

Marta Majorek & Marta du Vall



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**Cultural policy.
Funds for culture**



**European
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I. Introduction

The script is designed as a collection of texts referring to the basic issues related to the cultural policy of the European Union - its historical, legal and institutional context, but also the practical one. The adopted design assumptions allowed for a transparent presentation of the material, which, while being a coherent whole, can also be used in fragments, depending on the needs of students.

The material may be the first source of basic information on issues related to the culture in general, but it also could be a useful source of information for those who want to learn about the mechanisms concerning the EU support of media and cultural initiatives. Besides, students who need to learn how European Union law can directly affect individuals or institutional entities will find a relevant content served briefly and transparently.

The script is divided into four main parts and each of them is designed to constitute an independent whole, that refers to the content specified in its title.

The first chapter deals with basic concepts related to culture. In this part, students will find several definitions and explanations of basic terminology. Culture will be shown from different perspectives, including the evolution of the concept itself. Readers will learn what culture is and is not, what features are typical for it and which should not be associated with it at all. In addition to definitions overview, typologies of culture definitions will also be presented, it will, on the one hand, show the complexity of the problem, and on the other hand, will constitute a sort of arrangement of various approaches.

The second chapter focuses on the notion of cultural policy, its various forms and areas of influence. The cultural policy will also be presented at various levels: from local to global. After 1989, the sphere of culture in Poland has undergone - as a consequence of political transformation - many changes: artistic freedom has increased, and the cultural sector itself has undergone a profound transformation. An integral part of cultural policy is the culture management concept. In addition to public cultural institutions, non-governmental organizations and private entities began to operate within the sector of culture. Importantly, the culture management model has been modified, including its funding mechanisms. Although the area of culture was still covered by dominant state support, increasingly implemented by local government authorities, openness to the possibilities of financing culture from non-budgetary funds (including, among others, enterprises or private persons) became a novelty in the conditions of the free market economy. Analyz-

ing this approach, which is slightly different from the political context, is crucial for those who are studying in a field directly related to culture and management.

The next chapter is devoted to the European dimension of culture. First, readers become familiar with supranational institutions that deal with issues of culture, protection of its heritage and promotion of its diversity within an integrated Europe. This part will be devoted to the analysis of legal regulations in the field of culture at the European level. In legal literature, it is noted that Europe's cultural diversity consists of language, literature, theater, visual arts, architecture, crafts, cinema, radio and television broadcasts. It is emphasized that the elements that make up Europe's cultural diversity are, on the one hand, related to the respective countries or regions, and on the other, they form part of the common European cultural heritage.

The last part of this handbook is concentrated on the analysis of the most important programs and initiatives of the European Union in the field of culture. Familiarization with current programs gives the possibility of orientation in the areas of supporting the cultural sector by EU institutions. Good recognition of these fields gives the future opportunity to apply for EU funds, which will be able to support the original, creative initiatives of Film and TV Production graduates.

The entire handbook closes with a list of the most important terms that can be found in the textbook's chapters. The concepts have been simply defined, which will help organize the acquired knowledge. The main source of information was, above all, EU websites; home pages of individual EU institutions and programs, legal acts. The theoretical background comes from reviewed studies in the fields of sociology, management, and cultural studies. The literature collected in the footnotes, especially links to websites, should provide students with a valuable hint of where to look for current information on topics of interest to them.

II. Conceptualization of Culture

When starting to consider whether culture is a human distinctive feature, you should first consider what it is and what this term means. The term itself derives from the Latin language („cultura mentis“) and means: „cultivation of the earth.“ For the first time the word culture, as a term for the first philosophical concept in literature used Cicero in the work „Disputationes Tusculanae.“

„What would we be without you, not only us but what would human life be like? You founded cities, you brought scattered people to social life, you united them among themselves first through settlements, then through marriages, and finally through a community of speech and writing. You are an inventor of laws, a teacher of good manners and order.“

From that moment on, the term culture began to be used as a link with human activities such as education, improvement and nurturing.

The modern meaning of culture was first used in 1688 by Samuel Pufendorf in his work „De iure naturae et gentium“, where the words ‘cultura’ or ‘cultura animi’ were to mean all inventions introduced by man: social institutions, clothing, language, morality guided by reason and customs.

Over the centuries, the word was increasingly used by philosophers, and later also by scientists involved in social sciences. The result of this process has become its ambiguity. Therefore, today in use by scientists from various fields, the word will mean something else. And so, for the archaeologist, culture means - a set of material things found at the site of excavations, made of stone, metal, bone or wood, for a psychologist - a collection that primarily includes the individual's behavior, thoughts, feelings, and reactions; culture it manifests itself through a set of rules and motives of behavior, forms of expression, orders and prohibitions, assessments and judgments, whereas for a sociologist - a separate area of life and activities of human groups.

2.1 Culture distinguishes man

Since the earliest times, since science began to develop and ever since people realized their superiority over other animals, the answer to the question is sought - are there such things, features that would be appropriate only for our species? Is there something other animals don't have? Everyone was convinced that there must be such traits. However, they were divided by the terms of this distinguishing feature. Some reported that the ability to speak and communicate using symbols is such a feature. Others, in turn, believed that man was the only one who could use tools and drew attention to the fact that we are animals living in society.

Many philosophers believed, however, that each of these terms indicates only one of many features of a man that distinguishes him from other animals. They are not mutually exclusive, on the contrary - they complement each other. So finally they came to the conclusion that: „man is the creator and participant of culture¹.”

In this sense, we say that culture is all that has been created by man, what he has learned and which he can pass on to other people through non-genetic inheritance².

You do not need to convince anyone that this is a feature that distinguishes us from other animals. Its creation conditions our developed brain, which is also typical only for the human species. In the candles of animals, we can also find features typical of the culture. However, they appear in the form of ovules and therefore they are not so typical for these species. In bees, you can see the social form of everyday life and the ability to communicate using symbols such as dance. However, they cannot speak or use tools. Many species can adapt to new environmental conditions, but their limited communication capabilities do not allow them to inherit this information outside of genetics. For a human, the matter is simple. We learn new things, we have a baggage of experience, which we can save for our descendants using language, writing, reading skills, and they, in turn, can read and use this information in their lives.

¹ B. Szacka, Wprowadzenie do socjologii, Warszawa 2003, p. 176.

² Ibidem.

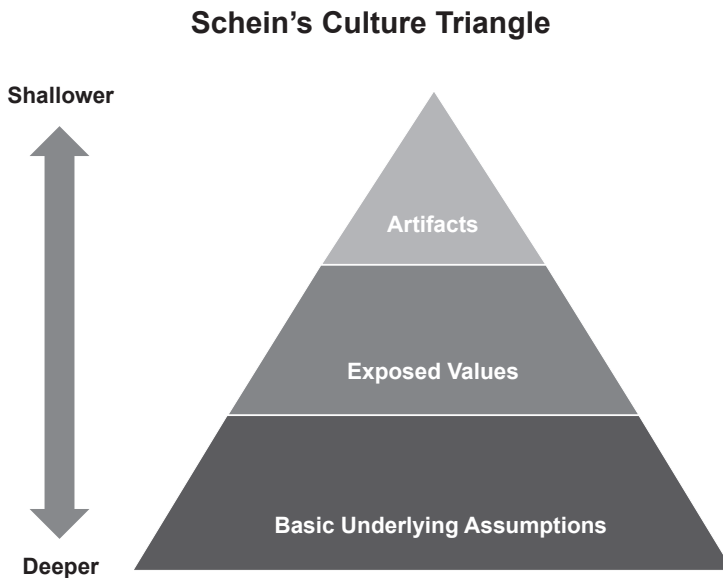
2.2 Characteristics of Culture

2.2.1 Culture is not uniform - it is multidimensional

In analyzing the culture of a particular group or organization it is desirable to distinguish three fundamental levels at which culture manifests itself:

- a) observable artifacts,
- b) values,
- c) basic underlying assumptions.

When one enters an organization one observes and feels its artifacts. This category includes everything from the physical layout, the dress code, how people address each other, the smell and feel of the place, its emotional intensity, and other phenomena, to the more permanent archival manifestations such as company records, products, statements of philosophy, and annual reports³.



1. Figure 1. Schein's Culture Triangle, Source: <https://www.google.com/url?sa=i&source=images&cd=&ved=2ahUKEwjep9WDk4DkAhVEC-wKHdU2DgEQjRx6BAg-BEAQ&url=https%3A%2F%2Fwww.tutor2u.net%2Fbusiness%2Freference%2F-models-of-organisational-culture-schein&psig=AOvVaw3mCuXA-nBZEFT-Kom-2Kqrj&ust=1565796036382962>

³ E. Schein, *Organizational culture*, "American Psychologist", Vol. 45 No. 2, pp. 109-19.

This level [visible artifacts] of analysis is tricky because the data are easy to obtain but hard to interpret. We can describe “how” a group constructs its environment and “what” behaviour patterns are discernible among the members, but we often cannot understand the underlying logic – “why” a group behaves the way it does. To analyze why members behave the way they do, we often look for the values that govern behaviour, which is the second level.

