

# A Town Full of Nothing to Do

*Travels in Burkina Faso*

*Mark Moxon*





C O M M O N S D E E D

## Attribution-NonCommercial-NoDerivs 2.0

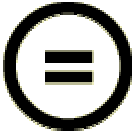
You are free to copy, distribute, display, and perform the work under the following conditions:



**Attribution.** You must give the original author credit.



**Non-commercial.** You may not use this work for commercial purposes.



**No Derivative Works.** You may not alter, transform, or build upon this work.

- For any reuse or distribution, you must make clear to others the licence terms of this work.
- Any of these conditions can be waived if you get permission from the author.

**Your fair use and other rights are in no way affected by the above.**

This is a human-readable summary of the Legal Code (the full licence), which is shown at the end of this work.

*A Town Full of Nothing to Do: Travels in Burkina Faso*  
v1.0, September 2004

Cover Photograph: Ouagadougou Cathedral

# Contents

<b>Foreword .....</b>	<b>5</b>
<b>Map .....</b>	<b>7</b>
<b>Burkina Faso.....</b>	<b>8</b>
Friendly in French .....	8
Ouagadougou.....	14
Thoughts on Leaving.....	23
<b>Further Reading .....</b>	<b>27</b>
<b>Copyright Notice.....</b>	<b>29</b>

# Foreword

This book is a collection of writing from the road, covering a one-week trip I made to Burkina Faso in 2002. This was part of a larger, three-month journey that took me through Senegal, the Gambia, Mali, Burkina Faso and Ghana from 1995 to 1998.

The travelogue for all these countries and more can be found at my personal website at [www.moxon.net](http://www.moxon.net), where you can also find travel tips, recommended journeys and further free books for you to download. If you enjoy reading this book, then I'd be delighted if you would sign my website's Guestbook.

I've released this book and its companions via a Creative Commons Licence, which means you are free to distribute it to everyone and anyone, as long as you distribute it on a non-commercial basis and make no changes to it. If you know someone who might like this book, please pass it on; I make no money from it, but I do enjoy the thought of people reading it and recommending it to their friends.

Finally, please be aware that this book is highly satirical, which means there's a slight chance that it might cause offence those who think my sense of humour is amusing as a puddle of mud. On top of this,

some parts will be out of date – which is why each article is dated – and others will betray the naivety of a traveller who discovered his way in the world by throwing himself into it headfirst. It is, however, an honest account of how I felt as I travelled through West Africa for three months, and as such, I hope you enjoy it.

Mark Moxon, September 2004

**[www.moxon.net](http://www.moxon.net)**

# Map



# Burkina Faso

## Friendly in French

*Written: 11 December 2002*

I've written before about the difficulties of communicating in a foreign language – French, in the case of Mali and Senegal – but on the way to Ouagadougou, the capital of the Francophone Burkina Faso, I realised exactly how confusing things can get when you combine a language in which you're not fluent, a culture in which you're not versed, and a fundamental aspect of life at which you, basically, suck.

It started on the bus from Ouahigouya (pronounced 'Wae-goo-yah') to Ouagadougou (pronounced 'Wagadoo-goo'), which I had to take after the bus from Mopti terminated unexpectedly (well, unexpectedly for me, anyway; I bet everyone else knew it was going to do that). Things were going well, and we sped along the highway at an unusually constant speed, for once not having to slow down to avoid potholes as, amazingly, there were none; I passed the time by looking out for kilometre markers for Ouagadougou, which signalled our progress in five kilometre chunks. I was happy in my own little world, staring out of the darkness into Burkina Faso, wondering where I was going to end up

that night, and looking forward to drawing some nice long lines on the map.

A couple of hours into the journey we stopped at a small town, and the little girl who'd been nervously sitting next to me got off with her mum. A bunch of people jumped on instead, but I didn't really notice the young woman who sat next to me; I was too busy counting kilometre markers and dreaming of having a nice warm shower and a clean set of clothes, but soon enough she leaned over to me and asked me in French whether I was heading to Ouagadougou.

So we made cocktail-party conversation for a few minutes, and I explained how I'm travelling for a year, that I'm heading through to Ghana, that I've been to Senegal, Mali and the Gambia, and that my French is pretty basic because I'm English... and so on. I've explained my story so many times in French that I've got it down to a fine art, but the problem with my French is in the comprehension; if I don't know a word when I'm speaking then I can normally explain my way around it, but if I don't understand a word that someone else says, I have to ask them either to repeat it so I can look it up, or to explain what they mean. The upshot is that to the untrained ear it sounds as if I'm having a really animated conversation with my neighbour on the bus, but in reality we're spending over half the time with me either not understanding what's going on and simply

nodding, desperately hoping for a sentence I can understand and latch onto, or with me trying to understand the explanation of a particular word or phrase that's key to the discussion. It's better than going round not making an effort, but it's a long way from a real conversation.

