



TERMS of REFERENCE FOR A TECHNICAL ASSISTANCE PROJECT

Name of applicant:	National Arts Council of Namibia (NACN)
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Dossier No	
(for official use only)	

NAME OF THE APPLYING ORGANIZATION:	National Arts Council of Namibia	
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PARTNER ORGANISATIONS:		
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I. THE ACTION

1. DESCRIPTION

1.1 Title of the Action to be implemented (the "Action")

Enhancing the Policy Environment for the Growth of the Culture & Arts Enterprises in the SADC Region

1.2 Location(s) of the Action

Botswana, Namibia, Malawi, Swaziland – SADC Region

1.3 Cost of the Action

Total eligible cost of the Action	Amount requested from the TradeCom Facility	% of total eligible cost of Action
EUR 199,308.90	EUR 199,308.90.00	%100

1.4 Summary

Duration of the action	6 months
Objectives of the action	<p>Overall objective(s)</p> <p>The general objective of the project is to support the integration of the SADC region and its member States into the global economy which is embedded within an overall development goal ultimately to support the development and growth of the Creative and Arts Industries to contribute to the diversification of the economies of the region, regional integration and to encourage Sustainable Development and Poverty reduction.</p> <p>Specific objective:</p> <ol style="list-style-type: none"> i. Raise awareness and disseminate information amongst Regional Organisations, Govt Trade Officials & the Culture & Arts stakeholders on the Industry and to promote the economic Rights of Artists and their contribution towards the growth of the Services Sector; ii. Analyse the WTO Services Agreement and assess existing Policy, Regulatory and Institutional obstacles for recommendations to be made for Requests and Offers to enhance the competitiveness of Culture Enterprises in the SADC Region; iii. Explore opportunities under the EPA Agreement to introduce positions for Negotiations which would enhance the Policy environment for the growth and Competitiveness of the Sector under the EPA Trade Agreement;
Partner(s)	National Arts Council of Namibia (NACN), Botswana Society of Arts (BSA), Visual Arts Association of Malawi (VAAM), Swaziland National Council of Arts & Culture (SNCAC)
Target group(s) ¹	(i) Ministries of Culture, (ii) Ministries of Trade & Industry, (iii) Regional Export Promotion Councils; (iv) Civil Society Groups involved in Culture and Gender issues, (vii) SADC Secretariat
Final beneficiaries ²	Artists & Culture Enterprises, Culture Intermediaries, Rural Communities Artists, Women Groups, Enterprise & Export Promotion Intermediaries
Estimated results	<ol style="list-style-type: none"> i. An enhanced capacity of Regional Cultural Industries, Artists and other Culture & Art stakeholders to identify existing Policy, Legislative and Institutional Measures which needs to be introduced to enhance the growth and development of the Arts & Culture Industry; ii. A number of recommendations by Intermediaries made to Governments and SADC Secretariat for inputs into Negotiations at the Multilateral WTO & Bilateral EPA Level to enhance the development and competitiveness of the Arts & Culture Sector; iii. A number of Draft Proposals & Policies on the Sector is submitted to Regional Govts and the SADC Secretariat for implementation to facilitate the development and growth of the Sector;
Main activities	<ol style="list-style-type: none"> i. A Study to identify the Market Structure and Growth Trends of the SADC Culture & Arts Markets (Regional & EU) and also to Review Trade & Export Policies to assess its Compatibility with the WTO Services & Market Access Agreements. The Study would also provide recommendations from Culture Intermediaries as inputs into EPA Trade Negotiations to enhance the sector's competitiveness; ii. A 2 day Validation Seminar in Windhoek bringing together about 40 Culture & Arts Intermediaries from the Region to present Study findings for Validation by Beneficiaries and Stakeholders; iii. A ½ day Briefing Meeting in Brussels by Experts bringing together PMU Officials, Beneficiaries, ACP Secretariat Officials and Commission Thematic Staff on the Culture & Arts Sector to present outcomes and recommend way forward

¹ "Target groups" are the groups/entities who will be directly positively affected by the project at the Project Purpose level

² "Final beneficiaries" are those who will benefit from the project in the long term at the level of the society or sector at large

1.5 Objectives

Culture is a factor in promoting social and human development and helps alleviate Poverty by fostering the emergence of regionalisation in Cultural goods and services. This would be based on stimulating the access of local people to their own culture and to income generating activities based on the dissemination of culture and traditional heritage. However to achieve the above Objectives requires that awareness is raised amongst Culture Stakeholders of the contribution of the sector not only to Social Cohesion but also to economic development and the improvement of the economic well-being of Artists. It is also important to strengthen the Capacity of Local Actors including Creators and Intermediaries to enable them analyse the existing Policy environment and to recommend the introduction of Sector Reforms to enhance the Growth and Competitiveness of Cultural Industries and Enterprises. The sector however faces a number of challenges to achieve competitiveness in its attempt to increase its contribution towards economic development, regional integration, job creation and poverty reduction. Many of the Culture & Arts Enterprises are small scale undercapitalized organizations. Due to their inability to achieve economies of scale, many creative businesses are unable to meet the high costs of gaining access to new delivery platforms to innovate and develop new services. It is also faced with challenges to protect the Copyright of Artists from infringement and to enhance its market access Rights through access to new delivery platforms using new Technologies and restrictions such as Work Permits which hinders their mobility both Regional and International to market their Services and Products. The Project therefore aims to explore options for Reforms to tackle the above challenges to enhance the enabling Business Environment for the growth and development of the Sector.