But as values are hard to observe directly, it is often necessary to infer them by interviewing key members of the organization or to content analyze artifacts such as documents and charters. However, in identifying such values, we usually note that they represent accurately only the manifest or espoused values of a culture⁴. That is the focus on what people say is the reason for their behaviour, what they ideally would like those reasons to be, and what are often their rationalizations for their behaviour. Yet, the underlying reasons for their behaviour remain concealed or unconscious. To really understand a culture and to ascertain more completely the group’s values and over behaviour, it is imperative to delve into the underlying assumptions, which are typically unconscious but which determine how group members perceive, think and feel. Such assumptions are learned responses that originated as espoused values. But, as a value leads to a behavior, and as that behaviour begins to solve the problem which prompted it in the first place, the value gradually is transformed into an underlying assumption about how things are. As the assumption is increasingly taken for granted, it drops out of awareness. Taken-for-granted assumptions are so powerful because they are less debatable and confrontable than espoused values. We know we are dealing with an assumption when we encounter in our informants a refusal to discuss something, or when they consider us „insane” or „ignorant” for bringing something up. For example, the notion that businesses should be profitable, that schools should educate, or that medicine should prolong life are assumptions, even though they are often considered „merely” values⁵.

To put it another way, the domain of values can be divided into:

- 1) ultimate, non-debatable, taken-for-granted values, for which the term “assumptions” is more appropriate; and
- 2) debatable, overt, espoused values, for which the term “values” is more applicable. In stating that basic assumptions are unconscious, this is not a result of repression. On the contrary, this is certain motivational and cognitive

⁴ B. Szacka, *Wprowadzenie...op.cit.*, p. 84.

⁵ H. Spencer-Oatey, *What is culture? A compilation of quotations*, GlobalPAD Core Concepts 2012.

processes are repeated and continue to work, and finally they become unconscious. They can be brought back to awareness only through a kind of focused inquiry, similar to that used by anthropologists. What is needed are the efforts of both an insider who makes the unconscious assumptions and an outsider who helps to uncover the assumptions by asking the right kinds of questions⁶.

2.2.2 Culture as a human attribute

Barbara Szacka presents a slightly different approach. She indicates four features of culture as a human attribute. They are the fact that it covers all human life, that it has no value, that it is a collective creation and that it is constantly growing and transforming over time.

- a) Culture covers all life. However, we do not realize that.

Even such ordinary things as breathing, nutrition or excretion and reproduction (the basic vital functions of every living organism) are under its influence.

Szacka gives nutrition as an example. Man needs food for life because it conditions the functioning of the whole organism. The resources of the natural environment have been deciding on what is consumed from the earliest times. People living by the sea have the opportunity to eat fish and shellfish, while those who live in warm climates have plenty of exotic fruits. However, why don't people eat everything that is fit for consumption?

Different peoples from around the world have different views about what you can eat. The tastiest dog meat for Chinese is disgusting for the Englishman or Frenchman. However, while the same Frenchman eats the frogs' legs, it is disgusting for our countrymen.

However, the impact of culture can be seen not only in the subject of consumable products. Also, the methods of preparing, serving and eating meals condition it⁷. Dishes are prepared in various ways with different additives. There are various

⁶ E. Schein, *Organizational Culture: A Dynamic Model*, MIT 1983, p. 3, <https://apps.dtic.mil/dtic/tr/fulltext/u2/a126613.pdf>

⁷ E. Babicz-Zielińska, M. Jeżewska-Zychowicz, *Wpływ czynników środowiskowych na wybór i spożycie żywności*, "Handel wewnętrzny" 2015 nr 2(355), p. 9.

ways to eat meals. Poles eat with a knife and a fork, while in China people eat with chopsticks, and Ethiopia with their hands. The same applies to drinking tea. For our countryman, this drink is normal, drunk every day for breakfast or dinner. For the Chinese, the method of brewing and drinking is a real ritual, while the English for a cup of tea take a special break during the day. The influence of culture can also be seen when sitting at the table and the order of meals. We sit at the table on the chairs, the Chinese and Japanese in turn kneeling eat meals.

b) Culture is not evaluative

Culture is not only what is good, noble and beautiful, but everything man-made

Certain practices may raise our opposition or moral outrage, but this does not mean that they are not elements of culture. As a result, no man can be said to be without culture, and at most that we don't like his culture. Cannibal culture is not without culture, although we condemn its cannibalism, which overwhelms us⁸.

The cultural adjective rather than cultural is used to emphasize the non-valuable nature of the concept of culture in anthropological descriptions of cultures. The latter has a common sense of positive valuation.

c) Culture is a collective creation.

Culture=collective creation. Something invented by man to become part of it, it must be accepted by the majority of society.

The culture was created and develops through people-to-people contacts. People learn how to react and behave in new circumstances. One man who behaves in a manner known to him will be considered a freak. The person who writes the diary also does not contribute to the development of culture. However, when the behavior of a given individual begins to be imitated by others and our diary introduced into social circulation, then it contributes to the development of culture and becomes part of it. There are two main interests in culture as a collective social creation.

⁸ See Y. S. Ivaschenko, A. V. Akhmetova, *The figure of a cannibal in the traditional Nanai culture*, "European Journal of Science and Theology", nr 12.4, 2016, p. 27-38.

First, as an objectified system; as something external to the people who created it. Attention is then focused on the connections of various elements of this system and its internal regularities.

Secondly, as a process of creating culture. In this case, attention is directed to how people „in the course of their existence invent new ways of thinking and acting both in mutual relations and concerning the nature that surrounds them [and] thus producing culture⁹.

d) Culture grows and transforms over time.

Culture is a cumulative experience that is „passed down from generation to generation through non-genetic inheritance”¹⁰.

If we went back a few centuries, we would notice the difference between our past lives and our contemporary people. It is not surprising that our grandparents cannot keep up with us, grandchildren. What is obsolete for us was a part of youth culture for our grandparents during their youth. And vice versa, what seems normal to us is stunning. However, all these elements will pass into the next generations, which will enrich and diversify them, which will create new cultural resources that contribute to its development.

It can be said that tradition is a very important and even indestructible ingredient. Awareness of common traditions is as strong as the power of nature. That is why culture is a steadfast attribute of everyday life. From the day when man realized the existence of culture, to this day, every person from an early age has to deal with its components. Thanks to them, each of us is humanized. First, it happens with the help of adults who teach it, present the good and bad sides of life, show how to deal with it. However, for a child to understand how to do all this, first all these values and traditions are instilled. After some time, this man begins to understand and value that culture is something important and necessary to exist in society. And thanks to this there is an increase in human activity - man takes courage to face this world and is ready to pass on ingredients and culture to the next generation¹¹.

⁹ M. Carrithers, *Why Humans Have Cultures: Explaining Anthropology and Social Diversity*, Oxford University Press 1992, p. 51.

¹⁰ B. Szacka, *Wprowadzenie...* op. cit.

¹¹ Ibidem.

2.3 Culture is learned

Culture is learned, not inherited. Culture should be distinguished from human nature on the one side, and an individual's personality on the other. Exactly where the borders lie between human nature and culture, and between culture and personality, is a matter of discussion among social scientists.

Culture derives from one's social environment, not from one's genes.

Human nature is what all human beings (from the Russian professor to the Australian aborigine) have in common: it represents the universal level in one's mental software. It is inherited with one's genes; within the computer analogy, it is the 'operating system' which determines one's physical and basic psychological functioning. The human ability to feel fear, anger, love, joy, sadness, the need to associate with others, to play and exercise oneself, the facility to observe the environment and talk about it with other humans all belong to this level of mental programming. However, what one does with these feelings, how one expresses fear, joy, observations, and so on, is modified by culture. Human nature is not as 'human' as the term suggests because certain aspects of it are shared with parts of the animal world. People learn as individuals. Therefore, if culture is learned, its ultimate locus must be in individuals rather than in groups. Cultural theory must [then] explain in what sense we can speak of culture as being shared or as the property of groups and what the processes are by which such sharing arises¹².

2.4 Culture is shared

Culture is shared by at least two or more people, and of course real, live societies are always larger than that. There is, in other words, no such thing as the culture of a hermit. If a solitary individual thinks and behaves in a certain way, that thought or action is idiosyncratic, not cultural.

¹² R. Keesing, *Theories of Culture Revisited*, "Canberra Anthropology", vol. 13 nr 2, 1990, pp. 46-60.

A thing, or behavior to be considered cultural, it must be shared by some type of social group or society¹³.

As almost everyone belongs to several different groups and categories of people at the same time, people unavoidably carry several layers of mental programming within themselves, corresponding to different levels of culture. For example:

- a gender level, according to whether a person was born as a girl or as a boy;
- a national level according to one's country (or countries for people who migrated during their lifetime);
- a regional and/or ethnic and/or religious and/or linguistic affiliation, as most nations are composed of culturally different regions and/or ethnic and/or religious and/or language groups;
- a generation level, which separates grandparents from parents from children;
- a role category, e.g. parent, son/daughter, teacher, student;
- a social class level, associated with educational opportunities and with a person's occupation or profession; for those who are employed, an organizational or corporate level according to the way employees have been socialized by their work organization¹⁴.

To sum up - no group can escape culture. Creating shared rules, even if they are never written down, is a precondition for group survival.

This pioneer group of thirty people united at random will have to create a new culture. The particulars of that culture will largely depend on chance, inheriting from existing values, particularly those of the most prominent group members. However, once the culture is set, and supposing children are born into the group, that culture will reproduce itself¹⁵.

¹³ H. Spencer-Oatey, *What is culture? A compilation of quotations*, GlobalPAD Core Concepts 2012.

¹⁴ Ibidem.

