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***THEME: HARMONIZATION AND COORDINATION OF CULTURAL POLICIES,  
PROGRAMMES AND ACTIVITIES***

**PLAN OF ACTION ON THE CULTURAL AND CREATIVE  
INDUSTRIES IN AFRICA**

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## I. PREAMBLE

1. This Plan of Action is an updated version of the Dakar Plan of Action on Cultural Industries, which was adopted in 1992 by the OAU Heads of State and Government. Given the long period of time that elapsed since its adoption and given changing local, regional and global realities that influence the production, distribution and consumption of cultural goods and services, the African Union Commission deemed it necessary to update the Plan of Action and Revitalize the cultural industries. The revised Plan has been submitted to the 1<sup>st</sup> Session of the Conference of African Ministers of Culture, which was held in December 2005 in Nairobi, Kenya. The Ministers considered the Draft and adopted it in principle but requested the AU Commission to refine the document taking into account the ongoing and emerging issues in culture and other fields of social development. Thus the present Draft is informed by all programmes and conventions on cultural development adopted by different Pan-African and International institutions including the Copenhagen World Summit on Social Development; the UN Declaration of the Millennium Development Goals (MDGs); the Johannesburg World Summit on Sustainable Development in 2002; the UNESCO Convention on the Promotion and the Protection of the Diversity of Cultural Expressions; the Vision, Mission and Strategic Orientation of the AU Commission (2004-2007); the AU Charter on the Cultural Renaissance of Africa for as well as the various instruments in different sectors of culture including African languages, tangible and intangible heritages, and African values . Moreover, the Plan of Action also draws from the key priority areas of the AU Commission for the next four (4) years as outlined by the new leadership of the Commission.

## II. INTRODUCTION

2. Cultural Industries are defined by UNESCO as those industries which produce tangible or intangible artistic and creative outputs, and which have a potential for wealth creation and income generation through the exploitation of cultural assets and production of knowledge-based goods and services (both traditional and contemporary). In broader terms, the cultural industries also include: advertising; architecture; crafts; designer furniture; fashion clothing; film, video and other audiovisual production; graphic design; educational and leisure software; live and recorded music; performing arts and entertainment; television, radio and internet broadcasting; visual arts and antiques; and writing and publishing.

3. The UNESCO definition clearly indicates that the term “cultural industries” is almost interchangeable with the concept of “creative industries.” Whereas the notion of “cultural industries” emphasizes those industries whose inspiration derives from heritage, traditional knowledge, and the artistic elements of creativity, the notion of “creative industries” places emphasis on the individual and his or her creativity, innovation, skill and talent in the exploitation of intellectual property.

4. The Plan of Action is intended to serve as a vehicle for the implementation of various declarations made, charters, international convention and agreements adopted at the African and international levels by Heads of State and Government.

5. The mechanisms for implementation follow up and evaluation will ensure that

the Plan of Action is implemented in a sustainable manner; that actions are well coordinated at the national, regional and continental levels; and that follow-up and evaluation are sustained.

6. Member States are called upon to utilize the Plan of Action to develop and implement their own short, medium and long-term action plans to develop the social and economic potential of their cultural and creative resource in collaboration with the Africa Union, the Regional Economic Communities and relevant partners.

### III. FUNDAMENTAL OBJECTIVES

7. The primary goal of this Plan of Action is to tap into the vast economic and social potential of African cultural and creative resources in the African global development process, and to bring about tangible improvement in the living standards of African artists and creators and their families and communities while contributing to sustainable and equitable development and to the attainment of the MDGs through jobs creation and community empowerment.

8. Other objectives include:

- a) to facilitate the safeguard, organization, production, marketing, distribution, exhibition and preservation of the African cultural and creative industries and
- b) to positioning Africa in the perspectives where it can fully benefit from future development strategies, technologies, and markets both in the field of culture and in other sectors.

### IV. SPECIFIC OBJECTIVES

9. These objectives may be divided into three types: economic, social and political development, applied broadly across the different sectors.

#### **Economic Development:**

10. The specific objectives would be to:

- a) Generate new resources for the economic development of Africa and the creation of new jobs and income generating opportunities;
- b) Open up new markets for African cultural goods and services in and outside of Africa;
- c) Strengthen the competitiveness of African cultural goods within the framework of globalization and the liberalization of markets;
- d) Improve national capacities for the protection and promotion of cultural goods;

- e) Strengthen private and community initiatives of small and medium enterprises;
- f) Enhance the organization and protection of creators and artists;
- g) Set up an African Cultural Common Market and develop intra-African cooperation;
- h) Set up an African common platform for global market access of the cultural and creative products and services.