The general Objective of the project is to promote the growth and development of the Culture & Art Industry in the SADC Region through the introduction of reforms which would impact and enhance the Policy and Legislative environment within the context of the Economic Partnership Agreement. This is embedded within an overall development goal ultimately to support the development and growth of the creative and arts industries, leading to the diversification of the economies of the region and to encourage sustainable development and poverty reduction. Specifically, the Project aims to raise awareness and disseminate information amongst Regional Organisations, Govt Trade Officials and Culture sector stakeholders on the EPA Agreement and its potential contribution towards the development of Cultural Enterprises in the Region. It also aims to raise awareness on the need to mainstream Culture & Arts -related issues into social and economic activities and its contribution towards the development of Small-Scale Enterprises. The Project seeks to enhance the Analytical and Institutional capacity of Regional Culture & Arts Sector Intermediaries to make inputs into Trade related Policy Formulation in SADC member countries towards the introduction and implementation of Trade Policy and Legislative Reforms to facilitate the development and Growth of Culture related Enterprises for Sustainable Development and Poverty reduction objectives. There is a great need for Culture sector Stakeholders, Trade Policy Officials and Experts to collaborate in the design of Trade Policies which would enhance the contribution of the Sector to socio-economic development.

1.6 Justification

1.6.1 Relevance of the action to the objectives and priorities of the programme;
SADC member countries aim to promote the upliftment and preservation of their rich culture to advance the development of a diversified, balanced and strong economy in the region thereby generating wealth, creating employment and alleviating poverty and also making it a major foreign exchange earner. At the first Pan African Cultural Congress organised by the African Union in November 2006, in Ethiopia, African Culture Ministers signed a Communiqué to initiate Cultural programmes which would contribute to the process of African integration and common understanding through a consensus for the creation, production, distribution, consumption, commercialization and protection in the areas of Culture and the Arts. NEPAD's Culture Plan of Action also gives special attention to the protection and nurturing of indigenous knowledge, which includes tradition-based literacy and artistic works and all other tradition-based innovations and creations resulting from intellectual activity and to exploit the commercialization of these culture assets for Poverty reduction. The European Commission under its Culture 2007 Programme also seeks to work to support Cultural development by contributing to the economic potentials of the Culture Sector of ACP countries.

At a meeting of the Members of the Experts Committee on the strengthening of UNESCO's role in promoting cultural diversity and globalization in September 2000, the Committee was given a mandate to explore the different approaches to promote cultural diversity taking into account, the possible impact of trade negotiations on the status of Cultural goods and to develop a Programme of action to strengthen capacities and facilitate access to global markets in cultural goods from Africa. The Project

seeks to enhance the Policy-environment and contribute to the competitiveness of the Cultural and Arts Industry by promoting on a Regional SADC Level, sustainable investments, Enterprise development in the Sector, enhance Technology Transfers into the sector.

1.6.2 Identification of perceived needs and constraints:

To ensure that SADC countries enhance the growth of the Sector commensurate with its economic development, it is important to identify options to take advantage of Trade Agreements such as the EPA and WTO rules to develop relevant Policies which would enhance and facilitate the growth and competitiveness of Culture Enterprises and the Economic well-being of Artists. Furthermore, it is important to assess the potentials of the EPA Agreement on the Services Industry and opportunities it offers for Cultural & Arts Enterprises and to advise Governments and other Arts Intermediaries on adopting Negotiating positions and requests which aims to enhance the growth and development of the Industry within the SADC Region. Another area of growth for the Industry and Artists is the Export of SADC Cultural Goods and Services within the Region and to destination Markets such as Europe. However there are a number of challenges facing the sector. These include limited Market Access Rights to the EU and other major destinations FOR Cultural Goods and Services, lack or minimal enforcement of Copyright for the Works of Artists in the Region, minimal use of new Technologies for the distribution of Works of Artists and restrictions on the Movement of Artists and Cultural products within the SADC Region. Restrictions on Market Access for Cultural Goods can be due to Technical Barriers to Trade (TBT) on Cultural Goods in Foreign Markets and restrictions on the Export of Cultural Services as a result of the imposition of Visa restrictions on the movement of Artists to Markets in Europe and elsewhere. Other constraints include the inability of Governments to enforce Copyrights Laws to protect the work of Artists thus depriving them of legitimate income, minimal use of new Technologies such as the Internet for distribution of Works and Services which could substantially enhance the earning potentials and growth of the Sector, and restrictions in other SADC Member countries preventing the free movement of Artists in the Region to practise their Trade. These hindrances thus restricts the potentials of the Sector for growth and development and its contribution to regional integration, sustainable economic development and Poverty reduction.

The above challenges is further compounded by a weak capacity of Culture & Arts Intermediaries to identify Policy, Legislative and Institutional weaknesses which needs to be strengthened to enhance the enabling Policy-Environment for the development and growth of the Sector. such as also negotiate Services to enable Culture & Arts Intermediaries to Dialogue with Governments to have their needs considered and mainstreamed into Trade Agreements for the growth of the Sector.

