation of postcolonial states with a strong national cultural identity has often thwarted cultural diversity. It is therefore important that an instrument on cultural diversity directs member states away from cultural insularity and towards cross-cultural exchange while also ensuring that the specific experiences of global inter-relatedness are not obliterated in the process. The development of policy on cultural diversity should be mindful of global disparities that may have a direct bearing on cultural industries in developing countries. The promotion of cultural diversity is not intended to further entrench these disparities but to spell out the terms on which cross-cultural dialogue and creativity may be fostered. An instrument to address cultural diversity and globalisation needs to take account of the agency of cultural producers and intermediaries. Every day cultural agents make choices about what to communicate and to export, what to import and graft, when to shift cross-border allegiances and target new markets and audiences, and when to reshuffle their own cultural repertoire to bolster or transform their traditions and heritages.
119. It would be important to ensure that the instrument does not overlap significantly in its scope with other texts, declarations or agencies. The instrument needs to be mindful, for instance, of other rights already enshrined elsewhere and which members have a positive obligation to ensure. This is to avoid a duplication or layering of sanctions to be taken against members who do not uphold either human rights or rights of freedom of expression and of information. It is important, from a developing countries' perspective to simplify the system of obligation. Because the instrument has a dispute settlement provision, and none exists for a myriad of other agreements (such as WIPO treaties, Human Rights Declaration) it would not be wise to allow for adjudication of *other* international agreements where no other recourse exists.
120. A critical issue for the instrument is that it does not further exacerbate the uneven development between developed and developing countries. This could arise, for example, if the instrument were to provide for an obligation on governments to set aside budget to provide financial support to cultural organisations or groups, promote and develop their creative industries or promote and preserve their cultural heritage, developing countries may find themselves further disadvantaged as developed countries are able to ensure this financial support and are not able, at this point, to provide subsidies to its cultural sectors and cultural industries.
121. The instrument would need to pay particular attention to media issues. These could include measures and policy instruments aimed at promoting the capacity of developing countries to produce a variety of audio visual products and services



locally and internationally and clear strategic framework proposals that could guide and inform audio visual policy or programmes between developed countries and developing countries and member states of economies in transition. It would be important to locate audio visual industries as vehicles for transmitting intangibles that are of great importance to developing countries cultural values, identity and shared experiences and therefore could not be seen as mere market commercial commodities. The impact of technological change and how this change may be beneficial to developing countries could be addressed by outlining how new technology will offer the developing world the opportunity to reach new markets and new audiences and in identifying niche markets to supply audiovisual services globally.

122. International co-operation between North and South and also between stronger developing countries in a particular region and the other countries of that region (e.g. South Africa in the SADC region, Mexico in the Mercosur region) should be reinforced by the instrument in order to overcome structural imbalance in cultural exchanges. It can do this through ensuring that financial support is attached to co-operation and solidarity as well as technical assistance and support mechanisms from 'richer' nations to 'developing' ones and 'economies in transition'. The latter (technical assistance and support mechanisms) is particularly important to develop into a model of horizontal co-operation along the lines suggested by Colombia's Unit for Social Development, Education and Culture. This includes specifically developing a permanent portfolio of exemplary programmes allowing for the dissemination and learning of best practice from similarly positioned member states⁴³. Each country would need to coordinate the private sector, government and non-governmental role-players in order to build on and resource existing efforts in practical ways. Giving the varying conditions in all developing countries the governance structures would need to acknowledge the different needs of all the countries and establish a continuum of intervention and support to the developing countries.
123. Finally, this paper notes that at the root cultural diversity is the demand for the expression of discrepant experiences of the process of global inter-relatedness. More specifically, it is the demand to guard against the overt randomisation and dispersal of culture in the light of emerging processes of trade liberalisation. The development of an instrument that addresses the pressures on cultural diversity emanating from the process of trade liberalisation must demonstrate its commitment to the articulation of these discrepant histories. By embracing these discrepant histories, the instrument will contribute meaningfully to the process of development

⁴³ See Presentation made 'Horizontal Cooperation: a strategy for facing the challenges of cultural diversity' by Sofialeticia Morales, Director, Unit for Social Development, Education and Culture to the First Interamerican Meeting of Ministers of Culture and Highest Appropriate Authorities in Cartagena de Indiaas, July 12-13, 2002.



by injecting a cultural and historical debate into the politics governing trade. In addition to monitoring the trade the cultural goods, an instrument sensitive to the implications and consequences of promoting and preserving cultural diversity will enhance the possibilities for interpretation, translation and the creation of a truly diverse global community.