**Social Development:**

11. The specific objectives at the level of social development would be to:
- a) Strengthen the African cultural identity and creativity as well as broaden civic participation in endogenous cultural development;
  - b) Acknowledge the cultural dimension of sustainable development in Africa;
  - c) Bring about new and pluralistic forums of cultural expression supporting the installation of democracy in African societies in line with the UNESCO's Convention on Cultural Diversity;
  - d) Strengthen the African cultural identity and creativity as well as broaden people's participation in endogenous cultural development.

**Political Development:**

12. In this regard, the specific areas of concern for the Plan of Action would be to:
- a) Achieve regional integration through the use of culture in its different manifestations;
  - b) Reduce Africa's external dependence on the production and distribution of cultural goods;
  - c) Adopt a common African position to strengthen Africa's capacity in international negotiations and define Africa's Key Priority areas;
  - d) Adopt flexible responses to initiatives from the African private sector towards the development of cultural and creative industries;
  - e) Facilitate new institutional partnerships between the public sector, private sector and civil society such as within the framework of UNESCO's Global Alliance for Cultural Diversity and AU's NEPAD programme;
  - f) Develop South/North cooperation as well as South/South cooperation and real partnership based on African ownership and leadership in the

conception and implementation of programmes;

- g) Encourage decision-makers of the economic potential of cultural and creative industries to ensure their integration in strategies of development;
- h) Create an enabling environment to development partners to support African efforts to implement its key priority areas in the field of culture as well as in other social development sectors.

## V. OVERALL STRATEGY AND KEY PRIORITY AREAS

### Overall strategy:

13. Given the complex and rapidly changing nature of the context in which cultural goods and services are produced, distributed, and used, the overall strategy wishes to build on already existing frameworks and to encourage the development of new ways approaches by tapping available as well as potential, internal and external resources. This could be achieved through the improvement of the methods of information flow, organisation, management as well as the development of cooperation networks; the strategy also aims at strengthening partnership and enhancing the role of public and private sectors at the national, sub-regional, regional, pan-African and international levels.

### Key Priority Areas:

14. The following are the key priority areas:

- a) **Reinforcing African ownership and leadership of the processes and strategies to be developed as the frameworks of this Plan of Action;**
- b) **Addressing the needs for statistical data on cultural and creative industries;**
- c) **Institutional and legislative capacity building at the National, Regional and Continental levels;**
- d) **Building the Capacity of Stakeholders;**
- e) **Facilitating Access to Markets and Audience;**
- f) **Improving infrastructure for the cultural and creative industries;**
- g) **Improving the working conditions of artists, creators, actors and operators in Africa;**
- h) **Targeting and Empowering women, vulnerable groups, including artists and creators with disabilities, refugees, and poor communities;**

- i) Protecting African Intellectual property Rights and Labels;**
- j) Preservation of African tangible and intangible cultural heritage and indigenous knowledge;**
- k) Mobilization of resources for sustainable implementation of the Plan of Action for the development of Cultural and creative industries in Africa.**

## **VI. PLAN OF ACTION**

### **PRIORITY AREA 1:**

**Establishing African ownership and leadership in the processes and strategies to be developed as the frameworks of this Plan of Action;**

#### **Objective:**

- 1) Translate into action the vision, mission and strategic framework of the African Union, including the NEPAD initiative which emphasizes the need for solving Africa's own problems through its own means through the active cooperation of relevant partners and stakeholders at local, national, regional, continental, and international levels;
- 2) Reinforce the philosophy of African ownership and leadership, which is the critical basis of any action in the Continent for a development strategy designed by Africans to meet Africa's interests and needs.

#### **Strategies:**

- 1) Ensuring political leadership and commitment to creating an enabling environment and adequate policies for investment in the development of cultural industries;
- 2) Develop and strengthen capacities for Africa to, among others, form a common position on international issues related to the development of the cultural and creative industries and institutionalise regular dialogue with partners with an interest in Africa's cultural and creative industries development;
- 3) Strengthen the role of the Africa Union and Member States in providing an enabling environment for the African private sector and civil Society to play a in the framework of shared values and with the aim of contributing to the development of Africa;
- 4) Utilize culture as a key integration medium for the Continent and at the Regional Economic Community levels;
- 5) Develop an African Common Position in the field of cultural and creative goods and services;

- 6) Promote the ownership of the framework and strategies by African Member States and stakeholders while strengthening the African Union leadership for coordination and coherence;
- 7) Create an enabling environment for African stakeholders, institutions and civil society to engage and contribute to the implementation of the Plan of Action under the leadership of the Africa Union and the African states.