1.6.3 Contribution of Action to the needs of the target group(s) and final beneficiaries?

The Action aims to raise awareness and enhance the capacity and understanding of the Culture & Arts Sector Intermediaries and to build and develop their capacities including Government Agencies and Civil Society Organizations on the WTO Services Agreement, Technical Barriers to Trade and others such as Intellectual Property Rights etc to the competitiveness and growth of the Cultural & Arts Sector. It also aims to raise awareness of the EUs & SADC's Culture & Arts Programmes to enable them access Trade Policy opportunities within. Furthermore it seeks to develop a strategy for Culture & Arts Intermediaries in the SADC Region to Dialogue with Governments and SADC Region on both the WTO & EPA Negotiations and to lobby Governments to develop Negotiating positions which would enhance the growth and competitiveness of the Cultural and Arts Industries in the Region.

1.6.4 Reasons for the selection of the target group(s) and identification of their needs:

- (i) **Ministries of Culture;** They are responsible for the implementation of Culture related Policies to enhance the contribution of Culture to the socio-economic development of the countries. In this role they have a Regulatory function to enhance the Policy environment for the contribution of the Culture & Arts towards the growth and contribution of the Sector to Sustainable Development and Poverty Reduction. Officials of the Ministries would have their awareness raised on the impact of Trade Agreements on the Culture & Arts sector with the potentials to help achieve their Ministerial objectives and to cooperate with Culture Enterprises to introduce and implement Policies and Regulations to enhance growth in the sector.
- (ii) **Ministries of Trade & Industries :** Trade Ministries coordinate Policy positions from various Govt Depts and Agencies and facilitates negotiations of Govt Trade positions at the WTO & EPA. It is therefore important to raise awareness and develop the necessary analytical and technical competencies of Trade Officials on Multilateral issues and Agreements which impacts on their ability to make the necessary submissions to Governments and Policy-Makers for initiatives to enhance the growth of the Culture & Arts Sector.

- (iii) **Regional Export Promotion Councils:** Export Promotion Councils has responsibility to develop and coordinate Export Programmes and to recommend to Government Policies which would enhance the Export Environment. Export Promotion Officials would have their awareness raised on opportunities for the Exports of Services and also to enhance their capabilities and competencies on Multilateral Trade Agreements which impacts on the potentials of the Services Sector. This should give them the opportunity to cooperate with the Culture & Arts Intermediaries with the support of the Experts recommend Policies to Governments in the Region which would enhance the growth and development of the Culture & Arts Industries and its contribution to Sustainable Development and Poverty Reduction.
- (iv) **Civil Society Groups involved with Culture & Gender Issues:** Civil Society Groups have relationships with grass-roots Society where often mainstream Institutions fail to make an impact. They will be involved in the Project to make inputs into the Study and also strengthen their capacities to facilitate in defining sustainable strategies for mainstreaming Gender empowerment and equity issues in the Culture & Arts Sector. Their involvement would enhance the SADC Secretariat involve Civil Society Groups in implementing its Integration Programmes.
- (v) **SADC Secretariat:** With its responsibility to implement Regional Directives to facilitate Regional Integration, the Project would enhance Institutional capacity and competencies of Officials of the Secretariat to enable them develop Policies which impacts on the growth and development of the Culture & Arts Sector. The Study and outcomes of the recommendations would provide inputs towards the EPA Negotiations in the areas of Services and also introduce Directives to facilitate the growth and development of SMEs in the Culture Sector.

Final Project beneficiaries include amongst others Artists & Culture Enterprises, Artists, Consultants within the Arts & Culture Industries, Government Officials with responsibility for the Culture & the Arts Sector, Technical Officers of Enterprise & Export Promotion Councils, Rural Communities etc. In all it is expected that over 100 Enterprises in the Arts & Culture Sector would benefit from outcomes.

1.7 Context of the Action

1.7.1 Potential synergies with other EC initiatives:

The above actions compliment a wider EC initiative to provide Trade-Related Assistance to African countries and encourage sustainable development. It includes:

The ACP-EU Support Programme for the **ACP Cinema and Audiovisual Sector (ACP FILMS)**, with the objective of contributing to the development and structuring of Culture & Arts Enterprises in ACP States, particularly in the framework of implementing Culture and Development strategies.

Trade & Regional Integration: It also compliments the EC's Development Intervention in the areas of Trade & Regional Integration as a factor for growth to promote economic development and poverty reduction and to support the integration of the countries of the SADC Region into the Global economy;

Rural Development: The Proposal compliments the EUs thematic Programme on Rural Development Policy by ensuring that rural development concerns are given the appropriate attention within national development frameworks and policies and especially in the area of Culture & the Arts to support human and social development and its contribution to human capital development by acting on key policy and crosscutting issues, institutional reform and the development of the Culture & Arts Industry.

Investing in People: The Project also contributes to the European Commission's "Investing in People" thematic Programme and also SADC Secretariat Regional Objectives on Human and Social Development. Through the promotion of gender equality and women's rights in the Culture & Arts Sector the Project compliments commitments such as those given under the Beijing Platform for Action, the Cairo Programme of Action and the Convention on the Elimination of All Forms of Discrimination Against Women.