Still, Tani, my companion on the bus, seemed happy and genuinely interested in what I was saying, and although I only understood a tiny portion of what she was saying, the conversation made the journey pass quicker than counting the kilometre markers. It also turned out that Tani was staying in a hotel in the centre of town, like me, and as the bus depot was a fair old trek from the town centre, we decided to share a taxi into town for the princely sum of CFA900. The taxi dropped us off, I paid for it to save having to fumble around with finding CFA450 each in change and because Tani had kindly run the negotiation process with the taxi driver, and we went our separate ways, but not after Tani had said she'd pop round at 3pm the next day to say hello. I sleepily nodded my assent; I was more interested in hitting the sack than planning tomorrow.

## **Date Paranoia**

The thing is, I'm hopeless at spotting when romance is in the air, and I'm incredibly shy when it comes to the mating game, and this means I rarely spot when

someone is fluttering their eyelashes at me in that special way... until too late. I have no idea if Tani was just being friendly, was interested in simply chatting to a visitor to her country, or had more subtle plans of her own, but something didn't feel right. As soon as I dumped my bag, washed off the journey and lay down to sleep, I started worrying about the next day. The thought of spending an afternoon with a pretty local girl, speaking French and suffering through a combination of language difficulties and cultural differences, scared the hell out of me, and I didn't know what to do. Perhaps she wouldn't turn up? Perhaps it would be fine? Perhaps we'd just grab a cup of coffee, make polite conversation and leave it at that? Maybe she'd bring a friend to soften the blow? Who knows, but the shy part of me didn't relish finding out. I've always loathed the dating game; to have to go through it in French was too much to bear, even if it turned out to be just my paranoia.

Three o'clock came and went, and by four o'clock I was sagging with relief; it looked like I'd been stood up, so I just sat out in the courtyard of the *Fondation Charles Dufour*, the lovely little hostel I'd chosen, and chatted to the others staying there. It looked as if I was going to get out of my obligations without losing face, but then Tani walked in, and I clammed up.

Luckily it turned out that Tani knew one of the guys who worked at the *fondation*, so they chatted away in

French while I sat there, a polite smile fixed on my face as conversation flew around me without dropping any hints as to its content. I said my pleasantries and basically did my best, but my French wasn't good enough to know whether Tani was dropping hints or not. She kept saying she'd just been to the local *salon du thé* and that it was very nice, which could have been polite conversation, or it could have been a hint that we could go there for a cuppa and a natter. I had no idea what to do, so avoiding the issue completely I just sat there, grinned my nervous and slightly stupid grin, and probably looked for all the world like a nervous rabbit caught in the headlights of an oncoming truck. It's how I felt, anyway.

After a while Tani asked me what I was doing that night, and I used the excuse I'd prepared in cahoots with two English girls who were sharing the dormitory, and in whom I'd confided my concerns (because, interestingly, they had a guy supposedly visiting them the next day as well, and they felt the same way as I did). One of the girls, Lara, was ill with a throat infection, and the other, Clare, spoke no French, so I told Tani I'd offered to take Clare out to a restaurant so she wouldn't struggle with the language on her first night in Burkina. This seemed to do the trick without causing too much offence, though Tani looked disappointed; she soon said she had to go back to her

hotel to take a shower, and we said our goodbyes with a shake of the hand and an *enchanté* or two, and a tentative ‘*À demain?*’ from Tani. I replied with an *inshallah* and let her go, feeling utterly guilty and wholly confused. Was I being rude? I have no idea, but I felt like I’d just chucked someone. What a palaver.

I also realised that if this had been an English-speaking country, there would have been absolutely no problem. I’d have gone out for a cup of tea with her without thinking about it, because I’d have known the score... and if things had got a little weird, I’d have been able to explain all about my girlfriend (who often graduates into a fiancée or even a wife when I’m travelling, as it’s simpler that way) and I wouldn’t have felt so bad. As it was, it felt like I was playing Russian roulette in Russian, and I don’t even *like* vodka.