¹⁵ G. Hofstede, G. J. Hofstede, M. Minkov, *Cultures and Organizations. Intercultural Cooperation and Its Importance for Survival*, New York 2010, p. 12. Available at: https://e-edu.nbu.bg/pluginfile.php/900222/mod_resource/content/1/G.Hofstede_G.J.Hofstede_M.Minkov%20-%20Cultures%20and%20Organizations%20-%20Software%20of%20the%20Mind%203rd_edition%202010.pdf.

2.5 Philosophy of Culture

Initially, two aspects of cultural philosophy should be distinguished:

- a) philosophy of culture in its proper sense and
- b) philosophy of culture in its broad sense.

The former will have a relatively short pedigree, starting with nineteenth-century philosophical concepts, when thinkers consciously used the concept of „philosophy of culture“, building another philosophical specialization.

With the broad meaning of this concept, we will deal with those research programs in which the problem of culture appears, but it is not necessarily treated by the philosopher as a separate one. It also often happened in the history of philosophy that thinkers who did not contribute much to the philosophy of culture did not use at all the words „culture“. That is why we need to distinguish the philosophy of culture in a proper (exact) and broad sense to capture as much as possible of its phenomenon.

Another problem related to the philosophy of culture is its interdisciplinarity. How to deal with culture reliably without reference to sociology, psychology, anthropology or biology? Full understanding of our problem - if any it can be achieved at all - it can be developed only based on interdisciplinary research¹⁶.

Philosophy arises, as Aristotle noted, from an attitude of surprise over the world. The man begins to ask questions about the beginning of his existence, about the forces that create the world and supporting him in existence. In this way, not only the attitude of openness to reality is born, but also the need to develop scientific discourse arises.

Thus, the philosophy in cultural research indicates that asking questions (right questions, looking for problems even there, where everything seems obvious) is often the most important moment of thinking.

Starting from these basic problems of the philosophy of culture, one can speak of at least two trends:

¹⁶ S. Pihlström, *Morton White's philosophy of culture: Holistic pragmatism and interdisciplinary inquiry*, "Human Affairs" 21.2, 2011, pp. 140-156.

1) opposing or juxtaposing the concept of „culture“ with such terms as „nature“, „technology“, „civilization“¹⁷. In such a combination, emphasis can be placed on evaluating culture, recognizing it as unique, creative, or even spiritual. Then the technique will be associated with civilization and will be treated as a simplification of cultural forms, nature, in turn, will be understood as simplicity, lack of sublime or barbarism.

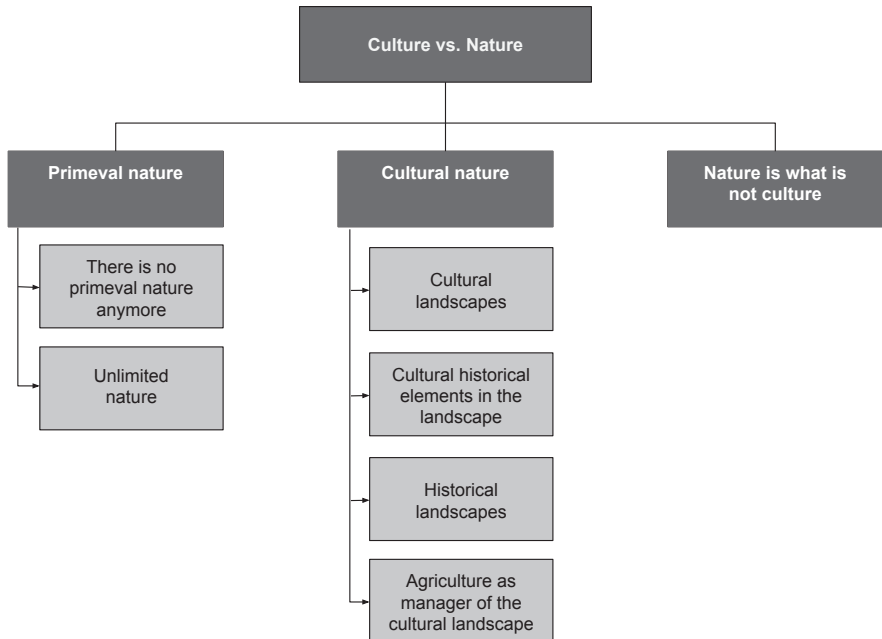


Figure 2. Culture vs. Nature, source: own study

2) Culture is understood as a space for social institutions, laws, and relations between people, societies, and is often treated as the overall behavior and functioning of man in society¹⁸.

Then culture is not only reduced to a science, art or religion but rather to analyze all human products and possibilities of action¹⁹.

¹⁷ T. Botz-Bornstein, *What is the Difference Between Culture and Civilization?: Two Hundred Fifty Years of Confusion*, "Comparative Civilizations Review", vol. 66, 2012.

¹⁸ Ibidem.

In this approach, culture can also be seen as a system of determination, impact, but also repression and limitation of human existence. In this definition circle, the most important is the reference to man and to the question of how all cultural phenomena affect human existence²⁰.

2.6 Meaning of the culture

In the course of learning and acquiring knowledge of the world, we have learned to question the belonging to the culture of certain material objects. We learn about certain things, we only need to know about others how to produce them and how to use them.

In the early 1950s, two well-known American anthropologists, Alfred Louis Kroeber and Clyde May Kluckhohn collected and analyzed over one hundred and fifty definitions of culture, and then tried to extract common content from them. As a result of such a procedure, they stated that „culture consists of patterns of thinking, feeling and responding” and that „the essential core of culture are [...] ideas and especially the values associated with them”²¹

The content of the culture understood in this way should be patterns of feelings, reactions, and thinking, values, and norms arising from these values, as well as sanctions prompting them to comply.

Patterns of thinking, reacting and feeling tell us how to act or what to feel, or what feelings to vent in given circumstances. **They can be ideal or real.** The former fill the base of patterns for people. The latter reveal how people behave really.

Real patterns can, in turn, be **explicit and hidden**. An open pattern is one whose existence members of the given community are aware of and able to describe to the researcher. These are explicit examples of our culture. We are aware of its existence - for example, pouring water on Śmigus Dyngus²².

¹⁹ Ibidem.

²⁰ J. Hańderek, *Pojęcia i definicje kultury*, p. 25, <http://www.pjac.uj.edu.pl/documents/30601109/98855445/fk02%20ha%C5%84derek%20poj%C4%99cia%20i%20definicje%20kultury.pdf>

²¹ See A. L. Kroeber, C. Kluckhohn, *Culture: A Critical Review of Concepts and Definitions*, New York 1952.

²² is the second day of Easter in Poland.

A hidden pattern is one that we realize, having no idea that we behave by them. It is a pattern that the participants of a given culture do not realize, but the researcher notices it. There are cases where anthropologists have stated that people's real behavior follows very different patterns than those they learned from conversations with people. Anthropologists have always enjoyed this kind of discovery.

It may also happen that an ideal pattern is an explicit pattern of some behavior, while the pattern is hidden by a real pattern according to which people behave.

The acquisition of behavioral patterns can be more or less thorough. In one case, a person can behave by them, but feel them as something imposed from the outside and embarrassing, and even onerous. In others, however, he can assimilate them so deeply that they will become his „second nature“, and their realization is felt as satisfying the inner need. In the latter case, we say that cultural patterns have been internalized.

Values are objects „towards which individuals or collectivity take an attitude of respect, attribute it to an important role in their lives and feel the desire to achieve it as a compulsion.“ However, depending on the person or group of people, the given values have a different value. That is why we are talking about different value systems.

There are three types of values:

- Recognized;
- Realized;
- Felt

The former are the ones that we know are attractive and that we should value them. We accept them and strive to implement them, often through external coercion. Felt values have been absorbed so deeply that they have become part of our lives. One could say that they are our own urgent need - for music lovers, the need is to listen to music or go to a concert. In turn, the realized values may be the previous two examples²³.

The need to make choices between which values pursue the first, leads to a conflict of values. We usually resolve it easily. There are cases, however, when the conflict occurs between values on equal weight. Then the choice is not so obvious, for example, the choice between personal life and professional career.

²³ K. Sztalt, *Stanisław Ossowski o koncepcję dziedzictwa kulturowego*, „Roczniki nauk społecznych”, Tom 4(40), numer 2, 2012, pp. 38-44.

A norm is a rule, a rule according to which a given person or group of people lives. It grows out of value and is associated with a sense of duty.

The norm(s) defines morality, customs, and habits

Sanctions - penalties and rewards that encourage desirable behavior or discourage unwanted behavior. They can be formal (regulated by the provisions of the Criminal Code) and informal (an informal reward may be some respect in the environment the person is in).

Note!

A sanction, in the social sciences, a reaction (or the threat or promise of a reaction) by members of a social group indicating approval or disapproval of a mode of conduct and serving to enforce behavioral standards of the group. **Punishment (negative sanction) and reward (positive sanction)** regulate conduct in conformity with social norms (see norm). Sanctions may be diffuse—i.e., spontaneous expressions by members of the group acting as individuals—or they may be organized—i.e., actions that follow traditional and recognized procedures. Sanctions, therefore, include not only the organized punishments of law but also the formal rewards (e.g., honours and titles) and the informal scorn or esteem by members of a community.