1.8 Expected Impact of Action

1.8.1 Concrete outputs:

The general objective of the project is to support the integration of the SADC region and its member States into the global economy which is embedded within an overall development goal ultimately to support the development and growth of the creative and arts industries, diversify the economies of the

region to encourage sustainable Development and Poverty reduction. Specifically the Project aims to raise awareness and disseminate information amongst Regional Arts Organisations, Govt Trade Officials and Culture & Arts stakeholders on the EPA Trade Agreement and its potentials to facilitate the development, growth and economic competitiveness of the Culture & Arts Industry. It also aims to analyse the WTO Services Agreement and assess existing local Policy and Regulations within the context of existing Multilateral Trade Agreements hindering the Arts Sector from growth in the SADC Region and to make recommendations within the context of EPA to enhance the Policy environment for the Sector's growth and Competitiveness. The three main outputs include first a Study of the Sector & Market Trends in Participating countries, with recommendations on Policy & Legislative options to enhance the sector's development and growth. The second output is to bring together 40 Participants from amongst Arts & Culture Stakeholders in the SADC Region to present and validate the Findings of the Study and to make recommendations for the implementation of the outputs possibly leading to Draft Proposals and Legislative upgrades on the thematic issues focused on within the Study and discussed at the Validation Seminar. The expected Project Results includes an enhanced Capacity of Regional Cultural Industries, Artists and other Culture & Art stakeholders to identify existing Policy, Legislative and Institutional Measures which needs to be put in place to enhance the growth and development of the Arts & Culture Industry. It also includes a number of Draft Proposals & Policies on the Sector to be submitted to Govts and the SADC Secretariat for inclusion in the Economic Partnership Agreement to benefit the Arts, Culture & Services Sector.

1.8.2 Multiplier effects:

A number of multiplier effects are expected from the Project. These include an upgrade of Culture Policies in Project Partner countries. Initial Project outputs will be fine tuned and replicated in the other SADC member countries that are not currently part of the Project. Outputs are also expected to be used as inputs towards upgrading the SADC Secretariat Trade Policy in areas such as Export Promotion of Services, Intellectual Property Laws as it impacts on Traditional Knowledge, Movement of Art & Culture Workers across the SADC Region and Technology Transfer Initiatives for SMEs across the Region. Recommendations would also be extended into the development of action plans for upgrading and enhancing Regional & National Policy within the Culture & Arts sector to facilitate the promotion of Small-scale and Medium Enterprises in the sector. Further to this Working Committees from Project countries will be established to follow-up with the Project recommendations and supervise its implementation. The mainstreaming of the Culture & Arts into Industrial Development will also provide impetus to economic growth and job creation. This would enhance the growth and development of the Arts Sector. With competitiveness come increased and improved investments in the Sector leading to economic growth and competitiveness especially in small communities and rural areas. This would further lead to improved income of Workers in the Arts Sector, Sustainable development and Poverty reduction. Participation of Project outcomes and follow-up Proposals would be extended to other SADC member States once the initial project had been completed and lessons learned compiled. Recommendations will also be extended into the development of initial action plans and strategy papers for upgrading and enhancing Policy within Trade, Culture, and Arts & Investment sector to enhance the growth and development of the Sector.

1.9 Sustainability of Action

1.9.1 Financial Sustainability:

Some of the recommendations of the Study would be anchored under EDF 10 to ensure that future funding from the EU is guaranteed and also the Partners own resources is provided to ensure continuity of the Project outcomes.

1.9.2 Institutional Sustainability :

There is a risk that Culture & Arts Enterprises don't take up the benefits of the Project to incorporate the recommendations into their organisation's Operations. This seems unlikely because it is expected that the Enterprises will themselves have a participatory role in generating the prospective benefits. The Project is also expected to help build a strong network of cooperation amongst Arts Enterprises in the SADC Region and between SADC Secretariat & the Project Stakeholders. Further to this, structures and networks established between the various Intermediaries for the implementation of the Project activities would exist and be used to implement future Capacity-Building Programmes such as Training on Business Development Services for Cultural Operatives in the Region

1.9.3 Policy Sustainability:

Study recommendations are expected to lead to upgraded Policies & Legislation in the Culture & Arts Sector as a result of the enhanced competencies of the Intermediaries and their improved capabilities to make inputs into Policy formulation and Regulations. Its is expected that upgrades of Policy would

be made in sectors such as Export Promotion Regulations, Copyright Enforcement, Improved Movement of Artists to and fro the EU, and Technology Transfers etc.

1.9.4 Sustainability at the Economic Cooperation Level:

Project Partners would lobby the SADC Secretariat for the harmonisation of Culture Policies amongst SADC countries and possibly with the EU within the context of the Economic Partnership Agreement. This will help harmonise and compliment National & Regional Governments Trade, Culture & Arts Policies in the Region and to develop common Agreements in areas such as Copyright Laws, Market Access Rights and Technology Transfers to the sector. 'The Project would also build a strong network of cooperation amongst the Culture & Arts Institutions in the SADC Region and between the SADC Secretariat & the Project Stakeholders. This will lead to the exchange of information amongst stake holding Institutions to assist Policy makers' mainstream Culture & Arts related Policies and Legislation into Government Policy.

