

**PROGRAMME OF COOPERATION IN THE FIELDS OF ARTS  
AND CULTURE**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF INDIA**

**AND**

**THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA**

**FOR THE YEARS 2016-19**

The Government of the Republic of India and the Government of the Republic of South Africa (hereinafter jointly referred to as the "Parties" and individually as a "Party");

**RECALLING** of Article 6 of the Agreement on Cooperation in the field of Education, Arts, Culture and Sport between the Parties in New Delhi on 4 December 1996; and

**DESIRING** to strengthen the cultural relations between the Parties through a Programme of Cooperation in the fields of Arts and Culture.

**HAVE AGREED**, as follows:

#### **ARTICLE 1**

##### **COMPETENT AUTHORITIES**

1. The Competent Authorities responsible for the implementation of this Programme of Cooperation shall be—

- (a) in the case of the Republic of South Africa, the Department of Arts and Culture; and
- (b) in the case of the Republic of India, the Ministry of Culture.

#### **ARTICLE 2**

##### **EXCHANGE OF INFORMATION**

(1) The Parties shall promote exchange of information, experience and documentation relating to historical and cultural contacts and other activities relating to cultural administration.

(2) Regular direct contacts shall be maintained between the Department of Arts and Culture of the Republic of South Africa and the Ministry of Culture of the Republic of India.

### **ARTICLE 3**

#### **ASSOCIATIONS, INSTITUTIONS AND INDIVIDUALS**

3. The Parties shall encourage and where possible, facilitate the establishment of contacts and co-operation between their respective associations, institutions and individuals in the fields of music, theatre, library, museum, performing arts and creative industries on both government and non-government levels.

### **ARTICLE 4**

#### **HANDICRAFTS EXHIBITION**

4. (1) The Republic of South Africa will send a handicraft exhibition to the Republic of India for a period of 7-10 days and the Republic of India will send a handicraft exhibition to the Republic of South Africa for the same period of 7-10 days.

(2) The exhibition referred to in sub-Article 1 will be accompanied by one official in charge of the exhibition along with five experts or crafts person for live demonstrations of their traditional craft skills.

(3) Dates and other details of such exchange will be mutually agreed upon by the Parties through diplomatic channels.

## **ARTICLE 5**

### **DESIGN**

5. The Parties shall encourage exchange of skills by—
- (a) exchange and transfer of skills in design and design related activities between the two countries;
  - (b) training in intellectual property in the design industry; and
  - (c) collaboration and exchanges in the areas of design, education and research as well as transfer of skills and technology in design and allied areas.

## **ARTICLE 6**

### **BOOKS AND PUBLISHING**

6. (1) The Parties shall encourage the study of their country's literature by encouraging the translation of literary works into each other's languages.
- (2) Both Parties will exchange a team of 6-7 writers for a period of seven days on reciprocal basis. Details of such visits shall be mutually decided by the Parties through diplomatic channels.

**ARTICLE 7**  
**PERFORMING ARTS**

7. (1) The Parties shall promote exchanges in the field of the performing arts.

(a) During the validity of this Programme of Cooperation, the Parties will exchange music and dance ensembles or individual performing artists for a total of 15 persons and for a period not exceeding 10 days each.

(b) Dates and other details of such exchange will be mutually agreed upon by the Parties through diplomatic channels.

(2) The Parties will encourage a reciprocal exchange between theatre and performance making institutions of the respective countries

(3)(a) Both Parties will have a reciprocal exchange of Theatre In Education Company's performance in schools of the respective countries.

(b) The Theatre in Education Company's productions from South Africa may participate in the Children's Theatre Festival organised by the Theatre in Education Company, National School of Drama (NSD) and vice versa.

(4)(a) Both Parties will have a reciprocal exchange of play directors to direct plays.

(b) The play director from South Africa may be invited to do productions for NSD students and vice versa.

- (5) Both Parties will send their respective repertory productions in each other countries theatre festivals on a reciprocal basis.
- (6) Both Parties will invite theatre experts and faculty members to participate in lecture series or workshop organised by respective theatre institutions on a reciprocal basis.

## **ARTICLE 8**

### **FILM**

8. (1) The Parties shall promote mutual film weeks and presentations of new films, possibly accompanied by a delegation from the film sector.
- (2) The National Film and Video Foundation shall be the implementing institution on film for the Republic of South Africa and the Directorate of Film Festivals, Ministry of Information and Broadcasting, shall be the implementing institution for Republic of India.

## **ARTICLE 9**

### **ARCHIVES**

9. (1) The Parties shall promote the development of archives and documentary heritage of their respective countries.
- (2) It is agreed that:
  - (a) Both Parties will exchange archival experts to acquaint themselves with the archival practices in each other's country.

## ARTICLE 7

### PERFORMING ARTS

7. (1) The Parties shall promote exchanges in the field of the performing arts.