2.7 Definitions of Culture

Culture is a notoriously difficult term to define. Apte, writing in the ten-volume Encyclopedia of Language and Linguistics, summarized the problem as follows: 'Despite a century of efforts to define culture adequately, there was in the early 1990s no agreement among anthropologists regarding its nature.' 'The following extract from Avruch provides a historical perspective to some of how the term has been interpreted: Much of the difficulty [of understanding the concept of culture] stems from the different usages of the term as it was increasingly employed in the nineteenth century. Broadly speaking, it was used in three ways (all of which can be found today as well):

- First, as exemplified in Matthew Arnolds' Culture and Anarchy (1867), culture referred to special intellectual or artistic endeavors or products, what today we might call high culture as opposed to popular culture (or "folkways" in an

earlier usage). By this definition, only a portion – typically a small one – of any social group “has” culture. (The rest are potential sources of anarchy!) This sense of culture is more closely related to aesthetics than to social science.

- Partly in reaction to this usage, the second, as pioneered by Edward Tylor in *Primitive Culture* (1870), referred to a **quality possessed** by all people in all social groups, who nevertheless could be arrayed on a development (evolutionary) continuum (in Lewis Henry Morgan’s scheme) from „savagery” through „barbarism” to „civilization”. It is worth quoting Tylor’s definition in its entirety; first, because it became the foundational one for anthropology; and second because it partly explains why Kroeber and Kluckhohn found definitional fecundity by the early 1950s. Tylor’s definition of culture is „that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society”. In contrast to Arnold’s view, all folks „have” culture, which they acquire under membership in some social group – society. And a whole grab bag of things, from knowledge to habits to capabilities, makes up culture. The extreme inclusivity of Tylor’s definition stayed with anthropology a long time; it is one reason political scientists who became interested in cultural questions in the late 1950s felt it necessary to delimit their relevant cultural domain to “political culture”. But the greatest legacy of Tylor’s definition lay in his “complex whole” formulation. This was accepted even by those later anthropologists who forcefully rejected his evolutionism. They took it to mean that cultures were wholes – integrated systems. Although this assertion has great heuristic value, it also, as we shall argue below, simplifies the world considerably.
- The third and last usage of culture developed in anthropology in the twentieth-century work of Franz Boas and his students, though with roots in the eighteenth-century writings of Johann von Herder. As Tylor reacted to Arnold to establish a scientific (rather than aesthetic) basis for culture, so Boas reacted against Tylor and other social evolutionists. Whereas the evolutionists stressed the universal character of a single culture, with different societies arrayed from savage to civilized, Boas emphasized the uniqueness of the many and varied cultures of different peoples or societies. Moreover, he dismissed the value judgments he found inherent in both the Arnoldian and Tylolean views of culture; for Boas, one should never differentiate high from low culture, and one ought not differentially to valorize cultures as savage or civi-

lized. Here, then, are three very different understandings of culture. Part of the difficulty in the term lies in its multiple meanings. But to compound matters, the difficulties are not merely conceptual or semantic. All of the usages and understandings come attached to or can be attached to, different political or ideological agendas that, in one form or another, still resonate today”²⁴.

In general, culture is nowadays understood as material and symbolic products, which are a transformation of the state of nature that builds current consciousness and are the legacy of the community

2.8 Typologies of culture definitions

The typologies of culture definitions will be presented below. The sheer multitude of definitions will show how complex this problem is and how difficult it is to create one definition that could meet the expectations of various fields of science.

- 1) **descriptive and numerical definitions**, nominalistic, descriptive and enumerating - occur in the classical form of early ethnological definitions and they are limited to enumerating the components of culture (e.g. definition E. B. Tylor);
- 2) **historical definitions** - the emphasis here is on the factor of tradition constituting culture, an element of the collective output and inheritance process, transfer of experience (e.g. definitions by K. Dobrowolski, S. Czarnowski);
- 3) **normative definitions** - emphasize compliance with norms, patterns, values, models and principles of valuation as elements of culture and properties of cultural behavior (e.g. definitions by A. Kroeber, T. Parsons);
- 4) **psychological definitions** - they include mental mechanisms learning culture: learning processes, creating habits and internalizing standards, emphasizing the mutual influence of culture and personality, and culture is treated as an adaptive apparatus (e.g. definitions of J. G. Herder, S. Ossowski, R. Benedict, M. Mead, A. Kardiner);

²⁴ H. Spencer-Oatey, *What is culture?...op. cit.*, p.1.

- 5) **structural definitions** - emphasize the holistic nature of the individual cultures and internal relationships of their essential elements (e.g. definitions of R. Benedict, B. Malinowski);
- 6) **genetic definitions** - characterized by emphasis on sources of culture, on explanation the origin of culture, defining it by contrasting its nature and the nature of the product of social intercourse (e.g. definitions by A. Kłosowska, J. Kmita)²⁵.

Another recognized classification of culture definitions contains five main groups, where a uniform criterion was adopted, which is the way of recognizing the phenomenon of culture considered as basic for a given humanistic discipline:

- 1) **anthropological definitions** - embracing culture generally globally as a whole human products and activities, free from evaluation and subjective content psychic, explaining culture through social and instrumental functions about the whole system and the biological needs of the human body (using concepts such as cultural products, features, and complexes cultural, cultural areas and circles, needs, action, function, institution, system, etc.);
- 2) **philosophical definitions** - presenting culture as supra-individual mental reality (operating in categories such as ideas, values, symbols and signs, social awareness, cultural complexes and configurations, socialization, need, value, norm, patterns, models, ideals, judgments normative and directive);
- 3) **sociological definitions** - capturing culture as patterns of interaction between individuals and groups (using concepts such as social structure, social role, formulas and behavior models, interaction, message, information, communication, sign, symbol e.t.c.);
- 4) **psychological definitions** - emphasizing the mutual influence of personality and cultures (operating in such conceptual categories as attitudes, motivations, dispositions, custom, cultural patterns, and orientations, enculturation, socialization, basic personality structure, modal personality, primary institutions and secondary, etc.);

²⁵ E. Włodarczyk, *Kultura* (in:) J. Pilch (ed.), „Encyklopedia Pedagogiczna XXI wieku”, tom II, Warszawa 2003, p. 950-962 , https://repozytorium.amu.edu.pl/bitstream/10593/12629/1/Wlodarczyk%20E_Kultura.pdf (5.11.2019).

- 5) **historical definitions** - emphasizing historical conditions of phenomena cultural, on the exact spatial-temporal location of the phenomena studied, capturing their changeability over time, the mechanism of culture transfer and problems of cultural changes (such terms as tradition, background historical, cultural clash, acculturation, assimilation, adaptation, change social and cultural, evolution, diffusion, etc.).

Joanna Hańderek views the division of definitions in a slightly different way. She indicates that culture definition paths can generally be divided into ten basic groups of the presented problem.

- 1) Culture considered in the **aspect of its temporality**, i.e. in historical and historical terms (historism and historiosophy, concepts of time and their impact on understanding culture) in the historical aspect, concerning individual human experiences and in the biological, organic context).
- 2) Culture as a **system of meanings** and interpreted symbols (hermeneutic concepts of culture, symbolic forms, and principles of cultural being).
- 3) Culture as an **evolutionary extension of nature**, a consequence of human phylogenetic development (genetic approaches to culture, the naturalistic concept of being).
- 4) Culture is a **sphere of ideation**, a space for the implementation of human spiritual activity (idealistic and anti-naturalistic concepts, theological and axiological attitude towards culture).
- 5) Culture as a **spontaneous creation** of man.
- 6) Culture as a **system of social conditions**, patterns of behavior, institutions, traditions, laws, i.e. culture is understood as a system of conditions and determination (repression and oppression).
- 7) Culture as a **communication** and a platform for interpersonal interaction (communication cultural concepts, linguistic concepts of culture).

- 8) Culture as a **closed system** (cultural impenetrability, mutual translatability between cultures, culture understood as an internally coherent and unique whole).
- 9) Culture as a **universal system** (translatability of cultures and their mutual penetration. Searching for cultural universals and common foundations).
- 10) Culture as **change and constant evolution**, as well as stability and immutability (crisis and change of culture as an internal feature of every culture, creation of new ones cultural formations as a manifestation of cultural creativity)²⁶.

2.9 Contemporary changes in Culture

Nowadays we live in the culture of the spectacle and it is not unreasonable to think that this spectacle begins to extend to almost all spheres of our existence. It is hard to expect that suddenly we will decide to disconnect from the mass communication means because we are almost fully integrated with them. However, this change did not occur suddenly. Already in the sixties, the then culture was called the culture of the performance, in which this element began to play an important, if not the main role. It was argued that the ubiquitous spectacle began to dominate the life and development of individuals, it was pointed out that he was responsible for creating false consciousness and pseudo-world.