1.10 Implementation of Action

1.10.1 Methods of implementation and reasons for the proposed methodology:

Methods for the implementation of the action have both a Regional and a National focus. The Project would ensure that Partners have the opportunity to assess different options for raising awareness amongst Regional Culture & Arts Stakeholders of the benefits of Multilateral Trade Agreements to the growth and development of the Culture & Arts Industry. It would further enhance the competencies and capacities of Project Stakeholders to contribute towards Policy Initiatives which would enhance the competitiveness of the Culture & Arts Sector. Other submissions would be made by Culture Intermediaries as inputs into WTO & EPA Negotiations to enable Governments with the support of the Donor Community to introduce Policies which would encourage Investments, enhance Market Access for SADC Culture Goods & Services, help enforce Intellectual Property Rights and facilitate Technology Transfer to enhance the growth of the Culture & Arts Sector in the SADC Region.

The development of a Regional Culture & Arts Sector in the SADC Region would facilitate Programmes amongst Intermediaries who would enhance the growth and efficiency of the Sector. This would have the impact of encouraging efficiency, competitiveness and the introduction of new Technologies for Cultural Enterprises in the SADC Region. The Project would also provide Culture & Arts Stakeholders in the Region the opportunity to collaborate with Institutions such as the SADC Secretariat the opportunity to exchange knowledge, experience and to develop Culture & Arts related Proposals for implementation at the Regional Level. The Validation Seminar would also encourage networking between Regional Intermediaries and Government Agencies to support the implementation of the Recommendations. Further to this the new Policies and Programmes would encourage support to women to enhance Gender Equity issues and to encourage them to take up roles in the Culture & Arts and by so doing contribute to Gender Empowerment and Equity in the Region.

1.10.2 Detailed description of each activity to be undertaken:

Project components have been arranged to provide clarity and respond to beneficiary needs on Country, Regional Development and Poverty reduction strategies. Activities also compliment the EU Regional strategy for the SADC Region within the context of the Cotonou Agreement and in line with the Economic Partnership Agreement Negotiations. This will lead to the development of strategic Policy-action plans for implementation both regionally and nationally to enhance the growth and development of the Culture Industry and improve the situation of Artists in the SADC region.

ACTIVITY 1: **PROJECT STUDY:**

The Study would help Map the Culture & Arts Industry in Partner countries, its Policy & Legislative Environment & the Institutional Framework for its Governance. It would also focus on themes which impacts on the Competitiveness of the Sector to include Export Competitiveness, protection of intellectual Property Rights, WTO Mode 4 Freedom of Movement for Artists, access to funding for Artists, Technology Transfer and the impact of Regionalisation on the Sector. Within the context of the WTO/EPA Agreement the Study would look at existing Multilateral Trade Agreements and how these impacts on the competitiveness of the sector and to make recommendations on the development of Negotiating themes within EPA which impacts on the Sector.

A. **Expected results:**

- i. Detailed Report of recommendations on the Culture & Arts Industry in Partner countries, the Policy & Legislative Environment which impacts on its growth and competitiveness;
- ii. Identification of Market Trends in the Sector by Product Segments and Value;
- iii. Identification of existing Legal, Institutional and Regulatory bottlenecks impacting on the Sector;

- iv. Recommendations by stakeholders on inputs into ongoing WTO and EPA Negotiations for the development of negotiating positions to enhance the growth and development of the Culture & Arts Sector;
- v. The Study is also expected to lead to an improved capacity for development partners, including SADC Governments, Cultural Institutions, EC Delegations and the European Commission itself, to relate in a proactive manner to themes which impacts on the Culture & Arts Industry in the Region;
- vi. The Study would lead to improved capacity among key SADC Public and Private Sector Stakeholders to co-ordinate in a better way donor funded Studies in the Culture-Sector;
- vii. The Study would help identify the different Market Segments of the Culture & Arts Sector and to explore Policy & Regulatory Strategies for the development of the various Segments.

B. Justification:

- i. The Study would help provide insights into the existing Multilateral Policy Environment which impacts on the Culture & Arts Industry in the SADC Region;
- ii. It would also help raise awareness on the opportunities and challenges of the WTO Agreement and the EPA to the growth and development of the Arts in the SADC Region and to enable Govt Policy makers to develop the relevant competencies in the application of Multilateral and Bilateral Agreements impacting on the Arts and Culture Enterprises within the Region;
- iii. The Study would also enhance the capacities and competencies of Partners, Target Groups, and Stakeholders to mainstream recommendations into their Annual Work Programmes towards the Competitiveness of the Sector;
- iv. Further to this the Dialogue to be held amongst Partners, Stakeholders and Target Groups would help with information Dissemination on the opportunities and benefits of the Culture & Arts to the SADC Region;

C. Methodology:

- i. The inception Phase of the Project would include a kick-off Meeting within the first week of the Project, with the Partners and Stakeholders to seek outstanding issues and report on progress. It would also include a broad-range of interviews with Target Groups and stakeholders;
- ii. It would also include a stakeholder audit and needs analysis of the Partner Countries Policy, Regulatory and Institutions responsible for oversight of the Culture & Arts Industry and the collection of data and Drafting of a desktop Study on the initiatives, programmes and projects on Culture & Arts Policy in the Project Partner countries and the SADC Region.
- iii. The Methodology foresees a minimum of 2 Missions in Namibia for the whole Team and 1 Mission in each Partner country;
- iv. The Study assignments will involve i) a desk phase including when appropriate a desk and Internet study for the review of the relevant existing literature, ii) a field phase to meet Partners and Technology Policy stakeholders to define and develop the appropriate methodological tools and to collect relevant data, iii) a final phase for processing the analyses and data and writing the report and iv) consultation phase with the relevant parties who may comment on the draft towards finalization of the report. This is all with the aim of mapping out the existing Culture & Arts Policy & Legislative Infrastructure;
- v. While the Experts will be responsible for the Research, there will be a need for a Team of young graduates to gather information and conduct qualitative Research (focus Groups and in-depth interviews). The same team is to follow through the qualitative phase with quantitative research (administer a research questionnaire). A Budget will be provided for this purpose;
- vi. Legal and public administration experts will be required to conduct the required assessments and make appropriate recommendations. Policy Experts would also be engaged to assist in the preparation of background materials and questionnaires for the Research.
- vii. Publication of a general nature will be prepared to create awareness on opportunities for Investment Promotion Activities in the Culture & Arts Industry;

