

QUADRENNIAL PERIODIC REPORT LESOTHO 2020

GENERAL INFORMATION

TECHNICAL INFORMATION

Name of Party:

Lesotho

Date of Ratification:

2010

Officially Designated Point of Contact of the Convention:

Website: <https://barelitfest.com>

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Describe the multi-stakeholder consultation process established for the preparation of this report, including consultations with relevant ministries, public institutions, local governments and civil society organizations.:

An initial meeting was held in October 2019 where invited stakeholders from the government, civil society, academia and creative arts practitioners across all the creative disciplines were introduced to the 2005 convention and the QPR report. At the end of this workshop, a writing team was nominated. A subsequent meeting was held in February 2020 where CCI representatives were recalled along with the writing team and the drafting of the report commenced. Unfortunately, due to the COVID-19 crisis, plans that were made to review the draft and make public presentations had to be abandoned and communication itself became more difficult. Through further coordination through MTEC, valuable information was sourced from other ministries regarding programming, financing and research. The data found was enough to paint a narrative, but lacking in terms of painting a quantitative picture that could be represented through the bureau of statistics.

Lastly, the report was validated on 22 September 2020 under strict COVID-19 regulations. CSO representatives, artists, the Ministry of Tourism and Culture, Ministry of Planning and Development as well as representatives from academia were present. Everyone had received a draft of the report prior to the meeting and then final issues were raised or amended during the validation meeting itself before they signed off on the report.

Executive summary:

The Kingdom of Lesotho ratified the UNESCO Convention on the protection and promotion of the diversity of cultural expressions in 2010. This Convention plays an integral role in the recognition of cultural expressions across the world, with special preference given to countries from the global South and ensuring that creative voices there are amplified. It reinforces that countries have a responsibility to implement measures that support the diversity of cultural expressions. In the case of Lesotho, we have the Culture and Heritage Policy of 2006 which aims to protect and sustain Lesotho's cultural independence and to encourage national unity and identity.

MAIN ACHIEVEMENTS

- Regulation: The establishment of the copyright society along with reforms to the copyright order of 1989.
- Creative cultural production is now represented in higher education through the introduction of creative courses.
- The adoption of LGCSE creativity and entrepreneurship curriculum which seeks to mould and recognise creatives within the primary and secondary education system. The ultimate goal is that these young people will grow into producers of creative cultural expressions in the future.
- There is a growing number of small businesses led by creatives and centred around creative and cultural products, meaning that people are starting to appreciate the value of building careers in CCI.

Policy and Legislation: The convention influenced the review of the cultural policy reforms thereby reinforcing the importance of CCIs. Civil society cooperation with the government in issues related to creative and cultural expressions has improved over the years, resulting in an increased number of creative and cultural activities.

Implementation: Establishment of various CCI associations ranging from language, traditional dances and song, music, fashion, film and the latest is in graphic design, in collaboration with the department of culture. In 2016-2017, these associations took part in the organisation of the first and second Arts, Culture and Innovation Week.

CHALLENGES

Lesotho does not have a national arts council yet, which results in a poor flow of information regarding CCI. Additionally, creatives have a lack of trust towards the government to serve or even acknowledge their interests; therefore, initiatives by the government are welcomed with scepticism and reluctance.

Infrastructure

Exhibition space, workshops, hardware; equipment and spaces to operate from

Research and Development:

A research body concerned with the CCI must be established. Such a body would put together a planning board, portfolio committees and determine operations, coordinate data capturing and analysis and quality standards for CCIs. Its absence currently means that CCIs largely operate with little to no regulation which side-lines those operating on the margins. There is limited data, and the structures which would enable data collection are weak, therefore we are not yet able to accurately quantify the financial contribution of CCI to Lesotho's GDP.

Sectorial Shadowing: In some cases, sectors are misrepresented, for example; official legislation governing the film sector is represented under the ministry of communications through the Communications act instead of the ministry of culture. While the department of culture and department of communications are key to the development of the film sector, it is important to draw parameters on which roles each department plays. Department of culture would be instrumental for building the capacity of practitioners to develop the Creative industries while communications should be imperative to distributing content developed. Secondly, the CCIs are clustered together with tourism where tourism is given more prominence; this limits the chances of CCIs being recognised as an independent planning and development area in terms of prioritisation and resource allocation. The current CCI policy is not supported by any legal statute rendering it not viable to enforce implementation.

Registration of practitioners: Furthermore, CCI practitioners and institutions need to be legally registered and form associations which are properly administered under one umbrella body (such as the arts council). While there are a number of legally registered associations endorsed by the department of culture as its representatives; lacking is

the support needed to make these associations thrive to their full capacity.

OUTLOOK FOR THE FUTURE

- Awareness raising about the convention through dissemination workshops and programmes by the department of culture and Lesotho National Commission for UNESCO
- Mapping of artists across the country to develop a database of creative practitioners around the country
- Implementation of the national cultural policy (based on 2005 convention principles) as well operationalisation of the Copyright Order.
- Tightening efforts towards developing governance structures of CCI actors through associations including providing financial support and guidelines for ensuring constitutional mandates
- Upholding the copyright order and mainstreaming it such that legislative and administrative resources are available to creatives.
- Offering capacity building in business administration for creatives.
- Promotion of Basotho artist mobility across the world through platforms of exchange and exhibitions.
- Improved data collection and management of cultural statistics through the bureau of statistics.
- Opening of an art gallery at the Lesotho National Museum once in operation.
- Significant investment in technology and infrastructure to boost the strength of the industry value chains, especially with all the wisdom gained through the impact of the novel Corona virus pandemic.