The next day Tani popped round again, but this time I shamefully hid in the dormitory while one of the girls said I wasn’t in. All I could think of was getting my Ghanaian visa and heading to a country where daily communication would be in English. Evidently my Francophone days are numbered; French might be the language of love, but I’ve never been terribly fluent in either of them...

# Ouagadougou

*Written: 12 December 2002*

Poor old Ouagadougou, it really doesn't stand a chance. Despite sounding like a 1970s concept album, the capital city of Burkina Faso reflects the country it represents, in that it has no serious tourist attractions; for this heinous crime it's rarely anything other than a transit city for people travelling between Mali and Ghana. For me it was exactly that, and I expected nothing other than a few days of killing time while waiting for the legendary bureaucracy of Ghana to chug its way through my visa application.

Perhaps because I was expecting absolutely nothing, I really liked Ouaga. It doesn't have anything particularly stunning to occupy the average visitor – there's a big market, an ugly cathedral, a museum and that's about it – but what it does have is a congenial atmosphere, friendly people, not too much hassle and shops absolutely everywhere. Walking round Ouaga is fascinating simply because its shops are so varied, and every few metres there's another pile of merchandise spilling out onto the street and making the mopeds swerve.

On a walk from the *Fondation Charles Dufour* to the other side of town, I started jotting down a list of all the different shops I passed *en route*. I ran out of space after a few blocks, but what I saw was fascinating. Just

round the corner from the hostel sits a *quincaillerie* with white porcelain toilets stacked in piles of three, propped up by bags of cement and surrounded by electric fans and plastic garden seats. A photo booth next door offers instant passport photos and film developing, despite the almost totally empty interior making it look more like the after-effects of a recession; it appears to be business as usual, though.

A block away a sign points to a shady-looking grille which apparently sells armaments, and the men sitting on the veranda shout, 'Monsieur, monsieur, come and look at our guns!' Bustling on past the music shop that blares out loud American rap music, there's a man carrying a huge board of stickers sporting colourful slogans like 'I love Jesus', 'Allah is the One' and 'Osama bin Laden' (the latter also appears on countless T-shirts, normally with fighter planes flying over his head). Past the seed shop – which specialises in 'vegetables, flowers, grass and plants for the tropical zone' – sits one of the countless telecentres, offering telephone calls, faxing, photocopying and anything else they can squeeze out of their tiny booth-like cabin. Meanwhile the tyres piled high next door threaten to tumble onto the delicately stacked bicycles on the other side, as we move into a slightly more industrial zone.

If motors are your thing there's a shop with eight massive car engines, sitting like huge metal hearts on

yellow tables in the middle of the street, and next door air compressors are the dish of the day, their shiny aluminium casings polished bright in the afternoon sun. Dotted around the next corner are scores of shacks flogging electrical equipment, the TV aerials and multi-plug extension leads hanging from the awnings like sausages in a butchers' shop, while one door along stacks of orange gas canisters bake dangerously in the midday heat alongside rolls of wire mesh, gas cookers and piles of colourful rope. One street on is the Chinese corner, with one spotless shop selling traditional Chinese remedies, another one selling neatly packaged oriental decorations, and a third mopping up the market with all those nick-nacks that you don't know you need until you wander into the shop.

A little further up town things take on a classier air, with two supermarkets selling packaged western goods and luxuries like cheese, wine, and meat that isn't smothered in flies, while next door an incredibly smart shop sells satellite dishes, televisions and DVD players, a stark contrast to the little boys begging with their tin-can bowls in the street. A couple of doors down lies a shop that is perfectly western in its appearance; it's a wine shop that presents its bottles in landscaped pine-wood window dressing, and while the inside of the shop looks no smarter than an off-licence back home, it feels utterly out of place and incredibly decadent in this, the

capital city of one of the world's five poorest countries. The clothes store next door carries fashionable items that have floated down from the catwalks of Paris and Milan, passing through an African tailor *en route*, and this classy street rounds off with a spotless scooter showroom, the latest models posing in a shroud of flashing lights and Christmas decorations.

For Christmas is coming and the rich are getting fat, but you too can join their ranks if you buy a lottery ticket from the LONAS stalls standing on every street corner, promising prizes of millions of CFAs and entry into the glossy wine shops of this world. Given the odds, though, it's probably better to spend your money in one of the coffee shacks around town, where super-sweet *café au lait* makes a wonderful accompaniment to a baguette filled with butter or mayonnaise. Alternatively the fruit stalls round the corner sell oranges, melons, guavas, bananas, papaya and a bunch of strange gourd-shaped fruits that no doubt taste as bizarre as they look.