D. Monitoring & Assessment:

- I. Quality of the Studies and its recommendations
- II. Position papers developed as input into Culture & Arts Policy, Legislative Reform Proposals and the EPA & WTO Negotiations;
- III. Publication of articles from the Report in specialist newspapers and journals.
- IV. Quality of Study as assessed by Workshop participants.
- V. Project Activity Sheet

E. Role of Partners:

Partners: Arts Council and its Partners will coordinate the Study in all the Partner countries. The Partners will work with country Consultants & Experts to coordinate inputs into the studies whilst advocating for recommendations to stakeholders, Govts and the SADC Secretariat for the implementation of the recommendations locally and on a Region-wide basis. They will also be responsible for disseminating Project outcomes to Culture Sector Stakeholders in Partner countries and to cooperate with the SADC Secretariat for the implementation of recommendations.

Govt Stakeholders: Public Administration Experts and Trade Officials would work in cooperation with Consultants & Experts to be sensitised on the importance of Multilateral Agreements to the growth and development of the Culture & Arts Industry. This should assist the various Public Agency Stakeholders with interests in the Culture & Arts Sector to help mainstream project outputs into their Work Programmes. They would also be responsible for disseminating Project outcomes to other Public sector stakeholders in Project Partner countries.

F. Duration:
Month 1- Month 3

ACTIVITY 2: PROJECT STUDY VALIDATION SEMINAR:

The objective of the workshop is to discuss amongst Stakeholders and to validate the findings of the Study. It would also give opportunity to Partners and Stakeholders to develop a Strategy for the implementation of the Study recommendations.

A. Expected results:

- i. A 2 day Workshop held in Windhoek and bringing together 40 multi-sector Stakeholders in the Sector from across the Region to discuss the findings of the report and to develop a Strategy for its implementation;
- ii. The Consultants would be expected to make a Presentation on their Findings on all the main issues within the Terms of Reference and to develop a number of Responses for mainstreaming into both Regional and National Negotiating Strategies within the context of the ongoing WTO & EPA Negotiations;
- iii. Within the context of the findings, Government agencies and other Representatives would be encouraged to make their positions and to explore options to mainstream recommendations into their Work Programmes;
- iv. Strategic Policy-plans aimed at promoting public/private initiatives/civil society related to the improvement of the business environment for the Arts & Culture Industry.

B. Justification:

The Workshop would bring together Regional multisector stakeholders in the Culture & Arts Sector to discuss the outcomes of the Study, its recommendations and to develop a Strategy for implementing recommendations at both the National and at the regional SADC Level.

C. Methodology:

- i. The Workshops would be organized in cooperation with stakeholders from both Target & Beneficiary Groups;
- ii. It would run over a Period of 2 Days with Presentations being made by the Representatives of the main Stakeholders in the light of the findings and recommendations by the Experts;
- iii. The SADC Secretariat would also be invited to share their views on the findings and to Dialogue with Stakeholders on the Commission Strategies for support to the Culture & Arts Sector under both the EDF 10th and Economic Partnership Agreement;

D. Monitoring & Assessment:

- i. Number and quality of action plans proposed and inputs made by Culture & Arts Enterprises including Position Papers developed for Market Access Rights in the Services Sector, Intellectual Property Rights, and Movement of Artists under Mode 4 of the WTO Agreement within the context of the EPA Agreement. Responses by Partners to EU Culture & Arts Programmes under the "Investing in People" Programme, upgrading of National Policy, Legislation and Regulations in the sector and proposals for the implementation of best practices to enhance the growth and Prospects of the Sector in the SADC Region;
- ii. Number and quality of participants and Contributions at the Workshop.
- iii. Long term development in terms of Legislative and Policy reforms within the sector.

E. Role of Partners:

Partners: With the cooperation of the Project Partners and Experts, NACN would coordinate the participation of Cultural Enterprises in the Region to take part in the Workshop and to make inputs towards final recommendations. They would also disseminate Workshop findings to other sector stakeholders in the Industry whose support may be needed for the implementation of Project outcomes.

Govt Stakeholders: These would contribute to the Seminar by raising awareness of challenges they face in Trade Policy formulation & Implementation especially in novel areas such as Culture & the Arts. They would also help recommend options for Public /Private sector cooperation in the formulation of policies. In addition they would help disseminate Seminar recommendations amongst Govt Authorities and other Public sector Agencies.