We are surrounded by an even larger number of images that enter almost all spheres of life, surround us from everywhere, because more and more sophisticated tools are available to us as a relay for a moving image. On the one hand, we have larger and larger TV screens, on the other, we are almost constantly accompanied by miniaturized equipment. We are almost integrated with our mobile phones, without which we cannot imagine existence, and at the same time, they are relays in providing us with a wider range of entertainment options. We are therefore constantly entertained, but the change in this area is significant. In the first place, there is a significant change in the context of the providers of this entertainment, because the world of the late sixties can no longer be compared with the current possibilities that we gain thanks to access to interactive tools. Interactivity and par-

²⁶ J. Hańderek, *Pojęcia i definicje kultury*, p. 25, <http://www.pjac.uj.edu.pl/documents/30601109/98855445/fk02%20ha%C5%84derek%20poj%C4%99cia%20i%20definicje%20kultury.pdf>

ticipation are the features that will distinguish Debord's vision from contemporary reality and they will constitute the basic elements analyzed in this text. There is a fairly serious discrepancy in this respect, on the one hand, we are dealing with progressive democratization of content posting, increased freedom of movement of thoughts and ideas, a space that is becoming an increasingly broader field for expressing opposition to various repressive practices. However, there are also several negative elements that at first glance are not always noticeable. While visiting virtual space, we often come across unwanted advertisements, low content portals penetrating our field of vision, although tempting us with their attractiveness and the promise of unique, unique entertainment. Entering the virtual space, we are not only dealing with positive manifestations of participation in the network, but also to some extent we are participants of the destructive spectacle from Debord's vision, with all-encompassing human perception, tempting with unique values, virtual entertainment at the forefront. Therefore, the second element worth considering is the issue of this value, as well as the quality of the content posted on the Internet, with particular emphasis on the content available on YouTube. On this occasion, we will not focus on explicitly harmful content, in particular, it is necessary to consider whether allowing access to the free posting of created films only enriches the experience of their creators and recipients or leads to a significant and successive reduction in the quality of publicly available, amateur productions.

2.9.1 Remix vs „read-only culture“. Towards creating a new quality

The key to considering the new dimension of culture will be the changes that can be observed today and which are happening almost at this moment. These changes determining the place of amateur productions. Generally, amateur content posted on YouTube (regardless of their subject matter and purpose) can be divided into those completely original and those that are the result of the fusion of several elements that are, so far, only separately existing content. Therefore increasingly we are dealing with activities whose purpose is not to create completely innovative content, but the key element is to process existing content. A networked environment is a perfect place for this type of activity, which results in the gathering and joining of the achievements of many people who decide independently what is the subject of their interest and creativity. The author who pays special attention to this phenomenon, assigning the leading role in contemporary cultural changes to this phenomenon is L. Lessig, the author of the book entitled „Remix. Making Art and Commerce Thrive in the Hybrid Economy“. He points to the

phenomenon of a remix as one that is the essence of the sphere of culture currently operating²⁷.

Of course, **the remix is not the only determinant that is worth mentioning, but it is characterized by various fields of culture: music, art, film, literature, as well as law, economics and broadly, understood scientific output.** It is in the full sense a confirmation of the assumption that today we are dealing with a phenomenon embodying the basic values of a network society, which are: passion and freedom (also the freedom to create), openness, activity and creativity²⁸.

**The remix is only one of the manifestations of the so-called
„read-write culture“**

This concept is undoubtedly a capacious term, it can include both various types of artistic activity (in particular in the audiovisual area), as well as activities in the field of broadly understood popular culture. Some will also point out that the form of contemporary network activity in the field of cultural creativity is not so much a remix, because this term is appropriate for pre-internet culture, but so-called mashups. This term is perhaps more appropriate for cyberculture because it was taken from an IT dictionary. Network mashups are Internet applications that have been created by combining content, presentation or functionality of a given application from various network sources. The goal of combining all these functions is to achieve added value, which is expressed in the creation of more useful websites and applications. From the perspective of the network user, he is equipped with a tool that allows him to integrate the posted content simply, and thus create new content.

What we have dealt with so far is a culture based more on reading and assimilating **a one-sided message**. Lessig will call this read-only culture. It is not, however, that we are dealing with the disappearance of this type of message, on the contrary, it seems that it is still excellent.

²⁷ L. Lessig, Remix. *Making Art and Commerce Thrive in the Hybrid Economy*, London 2008, p14.

²⁸ Ibidem, p 14.

Almost the entire 20th century was the era of the triumph of this particular form, and all so-called „old media“, despite their increasing interactivity, are still an exemplification of „read-only“ culture.

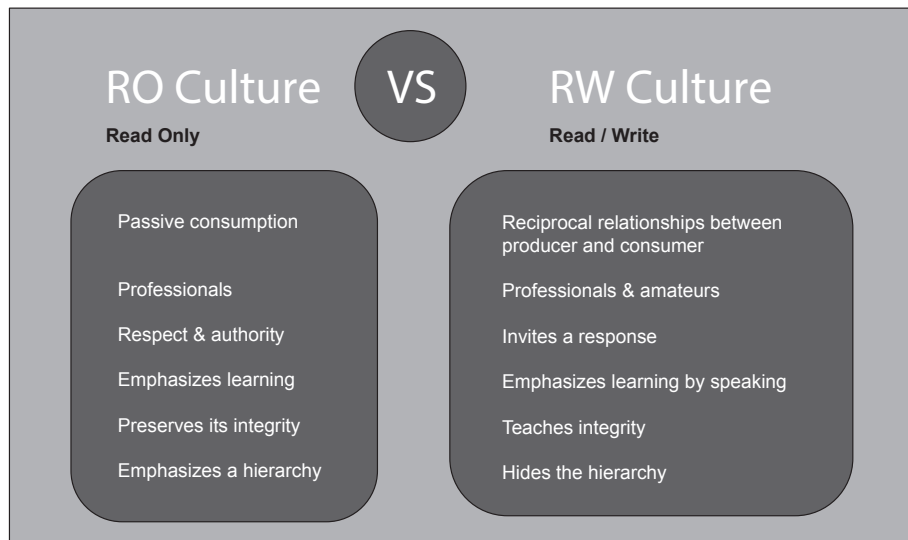


Figure 3. Read-only Culture vs. Read-write Culture, source: <https://anarobincronkite.wordpress.com/application-3/>

Nowadays, **interactivity** could be seen as a key to the concept of realizing the dream of returning to the culture of writing and reading.

Interactivity is often associated with and attributed to „new media“ because it appears to be their leading feature.

The interactivity of „old media“ has changed its face. Although the center of gravity has been shifted to the relationship with recipients, giving them residual decision-making possibilities. There is no place for free creation of individuals.

In other words, we are still dealing with a vertical, top-down message, where the masses may still be mainly recipients, or merely participate in making (as already mentioned) some decisions. However, there is no room for the free creation of a new quality, for creativity that will significantly contribute to change and the

creation of culture. Therefore, interactivity cannot be a key and at the same time a basic term for describing contemporary cultural changes. It is still a key element, but as you can see not as much as it used to be.

Mentioned above, unrestricted creativity returns and we are dealing with an unstoppable wave. This is because the so-called „new media” are becoming a communication channel allowing almost unhindered creation and transmission of songs to a wide audience. „New media” and their growing availability for a growing number of users give the possibility of cheap and easy dissemination of created content. As was mentioned at the beginning, we commonly have both: simple and inexpensive equipment, and we also live in a world where the image has become an essential communicator. At present, however, it is not the music but the motion picture is the content that best stimulates the imagination of the recipients. We have also been dealing with synergies between music and film for a long time, and music may still play a role that may not be like it used to be, but still a key role, despite the age of moving images.

For example, YouTube users create new forms of communication to communicate their own cultural experience to the environment, which is linked to what they perceive through commercial media. This type of activity was assumed to be „editing”, where we deal with the production of new material by editing existing content. To a large extent, it can be concluded, given the earlier considerations, that editing is nothing more than a form of a remix if we try to extend this category to most of the activities performed by amateur YouTube users. Some will want to enter this type of activity in a broad category of editorial (editing) society, and the fact is that regardless of the quality of the produced (edited) content, it is a sign of cultural change that is progressing before our eyes²⁹.

Undoubtedly, YouTube an interesting example of a tool that has revolutionized the hermetic audiovisual sphere. This channel has become an attractive field of creativity, and moreover, it reaches people outside the youngest generation of users, in a sense being a combination of old and new media. Images posted there can be treated as a short television or film broadcast made available on the Internet. Despite several fears, the conclusions that can be drawn, for the most part, are optimistic.

²⁹ M. Majorek, *Kod YouTube. Od kultury partycypacji do kultury kreatywności*, Kraków 2015.

Over the past several years, we have moved from a vertical message structure to a horizontally shaped space with unlimited room for creativity³⁰

YouTube has perfectly fitted into this space. It largely enabled openness and democratization of the area that so far was closed, and thus enabled the birth and development of an **audiovisual culture of creativity**. In turn, the above-mentioned limitlessness aroused and still raises justified doubts among those who desire the development of culture, not its regression and „cluttering“ with contents that do not carry any aesthetic value.

Despite the sad statement that quality and aesthetics are no longer the leitmotifs, but the means to achieve the goal. On the other hand, we can talk about the positive phenomenon of self-regulation, which allows you to maintain the desired level of quality. This, in turn, leads to the development and improvement of creativity, which is what we primarily expect. It seems that care for leaving adequate space for this creativity is necessary, and striving to limit it, even if caused by noble motives, can lead to stunting of development and suppression of creativity of the new generation of amateur artists.

³⁰ Ibidem

III. Cultural Policy, Management and Financing

3.1 What is the policy?

This section offers a brief discussion of the different notions of policy that can be employed in policy research. We shall start with the observation that the largest problem many analysts face is the failure to conceptually define, policy'. This failure results in taking the meaning of policy, for granted' and leads to weaknesses in the analytical structure of research. To avoid criticism, anyone embarking on an analysis of policy should approach the task of selecting a working definition of policy seriously. A positivist view of policy as a product of governmental action is one that many find conceptually lacking and methodologically limited. Acknowledging this criticism, a poststructuralist approach views policy-making as extending beyond the work of official (state) institutions and involving both the material and discursive contexts in which policy is made. The policy involves not only policy directives but also negotiation, contestation or struggle between different groups who may lie outside the formal machinery of official policy-making³¹.

