1. Introduction

South African Civil Society’s engagement with its Government has always been and remains robust; critical when it needs to and also participatory in programmes that are for the good of society in particular and the country in general. This engagement tends to be presented by the media as focusing primarily on key aspects of service delivery in the country especially regarding housing, job creation, crime, education, health and Government policies. SA Civil Society has and continues to engage its Government on cultural matters and cultural development through a host of arts and cultural organisations and also individuals engaged in culture in some or other way by making representations to various government structures ranging from the office of the president, the ministry of Arts and Culture and parliamentary committees engaged in cultural issues.

With regards to the Cultural Diversity Convention, two mass based civil society network organisations, the South African Coalition for Cultural Diversity (SACCD) and Arterial Network, have been particularly active in popularising the Convention as well as engaging the South African Government on issues of not only the Convention but arts and culture in general. At a recent Conference on the Cultural Diversity Convention, hosted jointly with the Department of Arts & Culture on 20-21 October 2011; the SACCD and Arterial Network agreed to merge as one organised civil society network of organisation to continue to mobilise for the effective implementation of the Convention by government and civil society.
To drive this mandate in a focused manner a sub-committee referred to as the Arterial Network (SA) Working Group on the 2005 Convention was established. Members of the Working Groups were democratically elected at this Conference. The following objectives were outlined:

- to encourage the active participation of civil society in their efforts to achieve the objectives of this Convention;
- to consult with the South African creative sector in order to develop strategic plans, priorities and strategies in pursuing the goals and intentions of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;
- to implement strategies to deliver concrete outcomes on an annual basis that are consistent with the UNESCO Convention;
- to engage with government (national, provincial and municipal), the private sector, international and continental partners (including other formations in the cultural diversity sector) in the implementation and pursuit of strategies aimed at realising the goals of the Convention;
- to keep the South African civil society sector - as well as other relevant players and stakeholders informed of progress with regard to the implementation of plans and strategies intended to realise the goals of the Convention;
- to solicit and encourage the involvement and participation of the creative sector in these; and
- to undertake educational work about the Convention, engage in debates and develop theoretical responses from the perspective of civil society in the ongoing dialogue around and implementation of the convention locally, continentally and internationally, and to keep the South African creative sector abreast of these debates.

2. Engaging the SA Government

Notwithstanding the South African government's ratification of the Convention and expression of commitment to engage Civil Society on a number of occasions by Government, the engagement has been sporadic and left a lot to be desired. The SA Government regularly engages in public meetings and consultations with various sectors of society including the arts and culture sector. The arts and culture sector's consultative public meetings, “Izimbizo”, generally tend to discuss issues affecting artists and their needs but these discussions but unfortunately not within the context of the Convention.

After the successful hosting of a conference by Government and Civil Society in October 2011 and a follow up meeting between duly delegated members of the Working Group and Government in February 2012, no tangible steps and actions have as yet been taken by Government to involve civil society in the drafting of the report. Engagements seem to have stalled and the credentials and bona fides of civil society representatives are questioned by some Government officials. It is still not clear as to how Government will involve civil society in the drafting of the report. Urgent reconciliation of these matters needs to be in place so that advancement of the objectives of the Convention can proceed.
In light of the aforementioned, the Working Group resolved to continue with the writing of its own report so as to give input into the Government report when required to do so, and also to share with other national and international civil society organisations as per the decision of the civil society meeting at the 5th Inter-Governmental Committee meeting of December 2011.

3. Civil Society’s contribution to the Report

The Arterial Network Working Group on the 2005 Convention appointed a small task team to drive the research and engagement with Civil Society and in some aspects also government. The members of this task team are Mhlanganisi Masoga, Christa Rautenbach, Mike van Graan and Nhlanhla Maake.

The South African Civil Society, represented by Mhlanganisi Masoga, also participated in the 5th Inter-Governmental Committee meeting held at UNESCO Headquarters in December 2011. Along with other civil society organisations, the South African civil society agreed to assist each other to prepare civil society contributions to the Quadrennial reports. An exchange session between civil society representatives and State Parties was also held in Paris prior to the meeting of the Intergovernmental Committee to explore the “role of civil society in the preparation of the quadrennial periodic reports”.

A draft questionnaire was developed to assist Civil Society organisations to research their sectors and contribute to their country reports as well as to prepare shadow reports. The objectives of this intervention were stated as follows:

- To give voice to the concerns of civil society groups on the issues that got them interested in supporting the Convention, from their perspective.
- To bring transparency to the whole exercise through a clearinghouse where civil society contributions to their national authorities can be accessed and compared with the report submitted by the State Party.
- To inform cultural policy making for the better protection and promotion of the diversity of cultural expressions.
- To provide a minimal set of issues of common concern, to be answered by all with sector specific references. Each could add additional questions if desired.