(a) During the validity of this Programme of Cooperation, the Parties will exchange music and dance ensembles or individual performing artists for a total of 15 persons and for a period not exceeding 10 days each.

(b) Dates and other details of such exchange will be mutually agreed upon by the Parties through diplomatic channels.

(2) The Parties will encourage a reciprocal exchange between theatre and performance making institutions of the respective countries

(3)(a) Both Parties will have a reciprocal exchange of Theatre In Education Company's performance in schools of the respective countries.

(b) The Theatre in Education Company's productions from South Africa may participate in the Children's Theatre Festival organised by the Theatre in Education Company, National School of Drama (NSD) and vice versa.

(4)(a) Both Parties will have a reciprocal exchange of play directors to direct plays.

(b) The play director from South Africa may be invited to do productions for NSD students and vice versa.

- (5) Both Parties will send their respective repertory productions in each other countries theatre festivals on a reciprocal basis.
- (6) Both Parties will invite theatre experts and faculty members to participate in lecture series or workshop organised by respective theatre institutions on a reciprocal basis.

## **ARTICLE 8**

### **FILM**

8. (1) The Parties shall promote mutual film weeks and presentations of new films, possibly accompanied by a delegation from the film sector.
- (2) The National Film and Video Foundation shall be the implementing institution on film for the Republic of South Africa and the Directorate of Film Festivals, Ministry of Information and Broadcasting, shall be the implementing institution for Republic of India.

## **ARTICLE 9**

### **ARCHIVES**

9. (1) The Parties shall promote the development of archives and documentary heritage of their respective countries.
- (2) It is agreed that:
  - (a) Both Parties will exchange archival experts to acquaint themselves with the archival practices in each other's country.



(b) Both National Archives will organise exhibition in each other's countries based on their archival collections on a mutually agreed theme, details of which shall be mutually agreed upon by the Parties through diplomatic channels.

(c) Both Parties will exchange copies of archival materials of mutual interests.

(d) Both Parties will cooperate and work on transnational nomination of the 'Archives of the Indentured Labour' for the United Nations Educational, Scientific and Cultural Organisation's (UNESCO) Memory of the World Register.

(e) The National Archives of India will provide technical assistance for developing training programmes for records management to the National Archives and Records of South Africa, details of which shall be mutually agreed upon by the Parties through diplomatic channels.

(f) The National Archives of India and the National Archives and Records of South Africa would cooperate and work on a joint publication on 'India's role in the Liberation Struggle in South Africa', details of which shall be mutually agreed upon by the Parties through diplomatic channels.

## **ARTICLE 10**

### **HERITAGE**

**10.** (1)(a) The Parties shall encourage the study and research on monuments and antiquities (besides conservation and preservation of monuments pertaining to the medieval period) by exchange of experts.

(b) Details shall be determined by the Parties through mutual consultations.

(2)(a) Both Parties will support cooperation in the field of protection, conservation and promotion of the cultural heritage of both countries.

(b) The Parties will exchange one expert each in the field of protection and conservation of ancient monuments and archaeological sites, art objects and development of archaeological site museums for a two-week period, details of which shall be mutually agreed upon by the Parties through diplomatic channels.

(3) Both Parties will consider the exchange of three experts for a period of two weeks to acquaint themselves with archaeological collection of each other's country for carrying out scientific research, details of which shall be mutually agreed upon by the Parties through diplomatic channels.

(4)(a) Both Parties will promote cooperation between the two countries including reciprocal exchange of experts for a period of one week and exchange of publications or journals of archaeological historical importance on each other's interest on such terms as may be mutually agreed upon by the Parties.

(b) Details of exchange shall be mutually agreed upon by the Parties through diplomatic channels

(5) Both Parties will exchange archaeological exhibition going on in both the countries with special reference to the 'Stone Age to Colonial Period', and it will be marked out through diplomatic channels.

## **ARTICLE 11**

### **LIBRARIES**

**11.** (1) National Library of South Africa will exchange on reciprocal basis publications and other reading materials of mutual interest with the National Library of India.

(2) The Parties will assist in the exchange of visits of library experts on a reciprocal basis with a view to promote library activities between both countries, on such terms as may be agreed upon by the National Library of South Africa and National Library of India.

## **ARTICLE 12**

### **EXHIBITIONS**

**12.** (1) The Parties shall exchange exhibitions of contemporary art between their respective countries on reciprocal basis.

(2) Both Parties will exchange exhibitions of Contemporary, Folk and Tribal art.

(3)(a) The Lalit Kala Akademi of India will invite the participation of South African artists in Triennale-India 2016, as per the selection of artists made by Triennale Selection Committee.

(b) South Africa will invite Lalit Kala Akademi to participate in a similar programme on reciprocal basis.