But wander back through the stationery stores and past the colourful mattress shops with their piles of spongy foam and choices of garish covering material, and you come to the grittier end of town, outside the concrete bunker that houses the *grand marché*. Racked outside the market lives the sharp end of Burkina's sales pitch. Stands sell grilled skewers of unidentified meat, which you can pick up in a length of baguette for a

pittance; young boys guard ice boxes full of red, yellow and white bags of frozen drinks, sweet-tasting *bisap* going for a paltry CFA25 and quenching even the biggest thirst; just down the road a man presides over a collection of old Pastis bottles that now contain liquids of various shades of red and yellow, but this isn't *bisap*, it's petrol, ready to pour straight into the tanks of the motorbikes pattering round town through clouds of black exhaust. Young men with phone cards slotted into wooden holders wave them in people's faces, hoping that their technique will earn them a sale, and past the pink lights of the video rental shop and the dry cleaners squat the ugly block-like buildings of the banks, looking down on the busy capitalism of Burkina's commercial centre while brand names like Shell and Mobil tower over the shacks trying to scrape a living from passers-by. In their shadow a hopeful young man punts along the road carrying two fully decorated Christmas trees, the tinsel glittering in the glare from the headlights of the brand new Mercedes and shiny four-wheel-drives that cut up the home-made handcarts at the intersection.

And there aren't many places where you'll get a man running up to you, eager and enthusiastic, shouting '*Allo mon ami, ça va?*' as if he's got the bargain you've been waiting for all your life... only to try to sell you a moped. London's used-car salesman could learn a thing or two from the Burkinabe salesman, and that's really

saying something.

## **Civilisation**

But Ouaga isn't just about shops and shopping, it's about the incredible conflict between Burkina Faso being amazingly poor, and the quality of life in its capital for the casual visitor. After the big city shocks of Dakar and Bamako, Ouagadougou is a clean, ordered, polite and downright civilised city, perhaps best summed up by the fact that the city's grid-based road intersections are all controlled by traffic lights... and they're actually *obeyed*. This is highly unusual for West Africa, and makes wandering round the city possible without the constant game of hit-or-miss that normally characterises the African pedestrian experience.

Another welcome surprise after the dour food of Mali was the Restaurant Sindabad, a Lebanese restaurant which sounded good in the book and which turned out to be absolute heaven in reality. My first visit was with the two English girls who were also staying at the *fondation*, and who'd spent a couple of months in Ghana before heading to Mali; we spent the night swapping tips over a feast. I couldn't resist and ordered the hamburger special, and I was amazed when a genuine hamburger arrived in a big bun, with fries, coleslaw and pickles on the side. It tasted just like a real burger should, and I washed it down with a beautifully

cold bottle of So.b.bra, Burkina's local brew that's pronounced as it's spelt (i.e. 'So-bee-brah'). The restaurant was dimly lit by quaint little lights in wicker lampshades, and the thatched walls and copious trees and plants made it feel more like a travellers' haunt in Bali or Thailand, rather than a Lebanese shack in the capital of land-locked Burkina Faso. The prices were good (after Senegal and Mali, anyway), and we were so enthralled by the ambience and food that we went back the following night to celebrate Republic Day.

## **Republic Day**

Republic Day, which falls on 11 December, is a national holiday to celebrate the day in 1958 when the French territory of Upper Volta voted to become an autonomous state, paving the way for independence in 1960. Even though there have been plenty of political upheavals in Burkina since those heady days, Republic Day is still Burkina's principal holiday and the capital parties hard.

The most noticeable effect of Republic Day, apart from all the official buildings like banks and embassies being shut, is the large amount of drinking that goes on. Senegal and Mali are pretty Islamic in their approach to life, and although they're far from strict when it comes to alcohol, you don't tend to see people drinking in public – most pubs are hidden away from the street, and

although large signs advertising Flag, Castel and Guinness hang outside, you don't often get to see the infidels actually consuming alcohol. I remember getting a Coke one morning from the bottle-shop warehouse on the river front in Mopti, and as Brook and I stood there sipping what was to be our last cold drink before four days of corrugated hell on the public *pinasse*, a man came in, handed some cash to the proprietor, mumbled something under his breath, took the bottle that was handed to him and stood behind a stack of crates. I could still see him, and although it was 10am and Ramadan, he cracked open the chilled bottle of Castel and necked it in two or three long chugs. A swift burp later he dropped the bottle innocently into a crate of empties and strode out into the street, whistling. This struck me as odd, not so much because of the obvious alcohol problem this implied, but because you just don't see that much public drinking in the Sahel, at least not compared to the West. But there are alcoholics in West Africa just as there are alcoholics the world over, it's just that in Islamic Africa, they hide well.