The term „policy“ may apply to government, private sector organizations and groups, and individuals. Presidential executive orders, corporate privacy policies, and parliamentary rules of order are all examples of policy. Policy differs from the rules or laws. While the law can compel or prohibit behaviors (e.g. a law requiring the payment of taxes on income), policy merely guides actions toward those that are most likely to achieve the desired outcome. The role of policy is important in economic, social and political related issues. The search for coordination and coherence of policies should take into account the fact that ideas about policy and its role in development have changed over time, indicating the difficulty to find clarity on the approaches to social investment, poverty alleviation, and equity. The result of the implementation of social policies that have gone through profound changes in its design is alarming in terms of deep social inequalities and the welfare of individuals in society. Thus, social policy is that part of public policy that has to do with social issues. The Malcolm Wiener Center for Social Policy at Harvard University

³¹ O. Fimyar, *Critical Review: What is the policy? In search of frameworks and definitions for non-Western contexts*, "Educate" Vol. 14, No. 3, 2014, p. 8.

describes it as „public policy and practice in the areas of health care, human services, criminal justice, inequality, education, and labor³².

The policy is very important for us and we should note for this important that policy causes different goals to be integrated and this integration causes the government's success. Countries that do not from systematic policymaking processes will not be more successful. They do not know where they want to go. The policy is just like a bulb in the dark it is lightened the way the country wants to go. Also, the policy helps the country in designing long-term planning. Although very long term policies today are not possible because of the very fast environmental changes this not means omitting the policy-making (Rahimi & Noruzi, 2011). focuses on the nature of human interdependency; on how people care for and about each other; on the part, the ‚welfare state‘ plays in shaping the nature of caring – and, for example, the gender implications; on ethical questions about principles of care and justice. Also, its goal is to maximize people's chances of a good life. Its substance, therefore, lies in the theoretical debate and practical definition of what constitutes the good life and the fundamental nature of human need³³.

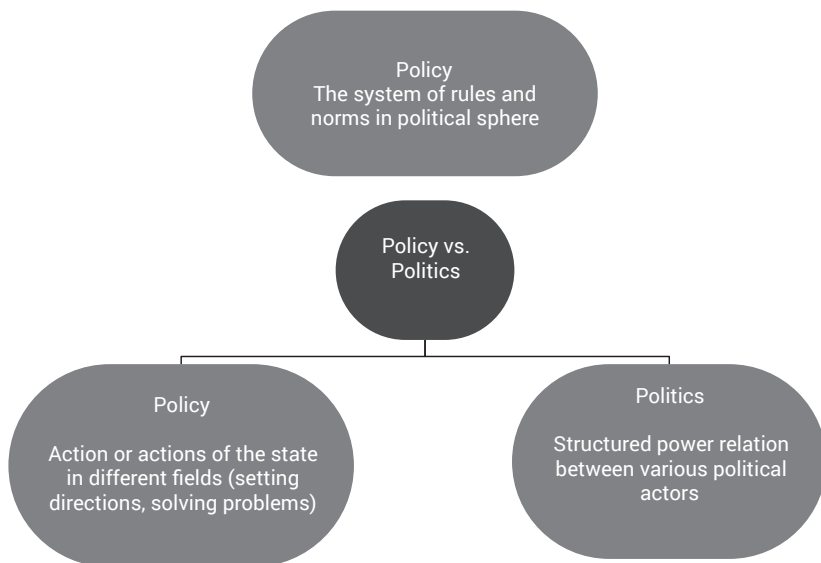


Figure 4. Policy vs. Politics, source: own study

³² G. R. Rahimi, M. R. Noruzi, *A Brief Look on Policy, Typology of Policy, and Its Related Affairs*, "International Journal of Business and Social Science" Vol. 2 No. 11 [Special Issue - June 2011, pp.173-176

³³ Ibidem.

The policy may be understood as:

- 1) An argument rationalizing the course of action taken by the government (e.g. legislation)
- 2) A plan of action adopted by an individual or group
- 3) A written contract or certificate
- 4) A plan or course of action as of a political party, or business intended to determine decisions, actions, etc.
- 5) Policies are statements which guide thinking and actions in the decision-making process

The policy is a process as well as product. It is used to refer to a process of decision making and also a product of that process

3.2 Meaning of cultural policy

Culture, cultural heritage and the cultural environment are our national property. Culture and art are based on creativity and creative work. Creativity and culture will gain more and more importance in the society, which will increase the number of people working within art and culture. As yet, however, this creativity capital is not sufficiently appreciated and put to appropriate use in different societal activities. Art, culture, and creativity have an enduring value in society. The outcomes of creative work can also be used in a variety of ways. Culture promotes well-being, education, and lifelong learning, business and industry, employment, the vitality of regions, technological know-how and innovation. Art and cultural heritage education, the system of art education and increasingly also media education reinforce the underpinning of culture. Hence, development needs in cultural and education policy must also be examined concurrently as a whole. The information society development and especially advances in digital availability have substantially added to the economic contribution of culture. Immaterial production and services have become part of the creative economy, which is one of the fastest-growing sectors in the world³⁴.

³⁴ *Strategy for Cultural Policy*, Publications of the Ministry of Education, Finland 2009, p. 15. <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/76674/opm45.pdf?sequence=1> (12.11.2019).

In a democratic state, it is difficult to talk about one, coherent model of cultural policy. There are two main reasons for this. The first of them is the consequences of territorial division. According to this division, only a small percentage of cultural institutions remain within the state. In most cases, local governments remain the founding institutions for most entities operating in the sphere of culture. According to this, in the field of culture, not a dual but a multi-level model of participation must be created.



Figure 5. Arts and culture ecosystem, source: <http://urbanplacesandspaces.blogspot.com/2015/10/building-arts-and-culture-ecosystem-in.html>

Commitment to cultural activities is carried out by the will of the local government. State policy (due to the possession and distribution of funds), is only a small part of the overall commitment. The second aspect results from the volatility of government at the central level. In this case, it is not possible to include one coherent model of cultural policy. In subsequent years, the interests of government change, which has an impact on financing particular artistic activities and priorities of the Ministry of Culture.

Interpretations of the term ‚cultural policy‘ pose many problems. Can we even talk about it in a **democratic state**? This term evokes associations closer to countries with undemocratic regimes, where culture is an important element of support for those in power: promoting specific content rather than building a plural model of culture. Some researchers even suggest a complete departure from this formulation in favor of the concept of **cultural economics**.

In modern democratic countries, the activity of central administration is focused mostly on:

- preservation of national heritage,
- support for cultural initiatives,
- help in shaping a diverse art scene in many fields of art, far from doctrinal assumptions and instrumental use of culture for political activities.

Note!

In democratic countries the role of the state is to support cultural initiatives, create a platform for artistic diversity and supporting decentralization understood as the transfer of competences to the local authorities and social

Currently, the role of the state in the field of culture is limited. It can be stated that cultural policy is:

A deliberate, systematic interference in the sphere of culture conducted to achieve specific goals

Generally, the main goals of cultural policy are:

- preserving the cultural identity of the nation,
- providing equal access to culture,
- promoting creativity and high quality of goods and services, as well as providing a diversified cultural offer (to each social group could find conditions for active participation in culture),
- conducting conscious cultural education understood as a process of shaping participation in the sphere of artistic life from an early age,
- promoting own culture through its balanced presentation on the internal and external market, in a balanced relationship of activity in both the western countries and the eastern states,
- creating a coherent financing system and supporting valuable and significant cultural phenomena. This applies to subsidies not only for the artistic events at the state level but also for projects at the local level prepared by non-governmental organizations.

The goals that are listed above should be implemented concerning the specific standards of democratic countries. The most important standards are:

- strengthening civil society and shaping the broad participation framework for different social groups (the possibility of civic activity mitigates disproportions in access to culture, builds committed attitudes and eliminates the exclusion of minority groups),
- socializing decision-making processes by involving teams experts and advisors as well as initiating public discussions on the main problems of culture,
- transparency of decision-making process understood as the transparency of actions in the sphere of culture,
- application of the subsidiarity principle, support for grassroots activities in the sphere of culture,
- resignation from the peripheral treatment of culture and placing it at the heart of public life³⁵.

³⁵ D. Przastek, *Polityka kulturalna w Polsce (i na świecie)*, "Studia BAS", Nr 2(46) 2016, p. 28.

3.3 Cultural rights

Cultural policy is informed by basic rights as well as by cultural rights, which are part of the economic, social and educational rights. Democratic countries guarantee educational and cultural rights, such as freedom of art and a person's right to their language and culture, and stresses people's responsibility for the environment and cultural heritage. The measures the Government should take is free access to information, research and artistic activities, and art appreciation. The public authorities should create favourable conditions for this by maintaining and supporting the library system and cultural institutions and by subsidising artistic work and cultural activity.

In international discourse, cultural rights are seen as part of civil rights relating to:

- freedom of expression,
- right to and responsibility for cultural heritage,
- right to free practice of art and culture and creative work,
- right to protect the intellectual and material benefits accruing from scientific, literary and artistic production,
- right to participate in cultural life and right to equally accessible and available cultural, library and information and leisure services,
- right to choose one's own culture,
- right to the development and protection of culture – respect for the culture and its autonomy and cultural identity³⁶.