F. Duration:
Month 4

ACTIVITY 3: PROJECT BRIEFING MEETING IN BRUSSELS:

The objective of the Meeting is to present findings and recommendations to the TradeCom Project Management Unit and the ACP Secretariat. It would also give opportunity to Partners and Stakeholders to develop a Strategy for the implementation of the Study recommendations.

G. Expected results:

- i. A ½ day Meeting held in Brussels and bringing together Partner Representatives, PMU Officials and officers in the EU Thematic Unit of Culture & Arts to discuss the way forward;
- ii. The Consultants would be expected to make a Presentation on their Findings on all the main issues within the Terms of Reference and to highlight the challenges for a follow-up Project;

H. Justification:

The Workshop would bring together multisector stakeholders in the Culture & Arts Sector to raise awareness of the Project to Stakeholders within Brussels and to enhance the Visibility of the outcomes of the Project;

I. Methodology:

This would be a ½ day Meeting at the ACP Secretariat bringing together Partner Representatives, PMU Officials and officers in the EU Thematic Unit of Culture & Arts to discuss the way forward;

J. Monitoring & Assessment:

- i. Number and quality of action plans proposed as a follow-up;
- ii. Long term development in terms of Legislative and Policy reforms within the sector.

K. Role of Partners:

Partners: The Partners would each be represented by 2 Officials in Brussels and would also highlight the challenges of the Project and recommended the way forward;

L. Duration:
Month 6

1.10.3 Expert Profiles

Expert	Output	Qualification required of the expert	Man/Days	% on site
Team Leader (Category 1 Legal Expert- Expert 1)	The Expert would Lead the Study Activities and assess current WTO/EPA Services Agreement in Partner countries to explore Culture & Arts Interests into new Policy frameworks or Regulatory instruments in the Culture & Arts Sector.	<p>A. Qualifications and skills</p> <ol style="list-style-type: none"> i. Holds a Degree in Law. ii. Member of a Bar Association iii. Possesses excellent reporting skills. <p>B. General professional experience</p> <ol style="list-style-type: none"> i. 15yrs Knowledge & Experience as a Trade Services Expert in a Law Firm, Govt or Private Institution is desirable. Experience in Trade Policies in Developing countries would be an advantage; ii. 5 years relevant consulting experience in developing economies. 	50	82%

		<ul style="list-style-type: none"> iii. Assumed a similar role as team leader during the past five years. <p>C. Specific professional experience</p> <ul style="list-style-type: none"> i. Proven experience of Trade Services issues in African countries. ii. Good knowledge and understanding of SADC institutions and regulations. iii. Understand the Trade Policies of SADC Countries; iv. Proficient use of MS Office programmes. 		
Category 1, Int. Expert (Snr. Economist-Exp 2)	With a wide and detailed knowledge of African countries in relation to private sector and Small-Enterprise Development. The person should be familiar with managing assignments in a timely manner and generate the necessary momentum to ensure stakeholders' mobilization and convergence of efforts, as well as to easily assess the quality of technical outputs.	<p>A. Qualifications and skills</p> <ul style="list-style-type: none"> i. Masters Degree in Economics/MBA. ii. Possesses excellent reporting skills. <p>B. General professional experience</p> <ul style="list-style-type: none"> i. At least 15 years professional experience out of which 5 years experience at senior management level on Export and other Trade Services Projects in Africa; ii. Proven experience on the services sector and in International Development; iii. 5 years of relevant consulting experience in developing economies. iv. Assumed a similar role as a senior expert during the past five years. <p>C. Specific professional experience</p> <ul style="list-style-type: none"> i. Proven experience of Trade & Export practices in Africa. ii. Good knowledge and understanding of the SADC institutions and regulations. iii. Excellent knowledge of Trade Policy and impacts on the Services Sector; iv. Proficient use of MS Office programmes. 	50	82%
Junior Legal Expert (Expert 3-Cat III)	The Expert should be identified from the Region. Three CVs in this category would be submitted by the beneficiary to the PMU who makes the final selection. The Expert would have knowledge of Government Policy in Trade, Services and the Export Industry. He or she would support the Senior Experts in collating Policy and Legal Documents required for the Study and also support the Senior Experts and Logistics Administrator in Coordinating activities for the Workshops.	<p>A. Qualifications and skills</p> <ul style="list-style-type: none"> i. Holds a Law Degree. ii. Registered Member of a Bar Association in the SADC Region iii. Possesses excellent reporting skills. <p>B. General & Professional experience</p> <ul style="list-style-type: none"> i. 3-5 years professional experience in Govt or Private Sector; ii. Experience in Competition related issues or in the Services sector would be an advantage; iii. Proficient use of MS Office programmes. 	45	100%
Logistics Administrator	Cooperate with the Experts and Beneficiaries for the implementation of the Workshop in Lusaka and also the briefing Meeting in Brussels. He or she would help coordinate Accommodation, for participants and Workshop Logistics for the implementation of the Programme.	<p>A. Qualifications and skills</p> <ul style="list-style-type: none"> i. Holds a Univ Degree. ii. Excellent organisation skills. <p>B. General & Professional experience</p> <ul style="list-style-type: none"> i. 3-5 years in Logistics Management. ii. Experience in Africa or ACP Country; 	50	12%

1.10.4 Procedures for follow-up and internal/external evaluation

Project Evaluation will be based on a number of tiered approaches to measure results based on the outlined objectives and aims of the Project and to correct divergences when they occur. Monitoring mechanisms will involve a good documentation of the logical framework based on which the Activities are delivered and assessed to determine whether the deliveries have achieved the stated aims and objectives of the Project. This will be determined through a number of means including Project Activity Sheets, Reports, direct Consultation and Interviews with beneficiaries, stakeholders and target groups. Other means of evaluation include feedback responses received from Questionnaires to be completed by Project Partners, stakeholders and Seminar participants. In the long-term the success of the Programme will be judged on the ability of Project Partners with the cooperation of the SADC Secretariat and other stakeholders to lobby and have Project recommendations successfully implemented in the Partner countries. This will be reflected in a number of submissions made to Partner governments, the SADC Commission and the EC to introduce Proposals and other related Policies which enhances the development and growth of the Culture & Arts Sector.