**Recommended Actions:**

- 1) Adopt national cultural policies that promote and ensure the development of cultural products and new cultural forms and for sustaining the integrity of cultural production as an arena of creativity and social development;
- 2) Elaborate and formulate strategies regarding measures to be taken in the different aspects of culture in the framework of integrated and coherent economic and cultural development policies;
- 3) Coordinate and harmonize policies in the fields of culture, languages, education and communication with a view to promoting the endogenous development of African culture;
- 4) Ensure the linkage between cultural, social and economic policies as well as policies implemented in urban and rural development with a view to enhancing and broadening access and participation in cultural activities by the whole population as well as their consumption of cultural goods of quality;
- 5) Strengthen the Africa Union's capacity in following up the implementation of policies and strategies for the development of the cultural industries and in strengthening partnerships with Pan-African cultural institutions as well as international organizations dealing with the promotion of African cultural and creative industries;
- 6) Support new initiatives, which aim at contributing to the African Union's efforts towards the development of the cultural and creative industries in Africa;
- 7) Encourage the use of ICTs at all levels and especially the technological forms that expand the market, retain intellectual content and facilitate quality production.

**PRIORITY AREA 2:**

**Addressing the needs for statistical data on cultural and creative industries**

**Objective:**

To make evidence-based and informed policies, strategies and plans of action through reliable, up-to-date and comprehensive data;

**Strategy:**

- 1) Mapping or inventory of existing cultural activities, structures, resources and

important valuable products in African countries.

- 2) Identify and strengthen regional sectoral specificities and strengths to enable the rationalization of legislation, policies, and resources.
- 3) Conduct research on the economic contributions of cultural and creative industries in the economies of Member States.
- 4) Realize the establishment of the proposed Pan African Cultural Institute as continental co-ordination mechanism/cultural think-tank to source information and debate the status of each sub-sector.

### **Recommended Actions:**

- 1) Conduct an assessment and analysis of the present situation on the basis of data collected to investigate the effect on:
  - Organisations, structures and firms involved in producing and disseminating cultural goods and services, country by country, sector by sector (book publishing, audio-visual and recording industries, arts and craft, tourism etc)
  - Intellectuals, artists, creators, craftsmen and other specialists concerned by qualities and quantities of goods produced, commercialized, exported and imported.
- 2) Undertake in-depth studies on existing and potential challenges (economic, politic, fiscal, legal, cultural etc) in developing cultural industries;
- 3) Analyze the existing treaties, agreements and conventions concerning economic and cultural cooperation as well as customs with a view to adapting them to the new requirements of the African Cultural Common Market, taking into account recommendations, conventions and other international standard-setting instruments adopted in these fields;
- 4) Facilitate research and development at national and regional levels to evaluate the contribution of the cultural industries to sustainable socioeconomic development;
- 5) Foster data collection and create databases, web portals, directories of reference material on culture and cultural industries;
- 6) Analyze policies, legislative measures and other regulations affecting creative works as well as the production and dissemination, the exporting and importing of cultural goods with a view to adapting them to the requirements of the African Cultural Common Market;
- 7) Study and adapt the mechanisms existing in foreign countries in the field of financing and supporting the creative arts, the production and dissemination of cultural goods and services in the African context;
- 8) Enhance research and innovation, the design, the utilization of new forms of

expression and of new products of an original character to be commercialized, while ensuring that they are rooted in African cultural creativity;

- 9) Outline the economic and cultural potentialities of the development of cultural creative industries through carrying out:
- marketing studies at the national and international levels.
  - studies on the profitability of investments made in the various fields of the sector, showing the resources and jobs that can be created through these investments.
  - Establish and update data banks on cultural industries at the national, regional and Pan-African levels, within the framework of an African network of databanks and of an African system of cultural information exchange system in cooperation with relevant regional and pan African bodies as well as the African Observatory on Cultural Policy.
  - Undertake to complete and maintain an inventory of cultural operators and entrepreneurs in the different cultural fields in Africa.
  - Contribute to the publication of up-to-date documents on the current situation of different cultural industry sectors and have these on the website.
  - Prepare and disseminate periodic reports assessing the value of the cultural field and its impact on development in the Africa.

### **PRIORITY AREA 3:**

#### **Institutional and legislative capacity building at the National, Sub-regional, Continental levels**

##### **Objectives:**

To strengthen the capacity of local national regional and Pan-African institutions in enabling and promoting the development of the creative industries in a way to ensure African social and economic interests in the formulation and implementation of inclusive development policies.

##### **Strategies:**

- 1) Ensure that the public sector and national, sub-regional and African institutions provide transparent institutional mechanisms to facilitate access of the local stakeholders to their sub-sectorial interlocutors in the Ministries.
- 2) Develop an appropriate framework for creation, integration and harmonization of legal and institutional instruments, which are needed for an efficient and effective implementation of the Plan of Action for the development of cultural and creative industries in Africa.