3.4 Cultural management and financing

The term 'cultural management' is used to designate a wide set of practices relating to the management of cultural organizations and cultural activities for achieving a variety of aims including production, distribution, exhibition, education, and other related activities within a variety of sectors including the nonprofit, for-profit and public³⁷.

³⁶ *Strategy for Cultural Policy...*, p. 12. <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/76674/opm45.pdf?sequence=1> (13.11.2019).p.12

³⁷ DeVereaux, *Cultural Management and the Discourse of Practice*, pp. 155-166 http://www.fachverband-kulturmanagement.org/wp-content/uploads/2012/02/devereaux_cultural_management_discourse_of_practice.pdf

A formal field by the name of cultural management, or arts management – the preferred term in the United States – is less than a century old. A considerable strength of the field has been the ability of practitioners to adapt their practices to political and social forces, adopting new methods and strategies to meet with new challenges³⁸.

As we have already shown, the area of culture is dominated by public entities. The number of private entities that have recently started cultural activities is growing but is still marginal. Therefore, the development of culture is still excessively dependent on the level of budget expenditure and local government units. Only very few cultural initiatives are the result of the private sector investments. Nowadays, investors would be ready to put a lot of money into projects that are significant for culture, as long as they find understanding and support from public administration, especially metropolitan cities. They noticed changes taking place in the consumption model and growing cultural aspirations of the younger generation of Poles. And this opens up a significant new sphere for cultural activities that could also be developed by the private sector.

Cultural management includes the planning, processing, monitoring, and controlling of management functions in an international and cross-cultural context. Cultural management addresses the minimization of cultural conflicts for an increased organizational efficiency considering manifestations of corporate and country culture³⁹

The name „cultural institution” is reserved for those organizational forms of cultural activity whose founder is the minister or head of the central office (state cultural institutions) or local government (local government cultural institutions). The cultural organizer, by creating a cultural institution, equips it with the necessary property, which upon entering the institution in the register becomes the property's new legal entity.

The culture organizer may entrust the management of a cultural institution to the natural or legal person. Management is based on the contract signed between the organizer and the manager for a fixed period, according to Polish law for not less than three years (managerial contract). If the manager is a legal person, then

³⁸ ibidem

³⁹ *What is Cultural Management*, <https://www.igi-global.com/dictionary/cultural-management-for-multinational-enterprises/44711> (15.11.2019).

the contract should anticipate who will perform management activities on its behalf.

Under conditions generated and reproduced by administrative bureaucracy and conservatism, the culture will not develop and serve socio-economic development, even if better financing is provided. To overcome this syndrome permanently, the public cultural sector must be more widely opened to the impact of the market and society civic, while guaranteeing the private and civil sectors in public cultural space equal rights with the public sector.

Patronage and private financing should not only be a marginal complement but an equivalent form of financing culture. Used in many European countries private sponsorship instruments include, but are not limited to: corporate sponsorship, trusts and corporate foundations, individual donations written off from tax liabilities, lotteries, and loans. Some of these solutions exist in our legislation, but not are widely used. This suggests that their regulation has shortcomings, and at the same time, public administration and cultural environments are too underactive in persuading private entities to use them.

Another important problem of managing cultural institutions in Poland is the level of remuneration. They are still the subject of a central, ministerial „regulation” of a specific pay scale for specific positions. this type of employee remuneration system does not have a motivational character and leads to a gradual outflow of good employees from the sector of culture management⁴⁰.

Nowadays, we can distinguish many sources of financing cultural projects. In a given country, there is a pool of public funds for cultural activities. These funds come in general from taxes, but its trustee is the central government. This involves the need to implement projects that are in line with government policy.

An example of an institution that provides funds for cultural projects is the Polish Film Institute. This institution is completely dependent on subsidies from the budget, and its organizational structure is fixed by the central authority.

A lot of effort was put into making the system of culture financing more decentralized in Poland, which is why many tasks in this field were delegated to local governments. However, local governments struggle with financing problems and cultural projects are not a priority.

Funds for the implementation of cultural projects can also be obtained from the European Union. Several dedicated programs are designed to support the

⁴⁰ J. Głowacki, J. Hausner, K. Jakóbiak, K. Markiel, A. Mituś, M. Żabiński, *Finansowanie kultury i zarządzanie instytucjami kultury*, p. 40. http://www.kongreskultury.pl/library/File/RoSK%20finansowanie/finansowanie_kultury_wer.pelna.pdf

development of broadly understood European culture. The programs also aim to preserve and promote the national heritage of the member countries. European Union programs will be discussed in another part of the study.

It is worth pointing out some examples of international programs that can be an interesting opportunity to implement various cultural projects.

European Cultural Foundation Idea Camp

Idea Camp is a place where participants can investigate and further develop their ideas, exchange knowledge and find new collaborations, as well as inspire and connect with other practitioners in the various cultural fields. Each year the programme launches an open call on a specific theme.

Visegrad International Fund

The purpose of the fund is to facilitate the development of closer cooperation among the Visegrad Group countries (V4): the Czech Republic, Hungary, Poland, and Slovakia. Grant support is given to projects in the areas of culture, science and research, youth exchanges, tourism promotion, and cross-border cooperation. Preference is usually given to NGOs, municipalities, universities, and schools. The fund also gives out individual scholarships to culture professionals. The programme may include associated countries.

KulturKontakt Nord (Nordic Culture Point)

Nordic Culture Point functions as a secretariat for four Nordic grant programmes: The Culture and Art Programme (supports projects in all spheres of culture and art); The Nordic-Baltic Mobility Programme for Culture (offers the opportunity for professional artists and cultural practitioners to travel and collaborate with colleagues from Nordic and Baltic countries); The KreaNord (supports creative and cultural industries in Nordic countries); NORDBUK (a programme for children and youth). All programmes target Nordic and Baltic countries, but partnerships are possible with other countries around the world.

CEC ArtsLink (the USA)

Supports exchange between artists and cultural organisations, between the USA and former Soviet states as well as Egypt, Israel, Lebanon, Palestine, and Syria.

Institute of International Education-IEE (the USA)

The programme offers grants to creative professionals who face persecution in their home countries. This programme also places participants in host universities or art centres where they can safely continue their work.

Bunnell Street Arts Center (the USA)

Looks for art projects that unite society through art: poetry, new media, music, dance, painting, theatre, installations, literature or sculpture.

Headlands Centre for the Arts (the USA)

Artists selected for this programme are at various stages in their careers and work in all media, including painting, photography, literature and interdisciplinary arts

The Rabbit Island Residency (the USA)

The programme is open to the individual as well as small groups (2-3 persons) around the world. The residency is open to representatives of visual arts, writers, architects, designers, musicians, filmmakers, and choreographers.

Instituto Sacatar (Brazil)

Instituto Sacatar operates an intercultural exchange for creative people with residence on Itaparica Island (state of Bahia).

DanceBox (Japan)

The residency is for artists, curators, and researchers in contemporary art. Besides, light and sound engineers, set designers and art managers can participate.

Saison Foundation (Japan)

The fund supports projects and events related to contemporary Japanese theatre and dance to integrate contemporary Japanese performing arts in a world context. The Saison Foundation offers grants as well as opportunities for rehearsals, seminars and residence at the Morishita Studio in Tokyo.

Asia-Europe Foundation

Offers two funding schemes for exchange and collaboration projects between Europe and Asia: Creative Encounters (supports collaboration between Europe and Asia in the sphere of contemporary art through an open call) and ASEF creative networks (facilitates dialogue and collaboration between cultural organisations on both continents, open for applications in July-August every year).

IV. Legal and institutional foundations of EU cultural policy

There is much to be said about the beginnings of European cooperation in the sphere of culture, but real achievements in this field date back to the period after World War II. The Council of Europe (1949) gave multilateral legitimacy to cultural agreements, and its activities led to the drafting of the European Cultural Convention in 1954, which has served as a basic framework for intergovernmental cultural cooperation and the establishment of cultural rights standards in Europe. Partners to the European Cultural Convention must be parliamentary democracies, and the official signature of the document has been regarded as the waiting room for those states wishing to join the Council. However, the Cold War did not prevent numerous cultural agreements being signed between Western European democracies and Warsaw Pact countries. This is particularly significant as the initiative very often came from the Eastern bloc seeking spaces to show to Western audiences the cultural quality of communist life. Cold War cultural diplomacy was also designed to provide occasions for favourable environments, where trade and other agreements could be reached. Despite the nightmare of artists' and intellectuals' defections, it can be said that communist cultural diplomacy reached the highest degree of sophistication and effectiveness. Post-war dictatorships in Portugal, Greece, and Spain did not resort to cultural diplomacy to influence European opinion. The advent of mass tourism in the area made it less necessary to engage in cultural communication exercises abroad. It was the exiled opposition to those authoritarian governments which provided the main carrier of intensive cultural „anti-diplomacy“ at the major democratic centres of power and communication⁴¹.

The European Cultural Convention of 19 December 1954 provided the framework for the Council of Europe's work in education, culture, youth, and sport, and placed them at the centre of our mission. There was a vision of an undivided Europe, expressed in the openness of the instrument to non-member European states. Europe would recognise the expressions of its civilisation as common, as well as national, heritages and preserve them not as memorials set in stone, but as sources of creativity in society, through:

- study,

⁴¹ Report on the state of cultural cooperation in Europe, European Commission: Directorate-General for Education and Culture 2003, <http://www.interarts.net/descargas/interarts691.pdf>, p. 21.