Contact details of the stakeholders involved in the preparation of the quadrennial periodic report (QPR). Please also include the contact details of the civil society organizations (CSOs) if they have contributed to the QPR drafting, including through the CSO form.:

Civil Society Organization (CSO)

Ba re e ne re literary arts

info@barelitfest.com

<http://www.barelitfest.com>

GOAL 1 - SUPPORT SUSTAINABLE SYSTEMS OF GOVERNANCE FOR CULTURE



CULTURAL AND CREATIVE SECTORS

A Ministry (or agency with ministerial status) is responsible for cultural and creative sectors: YES
Regional, provincial or local governments or administrations have decentralised responsibilities for policies and measures promoting the cultural and creative sectors:: NO

Regulatory frameworks and sector specific laws, policies and/or strategies supporting the cultural and creative industries have been revised or adopted during the last 4 years: YES

If YES, has at least one of them been designed through interministerial cooperation (involving different government departments responsible for policy areas, such as communication, education, ICT, trade, foreign affairs, labor, finance): YES

Specific education and training programmes in the arts and the cultural and creative sectors are established, including:

Digital literacy programmes for creation and experimentation
Technical and vocational education and training programmes in
Design
Digital cultural and creative sectors
Music
Publishing
Visual arts
Cinema/audiovisual arts
Design
Media arts
Music
Performing arts

Specific measures and programmes have been implemented over the last 4 years to:

Support job creation in the cultural and creative sectors
Encourage the formalization and growth of micro/small and medium-sized cultural enterprises

Statistical offices or research bodies have produced data during the last 4 years:

-

Please provide whenever possible disaggregated data by sector:

n/a

Please provide whenever possible disaggregated data by sector, age, sex and type of employment:

n/a

Please provide whenever possible the share allocated by cultural sectors/domains (in %):

31% of the Government budget is allocated to the entire Ministry of Tourism and Culture

Relevant Policies and Measures:

2005 National Cultural policy framework

Name of agency responsible for the implementation of the policy/measure:

Ministry of Tourism Environment and Culture

Ministry of Planning and Development

Ministry of Law and Constitutional Affairs

Ministry of Education and Training

Lesotho Revenue Authority

Website of the policy/measure, if available:

<http://www.gov.ls>

Describe the main features of the policy/measure:

1. Promotion of creative cultural production through indigenous arts, and crafts. 2. Assign sufficient funding for museums, archives, art galleries, libraries and full research on identified monuments. The preservation of, access to and engagement in heritage should be ensured by such institutions. 3. Promote the production of feature films, television and radio programmes and the support of design, performing and visual arts organisations and festivals throughout Lesotho. 4. Include a comprehensive collection of policy statements, legislation, infrastructures, programmes, services and other tools in specific cultural fields. 5. Involve inter-ministerial co-operation and public-private partnership consultations. 6. Support cultural creativities and expressions by national subsidies to artists, community organisations and festivals. 7. Enhance economic sustainability of the cultural industries through support programmes, tax benefits and domestic regulation. 8. Mould cultural expression and inclusion; creation of Lesotho content and performance excellence, sustainability of cultural expression and participation, preservation of Lesotho's heritage, and access and participation in cultural life. Promote intercultural understanding, community development and capacity-building, and participation in community life.

Does it specifically target young people?: NO

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Infrastructure Infrastructure development in the form of the NUL Innovation Hub, Vodacom Innovation Hub, The Hub at Morija, PISA centres nationwide, Morija Arts centre, museums, information centres, Copyright society, as well as various empowerment programs. Training workshops Trainings and workshops undertaken by the Ministry of Tourism, Environment and Culture (MTEC) • The Creative Industrial Empowerment Project (CIEP) initiated in 2015 created international markets for crafts and has had 25 beneficiaries (CCI companies) thus far. • 45 companies were trained under this program, with 20 of them already exporting their products • 2 Arts, Culture and Innovation Festivals in the past 5 years Expos • 4 internationals expos in the past 5 years, • 30 flea markets and exhibitions in the past 5 years Exchange programs • cultural exchange programs *The Ministry of Development Planning has established an investment lab where CCI has been given the opportunity to take part. *The Arts, Culture and Innovation Festival spending by the government was over M500, 000.00 *Mantsopa festival; film screenings, performing arts, poetry, icon awards, creating a database of literary works *20 performing artists have been sent to China and India (government spend M300, 000.00 per 2 years) for skills development and cultural exchange programs. * Chinese troops have visited Lesotho to offer vocational training in the creative sector over the past 9 years, with an annual budget of M50, 000.00. • The ministry contributed M250,000 per year for 4 years to the Morija Arts and Cultural Festival

Financial resources allocated to the policy/measure in USD:

It is difficult to say as this data was not immediately available in an organised manner.

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

Media houses

Type of entity:

Private Sector

Morija Museum and Archives

Type of entity:

Civil Society Organization (CSO)

Telecomm companies

Type of entity:

Private Sector

Lesotho Communications Authority

Type of entity:

Public Sector

Tertiary institutions

Type of entity:

Public Sector

MEDIA DIVERSITY

Public service media has a legal or statutory remit to promote a diversity of cultural expressions: YES

Policies and measures promote content diversity in programming by supporting:

Regional and/or local broadcasters

Linguistic diversity in media programming

Socio-cultural programming (e.g. children, youth, people with disabilities, etc.)

Domestic content regulations for audio-visual media exist (e.g. quotas for production or distribution requirements for national films, TV series or music on radio): NO

Regulatory authority(ies) monitoring media exist: YES

If YES, please provide the name and year of establishment of the regulatory authority(ies):

Lesotho Communications Authority, June 2000

If YES, these regulatory authority(ies) monitor:

Public media

Community media

Private sector media

If YES, these regulatory authority(ies) are responsible for:

Issuing licenses to broadcasters, content providers, platforms

Receiving and addressing public complaints such as online harassment, fake news, hate speech, etc.