But Burkina's capital doesn't seem to care about spilling its parties onto the street. Just around the corner from the *fondation*, in an unlikely position sandwiched between the city's Christian cemetery and the disappointingly ugly city cathedral, lies Rue Joseph Badoua, which is home to all sorts of shady looking bars

with glowing neon lights, blaring music and dimly lit tables cluttered with empty bottles. This is where the hardcore come to drink, and from the early hours of Republic Day the bars are full of people knocking back bottles of beer, spirits and probably some strange local brews as well. Mopeds lined up in front of the bars promise some interesting driving later in the day and this infectious celebration seems to permeate the rest of the city, though elsewhere there isn't quite as much overt decadence in sight. It was even enough to persuade me to have a couple of big beers at the Sindabad that night, quite a luxury for your average budget traveller.

And that was Ouagadougou. Perhaps it's precisely because tourists shoot straight through that it hasn't developed an attitude problem towards the white man; indeed, in Ouaga I saw more white people driving around than in any other place I've yet visited, and I met people from the UN Development Programme and wandered past what looked like a large UNICEF building, so perhaps the white invasion here has been aid-based instead of tourist-based. Whatever the reason, I thoroughly liked Ouaga and found it to be an easy-going and relaxing city, and after the turgid boredom of waiting around in Mopti, it was a relief to be enjoying my time in a town full of nothing to do.

# Thoughts on Leaving

*Written: 13 December 2002*

I don't really have any deep thoughts on leaving Burkina Faso, considering I didn't even have the decency to explore it. Like the vast majority of travellers I simply wandered in from Mali, grabbed a visa for Ghana and shot out on the first bus south. How rude of me; this is an entire country we're talking about, and I couldn't even be bothered to give it the time of day.

But don't blame Burkina for this; blame the fact that I'm not a natural French speaker, and now that I'm within the gravitational pull of Ghana – an Anglophone country that consistently get the thumbs up from travellers who've been there – I can't resist. I want to spend Christmas on the beach with people who speak English, and that's both a physical and social impossibility in land-locked French-speaking Burkina Faso; besides, Ghana is astoundingly Christian while Burkina isn't, so it has to be the better bet for the biggest Christian festival of all. But language and religion are just two factors; I need a holiday, and it sounds like Ghana can provide me with one.

Of the incredibly short amount of time I spent in Burkina Faso, I already have great memories, not because anything particularly spectacular happened, but because Burkina feels so different to Mali, and in a good way. Senegal and Mali felt – to me – a little

unwelcoming, but Burkina (or to be more precise, Ouagadougou) is full of friendly people who don't treat visitors like walking wallets. I fell into a routine of breakfasting in the coffee shops, lunching on fruit and dining in style, and my days were punctuated by visits to the reasonably priced internet cafés, hassle-free visa applications, and sitting round reading in the shady courtyard of the *fondation*. I didn't do anything memorable, but I already feel as if my Christmas holiday has begun.

A possible explanation for this stark difference between Burkina and the Sahel is in the country's history. From independence in 1960 to the last of a long line of coups in 1983, Upper Volta, as the country was then known, suffered from dictators, military coups, strikes, corruption and economic meltdown – a pretty typical African story, really. But in 1983 Captain Thomas Sankara seized power, renamed the country Burkina Faso (which means 'Land of the Incorruptible' in the country's two major languages) and started rooting out corruption. His socialist policies and charismatic leadership turned the tide and Burkina started improving, but most important of all he managed to make the people proud of their country, and it's this that shines through. It felt as if the Burkinabe wanted me to enjoy my visit to their country; it felt as if the Malians and the Senegalese simply wanted me to pay for my

visit to theirs.

Despite being assassinated in 1987 – like all good socialists Sankara alienated the country’s fat cats and was eventually overthrown himself – it’s Sankara’s legacy that Ouagadougou has such a wonderfully clean and ordered vibe, covered with a happily African veneer of madness and chaos that prevents it from being remotely boring or dour. For example, at one point Sankara decided that Ouaga needed sprucing up, so he ordered that all the houses on the principal routes should be painted white, and he knocked down the old market and built the current one, which was arguably not a good move, as the new one is a horrible concrete monstrosity, but at least he was trying. He cared about the capital, and it shows.