1.10.5 Description of the role and participation in the action of the various actors:

The Partners led by the Namibia Society of Arts would be responsible for developing the operational aspects of the Study during the inception phase and the Implementation of the various activities vis-à-vis Study and Seminars, Lobbying for the Implementation of Enabling Policy Initiatives for the Sector, etc. Project Management & Logistics Team will assist with guiding and coordinating the various Project Component Activities. They will also liaise with International and Local Experts to assist with recommendations for the introduction of Policies and Initiatives which would enhance the role of the Culture & Arts in the economic development of the Region and also mainstream Gender Empowerment issues into the development of the Sector. Partners would also be responsible for monitoring of the Project Verifiable Indicators and where diversions are identified to adjust project implementation accordingly. The Partners in the various countries would also ensure best practice in Project implementation outcomes. In detail the role of the various actors would be as follows:

- i. **Partners:** The Beneficiary Partners with the support of the Experts would be in overall charge of the Project. They would be responsible for coordinating the Technical aspects of the Activity by supervising the Study and the implementation of the Seminar Agenda, Drafting of Policy and Legislative Reforms and also lead in the lobbying Activities to have the Proposals implemented.
- ii. **EC Delegation Office:** The Delegation Office in Partner countries will play a key-role to raise awareness on ongoing EC Culture & Arts Programmes in the SADC Region within the Cotonou Agreement. It would also raise awareness of the Culture & Arts Policy Objectives of the EC under the EDF 10 Programming. This would enable stakeholders to identify with opportunities from the Commission as and when they become available.
- iii. **Govt Stakeholders:** Govt stakeholders will provide inputs into the Study based on their Programmes in the various Ministries. They would also raise awareness of ongoing Projects and Programmes in their Depts in the Culture & Arts Sector towards the adoption of Project recommendations for mainstreaming into Govt Programmes at the SADC Level. The Ministries would also contribute towards monitoring of Project outcomes and assist with the lobbying process to have recommendations implemented in line with Govts Poverty reduction and MDG Objectives.
- iv. **SADC Secretariat:** The SADC Commission would work with Partners towards realizing the objectives of the Study by making inputs and raising awareness of existing SADC Projects in the Culture & Arts Sector. This includes awareness on initiatives such as the SADC Cultural Programme. In line with Regional Objectives they would also help in designing recommendations and Proposals which can be incorporated at the Regional Level and transposed into National Laws. The Project would Provide Opportunity to the Commission to work closely with the Regional Intermediaries in the Region and by so doing facilitate the Smooth transposition of Regional Legislation and Initiatives into Local Laws.

1.11 Duration of the Action

- 1.11.1 The duration of the action will be 6 months.
 1.11.2 Start-up date: 1st November 2008 – 30th April 2009
 1.11.3 Phases of the Project:
 Activity 1 Project Study
 Activity 2 Project Validation Meeting
 Activity 3 Brussels Briefing Meeting

Activity	SEMESTER 1						Implementing body
	Mth 1	2	3	4	5	6	
Activity 1: Project Study (Regional)							<ul style="list-style-type: none"> • Project Partners • Experts • Local Consultants
Activity 2: Project Validation Seminar (Windhoek)							<ul style="list-style-type: none"> • Project Partners • Int. Experts • Local Consultants
Activity 3: Briefing Meeting (Brussels)							<ul style="list-style-type: none"> • Project Partners • Int. Experts • Local Consultants

1.11.4 Other Verifiable Indicators and Sources of Verification (OVI)

Other Verifiable Indicators and Sources of Verification (OVI)		
	OVI	SOURCES
Study Prepared on the Policy & Trade Sector Needs of the Culture & Arts Sector of Project Partners	Report	<ul style="list-style-type: none"> - Completed Study and recommendations by Consultants. - Reports from the Partners on activities undertaken. - Monitoring and evaluation reports
Guidelines for Trade Policy & Legislative Reforms within the Priority Sector of the Culture & Arts	Guidelines of Recommendations	<ul style="list-style-type: none"> - Action plans from study recommendations. - Interim report from the Partners on activities undertaken. - Monitoring and evaluation reports/ questionnaires
Workshop & Briefing Meeting hosted in both Windhoek & Brussels bringing together regional Culture & Arts sector stakeholders to discuss recommendations from the report and develop strategic action plans for implementation	Workshop held in Windhoek and a briefing Meeting in Brussels	<ul style="list-style-type: none"> - List of participants - Final report from the Partners on activities undertaken. - Monitoring and evaluation reports. - Stakeholders & Participants questionnaires - News Paper & Online Reports