Monitoring cultural (including linguistic) obligations

Monitoring gender equality in the media

Monitoring editorial independence of the media

Relevant Policies and Measures:

Lesotho Media Policy Draft 2009

Name of agency responsible for the implementation of the policy/measure:

Ministry of Communications

Ministry of Law and Constitutional Affairs

Ministry of Development Planning

Website of the policy/measure, if available:

<http://www.gov.ls>

Describe the main features of the policy/measure:

- Intended to comply with Lesotho's international commitments; is consistent with international best practices; and reflect Lesotho's political structure, socio-economic conditions and cultural values;
- protect the rights of all citizens to seek, receive and impart information or ideas;
- develop stronger constitutional and legal safeguards governing the media sector, while eliminating provisions that unnecessarily restrict media freedom;
- separate the Government's policy/regulatory, content and market-participant roles in the media sector;
- promote the growth of a vibrant and diverse private media sector;
- ensure that the media has a right of access to public information, subject only to necessary restrictions to protect national security and confidentiality;
- ensure that any Government restrictions on the media are imposed pursuant to law, serve a compelling purpose and are no broader than necessary; and
- promote the use of co-regulation and self-regulation to ensure media fairness, control unlawful content and foster ethical conduct by media practitioners.

Does it specifically target young people?: NO

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Increased access to information on diverse platforms thanks to the internet and a growing market. This results in more visibility for locally produced content in the form of music, films, talent searches, independent print publications, including poetry anthologies and comic books. Web-based content is also on the rise with young Basotho who have the access taking full advantage of the internet to promote their content.

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

MISA (Media Institute of Southern Africa) Lesotho

Type of entity:

Civil Society Organization (CSO)

Media houses around the Country

Type of entity:

Private Sector

LENA (Lesotho News Agency)

Type of entity:

Public Sector

LCA (Lesotho Communications Authority)

Type of entity:

Public Sector

DIGITAL ENVIRONMENT

Policies, measures or mechanisms are in place to support the digital transformation of cultural and creative industries and institutions (e.g. funding for digitization of analogue industries): NO

Policies or measures have been introduced to ensure vibrant domestic digital cultural and creative industries markets with a diversity of e-players of all sizes (e.g. fair remuneration rules; control market concentration; prevention of monopolies of digital content providers/distributors or their algorithms that potentially restrict the diversity of cultural expressions, etc.): NO

Policies and measures have been implemented to enhance access to and discoverability of domestically produced cultural content in the digital environment (e.g. action plans or policies for digital content pluralism, public support to cultural or artistic portals in specific languages, national or regional online distribution platforms for domestic content, etc.): NO

Measures and initiatives have been implemented to promote digital creativity and competencies of artists and other cultural professionals working with new technologies (e.g. spaces for experimentation, incubators, etc.): YES

Statistics or studies with recent data on access to digital media, including on the type of cultural content available through digital media, are available: NO

Relevant Policies and Measures:

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PARTNERING WITH CIVIL SOCIETY

Professional organizations and/or trade unions representing artists and/or cultural professionals in the following sectors exist in your country (i.e. federation of musicians, publishers unions, etc.):

Cinema/Audiovisual arts

Design

Music

Publishing

Performing Arts

Public funding schemes supporting CSOs involvement in promoting the diversity of cultural expressions exist: YES

Training and mentoring opportunities were organized or supported by public authorities during the last 4 years to build skills on communication, advocacy and/or fundraising of civil society organizations involved in the promotion of the diversity of cultural expressions: YES

Dialogue mechanisms between public authorities and CSOs for cultural policy making and/or monitoring have been implemented during the last 4 years (meetings, working groups, etc.): YES

If YES, please provide up to 2 examples:

Amendment of the Cultural Policy

Setting up the Lesotho Copyright Society of Authors and Artists (LESCOSAA)

Policies and measures promoting the diversity of cultural expressions have been elaborated in consultation with CSOs during the last 4 years: YES

Relevant Policies and Measures:

LMDA (Lesotho Millennium Development Agency) Compact

Name of agency responsible for the implementation of the policy/measure:

Ministry of Development Planning

Ministry of Tourism, Environment and Culture

Website of the policy/measure, if available:

<http://www.gov.ls>

Describe the main features of the policy/measure:

MCC Compact 2: The compact aims to facilitate equitably and sustain economic growth in partnership with the private sector by loosening key constraints to economic growth by reducing barriers to investment. The compact was meant to focus on four key areas; Agriculture, Manufacturing, Tourism and creativity and Technology and innovation; however, prioritisation of the last two sectors has been subsequently put aside. Thus far, the MCC compact has been responsible for improved processes which parties must follow when setting up businesses thus modifying the business environment in Lesotho. CCIs have indirectly benefited from this initiative hence the rise in registered businesses/traders that operate within the CCI sphere.

Does it specifically target young people?: NO

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Communication consultations with various interest groups on CCIs. Sectorial consultations with various interest groups on economic growth. Currently conducting feasibility studies on economic growth through CCIs. CIEP facilitated market access for visual artists and crafters.

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

LCN (Lesotho Council of NGOs)

Type of entity:

Civil Society Organization (CSO)

BEDCO

Type of entity:

Public Sector

Ministry of Small Business, Cooperatives and Marketing

Type of entity:

Public Sector

GOAL 2 - ACHIEVE A BALANCED FLOW OF CULTURAL GOODS AND SERVICES AND INCREASE THE MOBILITY OF ARTISTS AND CULTURAL PROFESSIONALS



MOBILITY OF ARTISTS AND CULTURAL PROFESSIONALS

Please indicate if the following policies and measures exist in your country:

Policies and measures supporting the outward mobility of artists and cultural professionals (e.g. export offices, support for participation in international cultural markets for cultural professionals, etc.)