**Recommended Actions:**

- 1) Build institutional capacity in key Ministries relevant to the development of cultural and creative industries, including Ministries of Culture, Tourism, National Orientation, Trade and Industry, Foreign Affairs, Labour and Finance.
- 2) Establish departments in charge of the development of cultural and creative industries within Member States, Regional Economic Communities and other regional bodies in charge of economic integration; and include in their protocol clauses favourable to the movement of cultural products, publications of cultural works, the partial or total removal of taxes on works of culture and payment in national currencies for the trade in cultural goods.
- 3) Establish appropriate divisions in each sub-sector to bring about sustainable development within each sub-sector of the cultural and creative industries; , while integrating the sub-sectorial programmes under the umbrella of the appropriate Ministries.
- 4) Set a clear agenda and mission for each of the *para-statal*s or divisions with an impacting link with others in the same Ministry as well as with those under the other Ministries.

**PRIORITY AREA 4:****Building the Capacity of Stakeholders****Objective:**

To empower African artists and creators and to strengthen their capacity for better productivity and quality of products and services.

**Strategies:**

- 1) Build capacity of individuals, groups, associations or institutions in their endeavour to achieve concrete results in respective cultural occupations and update indicators regularly in order to use new methods and best practices.
- 2) Support the different sectors of the cultural and creative industries in planning, organizing and managing the small-scale enterprises for the promotion, protection and distribution of the goods and services.
- 3) Develop and promote strategic Action plans in each sector, in cooperation with Pan African professional associations, federations and guilds in order to build concrete programmes and projects to strengthen their respective sectors.

**Recommended Actions:**

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

- 2) Establish training facilities with a view to promote professionalism in all production and creative cultural activities, and improve the training of the creative and performing artists as well as that of the technicians and those responsible for the designing, implementing and managing cultural projects including those firms involved in producing and commercialising of cultural goods and services and also those in charge of maintenance of the equipment.
- 3) Foster cultural entrepreneurship through need-based training and empowering producers of cultural products (especially women, children, and other creative but vulnerable groups) and ensuring that they generate decent incomes from their productive efforts, as well as linking them to market opportunities.
- 4) Pay specific attention to the role of the artist in society by:
  - Supporting a wide range of individuals and firms that wish to fully exploit artistic talents that are deeply rooted in the national cultural heritage for the benefit of both the artists and the economies of these countries.
  - Ensuring that artists are able to draw on sophisticated support mechanisms and can seek the help of agents in order to develop a market niche.
- 5) Promoting both manufacturers and distribution channels to ensure the commercialisation of artists' creations.
- 6) Encouraging the development of sectoral associations of artists to lobby on behalf of their members in order to help them acquire rights accorded to other workers (social security, unemployment benefits, pension, etc.).
- 7) Explore the use of digital technology for the production and exhibition of cultural industry products, especially music and film.
- 8) Establish a permanent national and regional fora of cultural entrepreneurs and initiate within this framework the creation of an Internet website on cultural and creative industries in Africa.
- 9) Enhance the capacity of cultural institutions, cultural ministries and departments as well as that of cultural entrepreneurs by:
  - (a) Creating mobility funds and other mechanisms to promote and facilitate the movement of artists, designers, managers, works, goods and services.
  - (b) Conducting an inventory of Africa's cultural institutions and reinforce their capacity for the benefit of cultural stakeholders.
  - (c) Identifying and mobilizing training opportunities for cultural stakeholders, cultural management, cultural administration and cultural heritage, cultural industry and enterprise management as well as cultural entrepreneurship within the framework of regional co-operation.
  - (d) Promoting country exchange programmes to fully utilise human capital

assets for mentoring and support in the field of arts administration and management as well as entrepreneurs in the field of culture.

- (e) Documenting best practice case studies in Member States of arts and cultural organizations, foundations and businesses to disseminate and share learnt lessons throughout Africa.

#### **PRIORITY AREA 5:**

#### **Creating an enabling environment for investment and industry development**

##### **Objective:**

To create favorable conditions and institutional support for investors in the field of creative industries in Africa while protecting the African values and heritage.

##### **Strategies**

Use international standards and create new mechanisms and enabling environment to promote investment in the African creative industries.

##### **Recommended Actions:**

- 1) Encourage commercial banks in Member Countries to set aside a certain percentage of their loan portfolio to the development of cultural and creative industries.
- 2) Encourage linkages between the public and private enterprises for job creation and production of goods and services in the cultural and creative industries;
- 3) Create an appropriate legal and regulatory framework and investment friendly environment through appropriate policies to attract international investment and encourage entrepreneurs to invest in the cultural and creative sector while protecting the authors' rights and the African heritage.

#### **PRIORITY AREA 6:**

#### **Markets and Audience access**

##### **Objectives:**

To build the African Common Market, and facilitate global market access for African creative products and services.