Development challenges and cultural industries

Cultural sectors	Products, Services, Performance	Development Challenges which can be met
Music	CD, Tape, DVD, Sound recording- published piece, sheet music, booklet accompanying CD/ DVD/ Tape, blank cassettes, blank CDs, pressing plants, manufacture of tapes, sound equipment, retail stores, internet, radio, TV, film, advertising jingles / mood music, sound tracks, music videos	<p>The promotion of the cultural sector can substantially impact on the alleviation of poverty by supporting the sustainability of cultural activities such as pot making, weaving, dance, music, ethno-tourism. As the Director of Cultural Services in Zambia said, these activities are already the only income generating activities of the very poor in Zambia.</p> <p>Any employment programme in the developing countries needs to pay particular attention to the cultural sector and its contribution to tourism and small business promotion. Many of the cultural sectors are labour intensive and rely on talent and aptitude rather than high qualifications. The promotion of small businesses and cultural entrepreneurship in the cultural sector will contribute to general entrepreneurship, skills, and redress and to the improvement of product for the tourism sector.</p> <p>The promotion of the book and publishing industry can contribute significantly to the culture of reading and to literacy so absent in the SADC region.</p> <p>The documentation and celebration of cultural activities through film and television is important for national identify and pride and a respect for the cultural diversity of countries, regions and the globe.</p> <p>Participation in cultural activities, whether dance, theatre, music or craft builds self-esteem and confidence and contributes to strong individual identity which is important not only for individual growth but also for the ability to engage productively in society.</p> <p>Gender relations can be tackled in this sector since many of the artists, producers and performers are women although few women own or run associations, cultural sector companies or are in positions of authority.</p>
Film	Film, videos, DVDs, sound tracks, film equipment, books on scripts, books on films, film merchandise, film posters, internet, TV, cinema multiplexes, video stores, exhibitors/ distributors, publishing rights, agents fees, companies	
Broadcasting	TV channels, telecommunications, facilities, mobile studios/ vans, merchandise, archives, depository for programming, advertising	
Books and magazines	Books, magazines, printing press, publishing houses, advertising, royalties	
Crafts	Wire, wood, grasses, glass, pottery, beads, ceramics, plastic, leather, indigenous fashion, fabric, wool, wax, paint	
New-media	Internet, convergence (music videos, games, SMS communication, computers, tele-education	
Performing arts	Furniture as props, theatres, sound equipment, film/video equipment, scripts, books on plays, royalties, music, performance spaces as part of other buildings, lighting, stage rigs, archiving	
Visual arts	Paintings, sculpture, installations, photography, ceramics	
Ethno-tourism	Villages, tours Internet, performance spaces, food preparation and consumption, crafts	
Museums	Buildings (galleries & museums), acquisitions, exhibitions, archives, memorabilia and merchandise	
Heritage	Indigenous knowledge, tangible and intangible heritage, natural and cultural heritage, conservation	
Dance	Choreography, theatres, costumes, music, set design, dance	



National Cultural Policy Framework and Institutions in the SADC Region

Country	Cultural Policy Framework	Institutions ⁴⁴ - general and galleries, museums and heritage
South Africa	In comparison to other countries in the region, the cultural policy environment is very sophisticated and is highly developed. The constitution of South Africa provides for a National Ministry for Arts and Culture (Department of Arts and Culture or DACST), and nine provincial ministries of Culture. Since 1994, the visual arts and crafts industries have been at the mercy of funding and support policies that seem constantly under revision to address issues of 'community relevance' (implying a homogenous 'community' instead of heterogeneous 'communities'), education and skills transfer.	There are numerous public and private sector co-ordinating bodies. The South African Handbook of Arts and Culture is the most comprehensive resource book for this information, but individual sectors have their own resource books as well, such as ScreenAfrica's film and TV directory, MIDI Trust's Music Industry Directory etc
Zimbabwe	Zimbabwe has a written cultural policy which articulates the promotion of culture in a multi-cultural society that takes into account the different ethnic, linguistic and religious elements in the country. Role players in the industry have reported that this is not actively practiced due to recent restrictions that affect freedom of speech put in place by President Robert Mugabe. Culture is supported and managed in various line Ministries and departments in the Zimbabwean government. The Ministry of Education, Sport and Culture is responsible for policy direction in all matters concerning culture. The Ministry of Home Affairs administers the National Museums and Monuments and the National Archives. Copyright and Neighbouring Rights matters are administered by the Ministry of Justice, Legal and Parliamentary Affairs.	Several critical institutions exist to promote, preserve and manage the production in the various cultural industries in Zimbabwe. The overall management of these industries is the responsibility of the Ministry of Recreation, Sports and Culture. However this support is very imbalanced with the majority of support biased towards the performing arts. The National Art Gallery is the major supporter of the visual arts. The department of National Museums and Monuments collects, preserves, conserves and manages historical sites and buildings and disseminates knowledge about cultural heritage. Other institutions exist to further the preservation and promotion of culture.
Angola	In Angola the Ministry of Culture is responsible for development of the cultural sector. This is done through and by nine public institutions, which includes the National Institute of Cultural Heritage and the National Institute of Artistic and Cultural Training. The National Art School is reported to be in serious financial difficulty. The National Plastic Arts Union co-ordinates artists and initiates and organises exhibitions. Sussuta Boe: It could be argued that independent curator and artist Fernando Alvim in his capacity as an individual could be considered a co-ordinator for the visual arts industry of the country. Although based in Brussels, his Camouflage	In each of the 18 provinces of Angola there is a library as well as multidisciplinary museum. A total of six museums operate in the major towns. Angola sees data collection and sharing in cultural heritage within the region as being fundamental to cultural development. The first art gallery established in Luanda was Humbi-Humbi. There are various other galleries, centres and retail outlets that represent local artists. The Hotel Le Presidente Meridian often hosts exhibitions by various local artists. One of the largest crafts markets is Futungo (see case study above). One of Angola's large insurance companies, ENSA, has