Please indicate if the following operational programmes have been developed or supported/funded by public authorities during the last 4 years:

Infrastructure (e.g. arts residencies, cultural institutes, etc.) having a mandate to promote the diversity of cultural expressions and hosting a large number of foreign artists, notably from developing countries

Major cultural events (e.g. cultural seasons, festivals, cultural industries markets, etc.) having a mandate to promote the diversity of cultural expressions and hosting a large number of foreign artists, notably from developing countries

Please indicate if the following mobility funds (e.g. scholarships, travel grants, etc.) have been managed or supported by public authorities during the last 4 years:

Public funds supporting the outward mobility of national or resident artists and other cultural professionals

Public funds supporting the inward mobility of foreign artists and other cultural professionals, notably from developing countries

Relevant Policies and Measures:

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FLOW OF CULTURAL GOODS AND SERVICES

Export strategies or measures to support the distribution of cultural goods and services outside your country exist for the following cultural domains:

Cinema/Audiovisual arts

Music

Performing Arts

Your country has granted or benefited from preferential treatment* to support a balanced exchange of cultural goods and services in the last 4 years:

-

If YES, please provide up to 2 examples:

-

Your country has provided or benefited in the last 4 years from Aid for Trade support, a form of Official Development Assistance (ODA), that helped to build capacities to formulate trade policies, participate in negotiating and implementing agreements that provide a special status to cultural goods and services:

-

If YES, please provide up to 2 examples:

-

Relevant Policies and Measures:

-

TREATIES AND AGREEMENTS

Multilateral or bilateral trade and/or investment agreements providing a special status to cultural goods and/or services have been signed during the last 4 years or are under negotiation:

UNDER NEGOTIATION

Multilateral or bilateral agreements including specific provisions providing a special status to cultural goods and services and digital products in the field of e-commerce have been signed during the last 4 years or are under negotiation:

UNDER NEGOTIATION

Multilateral or bilateral agreements, declarations and/or strategies on relevant policy issues for the diversity of cultural expressions (e.g. education, digital, intellectual property, sustainable development, gender equality, etc.) signed or amended to take into account the objectives or principles of the Convention during the last 4 years: YES

Relevant Policies and Measures:

Industrial Property Order 1989; intellectual property protection and copyright order of 1989

Name of agency responsible for the implementation of the policy/measure:

Ministry of law and constitutional affairs

WIPO

AIPO

Website of the policy/measure, if available:

<http://www.wipo.int>

Describe the main features of the policy/measure:

The Copyright order provides for the protection of (a) patents, (b) utility models, (c) industrial designs, and (d) marks, collective marks and trade names including well known marks. The Copyright Order (CO) of 1989 protects literary, artistic and scientific works and their transformations (including expressions of folklore), performers, producers of phonograms and broadcasting organizations. In general, copyright protection covers the works of authors who are Lesotho nationals or residents, works first published in Lesotho irrespective of the nationality or residence of their authors, and producers and performers who are Lesotho nationals. Foreign unpublished works and works first published in a foreign country are also protected, provided that the country where the author resides or, in the case of published works, the country of their first publication, grants similar protection to nationals or residents of Lesotho. Lesotho's regulatory framework is also governed by the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). As

an LDC (least developed country), Lesotho continued to benefit during the period reviewed from special and differential treatment allowing it to delay the application of certain provisions of the TRIPS agreement. In June 2013, LDCs were granted a second extension to delay the application of Article 66.1 of the TRIPS agreement until July 2021. The first extension expired in July 2013. In accordance with this extension, Lesotho, as an LDC, has to apply the TRIPS provisions on non-discrimination (Articles 3, 4 and 5 of the TRIPS Agreement) but has the flexibility to apply or not the rest of its provisions for the protection of intellectual property rights, including those related to trademarks, patents, copyright, industrial designs, geographical indications or any others covered by the agreement. Lesotho has not yet ratified the Protocol amending the TRIPS agreement and therefore continues to be covered by a WTO waiver granted in 2005 for this purpose. The authorities indicated that Lesotho requires technical assistance on Intellectual Property Rights issues, in particular to train officials on the implementation and enforcement of the TRIPS Agreement, strengthen the copyright office, and establish copyright management organizations.

Does it specifically target young people?: NO

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Copyright regulations were amended in 2015 and thus far an Intellectual Property board has been appointed and was inaugurated in January 2020 to also mark national copyright day. A royalties arrangement has been initiated via efforts by the LMRA An application is now available where people can purchase music created by Basotho musicians Information sharing initiatives have been undertaken by MTEC to educate and engage creative practitioners on their IP rights.

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

government of Lesotho

Type of entity:

Public Sector

UNESCO

Type of entity:

Public Sector

GOAL 3 - INTEGRATE CULTURE IN SUSTAINABLE DEVELOPMENT FRAMEWORKS



NATIONAL SUSTAINABLE DEVELOPMENT POLICIES & PLANS

National sustainable development plans and strategies recognize the strategic role of:

Culture (in general)
Creativity and innovation
Cultural and creative industries

Please rate from 1 to 4 the type of outcomes expected by the inclusion of culture in national sustainable development plans and strategies (1 most often expected outcome 4 least expected outcome):

Economic (e.g. employment, trade, intellectual property, cultural and creative industries, rural and territorial development): 4

Social (e.g. social cohesion and inclusion, inequality and poverty reduction, values and identity, vulnerable and minority groups, empowerment and human capital, education): 4