Based on the draft questionnaire developed through the collaboration of International NGOs the South African task team adapted this questionnaire to meet the needs of civil society in South Africa. The questionnaire was distributed and responses solicited through Facebook, email, telephone calls, and also published through newspapers and internet articles including amongst others, The Star and Times newspapers, ArtsSmart, ArtTimes, BASA and the UNESCO website. Contact was also made with the nine Provincial Departments of Arts & Culture to assist in identifying and supplying databases and contacts of artists and arts groups in their provinces.
4. Summary of Responses

The questionnaire consisted on twenty questions designed to determine awareness of the convention, understanding of the convention, awareness of Government’s role in implementing the convention, civil society’s own activities linked to the convention.

In spite of time constraints, 149 individuals and organisations responded to the questionnaire. 24 responses are from individual artists with six of these being musicians, one attorney and one actor. A fairly wide and representative spread of cultural and creative industries organisations responded to the survey.

32 organisations that work across the various genres, disciplines and development issues participated; with 10 of these being cultural and creative industries development organisations, 11 Community Arts Centres and 11 Theatre Companies (inclusive of community based theatre organisations). Up to 20 discipline specific organisations participated with eight of these being craft, four visual arts, one literature, one language/translations, two heritage organisations as well as four dance companies.

A significant percentage of the organisations mentioned above are involved in arts and culture development across the various phases of the value chain including education and training. Responses were also received from four universities and of these three were from music departments, with one being from digital media and film and two from a legal department. 27 creative industries companies responded consisting of one royalty collecting society, six publishing and media, 13 music industry, one fashion and design as well as seven film and digital media companies. Three responses were received from individuals working in arts and culture government departments at national and provincial levels.

The majority of responses came from Gauteng Province with 54.5%, followed by Western Cape with 16.6%, KwaZulu Natal at 13.8%, Limpopo at 8.3 %, Eastern Cape at 6.9%, North West at 3.4% and Free State, Northern Cape and Mpumalanga severally at 0.7%. It is most likely that these results are reflective on the internet accessibility rates of the different provinces, with the more urban provinces recording a higher participation. It is therefore plausible to conclude that the results are derived from a representative sample.

As mentioned before, the objectives of this survey have been to determine awareness as well as understanding of the Convention, awareness of Government’s role in implementing the Convention and civil society’s own activities linked to the Convention. A copy of the results is attached hereto as ANNEXURE A.
4.1 Responses on Awareness & Understanding

When asked if they were aware of the 2005 Convention, 49% of the respondents stated that they were aware and 51% that they were not aware. When it came to the question of having read the Convention and understanding it, the overall percentage dropped dramatically to 26%. Only 18% of the respondents had devised programmes or activities framed by the Convention, with 42% saying that they had none, while 38% said that the Convention was not applicable to their programmes. A follow up question about the respondents’ programmes, activities and their relation to the Convention more or less confirmed the initial results with 19.9% of respondents saying that they had programmes that were pursuing the objectives and principles of the Convention; with 28.7% responded that some of their programmes did pursue the Conventions objectives and principles, while 51.5% said their programmes were not informed by the Convention.

When asked to give details of these programmes and how they were pursuing the objectives of the 2005 Convention, it became clear that only about 10% of all respondents were consciously aware of the Convention and had framed their programmes in line with the Convention. The rest were just implementing arts and culture programmes without any reference to the Convention. In probing further the understanding of the Convention respondents were asked to select a description that best explained the intention of the Convention, 38.7% of the respondents said the Convention was meant to promote linguistic, cultural, racial and ethnic diversity and respect for such diversity; 22.5% responded that it was meant to promote the creative industries and access to a variety of creative products and services from a range of regions in the world; while 14.1% said it was meant to protect cultural and language diversity from the negative impact of globalisation. Lastly, 33.1% said that they did not know what the objectives of the Convention were.

4.2 Responses on Awareness of Government’s efforts in implementing the Convention

42% of the respondents responded that they were aware that South Africa was a signatory to the 2005 Convention, however, only 12.5% were aware that South Africa was represented by the late Prof. Kader Asmal who was actively involved in the drafting of the Convention. Only 11% of the responded were aware of any steps that the South African Government had undertaken to inform civil society about the 2005 Convention, but this was largely as a result of the October 2011 conference that was hosted by the Department of Arts and Culture in partnership with civil society organisations.

With regards to Government’s policies and strategies to implement the Convention, only 6.3% indicated that they were aware of such. When probed further on details about such policies and strategies, it again became clear that at least 10% of respondents were aware of the programmes being implemented by the Department of Arts & Culture, the Department of
Education and the International Relations Unit in the Department of Arts Culture but could not give any details of specific policies and strategies that were framed and informed by the 2005 Convention.