I was so impressed with Ouaga’s laid-back atmosphere that I briefly considered hopping on the bus to visit Bobo-Dioulasso in western Burkina – probably the closest thing to a tourist area in the country – but in the end the thought of good food by the sea prevailed, and I booked a ticket on the direct bus from Ouaga to Kumasi, in central Ghana. The direct bus only runs twice a week; it seemed a crime to miss it, and I can always come back to Burkina if I miss speaking French.

It’s a big ‘if’, but there are worse places to come back to. Our relationship was short, but I enjoyed my brief flirtation with Burkina, much to my relief.

**THE END**

## Further Reading

This story is continued in another of my books, *The Road to Jesus: Travels in Ghana* (also available for free from [www.moxon.net](http://www.moxon.net)). If you enjoyed this book, you might like to know that there's a whole series of free books like this available from [www.moxon.net](http://www.moxon.net), covering 16 countries and five continents:

- *The Back of Beyond: Travels in Australia*
- *God's Own Country: Travels in New Zealand*
- *Paradise Has Teeth: Travels in French Polynesia*
- *Hello Paul, What's Your Name? Travels in Indonesia*
- *Serious Fun: Travels in Singapore*
- *The Muddy Confluence: Travels in Malaysia*
- *Melted Meccano: Travels in Thailand*
- *Many Ways to Change Your Mind: Travels in India*
- *Roof of the World: Travels in Nepal*
- *Snaking Patterns of Sand: Travels in Morocco*
- *Snow on the Sun Loungers: Travels in Cyprus*
- *The Head and the Heart: Travels in Senegal*
- *A Million Mosquitoes Can't Be Wrong: Travels in the Gambia*

- *The Lapping of the Dunes: Travels in Mali*
- *A Town Full of Nothing to Do: Travels in Burkina Faso*
- *The Road to Jesus: Travels in Ghana*

If you know someone who might like any of my books, please pass them on; I make no money from this, but I do enjoy the thought of people reading my books and recommending them to their friends. If you've enjoyed reading my writing (or even if you haven't) I'd be delighted if you could sign my Guestbook at **www.moxon.net** – after all, it's the feedback that makes it all worthwhile.

Happy travels!

Mark Moxon, September 2004

**www.moxon.net**

# Copyright Notice



**Attribution-NonCommercial-NoDerivs 2.0**

CREATIVE COMMONS CORPORATION IS NOT A LAW FIRM AND DOES NOT PROVIDE LEGAL SERVICES. DISTRIBUTION OF THIS LICENSE DOES NOT CREATE AN ATTORNEY-CLIENT RELATIONSHIP. CREATIVE COMMONS PROVIDES THIS INFORMATION ON AN “AS-IS” BASIS. CREATIVE COMMONS MAKES NO WARRANTIES REGARDING THE INFORMATION PROVIDED, AND DISCLAIMS LIABILITY FOR DAMAGES RESULTING FROM ITS USE.

## *License*

THE WORK (AS DEFINED BELOW) IS PROVIDED UNDER THE TERMS OF THIS CREATIVE COMMONS PUBLIC LICENSE (“CCPL” OR “LICENSE”). THE WORK IS PROTECTED BY COPYRIGHT AND/OR OTHER APPLICABLE LAW. ANY USE OF THE WORK OTHER THAN AS AUTHORIZED UNDER THIS LICENSE OR COPYRIGHT LAW IS PROHIBITED.

BY EXERCISING ANY RIGHTS TO THE WORK PROVIDED HERE, YOU ACCEPT AND AGREE TO BE BOUND BY THE TERMS OF THIS LICENSE. THE LICENSOR GRANTS YOU THE RIGHTS CONTAINED HERE IN CONSIDERATION OF YOUR ACCEPTANCE OF SUCH TERMS AND CONDITIONS.

## **1. Definitions**

- a) **“Collective Work”** means a work, such as a periodical issue, anthology or encyclopedia, in which the Work in its entirety in unmodified form, along with a

number of other contributions, constituting separate and independent works in themselves, are assembled into a collective whole. A work that constitutes a Collective Work will not be considered a Derivative Work (as defined below) for the purposes of this License.