Environmental (e.g. natural resources, reducing environmental impact of cultural industries and practices): 3

Cultural (e.g. cultural infrastructure, participation and access to culture, innovation, artists support): 3

Public cultural bodies and agencies responsible for culture or creative industries are involved in the design and implementation of sustainable development policies and plans (i.e. participate in coordination mechanisms such as joint planning committees): YES

Cultural industry-led regeneration initiatives and projects at the regional, urban and/or rural levels have been implemented in the last 4 years: YES

Policies and measures facilitate participation in cultural life and access to diverse cultural facilities and expressions, notably addressing the needs of disadvantaged or vulnerable groups (e.g. via reduced entrance fees; audience development, arts education and audiences awareness-raising): YES

Relevant Policies and Measures:

NSDP2

Name of agency responsible for the implementation of the policy/measure:

Ministry of Development Planning

Website of the policy/measure, if available:

<http://www.gov.ls>

Describe the main features of the policy/measure:

Emphasises private sector development, encourages citizenwide participation in the development process, enhances inclusive and sustainable economic growth and private sector job creation anchored in 4 productive sectors: Agriculture Manufacturing Tourism and creativity Technology and innovation With the last two under construction. It further aims to build skilled human resources by reforming the education sector. It promotes cultural industries through education and training across all sectors It facilitates legal and institutional frameworks for production, distribution and enjoyment of cultural diversity

Does it specifically target young people?: NO

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Provided seed money for the LESCOSAA and appointed a board under gazette No 66 2018 Annual arts, innovation and cultural festival Supported the Mollong Arts and cultural festival Supported THALE and Motion Picture Association of Lesotho Supported Lesotho Fashion Designers Association and Beauty Pageant Association Supported the Graphic Design Association

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

Government of Lesotho

Type of entity:

Public Sector

UNDP

Type of entity:

Public Sector

WTO

Type of entity:

Public Sector

BEDCO

INTERNATIONAL COOPERATION FOR SUSTAINABLE DEVELOPMENT

Your country has contributed to or benefited from the International Fund for Cultural Diversity (IFCD) during the last 4 years:

YES, my country has contributed to the IFCD

YES, a public body or a non-governmental organization in my country has benefited from the IFCD

Development cooperation strategies, including South-South cooperation strategies, recognize the strategic role of creativity and diverse cultural expressions: NO

If YES, please provide the name(s) of the strategy and year(s) of adoption:

-

Your country manages multi- and/or bilateral technical assistance and capacity building cooperation programmes supporting:

-

Relevant Policies and Measures:

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GOAL 4 - PROMOTE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS



GENDER EQUALITY

Ministries, governmental agencies and/or parliamentary bodies in charge of gender equality:

Exist and are relevant for artists and cultural professionals

Policies and measures to support the full participation of women in cultural life have been implemented during the last 4 years: YES

Policies and measures have been adopted to support the recognition and advancement of women as artists, cultural professionals and/or creative entrepreneurs, (e.g. ensure equal pay for equal work or equal access to funding, coaching or mentoring schemes, anti-discrimination measures, etc.): YES

Data is regularly collected and disseminated to monitor:

-

Percentage of women/men in decision-making /managerial positions in public and private cultural and media:

n/a

Percentage of works from female/male artists displayed / projected in important festivals of the arts and cultural industries (film, book publishing, music industry etc.):

n/a

Relevant Policies and Measures:

Gender and Development policy act

Name of agency responsible for the implementation of the policy/measure:

Ministry of Gender, Youth, Sports and Recreation

Website of the policy/measure, if available:

<http://www.gov.ls>

Describe the main features of the policy/measure:

The Gender policy aims to “ensure equality of all opportunities between women, men, girls and boys so that development efforts have an equal impact on all gender”. Facilitation of the proper integration of gender issues in development to ensure full participation of women and men in their productive lives. The Gender policy also seeks to ensure the accommodation of women to participate in all levels of decision-making as well as in business. The Ministry of Gender has a Gender Unit which has an Economic Empowerment Section where citizens are presented with training in basic business skills as well as arts skills.

What are the results achieved so far through the implementation of the policy/measure?:

As much as there have been projects related to arts and crafts, so far none of them spoke directly to the 2005 convention.

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

LCN

Type of entity:

Civil Society Organization (CSO)

Ministry of Law and Constitutional Affairs

Type of entity:

Public Sector

The Lesotho Curriculum and Assessment policy.

Name of agency responsible for the implementation of the policy/measure:

Ministry of Education and Training

Website of the policy/measure, if available:

<http://www.gov.ls>

Describe the main features of the policy/measure:

The focus in pedagogy has shifted more towards teaching and learning methods that can further develop creativity, independence, and survival skills of learners. Learners are expected to become more responsible for their own learning processes and thus should be able to identify, formulate and solve problems by themselves and evaluate their work. It emphasises development of skills and attitudes necessary for achieving rapid social and economic change. Focuses on a learner-centered approach, which is not new on the education scene of Lesotho intended to serve as an enabler of democracy.

Does it specifically target young people?: YES

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Implementation of the new curriculum began in 2015 after a pilot phase., it is still being monitored and is being improved upon on the go as there is a shortage of teacher training support. A comprehensive assessment model is also still under development as it is contingent on teaching practice. Many students are yet to undertake practical creative projects beyond the theory-dense offering currently available.