##### **Strategies:**

- 1) Using the existing legal frameworks for African social, economic and political integration to build the African common market and develop specific trade agreements on global market access. These negotiations will include the Commissions of Trade and Industries, Culture and Foreign Affairs.
- 2) Using the ICT in the market development

**Recommended Actions:****On the development of African Market and Audience**

- 1) Give cultural and creative industries their place as a preoccupation of the development authorities, so that it does not risk being marginalized in the global development process and within the strategies of the Regional Economic Communities;
- 2) Put in place *immediately and on an experimental basis* a legal and institutional framework for the development of cultural and creative products and their free movement in all African countries as a prelude to the full implementation of the African Economic Community;
- 3) Grant culture systematically a “policy subsidy” in the form of legislative and fiscal measures to foster cultural industries, in particular;
- 4) Take special measures to promote production and distribution, and to support trade in cultural and creative products within the African Cultural Common Market as reflected in UNESCO’s recently adopted ‘Convention of the protection and promotion of the diversity of cultural expressions’;
- 5) Take into account in the Protocol on Culture to be annexed to the Treaty establishing the African Economic Community, all the legal and institutional aspects relating to the organisation of the African cultural spaces (movement of products and authors, taxation, methods of payment etc). (for African Market building);
- 6) Ensure backward and forward linkages between the cultural and creative industries and the conventional industrial sector, including linkages between rural and urban producers;
- 7) Identify market outlets and provide up to date information on market opportunities at national, regional and international levels;
- 8) Build the capacity of local investors and provide tax incentives to small-to-medium enterprises in the cultural sector;

**On access to Global Markets**

- 9) Facilitate significant access of cultural products and the movement of artists from Africa to regional and international markets.
- 10) Ensure that globalization works for the betterment of Africa by bringing together both global and local actors/producers of cultural goods and services; Also ensure that international mechanisms help to facilitate the promotion and exhibition of these products for global audiences
- 11) Create production and presentation infrastructures for products and services Produced or Made in Africa.

- 12) Adopt national legislation against monopolies and encourage Regional Economic Communities (RECs) in this process.
- 13) Undertake market studies and research of the global market with the aim of developing partnerships and creating networks, establishing trends and development programmes.
- 14) Give priority to the training of competitive managers for conception and commercialisation of cultural products.
- 15) Support cultural industries to increase production capacity and improve its quality while preserving the aesthetic originality of products.
- 16) Strengthen promotional action in order to advertise the values of African creators and cultural goods both at the national and international levels and to obtain a big share of the market.
- 17) Ensure the use ICT to intensify production and distribution of cultural goods into the global market;
- 18) Facilitate the mainstreaming of information and communications technologies (ICTs) in all cultural development programmes.
- 19) Set up development programmes for the transfer of technology and training, in the area of audio-visual production and the management of intangible cultural heritage.
- 20) Place all existing information on web sites.
- 21) Develop electronic trade by forming enterprise networks in order to better defend and protect rights.
- 22) Contribute to a site on cultural industries in Africa in partnership with regional organizations.
- 23) Facilitate contact and network of specialists through the creation of liaison bulletins and 'list servers'.

**PRIORITY AREA 7:**

**Improving infrastructure for the development of the cultural and creative industries**

**Objectives:**

To enhance the quality and quantity cultural goods and services and modernising the technologies and tools utilised as well as the methods and structure of production and dissemination of cultural goods and services.

**Strategy:**

Improve and control the quality of cultural goods and services while increasing the

quantities produced;

**Recommended Actions:**

- 1) Improve and control the quality of cultural goods and services while increasing the quantities produced;
- 2) Establish mechanisms and tools for standardization and mass production of cultural goods and services.

**PRIORITY AREA 8:**

**Improving the working conditions of artists, creators, actors and operators in Africa;**

**Objective:**

To improve the status of creative and performing artists by ensuring the legal and economic conditions necessary for the exercise of their creative work and guaranteeing the protection of their copyright which involves the suppression of piracy.

**Strategy:**

Use the existing tools in the field of employment and other areas to build a specific set of measures for the cultural and creative sector.

**Recommended Actions:**

- 1) Improve and strengthen existing social protection schemes with a view to extending it to artists and creators and their families currently excluded through a specific status of Artists and creators.
- 2) Improve occupational safety, health and hygiene.
- 3) Guarantee freedom of expression for the creative and performing artists.

**PRIORITY AREA 9:**

**Targeting and Empowering women, vulnerable groups of artists and creators with disabilities, diseases, refugees, poor communities;**

**Objective:**

- 1) To ensure job creation and poverty alleviation through programmes and policies for the development of the cultural and creative industries are also targeting vulnerable groups, youth and women with creative potential;
- 2) To ensure also that their participation in the development, implementation and evaluation processes are promoted at all levels;
- 3) To build empowering programmes for women and youth through training and curriculum for job acquirement and creation in the field of cultural and creative

industries;

**Strategies:**

- 1) Invest in and empower youth and women organisations by harnessing their creative talents and contributions to productivity;
- 2) Mainstream targeted programmes for vulnerable groups of artists and creators;
- 3) Empower through training but also entrepreneurship involvement and participation of vulnerable artists and creators;
- 4) Establish economically viable cooperative enterprises and creative centers for vulnerable artists and creators, in the framework of the plan of Action the Pan African Conference on Cooperatives (Yaoundé 2000).
- 5) Recognise role of women in the informal economy.