- (4)(a) The Parties will exchange two museum personnel and two conservators for a period of four weeks, details of which will be determined by them on mutual basis through diplomatic channels.
- (b) Exchange of exhibition & publications will also be undertaken, details of which shall be determined by the Parties on mutual basis through the diplomatic channel.

### **ARTICLE 13**

#### **YOUTH AFFAIRS**

**13.** The respective departments or ministries responsible for youth affairs in the respective countries would exchange a 50 member youth delegation comprising of youth from various field and officials for a period of 10 days under Annual Youth Exchange Programme.

### **ARTICLE 14**

#### **EXCHANGE OF INDIVIDUALS AND EXHIBITIONS**

**14.** (1) Each party shall furnish the other Party with the personal data (including spoken language), work plan and proposed itinerary of the delegations or individuals selected under this Programme of Cooperation at least two months before the expected date of the proposed visit and at least three months in advance in the case of performing delegations and exhibitions.

(2) The receiving Party shall indicate the acceptance or otherwise of the proposal within one month after the receipt of the said proposal.

(3) After approval has been received, the sending Party shall inform the receiving Party at least three weeks in advance of the exact mode and time of arrival of the persons concerned.

(4)(a) Each Party shall have the right to use the materials exchanged in the field of information in its own programme and such materials may not be given to a third party.

(b) The receiving Party shall be responsible for the protection of authors' and artists' rights (without these contravening each Country's Constitution) as well as for transportation expenses within the host country.

(5) The sending Party shall send all the necessary information regarding the space needed for the exhibition and information for compiling the catalogues, etc. three months prior to the opening of the exhibition, if possible, and shall send the exhibits at least six months prior to the opening of the exhibition.

(6) One artist or commissioner will accompany the exhibition, if considered necessary by the sending Party, and shall be provided with local hospitality (accommodation, meals and transport) by the receiving Party.

(7) The receiving Party shall provide medical care in the case of emergency.

## ARTICLE 15

### FINANCIAL ARRANGEMENTS

15. (1) The sending Party shall cover the international transportation costs connected with the transportation of the exhibits to the first place of their

destination in the receiving country and back to the first place of their destination in the sending country from the last place of exhibition in the receiving country.

(2) The receiving Party shall, at its own expense, ensure the installation of the exhibition and its preparation including preparations of the catalogues, brochures etc.

(3)(a) The sending Party shall cover the cost of insurance for the period that the exhibition is out of the country.

(b) In case the sending Party suffers any loss or damages to the exhibits, the receiving Party shall be obliged to get all the documents relating to the loss or assist the sending Party to claim compensation from the insurance.

(c) The costs connected with the acquisition of the said documents are to be covered by the receiving Party.

(4) If the exhibition is sent to a third country, the costs connected with the transportation are not to exceed the expected expenses for its transportation to the sending country.

(5) A separate agreement shall be signed, where necessary, between the sponsoring and receiving institutions.

(6) During the exchange of exhibition all financial matters and mutual commitments (such as costs connected with the exhibits, transportation and insurance, customs and warehousing charges, security guarantee, etc) shall be agreed upon by the concerned participants of both Parties in every specific case and recorded in a separate agreement signed by them.

(7) The visiting country will bear the international airfare while the host country will bear the boarding lodging and local expenses of the delegates exchanged under the Youth Exchange Programme.

## ARTICLE 16

### INTELLECTUAL PROPERTY

16. Issues pertaining to intellectual property rights arising from cooperative activities under this Programme of Cooperation shall be subject to the national laws of the respective Parties.

## ARTICLE 17

### AMENDMENTS

17. This Programme of Cooperation may be amended at any time by mutual written consent of the Parties by an Exchange of Notes between the Parties through the diplomatic channel.

## ARTICLE 18

### SETTLEMENT OF DISPUTES

18. Any dispute between the Parties arising out of the interpretation, application or implementation of this Programme of Cooperation shall be settled amicably through consultation or negotiations between the Parties.

## ARTICLE 19

### ENTRY INTO FORCE, DURATION AND TERMINATION

19. (1) This Programme shall enter into force on the date of its signature by the Parties and shall remain in force until **31<sup>st</sup> December 2019** whereafter it shall be renewed automatically for a period of three years unless terminated by either

Party giving six months' written notice in advance through the diplomatic channel of its intention to terminate this Programme of Cooperation.

(2) The provisions of this Programme of Cooperation shall not preclude the Parties from agreeing through the diplomatic channel, on other arrangements which they may deem desirable.

**IN WITNESS WHEREOF** the undersigned, being duly authorised by their respective Governments, have signed and sealed this Programme of Cooperation.

Done at Pretoria on this 8<sup>th</sup> day of July 2016 in two originals each in the English and Hindi languages, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

R. Ganeshyam

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF INDIA**

N. N. N. N.

**FOR THE GOVERNMENT OF THE  
REPUBLIC OF SOUTH AFRICA**