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

Tertiary Institutions

Type of entity:

Public Sector

ECOL (Examination Council of Lesotho)

Type of entity:

Public Sector

NCDC (National Curriculum Development Center)

Type of entity:

Public Sector

CHE (Councill of Higher Education)

Type of entity:

Public Sector

ARTISTIC FREEDOM

The constitution and/or national regulatory frameworks formally acknowledge:

The right for all citizens to freely enjoy artistic works both in public and in private

The right for all citizens to take part in cultural life without restrictions

Independent bodies are established to receive complaints and/or monitor violations and restrictions to artistic freedom: NO

Initiatives to protect artists at risk or in exile have been developed or supported by public authorities during the last 4 years (e.g. providing safe houses, guidance and training, etc.): NO

Measures and initiatives intended to ensure transparent decision-making on government funding/ state grants and awards for artists exist (e.g. through independent committees, etc.): NO

Social protection measures that take the professional status of artists into account have been adopted or revised in the last 4 years (e.g. health insurance, retirement schemes, unemployment benefits, etc.): NO

Economic measures that take the status of artists into account have been adopted or revised in the last 4 years (e.g. collective agreements, income tax and other regulatory frameworks, etc.): YES

Relevant Policies and Measures:

Constitution of Lesotho

Name of agency responsible for the implementation of the policy/measure:

Ministry of Tourism, Environment and Culture

Website of the policy/measure, if available:

<http://www.lesotholii.org/ls/legislation>

Describe the main features of the policy/measure:

The constitution grants citizens right of participation in creative and cultural activities Protects the rights of authors of literary works It guarantees freedom of expression and the right to work. Copyright Order grants authors economic and moral rights in their artistic, literary and scientific

Does it specifically target young people?: NO

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

Enables the existence of implementing and policy frameworks. Allows the existence of institutions that promote and protect creative works Copyright; establishment of collective management organisations. Cultural policy; access to international markets under CIEP NSDP facilitates access to technical assistance for the promotion and development of the creative industries through LMDA

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

Ministry of Law and Constitutional Affairs

Type of entity:

Public Sector

LCN (Lesotho Council of NGOs)

Type of entity:

Civil Society Organization (CSO)

Legislative Authorities

Type of entity:

Public Sector

MEASURES AND INITIATIVES REPORTED BY CIVIL SOCIETY ORGANIZATIONS

Describe how the CSO form has been used to promote collaboration with CSOs in the preparation of this report, including the distribution of the form and the modalities of collection and analysis of the information received. Please indicate the percentage of measures and initiatives received that have been considered as relevant by the Party and included in the QPR.:

A sensitisation meeting was held in October 2019 where CSO from every discipline within the Cultural and Creative Sector was invited. This group of people was invited because they were recognised as critical to the compilation of this report because they had a more hands on understanding of whatever measures have been implemented over the years which are relevant to the 2005 Convention. During this meeting, the group was also oriented on how to fill out the CSO form collectively, with examples. Once people had established an understanding of how the form works, smaller clusters were formed during the follow up meeting in February where the form was filled as a joint effort.

GOAL 1 - Support sustainable systems of governance for culture:

Revision of the national cultural policy

Name of CSO(s) responsible for the implementation of the measure/initiative:

Mantsopa

Describe the main features of the measure/initiative:

It has been recognised that the cultural policy framework upon which the MTEC had been operating lacked dimension and detail, therefore offering a wobbly support system for practitioners. A holistic cultural policy will include legal protections for cultural practitioners, suitable infrastructure to enable growth for CCI as a viable economic avenue. It will give recognition to all the cultural expressions available in Lesotho and validate their existence as a key aspect of development.

Does it specifically target young people?: YES

Does this measure/initiative receive or has it received International Fund for Cultural Diversity (IFCD) funding?: NO

What are the results achieved so far through the implementation of the measure/initiative?:

The 2006 cultural policy has been revised and is in the final stages of accreditation before adoption.

GOAL 2 - Achieve a balanced flow of cultural goods and services and increase the mobility of artists and cultural professionals:

Annual calendar of events

Name of CSO(s) responsible for the implementation of the measure/initiative:

Beauty Peagent Association of Lesotho, Graphic designs Association and THALE (Theatre Association Lesotho)

Cultural domains covered by the measure/initiative:

Performing Arts

Visual Arts

Describe the main features of the measure/initiative:

Through these associations, Lesotho has participated in a number of international events including Miss World, Winter-Summer Institute and more. These association work towards the recognition of the performing arts (through pageantry and theatre) and visual arts (through graphic design) respectively

Does it specifically target young people?: YES

Does this measure/initiative receive or has it received International Fund for Cultural Diversity (IFCD) funding?: NO

What are the results achieved so far through the implementation of the measure/initiative?:

Successful events have been held over the years with notable growing support each year.

GOAL 3 - Integrate culture in sustainable development frameworks:

Lesotho Copyright Society of Authors and Artists

Name of CSO(s) responsible for the implementation of the measure/initiative:

LMRA (Lesotho Music Rights Association), MPALE (Motion Picture Association Lesotho)

Describe the main features of the measure/initiative:

It promote the distribution of locally produced content. Ensure that creative producers receive royalties for their work. It provides support and guidance for artists.

Does it specifically target young people?: YES

Does this measure/initiative receive or has it received International Fund for Cultural Diversity (IFCD) funding?: NO

What are the results achieved so far through the implementation of the measure/initiative?:

None so far as the initiative was inaugurated in February 2020

curriculum and assessment policies

Name of CSO(s) responsible for the implementation of the measure/initiative:

GEM Institute, Ba re e ne re, Sesotho Academy

Cultural domains covered by the measure/initiative:

Media Arts

Publishing

Visual Arts

Website of the measure/initiative, if available:

<http://gemlesotho.wordpress.com/>

<http://barelitfest.com>

Describe the main features of the measure/initiative:

Research and development of best practices to support the evaluation and implementation of education policies and strategies around arts education. Introduction of supplementary activities to enhance access by minorities, promote broader participation in the creative and literary arts and provide platforms for expression by young creatives. Providing additional content support for school curriculum

Does it specifically target young people?: YES

Does this measure/initiative receive or has it received International Fund for Cultural Diversity (IFCD) funding?: NO

What are the results achieved so far through the implementation of the measure/initiative?:

The annual Ba re e ne re literature festival between 2014-2018, the annual national Girl Tech conference, which kicked off in 2019, various discussions, workshops and literature about the creative sector and arts education in Lesotho.