**PRIORITY AREA 10:**

**Protecting African Intellectual Property Rights and Labels:**

**Objectives:**

To ensure that artistic creations and their creators are protected by the national and international intellectual property organisations with the full backing of national law enforcement establishments.

**Strategies:**

- 1) Adopt appropriate legislation and measures for the protection of African IP Rights.
- 2) Use the existing national, subregional, continental and international policy/legal instruments (e.g. conventions) aimed at protecting the cultural and creative industries from abuse; create new institutional and legal frameworks where needed.

**Recommended Actions:**

- 1) Support, strengthen and cooperate with the African Intellectual Property Organisation (OAPI) based in Yaoundé (Cameroon), in order to enable it to play its leadership role in Africa;
- 2) Encourage and support the establishment or the strengthening of organisations and societies of authors and creators in each sector at the national sub-regional and African wide levels;
- 3) Support collection societies in their efforts to monitor and administer copyrights as it is these societies which stand between the legal and the financial systems;
- 4) Establish a sector on copyrights and neighboring rights within the African

Regional Industrial Property Organizations such as (ARIPO) based in Harare (Zimbabwe), ALECSO, in North Africa and others to be created;

- 5) Develop and implement cross-regional programmes to address copyright infringement through combined efforts to implement an efficient sub-regional, regional and pan-African co-operation policy for the protection and promotion of copyrights and neighboring rights on the one hand and control piracy on the other hand. These regional strategies to curb piracy in particular, should include:
- 6) Increase the financial and personnel resources to counter piracy at borders;
- 7) Enter into bilateral agreements to curb piracy such as that between the Performing Musicians Association of Nigeria (PMNA) and the Musician Union of Ghana (MUSIGA);
- 8) Develop computer tools to deal with copy rights; and promote the development of a dense web of public and private organizations that encourages and protects artistic creations; also integrate issues surrounding electronic trade into traditional concerns of copyright and protection;
- 9) Develop common strategies to fight piracy, illegal copying and in particular the impact of new forms of technology which reduce sound and visual signals to electronic messages via computer transmission technology, cell phone technology and MP3 software;
- 10) Advocate the adoption of international conventions on copyrights and neighboring rights and adopt appropriate legislation and measures in each country for a coherent African Strategy; (footnote)
- 11) Ensure co-ordination between states while encouraging those that have not yet ratified the Rome Convention on Neighboring Rights to do so;
- 12) Develop clear copyright laws and reinforce all laws that take into account not only the right to exploit the intellectual work but the human rights of the artist;
- 13) Develop awareness campaigns about copyright and neighboring rights for artists, agents, studio managers, consumers and the enforcement agencies<sup>1</sup>;

#### **PRIORITY AREA 11:**

#### **Protection and Promotion of the African cultural heritage and African knowledge and know-how**

##### **Objectives:**

Promote the diversity of African heritage in the context of the UNESCO's Convention

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<sup>1</sup> It is worth noting that since the 1992 Dakar Plan of Action, 11 countries have either adopted specific legislation or amended existing acts. These include Mauritius, Namibia, Niger, Algeria, Kenya, Cameroon, Djibouti, Zambia Tanzania, South Africa and Nigeria).

on the Protection and Promotion of the Diversity of Cultural Expressions and the African Union's African Charter for Cultural Renaissance.

**Strategies:**

Take practical measures to create the necessary conditions for better dissemination and appreciation of cultures which are at a disadvantage due to historical, political or linguistic factors and are, as a result, lacking the means of expressing themselves through commercial channels.

**Recommended Actions:**

Promote and preserve cultural diversity through decisive actions;

- a) Mobilize the support and partnership of government and public authorities to define cultural policies for public service media and education in particular;
- b) Support Pan-African cultural festivals and cultural programmes in Africa;
- c) Incorporate the teaching of cultural and heritage studies in the school curriculum in African languages to ensure the ownership of heritage by and involvement of youth;
- d) Create Internet portal to ensure the visibility of Africa's cultural heritage, productions and works; and
- e) Encourage production and dissemination of textbooks, literary works, radio and TV journals, movies, etc in African languages in the context of community participation and empowerment

**PRIORITY AREA 12:**

**Mobilization of resources for sustainable implementation of the Plan of Action for the development of Cultural and creative industries in Africa**

**Objectives:**

Mobilization of sustainable resources at the national, regional and international levels for implementation, follow up, monitoring and evaluation of programmes adopted in the Plan of Action.