⁴⁴ All information on institutions is from the ILO's Ford Foundation project housed at IFP/SEED on Employment and Development in the Cultural Sector in the SADC Region and the individual reports on Film and Television, Music, Performing Arts and Dance, Visual Arts and Crafts and Ethno-Tourism.



Country	Cultural Policy Framework	Institutions ⁴⁴ - general and galleries, museums and heritage
	<p>art space and various other projects including publications, collecting and research around art from the SADC region fall under his umbrella organisation, Sussuta Boe, which has a satellite office in Luanda. Sussuta Boe is an organisation to promote African contemporary art and culture. The established contemporary African art collector Hans Bogatzke and the young collector of contemporary African art Costa Reis are part of his client base.</p>	<p>demonstrated private sector commitment to the visual arts with the launch of the Ensarte prize. 2002 marked the sixth edition of the prize, rewarding winning painters and sculptors with US\$10,000 each. Second and third prizes are valued at US\$7,000 and US\$5,000 respectively. The prize is open to Angolan artists living in the country or abroad.⁴⁵</p>
Malawi	<p>Cultural issues fall under the Ministry of Education, Sports and Culture. Cultural Heritage is protected through different Acts of Parliament, dealing with Monuments and Relics, Museums, Arts and Crafts, Archives and censorship issues. The Department of Arts and Crafts recently called artists of all disciplines to form associations, for which the government provided seed funding. The mandate given to these associations is that they write their own constitutions. Once these are presented to government, they will become eligible for funding. Government felt it was important to put this responsibility onto the artists so they could, as Mr. Bernard Kwilimbe says, “speak with one voice, because who feels it, knows it most.”⁴⁶</p> <p>The definition of arts and crafts in Malawi is officially grouped as grassroots (basketry, woodcarving, and domestic implements); entrepreneurial (defined as passing from one hand to another) and fine arts (painting and sculpture)</p> <p>The Malawi Chamber of Commerce is encouraging government to promote the visual arts and crafts industries at the trade show grounds in Blantyre for the international trade fair. This will be negotiated around May 2002. It is the first time artists and craftspeople have been invited to exhibit.</p>	

⁴⁵ <http://www.africolours.com/?content/yellow-angola.html>

⁴⁶ From personal interview, Department of Arts and Crafts, Lilongwe, April 2002.