GOAL 4 - Promote human rights and fundamental freedoms:

Registration and formalisation of the film and fashion industries in Lesotho

Name of CSO(s) responsible for the implementation of the measure/initiative:

MPALE, Lesotho Fashion Designers' Association

Cultural domains covered by the measure/initiative:

Design

Describe the main features of the measure/initiative:

An association was formed to represent and advocate for the interests of Fashion and other kinds of designers within the country. This initiative was guided by MPALE, thanks to the experience they had already garnered through the years. The association has held two events thus far, one of which was virtual due to COVID-19, but is already gaining momentum and membership.

Does it specifically target young people?: YES

Does this measure/initiative receive or has it received International Fund for Cultural Diversity (IFCD) funding?: NO

What are the results achieved so far through the implementation of the measure/initiative?:

Formalisation of the association was completed. A fashion show was held in 2019. A partnership with other sectors was formed. A virtual festival was held in October 2020.

On the basis of the analysis of the responses provided through the CSO form, present up to ten main priorities of CSOs to implement the Convention over the next four years.:

1.Oversight and support for parties affected by crisis, such as response interventions against COVID19. 2.Tax relief and other related measures related to artists' ability to trade. 3.Categorization of different music genres, documentation of expenses and budgeting for the production chain. 4.Capacity building at the association level in the following areas; HR, Ggov.t level, governance structures, financial management and systems, operating systems, marketing and communications, reporting and Monitoring and Evaluation, resource mobilisation. 5. Exploration and creation of platforms and support structures for writers, Poets and other stage performers which pay due recognition for their work. 6. Formation of the national arts council and trust fund. 7. digitisation and digital literacy for creative production and distribution. 8. Support for data, studio time renting, facilitation of permits for producers, directors and other crew members to work. 9. Set up a disaster relief fund for artists, in case of emergencies.

EMERGING TRANSVERSAL ISSUES

Relevant Policies and Measures:

Proposed COVID 19 Interventions (APRIL 2020)

Name of agency responsible for the implementation of the policy/measure:

Government of Lesotho

Describe the main features of the policy/measure:

Artists who fall in this category be registered so that they are part of the talent that can be compensated as people who rely on productions. Tax relief for small businesses should incorporate funds for the registered production houses. A register of all Producers, companies and Associations should be compiled so that funding mechanisms can be executed through a relief fund model using the Private competitiveness and

LNDC process. Virtual production should be supported so that producers and Administrators have funds to do online shoots, direct using remote learning, artists get support to be able to self-shoot or self-record while remote productions get assisted. Facilitate buying of content produced for LNBS and social media platforms. Protection of works should still be supported by this process. Any awareness messages that needs to be through film, tv, should be directed to the association to ensure members have access to edutainment jobs on COVID19 as part of the Risk Communication response. Relief fund be accessible to all crafters so that they register with BEDCO for support. A registry of the different crafts component should be compiled to allocate funding due to the business losses. Payment of rental spaces should be another relief measure that follows the tax relief component. Penalties for trader's licences should be lifted until three months. Set up a website with all contacts list for different producers to sell online (support with creating an online market). Fund allocation to music producers, in different categories to allow rental, production using virtual means. Online recording music support. Support with creating an online protected music platform for new music release. Musicians creating COVID message embedded songs should be produced and compensated and be paid through the Risk communication funding. Virtual performances space be created and supported so that dance, poetry or theatrical pieces are packaged for online platforms. Risk communication funds should cater for edutainment pieces by this sector. Support for rental spaces should be afforded. Small business relief measures be applicable. Literary works, there should be an online platform where literary works are available but supported to buy online.

Does it specifically target young people?: YES

Does the International Fund for Cultural Diversity (IFCD) support the implementation of the policy/measure?: NO

What are the results achieved so far through the implementation of the policy/measure?:

None, it remains a proposition at this time.

Financial resources allocated to the policy/measure in USD:

n/a

Has the implementation of the policy/measure been evaluated?: NO

Partner(s) engaged in the implementation of the measure:

Creative Cultural Industry CSOs

Type of entity:

Civil Society Organization (CSO)

CHALLENGES AND ACHIEVEMENTS

Describe the main results achieved to implement the Convention (at least one major achievement in one of the four goals):

• Regulation: The establishment of the copyright society along with reforms to the copyright order of 1989. • Creative cultural production is now represented in higher education through the introduction of creative courses. • The adoption of LGCSE creativity and entrepreneurship curriculum which seeks to mould and recognise creatives within the primary and secondary education system. The ultimate goal is that these young people will grow into producers of creative cultural expressions in the future. • There is a growing number of small businesses led by creatives and centered around creative and cultural products, meaning that people are starting to appreciate the value of building careers in CCI. Policy and Legislation: The convention influenced the review of the cultural policy reforms thereby reinforcing the importance of CCIs. Civil society cooperation with the government in issues related to creative and cultural expressions has improved over the years, resulting in an increased number of creative and cultural activities. Implementation: Establishment of various CCI associations ranging from language, traditional dances and song, music, fashion, film and the latest is in graphic design, in collaboration with the department of culture. In 2016-2017, these associations took part in the organisation of the first and second Arts, Culture and Innovation Week.