- b) “Derivative Work” means a work based upon the Work or upon the Work and other pre-existing works, such as a translation, musical arrangement, dramatization, fictionalization, motion picture version, sound recording, art reproduction, abridgment, condensation, or any other form in which the Work may be recast, transformed, or adapted, except that a work that constitutes a Collective Work will not be considered a Derivative Work for the purpose of this License. For the avoidance of doubt, where the Work is a musical composition or sound recording, the synchronization of the Work in timed-relation with a moving image (“synching”) will be considered a Derivative Work for the purpose of this License.
- c) “Licensor” means the individual or entity that offers the Work under the terms of this License.
- d) “Original Author” means the individual or entity who created the Work.
- e) “Work” means the copyrightable work of authorship offered under the terms of this License.
- f) “You” means an individual or entity exercising rights under this License who has not previously violated the terms of this License with respect to the Work, or who has received express permission from the Licensor to exercise rights under this License despite a previous violation.

**2. Fair Use Rights.** Nothing in this license is intended to reduce, limit, or restrict any rights arising from fair use, first sale or other limitations on the exclusive rights of the copyright owner under copyright law or other applicable laws.

**3. License Grant.** Subject to the terms and conditions of this License, Licensor hereby grants You a worldwide, royalty-free, non-exclusive, perpetual (for the duration of the applicable copyright) license to exercise the rights in the Work as stated below:

- a) to reproduce the Work, to incorporate the Work into one or more Collective Works, and to reproduce the Work as incorporated in the Collective Works;
- b) to distribute copies or phonorecords of, display publicly, perform publicly, and perform publicly by means of a digital audio transmission the Work including as incorporated in Collective Works;

The above rights may be exercised in all media and formats whether now known or hereafter devised. The above rights include the right to make such modifications as are technically necessary to exercise the rights in other media and formats, but otherwise you have no rights to make Derivative Works. All rights not expressly granted by Licensor are hereby reserved, including but not limited to the rights set forth in Sections 4(d) and 4(e).

**4. Restrictions.** The license granted in Section 3 above is expressly made subject to and limited by the following restrictions:

- a) You may distribute, publicly display, publicly perform, or publicly digitally perform the Work only under the terms of this License, and You must include a copy of, or the

Uniform Resource Identifier for, this License with every copy or phonorecord of the Work You distribute, publicly display, publicly perform, or publicly digitally perform. You may not offer or impose any terms on the Work that alter or restrict the terms of this License or the recipients' exercise of the rights granted hereunder. You may not sublicense the Work. You must keep intact all notices that refer to this License and to the disclaimer of warranties. You may not distribute, publicly display, publicly perform, or publicly digitally perform the Work with any technological measures that control access or use of the Work in a manner inconsistent with the terms of this License Agreement. The above applies to the Work as incorporated in a Collective Work, but this does not require the Collective Work apart from the Work itself to be made subject to the terms of this License. If You create a Collective Work, upon notice from any Licensor You must, to the extent practicable, remove from the Collective Work any reference to such Licensor or the Original Author, as requested.

- b) You may not exercise any of the rights granted to You in Section 3 above in any manner that is primarily intended for or directed toward commercial advantage or private monetary compensation. The exchange of the Work for other copyrighted works by means of digital file-sharing or otherwise shall not be considered to be intended for or directed toward commercial advantage or private monetary compensation, provided there is no payment of any monetary compensation in connection with the exchange of copyrighted works.
- c) If you distribute, publicly display, publicly perform, or publicly digitally perform the Work, You must keep intact all copyright notices for the Work and give the Original Author credit reasonable to the medium or means You are utilizing by conveying the name (or pseudonym if applicable) of the Original Author if supplied; the title of the Work if supplied; and to the extent reasonably practicable, the Uniform Resource Identifier, if any, that Licensor specifies to be associated with the Work, unless such URI does not refer to the copyright notice or licensing information for the Work. Such credit may be implemented in any reasonable manner; provided, however, that in the case of a Collective Work, at a minimum such credit will appear where any other comparable authorship credit appears and in a manner at least as prominent as such other comparable authorship credit.
- d) For the avoidance of doubt, where the Work is a musical composition:
  - i. **Performance Royalties Under Blanket Licenses.** Licensor reserves the exclusive right to collect, whether individually or via a performance rights society (e.g. ASCAP, BMI, SESAC), royalties for the public performance or public digital performance (e.g. webcast) of the Work if that performance is primarily intended for or directed toward commercial advantage or private monetary compensation.
  - ii. **Mechanical Rights and Statutory Royalties.** Licensor reserves the exclusive right to collect, whether individually or via a music rights agency or designated agent (e.g. Harry Fox Agency), royalties for any phonorecord You create from the Work ("cover version") and distribute, subject to the compulsory license created by 17 USC Section 115 of the US Copyright Act (or the equivalent in other jurisdictions), if Your distribution of such cover version is primarily intended for or directed toward commercial advantage or private monetary compensation.