<p>Lesotho</p>	<p>The Ministry of Tourism, Sports and Culture is responsible for arts and culture policy and management. The Directorate of Culture is subdivided into sections as well as commissions, committees and associations, which are recognised and affiliated to the Department of Culture.⁴⁷</p> <p>In 2002 a new White Paper on culture was drawn up, but has not yet been implemented. It focuses on training and revision of museum frameworks.</p>	<p>The strongest foundation for the arts in Lesotho is Machanbeng College, which offers the only formal training in Art and Design, geared towards skills-based and entrepreneurial approaches in the visual arts and crafts. Government does not support it as it is an international school, but it exhibits student work approximately twice a year.</p> <p>The only full time gallery in the country is housed at the Selibeng Arts and Cultural Centre. The local Alliance Francaise exhibits one to two Lesotho artists per year and is supported by the Institute Francaise and The French Embassy in South Africa.</p> <p>International support comes from NORAD and Helvitas (as it is called in Lesotho). UNESCO offers a hall for exhibition purposes, solicited through proposals. The EU has set up a new fund for culture in 2002.</p>
<p>Swaziland</p>	<p>Cultural management, being the responsibility of the Ministry of Home Affairs demonstrates the imprecation of cultural heritage and social life. Aspects of cultural management also fall under the Ministries of Education and Natural Resources. The latter manages and preserves traditional sculptural practices. The mandate of the National Cultural Council is to “encourage all cultural groups to enhance their performances and patriotic living as a uniting force in the nation,” which effectively excludes the visual arts and crafts industries. However, successful crafts-based projects are in operation, and many thrive.</p>	
<p>Namibia</p>	<p>Next to South Africa, Namibia demonstrates the most well organised visual arts and crafts industries, with government and various parastatals like art galleries, museums, associations and unions taking responsibility for organising cultural practice. In order to enable more effective administration of culture, the government has decentralized cultural services through seven regional offices. Collective workshops, workshops, biennales and craft fairs have featured prominently on the visual arts and crafts calendar for some twenty years. Like South Africa, Namibian is succeeding in getting the private sector to invest in and support the visual arts and crafts industries.</p>	

⁴⁷ Unless otherwise indicated, all information from the SADC report on the Sector of Culture and Information Policies, Priorities and Strategies, May 1998 <http://www.teledata.mz/sadccult/poling.htm>



<p>Mauritius</p>	<p>The arts and culture industries in Mauritius are considered very important to the national identity of the country. The Ministry of Arts and Culture, divided into the respective departments, deals with artistic and cultural issues and activities and endeavors to enhance and promote development in these industries. The arts division deals with all artistic disciplines, whereas the Culture Division deals with training, national cultural festivals and cultural exchange programmes, at regional and international levels. Policies governing these and other related departments are in the process of revision in response to developmental needs in Mauritius.</p>	<p>No formal policies exist for the visual arts and crafts industries, but research indicates it has good growth potential based around existing infrastructure. It is reported that the ministry is currently organising artists into a collective by developing a database and forming an association. This is preparation for the establishment of the first national art gallery.</p> <p>The National Trust Fund Act has also been enacted last year with the objective of protecting and preserving archaeological and historical sites and monuments of Mauritius. Actions are also being undertaken to provide necessary cultural infrastructures to artists in collaboration with local organisations and co-operating partners.</p> <p>A National Arts Council exists along with a government collection of Mauritian artworks, but this is kept in storage, as there is no national museum. There are two Cultural Centres set up by legislation and funded by this Ministry, namely, the African Cultural Centre (now the Nelson Mandela Centre for African Culture) and the Islamic Cultural Centre. Both Centres are provided with funds from the Government for their running expenses.</p> <p>Other cultural institutions that foster cultural relationships between Mauritius and countries abroad include Indira Gandhi Centre for Indian Culture, the China Cultural Centre, the British Council and the Alliance Française. Their respective governments fund these.</p>
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<p>Zambia</p>	<p>The Ministry of Community Development and Social Services is responsible for policy development and promotion of cultural activities such as the arts and crafts. The Ministry is also responsible for bilateral and multilateral cultural co-operation. The National Arts Council of Zambia, which co-ordinates artistic activities of national arts associations, is a statutory body under the Ministry of Community Development and Social Services</p> <p>The Visual Arts Council currently has a register of approximately 300 members throughout Zambia and organises national exhibitions and workshops. In 1994 the National Arts Council grew out of various associations of the department of cultural services to form a relationship between the artists and the government.</p>	<p>The University of Zambia is responsible for cultural research through the Institute for Economic and Social Research. The Centre for Creative Arts has been established at the University of Zambia. In the visual arts, the Henry Tayali Visual Arts Centre in Lusaka offers workshop space and an exhibition gallery.</p> <p>In 1988 the Evelyn Hone College of Applied Arts and Commerce, assisted by NORAD (Norwegian Development Agency) and the Visual Arts Council was formed.</p> <p>Two major cultural centres where performing artists and crafts workers operate from are among the major cultural infrastructure existing in Zambia. Currently there are four museums managed by the National Museums Board while two private museums exist.</p>
<p>Tanzania</p>	<p>Tanzania put in place a cultural policy in 1997. The cultural sector is located in the Ministry of Education and Culture which in turn has two major sectors, Education and Culture, each of which has a commissioner. The cultural sector is inclusive of four directorates: Arts and Languages; Sport Development; Archives and Antiquities.</p> <p>The Department of Arts and Languages co-ordinates the National Arts Council of Tanzania (BASATA), which exists to organise exhibitions on invitation to local artists, but apparently this has not happened for some years. The National Arts Council is responsible for writing policy on arts events, structures and cultural activities. Their main aim or service is to register the various ethnic groups and associated special events. They will, for example certify the public practice of fine artists and register exhibitions. In relation to the Village Museum, the NAC will provide certification of standards of production that aids with the promotion and sale of artifacts as well as events. The Department also administers the Bagamoyo College of Arts which trains traditional dancers, musicians, performing artists, fine artists and sculptors.</p>	