Describe the main challenges encountered to implement the Convention and the main solutions found or envisaged to overcome them:

Poor reporting and documentation make it hard to paint a clear picture of the state of CCIs in Lesotho. Lacking qualitative data also compromises the integrity of studies that may be conducted on CCI at this stage. Participation in the music industry is skewed towards men, while crafts are dominated by women. Most artists export their products to South Africa, United States, Kazakhstan and Canada. The creative arts industry competitiveness is undermined by piracy and poor protection of intellectual property rights and indigenous knowledge, poor coordination by agencies supporting creative industries, low quality products since most artists do not have formal arts or crafts training and thus rely on natural talent, limited business and marketing skills, inadequate infrastructure support, limited sources of funding, marginalisation of creative arts in policies and plans, the industry is also characterized by fragmented production and no organized collection centers. The CCI are still heavily marginalised in terms of national budgeting, financing by other means and governance. Lesotho does not have an independent research council that oversees collection of data by foreign interests, which leaves practitioners vulnerable to exploitation, particularly in cases where they are providing content for the foreign interests Cultural policy *It is impossible to measure the outcome/ results of the sector because it is largely informal at this stage (there are proper structures within the industry, but steps still need to be taken to mainstream these structures) *The government yet to fully establish regulatory bodies for the individual sectors within CCI. *Political will is not as forthcoming as would be desired. Gender and development policy *it is not being implemented yet because the policy was just reviewed recently. *there is a limited budget to facilitate its rollout. *not all the sections of the policy will be implemented; instead the Ministry charged with this policy will identify a social need and recommend relevant organisations or ministries to take on responsibilities. Media policy *poor quality production suggests that a set of content standards must be formulated by the industry. *lack of financial support from the government, due to limited resources being prioritised elsewhere *an excess of raw content which requires a lot of post-production work Sectorial Shadowing: In some cases, sectors are misrepresented, for example; official legislation governing the film sector is represented under the ministry of communications through the Communications act instead of the ministry of culture. While the department of culture and department of communications are key to the development

of the film sector, it is important to draw parameters on which roles each department plays. Department of culture would be instrumental for building the capacity of practitioners to develop the Creative industries while communications should be imperative to distributing content developed. Secondly, the CCIs are clustered together with tourism where tourism is given more prominence; this limits the chances of CCIs being recognised as an independent planning and development area in terms of prioritisation and resource allocation. The current CCI policy is not supported by any legal statute rendering it not viable to enforce implementation. Registration of practitioners: Furthermore, CCI practitioners and institutions need to be legally registered and form associations which are properly administered under one umbrella body (such as the arts council). While there are a number of legally registered associations endorsed by the department of culture as its representatives; lacking is the support needed to make these associations thrive to their full capacity.

Describe the steps planned in the next four years to further implement the Convention and the priority areas identified for future policy action based on the conclusions of the current reporting process:

- CCI NGOs must work together to ensure that associations are formed for the various disciplines; this will help to collect statistical data on the number of artists and cultural practitioners in the country and what they do. This will help the state identify artists, what they do, their contribution to the economy, professional development required and the challenges they face and where they are.
- These NGOs must also take it upon themselves to conscientise the public on the value of CCIs, through awareness campaigns and lobbying.
- MTEC to foster collaboration with UNESCO to conduct information, education and communication meetings in order to raise awareness about the convention and the opportunities available.
- Establishment of a National Arts Council and Endowment fund to protect the rights and interests of artists.
- Inter-ministerial dialogues to take place to recognise the value of artists as professionals with significant contributions to make in the social and economic development of the country.
- Advocate for the presentation of a language policy, which will also enable better cultural production as it will allow for more diversity.
- Promote the use of indigenous languages on all our broadcasting platforms through the media policy, this includes minority languages and sign-language as well.
- The NSDP2 recognises the value of CCI therefore better efforts are being made to implement CCI related initiatives.
- The establishment of online media portals will continue.
- The LNBS currently has a 85:15 ration of local content and aims to reach 90:10 in the near future.
- New policies will be reviewed with a deliberate intention to emphasise CCI across all areas of development.
- Clear funding channels and models will be introduced to assist creatives, including an arts trust fund.
- Once formed, the arts council will be responsible for the monitoring and evaluation of CCIs.
- Plans are underway to set up an independent media board to motivate freedom of press and regulation.
- Steps towards developing and instituting cyber laws and content specific regulations are also being taken.
- The LNDC and Ministry of Trade are exploring strategies for export and international trade by CCI, although these strategies are not necessarily sector specific, and this will have to be refined.
- Implementation of the NSDP2 with regards to CCIs should be the responsibility of practitioners and other stakeholders, not just the government.
- Deadlines should be set for the implementation of policies along with other checks and balances.
- CCIs should be included as part of career guidance for young people and their guardians.
- Curriculum designers must cooperate with teachers on how to apply talent and creativity to the curriculum in a manner that is relevant to CCIs.
- Government must facilitate professional development for teachers to implement the new curriculum more effectively.
- Institution of higher learning must also assimilate the teaching of creative subjects within their creative courses.


ANNEXES

Please upload relevant documents (law, policy, agreement, regulation, strategy, etc.), studies and statistics in PDF format related to the implementation of the 4 goals and the 11 areas of monitoring of the Convention in your country. The documents should have been produced during the reporting period covered by this

periodic report. Please provide the title and a description of the main content of the document in English or French.:

Attachment

 National Strategic Development Plan

 media_sector_reforms_report.pdf

SUBMISSION

Designated official signing the report:

Title: Ms.

First name: Lineo

Family name: Segoete

Organization: Ba re e ne re Literary Arts

Position: Co-director

Date of submission:

2020

Electronic Signature:



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