56.4% of the respondents said they were aware of cultural expressions that were under threat of extinction or suppression in South Africa. The details submitted reflect miscellaneous concerns; some of which are actually decrying the reduced support for Western classical music, art, ballet, etc. A sample of the responses is provided below:

- Television programmes are not entirely representative of South African identity.
- There is a general anglicised culture in South Africa which is threatening all indigenous cultures.
- Freedom of expression and artists’ rights to produce creative work e.g. Andries Botha’s Elephants.
- There is a general anglicised culture in South Africa which is threatening all indigenous cultures.
- Afrikaans language & community, including Afrikaner and Khoisan.
- We do not hear or see any cultural expression of the San people in South Africa.
- Isithonga language and Isibhaca language & cultures.
- People of the Kalahari and the Khoi San.
- Ceramics, due to a lack of tertiary courses offered, local appreciation, inability for rural potters to pass on the skill to the next generation due to poor income generation and recognition.
- The threat posed by cheap mass produced imports.
- Classical ballet.
- Local dye-houses have closed down and there are only a handful left across the country. They have been crushed by Chinese imports and a shrinking local clothing manufacturing industry.
- Lack of financial support from Government causing most established dance organisations to do less therefore reach less and therefore likely to close their doors.
- Pre Apartheid art.
- Lesiba Sotho mouth bow playing techniques, music and history.
- Choral music.
- Clay figure making tradition from the Tyume Valley, Hogsback.
- Many traditional handcraft techniques.
- Performance of Shakespeare.
- Some Universities are closing African Language units as they have no students.
- Indigenous African music is at the risk of extinction because our country does not promote it enough. There’s a one 30min programme on TV once a week dedicated to this genre and the media never discuss this music like they do American music.
4.3 Responses on Civil Society’s Programmes and the Convention

A significant percentage of respondents reported that they have been involved in international arts and cultural collaborations, with 57% being international and 48% with the rest of Africa. 55% of respondents were also aware of international capacity building, technology transfer, financial support and collaboration programmes between South Africa and other countries. Only 16.5% said that these collaborations and exchange programmes were informed and framed by the 2005 Convention. 89% of respondents were keen on exporting more of their creative work to Africa and the rest of the World, but did not know how to do this – 24.6%, with 73.7% saying that they did not have access to capital, 35.6% had few or no links with markets outside South Africa and lastly 2.5% believing that their creative work was not good enough to be exported beyond South Africa.

5. Conclusions and Recommendations

51. Findings

In light of the results obtained from the questionnaire and our own experiences, we have come to the conclusion that some of the greatest concerns are the following:

a) that the relationship between civil society and the government in the context of the Convention seems to be unilateral to a great extent and cooperation between government and civil society is hampered by mistrust and lack of drive to involve civil society organisations.

b) that the fragmented nature of government structures seems to hamper the effective implementation of the Convention. The initial drive by government (under the leadership of Prof Kader Asmal) to implement the Convention seems to have lost its momentum

c) that the responsible departments reveal no indication of incorporating the Convention into national law.

d) that the cultural policy of the Government has not been updated in line with the provisions of the Convention.

e) that a large number of organisations and individuals involved in cultural matters seems to be unaware of the contents of the Convention. Although Government seems to be involved in some programmes to promote and protect some cultural events, there is no or little indication that this is done within the cadre of the Convention, and it seems there is a lack of coherence in this regard.

f) that there is a great need to raise awareness and understanding of the Convention, and of its potential benefits for the creative sector
g) that, clearly – notwithstanding SA’s role in adoption of the Convention and the four years since then - the South African government is only at the very beginning of engaging and involving civil society in the formulation and implementation of policies, strategies and projects aligned to the Convention

h) that there is much work that civil society is engaged in that may be consistent with the intentions of the Convention, but that this work is being done despite – not because of – the Convention, the SA government or civil society structures for that matter

i) that the key deficiency in realizing one of the main aims of the Convention i.e. to build international markets for creative goods and services from the global south, is funding so that knowledge of the Convention and its potential benefits on the one hand and funding on the other are the two items most needed for the Convention to have any significant influence within and on the South African creative sector

5.2 Recommendations

Flowing from the above, we submit the following key recommendations:

a) that a targeted awareness campaign be implemented, to inform civil society in a sustained manner about the Convention, its potential benefits and how it may be used to inform local practice and international relationships/partnerships

b) that a toolkit/handbook (or adapt an existing one, if any exists) on the Convention be developed, to provide clear, practical guidelines on the Convention and its benefits

c) that the basic texts of the Convention and available toolkits be translated into at least five official South African languages initially, covering one Nguni language, one Sotho language, Tshivenda, Afrikaans and Xitsonga.

d) that a civil society structure not only needs to exist, but needs to be resourced in a sustainable manner in order to engage with government on the implementation of the Convention, to monitor such implementation and to research and publish information at least annually on practical achievements aligned with the Convention

e) that – as with the International Fund for Cultural Diversity – a local/South African fund for cultural diversity needs to be established/made available to incentivise the creation of projects that realise the intentions and goals of the Convention, with government and civil society representatives jointly making decisions about projects to be funded

f) that Arterial Network SA needs to establish and drive a number of practical projects that facilitate partnerships with other African countries, as well as countries in the global south and with the global north that give practical effect to some of the key aims of the Convention
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