Botswana	In Botswana, a draft national cultural policy was published in March 2002 ⁴⁸ by the Ministry of Labour and Home Affairs which has the portfolio responsibility for culture and youth, with the Botswana National Cultural Council acting as an advisory body. Cultural heritage is accounted for in various acts of parliament but these don't mention the visual arts and crafts directly. This is now contained in the draft national cultural policy.	The draft national cultural policy mentions several national institutions for co-ordinating and supporting cultural development that has resulted in no well co-ordinated and balanced development in this sector.
Mozambique	In Mozambique, the Ministry of Culture, Youth and Sports manages the field of culture. Like many other countries in the region, there are few formally organised groups or institutions in the sector other than those with connections to ex-colonial powers. There are many Portuguese-funded cultural centres and connections between other ex-Portuguese colonies (Brazil, Angola etc.) are fostered.	

Relevant Texts & Institutions

International	Cultural industries in Developing Countries
<ul style="list-style-type: none"> World Decade for Culture and Development, UNESCO, 1988 – 1997 	Creative South Africa: a strategy for realising the potential of the cultural industry – DACST, CIGS (July 1998) and 4 cultural industry manuscripts (Music, Film and Television, Crafts, Publishing)
<ul style="list-style-type: none"> Our Creative Diversity. UNESCO, <i>World Report on Culture and Development</i>, 1996 	International Labour Organisation's Ford Foundation funded project on SME development and enterprise in the Cultural Sector in the SADC region (individual sector studies include Ethno-Tourism, Music, Film and Television, Visual Arts and Crafts, Performing Arts and Dance) November 2001) coordinated by Avril Joffe for the InFocus Programme for Boosting Employment through Small Enterprise Development (IFP-SEED)
<ul style="list-style-type: none"> <i>In from the Margins</i>. Council of Europe, 1997 	The Music Sector in the Caribbean – UNCTAD & WIPO reports (2001)
<ul style="list-style-type: none"> Intergovernmental Conference on Cultural Policies for Development, UNESCO, 1998 	Audiovisual Services – communication from Brazil – WTO
<ul style="list-style-type: none"> Creation of the Cultural Policies for Development 	Building Development through Culture – prepared by Government of Colombia for OAS, March 2002

⁴⁸ Draft National Cultural Policy, Government of Botswana Ministry of Labour and Home Affairs, March 2001



	Policies for Development Unit, UNESCO, 1998	
	<ul style="list-style-type: none"> • Culture Development Forum, BID and UNESCO, 1999 	Report on the Social Situation of Musical Performers in Asia, Africa and Latin America (Feb 2001) - ILO
	<ul style="list-style-type: none"> • Creation of the International Network on Cultural Diversity, 2000 	Building Competitive Caribbean Export Industries rooted in local talent and resources – UNDP/SPPD implemented through ILO, Dec 2001
	<ul style="list-style-type: none"> • Declaration on Cultural Diversity, Council of Europe, 2000 	Study on the export potential of the Zambian Handicraft Industry, European Development Fund, July-October 1993
	<ul style="list-style-type: none"> • Declaration on Cultural Diversity, UNESCO, 2001 	Technical Documents Prepared by Experts on Cultural Diversity for the First Inter-Ministerial Meeting of Ministers of Culture and Highest Appropriate Authorities, Inter-American Council for Integral Development (CIDI), Organisation of American States (OAS), Unit of Social Development, Education and Culture of the Organisation of American States (Colombia, July 2002)
	<ul style="list-style-type: none"> • Convention on Cultural Diversity, UNESCO (in preparation) 	
	<ul style="list-style-type: none"> • International Instrument on Cultural Diversity and Globalisation, INCP (in preparation) 	
	<ul style="list-style-type: none"> • Report on Culture and Sustainability in Spain and Latin America, OEI and Interarts (in preparation) 	
	<ul style="list-style-type: none"> • Draft Convention on Cultural Diversity – INCD, 2002 March 	