- e) **Webcasting Rights and Statutory Royalties.** For the avoidance of doubt, where the Work is a sound recording, Licensor reserves the exclusive right to collect, whether individually or via a performance-rights society (e.g. SoundExchange), royalties for the public digital performance (e.g. webcast) of the Work, subject to the compulsory license created by 17 USC Section 114 of the US Copyright Act (or the equivalent in other jurisdictions), if Your public digital performance is primarily intended for or directed toward commercial advantage or private monetary compensation.

## **5. Representations, Warranties and Disclaimer**

UNLESS OTHERWISE MUTUALLY AGREED BY THE PARTIES IN WRITING, LICENSOR OFFERS THE WORK AS-IS AND MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND CONCERNING THE WORK, EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF TITLE, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NONINFRINGEMENT, OR THE ABSENCE OF LATENT OR OTHER DEFECTS, ACCURACY, OR THE PRESENCE OF ABSENCE OF ERRORS, WHETHER OR NOT DISCOVERABLE. SOME JURISDICTIONS DO NOT ALLOW THE EXCLUSION OF IMPLIED WARRANTIES, SO SUCH EXCLUSION MAY NOT APPLY TO YOU.

**6. Limitation on Liability.** EXCEPT TO THE EXTENT REQUIRED BY APPLICABLE LAW, IN NO EVENT WILL LICENSOR BE LIABLE TO YOU ON ANY LEGAL THEORY FOR ANY SPECIAL, INCIDENTAL, CONSEQUENTIAL, PUNITIVE OR EXEMPLARY DAMAGES ARISING OUT OF THIS LICENSE OR THE USE OF THE WORK, EVEN IF LICENSOR HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

## **7. Termination**

- a) This License and the rights granted hereunder will terminate automatically upon any breach by You of the terms of this License. Individuals or entities who have received Collective Works from You under this License, however, will not have their licenses terminated provided such individuals or entities remain in full compliance with those licenses. Sections 1, 2, 5, 6, 7, and 8 will survive any termination of this License.
- b) Subject to the above terms and conditions, the license granted here is perpetual (for the duration of the applicable copyright in the Work). Notwithstanding the above, Licensor reserves the right to release the Work under different license terms or to stop distributing the Work at any time; provided, however that any such election will not serve to withdraw this License (or any other license that has been, or is required to be, granted under the terms of this License), and this License will continue in full force and effect unless terminated as stated above.

## **8. Miscellaneous**

- a) Each time You distribute or publicly digitally perform the Work or a Collective Work, the Licensor offers to the recipient a license to the Work on the same terms and conditions as the license granted to You under this License.
- b) If any provision of this License is invalid or unenforceable under applicable law, it shall not affect the validity or enforceability of the remainder of the terms of this License, and without further action by the parties to this agreement, such provision shall be reformed to the minimum extent necessary to make such provision valid and

enforceable.

- c) No term or provision of this License shall be deemed waived and no breach consented to unless such waiver or consent shall be in writing and signed by the party to be charged with such waiver or consent.
- d) This License constitutes the entire agreement between the parties with respect to the Work licensed here. There are no understandings, agreements or representations with respect to the Work not specified here. Licensor shall not be bound by any additional provisions that may appear in any communication from You. This License may not be modified without the mutual written agreement of the Licensor and You.

Creative Commons is not a party to this License, and makes no warranty whatsoever in connection with the Work. Creative Commons will not be liable to You or any party on any legal theory for any damages whatsoever, including without limitation any general, special, incidental or consequential damages arising in connection to this license. Notwithstanding the foregoing two (2) sentences, if Creative Commons has expressly identified itself as the Licensor hereunder, it shall have all rights and obligations of Licensor.

Except for the limited purpose of indicating to the public that the Work is licensed under the CCPL, neither party will use the trademark "Creative Commons" or any related trademark or logo of Creative Commons without the prior written consent of Creative Commons. Any permitted use will be in compliance with Creative Commons' then-current trademark usage guidelines, as may be published on its website or otherwise made available upon request from time to time.

Creative Commons may be contacted at <http://creativecommons.org/>