**Strategies:**

- 1) Develop African solutions and co-operation networks to provide the human, technical and financial resources for the implementation of the Plan of Action.
- 2) Build international co-operation, fair and equitable globalization and partnerships for an enhance international support to Africa's towards achieving sustainable development of the cultural and creative industries as a tool for job creation poverty alleviation, regional integration and a better participation in the globalization.

**Recommended Action:**

Develop public-private sector partnerships for the implementation of the Plan and strengthen the role of the private sector and civil society.

**VII. INTER-AFRICAN AND INTERNATIONAL COOPERATION****Inter-African Co-operation**

- 1) Sensitise relevant authorities and decision-makers at all levels in order to ensure that political will is translated into concrete programmes and actions. In particular, advocate for the promotion of the cultural industries at different fora: the Assembly of Heads of State and Government, the Executive Council, the Regional Economic Communities (RECs), the AU Conference of Ministers of Culture, other Sectoral Ministerial meetings, in line with the Plan of Action (Culture Economics, Trade and Industry, Tourism, Information, etc).
- 2) Encourage African intergovernmental and non-governmental cultural institutions to contribute their share in the implementation of the Plan, each according to its powers and competence.
- 3) Ensure that RECs which form the cornerstone of the African Cultural Common Market, continue to develop and support within their respective Secretariats, departments responsible for cultural development in general and cultural and creative industries in particular.
- 4) Ensure also that the specific character of cultural and creative industries is acknowledged and where necessary the statutes, protocols and other texts establishing or governing the activities of these organisations will be amended.
- 5) Establish agreements among African states with a view to creating a common market for audio visual and literary productions.
- 6) Collaborate in developing joint investment ventures.
- 7) Disseminate the Plan of Action to the concerned stakeholders to ensure implementation.

**International Co-operation**

- 8) Make concrete efforts to inform and sensitise the partner international organisations such as UNESCO, UNDP, UNIDO, ECA, WIPO, WTO, ITU, ILO, UNU, GATT, UNCTAD; EECACP, Commonwealth Secretariat, Agence Intergouvernementale de la Francophonie, EU-ACP, The Arab league, *Lusophone organisation*,
- 9) Encourage them to take active part in the development, promotion and trade of African cultural and creative products and services.
- 10) Create an African World Fund for the Cultural and Creative Industries similar to

the Africa World Heritage Fund;

- 11) Prepare co-production and co-distribution agreements to ensure the penetration of African cultural products into international markets, while ensuring full respect for the intellectual property rights for African artists and designers and develop strategies to promote cultural industries in the context of development strategies and priorities by locating these strategies at sub-national and local levels.
- 12) Recognise that across the cultural industries there are measures that could be adopted to improve the performance and viability of these industries even where they are only partially developed and not yet part of the mainstream economy. These measures include:
  - Enhance the capacity of existing institutions.
  - Foster entrepreneurship training and adopt appropriate measures to increase access to private investment and financing opportunities for the development of cultural and creative industries through mechanisms such as Guaranteed Funds, joint ventures and tax incentives.
  - Make full use of development instruments such as the UNESCO's Convention on the Promotion and Protection of the Diversity of Cultural Expressions and the Aid for Trade mechanism.

#### **African and international financing agencies**

- 13) In addition to financial assistance for the administrative structures of the political authorities and for technical studies, special effort will be made to prepare and present to the financing agencies viable projects drawn from the Plan of Action.
- 14) Build partnership with development finance institutions in Africa such as Development Bank of Southern Africa (DBSA), Africa Development Bank (ADB) and bilateral donors to establish financial mechanisms for both mitigating and reducing the cultural sector risks as well as promoting the production and trade in cultural goods and services.
- 15) Elaborate visibly, economically rewarding cultural industry projects with a view to submitting them to national or international funding agencies, public or private, as well as to multilateral organisations for cooperation development aid.

#### **VIII. TIMEFRAME AND PHASES**

15. Periodicity or phase-by-phase approach is an important component of any action plan in order to guide concrete actions within specified time frame. This Plan should be divided into three phases:

##### **Phase 1: Advocacy, Sensitization and Laying the Foundations.**

- a) Create awareness and advocate for the implementation of the Plan at national, subregional and continental levels;
- b) Establish the necessary institutional structures as well as infrastructures for the promotion of cultural and creative industries;
- c) Assess the level of implementation of the Dakar Plan of Action with the emphasis on the lessons learnt and best practices to be shared;
- d) Identify centers of excellence within the continent and strengthen their capacity for continued better performance;
- e) Create an enabling environment to strengthen the collaboration with various actors and stakeholders;
- f) Establish and build the capacity of PACI as mentioned above;
- g) Create a network of producers of cultural goods and services; establish a regular consultative forum through which they exchange ideas, experiences and address common challenges together;
- h) Strengthen the stewardship role of the AUC, the RECs and other organs of the African Union, including the Pan African Parliament (PAP) in promoting and protecting the cultural industries and advocating for a fair access to international markets for these goods and services.

**Phase 2: Promote cultural industries as key contributors to sustainable development of African countries.**

- a) Identify existing cultural and creative industries and their potentials as well as constraints;
- b) Address their manpower, financial, and other resource needs of local producers;
- c) Identify market opportunities and provide information as well as tax incentives to local investors in the cultural industries;
- d) Establish databases and means of information sharing, particularly using the new information and communication technologies;
- e) Build the capacity of producers/creators of cultural goods and services through training, regular workshops and other mechanisms.

**Phase 3: Ensure the competitiveness of African cultural industries.**

- a) Develop standardization tools and instruments to ensure competitiveness and marketability of cultural goods and services;
- b) Elaborate codes of conduct for in the manufacturing, transaction and consumption of cultural goods and services;

- c) Ensure transparency and accountability at all levels.

## **IX. MONITORING AND EVALUATION**

- 1) Monitoring and evaluation go hand in hand with well formulated and verifiable indicators. It is therefore essential that stakeholders at all levels put in place appropriate mechanisms for monitoring and evaluation. These mechanisms should be adapted to the needs and problems of a cultural industry. It should also be an ongoing process and flexible in approach. Each sector of the cultural industry and each individual or group actor should put parameters of achieving certain targets, as well as setting the targets themselves.
- 2) Specific actions to be undertaken:
  - (a) Establish implementation, follow up, monitoring and evaluation mechanisms for policies and operational programmes;
  - (b) Designate focal structures for follow up activities and involving African institutions, the African stakeholders, UN Agencies, the bilateral partnerships and the international community in mobilization of Human, technical and financial resources;
  - (c) Develop verifiable performance indicators for the development of the cultural industries;
  - (d) Assist the different sectors of the industries in planning, organizing and managing small-scale enterprises for the promotion, protection, and distribution of goods and services;
  - (e) Build the capacity of individuals, groups or associations/institutions in their Endeavour to achieve concrete results in respective cultural occupations; and
  - (f) Update indicators regularly in order to use new methods and best practices.

## **X. ROLE OF STAKEHOLDERS**

16. The effective implementation of the Plan of Action depends on a clearly defined division of labor and commitment of relevant stakeholders. In this regard the following institutions are expected to play pivotal role in the promotion and protection of the cultural and creative industries.

### **A. THE AFICAN UNION**

17. The African Union, among others, will:
  - o Advocate for the implementation of the plan of Action at national, regional and international levels;

- Facilitate monitoring and evaluation on the status of implementation of the Plan;
- Create appropriate fora for the exchange of experiences and best practices;
- Encourage Africa's development partners, member states and the private sector to invest in the promotion of the cultural and creative industries.

### ***B. REGIONAL ECONOMIC COMMUNITIES (RECs)***

18. Regional Economic Communities are pillars of the African Union and as such could play vital role in the promotion of cultural and creative industries. Among others, they could:

- Encourage Member States to harmonize and coordinate their respective national policies on the development of the cultural and creative industries;
- Facilitate capacity building programmes (training, workshop, etc) to artists, creators, managers, decision-makers in the cultural and creative industries;
- Facilitate monitoring and evaluation.

### ***C. MEMBER STATES***

19. Member States have to:

- Create favorable policy and legal/institutional framework for the promotion of cultural and creative industries;
- Allocate adequate resources for the development of the cultural sector in general and the cultural industries in particular;
- Establish standardization and quality assurance mechanisms;
- Create the necessary infrastructure for the development of the cultural and creative industries;
- Encourage linkages between the private and public sectors and between rural and urban areas.

### ***D. PAN AFRICAN CULTURAL INSTITUTIONS***

20. Pan African cultural institutions are the key stakeholders and are expected to:

- Provide technical and expertise support to individuals, groups and institutions engaged in the production and promotion of the cultural and creative industries;
- Create local and regional fora for the exchange of ideas and experiences;
- Facilitate training and capacity building activities for local and national cultural practitioners.

## **XI. CONCLUSION**

21. The success and sustained implementation of this Plan of Action requires a clear repositioning of the Africa Union's leadership role and building of broad partnerships at all levels such as with Pan African, national, regional, and international institutions as well as professional federations, associations and guilds, NGOs, CSOs, SBOs and the private sector. The implementation of the identified key priority areas in the Plan of Action, if managed in a conducive environment, with effective strategies, adequate resources and well developed programmes, can create a high potential for job creation and in the development of the creative and cultural sector.

22. Members States are therefore called upon to identify their priorities according to their national conditions and specificities, their development status, as well as their human resources, financial and national resources and institutional capacities.