- exchanges,
- common action
- public access.

„It would be a Europe of understanding and dialogue between its peoples. These values have been the pillars of the Council of Europe and remain an essential basis for the identity of wider Europe. The idea of „culture“ implied by the text was an open-ended and commonsense one. It included the arts, learning, history, and languages, and it could readily be extended to other aspects of modern civilisation, such as youth culture and sport. The working methods proved equally flexible. As the “common action” of the Convention unfolded, it met unanticipated challenges. The programme fostered creativity; created standards and mechanisms for policy coordination supported new member states in the transition to democracy and engaged deeply in cooperation with civil society”⁴².

As part of strengthening cooperation in the field of culture between European countries, a program called “Cultural Routes” was established under the aegis of the Council of Europe. “European Cultural Routes” has become a common term used for cross-border cultural connection paths. Officially, these routes are called „Cultural Routes of the Council of Europe”. Other names are „Cultural Route” or „Cultural Road”. The two terms „European Cultural Routes” and „Cultural Routes of the Council of Europe” are used. The concept of cultural routes was already initiated in 1987 by the Council of Europe. This was intended to implement the

Council of Europe’s key cultural principles:

- **human rights,**
- **cultural democracy,**
- **cultural diversity and identity,**
- **dialogue and the exchange of mutual enrichment across all borders as well**

With the help of Cultural Routes, Europeans can learn and better appreciate their own culture, history, and heritage. Cultural Routes are based on a cultural and tourism cooperation, which aims at the development and application of a route or

⁴² 50 years of the European Cultural Convention, Report by the Secretary General to the Wrocław Conference, 2004, <https://www.msz.gov.pl/resource/9bb803b6-92ff-4fc9-8d9e-b16f3e349ed9>, p. 6.

multiple routes. Concerning sustainable and intelligent cultural tourism products, Cultural Routes also take a pioneering role.

On the term „European Cultural Route” or „Cultural Route of the Council of Europe” What is the significance of the terms „road”, „route” or „path” in this context?

- It may be an actual route or road, which is already used.
- It may be a network of places and historical or natural facilities.
- It may be a defined geographic area, which is connected by a common theme.
- It may be a route that traverses the regions and countries, which is characterized and connected by a historical, artistic or social issue.

It is, therefore, more than just a road, route or path in the conventional sense, which connects various towns. At least three members of the Council of Europe or contracting states of the European Cultural Convention must be involved. The issue should not only have local significance but represent European culture or significant aspects and have a historical dimension⁴³.

The most important features of the project are listed below:

- “A cultural route forms a cross-border network, involving at least three countries.
- These must be Council of Europe member states or parties to the European Cultural Convention.
- The theme supports the fundamental values of the Council of Europe and will be further developed through on-going research.
- In terms of their financial and human resources, the proposed projects must be self-financed.
- A legal entity, such as an association or a union of several organisations, has to be created.
- The network develops democratic processes, which lead to joint decisions on strategies and activities.
- For the entire cultural route, appropriate cultural tourism products such as guides, documentation, other suggested routes, etc. are developed.
- Activities for young people and regular cultural and artistic events such as festivals as well as thematic discussions and technical debates will be realized”⁴⁴.

⁴³ E. Hafele, *European Cultural Routes: a practical guide*, Vienna 2013, <http://www.kpd.it/uploads/Tarptautiniai%20ry%C5%A1iai/Kult%C5%ABros%20keliai/Cultural%20Routes%20HANDBOOK.pdf>, p. 6.

⁴⁴ Ibidem.

The basic ideas of the project of the European Cultural Routes are based not only on the cultural policy ideas of the Council of Europe; rather, several additional fundamental agreements of the Council of Europe and other international organizations, have acted on the project design. Who is thinking about the development of a concept for a cultural route, therefore, should familiarize themselves with the basic intentions of these agreements. For this purpose, the relevant policy statements (Charters) and agreements of the Council of Europe and other international organizations are briefly given here⁴⁵.

The „European Cultural Convention“ The „European Cultural Convention“ entered into force in May 1955. It is the basis of European cooperation in the fields of culture, education, youth, and sports. The treaty aims to develop mutual understanding among the peoples of Europe and reciprocal appreciation of cultural diversity, to safeguard European culture, and to promote national contributions to Europe's common cultural heritage respecting the same fundamental values⁴⁶ such as language, literature, and civilization. NonEuropean countries can join the Cultural Convention, and thus participate in the cultural work of the Council of Europe.⁴⁷

The „European Landscape Convention“

The „European Landscape Convention“⁴⁸ entered into force in March 2004. The landscape is defined as a region which is formed under the action of people. In the ELC, landscape is reclaimed as a distinctive element of ideas of Europe and, as such, key to far-reaching issues, such as quality of life, civil society participation in governance and – most importantly for the issue of redefining identity within Europeanization – of the importance of so-called de-territorialization in contemporary society⁴⁹. The Cultural Routes are suitable to raise awareness of landscape and thus their perception.

Framework Convention of the Council of Europe on the Value of Cultural Heritage for Society

The „Framework Convention of the Council of Europe on the Value of Cultural Heritage for Society“ came into force in June 2011. It is commonly called The Faro Convention. It emphasizes the important aspects of heritage as they relate to human rights and democracy. The Convention promotes a broad understanding of

⁴⁵ Ibidem

⁴⁶ Council of Europe, *European Cultural Convention*, Paris 1954, <https://rm.coe.int/168006457e>

⁴⁷ E. Hafele, *European Cultural Routes...* op. cit., p. 6.

⁴⁸ Council of Europe, *European Cultural Convention...* op. cit.

⁴⁹ M. Sassatelli, *From Monuments to Landscapes: the European Landscape Convention* in: *Becoming Europeans. Cultural Identity and Cultural Policies*, https://link.springer.com/chapter/10.1057/9780230250437_6, p.141.

heritage and its relationship to communities and society. „It encourages us to recognize that objects and places are not, in themselves, what is important about cultural heritage. They are important because of the meanings and uses that people attach to them and the values they represent”⁵⁰. The Convention deals with ethical principles and basic considerations of the use and development of Europe’s cultural heritage in the face of globalization. The Cultural Routes is about a rediscovery of the European cultural heritage. Cultural Routes facilitate the integration of the population to develop common approaches to manage and protect the cultural heritage⁵¹.

The UNESCO Cultural Conventions

UNESCO’s Cultural Conventions are intended to safeguard and nurture some aspect of culture and creativity, from tangible and intangible heritage, the diversity of cultural expressions and creative industries, to the fight against the illicit trafficking of cultural goods. Firmly grounded in a human-rights based approach, these Conventions establish a range of governmental and international funding and co-operation mechanisms, as well as monitoring and evaluation tools. They promote capacity building programmes and other initiatives for the safeguard of culture (including natural heritage) and its integration in national and local development strategies⁵². The Cultural Routes are required to protect the tangible and intangible cultural heritage and to make them visible, and thus they fit perfectly into the priorities presented by the conventions.

In turn, the European Union treats the culture as an area belonging to the sphere of national sovereignty, it does not strive for cultural uniformity or a common EU law in this area. However, it is committed to taking actions intended for the Member States’ cultures to flourish at the same time accepting their national and regional diversity⁵³.

⁵⁰ Council of Europe, *Faro Convention*, 2015, <https://www.coe.int/en/web/culture-and-heritage/faro-convention>

⁵¹ E. Hafele, *European Cultural Routes...* op. cit., p. 6.

⁵² UNESCO, *The UNESCO Cultural Conventions: a tool for sustainable development* <http://www.unesco.org/new/en/culture/themes/culture-and-development/the-future-we-want-the-role-of-culture/the-unesco-cultural-conventions>

⁵³ W. Sobczak, *Ochrona dziedzictwa kultury w systemie prawnym Unii Europejskiej*, Śródkowoeuropejskie Studia Polityczne, 2009, issue 3, p. 105.

The Treaty on European Union entrusts this supranational community with a supporting role in Member States' cultural policies, protection of cultural heritage, promotion of culture and cultural cooperation⁵⁴

While making reference to the actions performed by the European Union in the field of broadly understood culture, it is difficult to recognize that this is a cohesive set of actions with the strictly outlined institutional and legal framework, easy to identify and describe. This results both from the unique nature of the European Union itself and from the specificity of action in the area of culture which is a hardly measurable "tissue", and moreover, it permeates various spheres of social and economic life, thus it is also indirectly present in other community policies, among others the social and economic ones⁵⁵. Despite the lack of detailed specification of the institutional and legal framework for the EU's cultural policy, it is worth pointing to some selected, most important sources of law and key institutions for this sphere of cooperation.

4.1. EU policy in legal terms

The European Union has legal personality, and as such it has its own legal system, different from the international legal order

The EU law has a direct or indirect impact on the law of its Member States, and it becomes a part of the legal system of each Member State. Bearing in mind the diversity of sources of law in force within the European Union, in order to present them in a systematic way, the subchapter has been divided into three main parts: the first one concerning primary EU law (4.1.1.), the second one concerning secondary law, created by Community bodies (4.1.2.) and the third one dealing with selected, remaining forms of activity of Community institutions serving to shape the legal order of the Union, which are of great political importance (among others, conclusions, resolutions, communications) (4.1.3.).

⁵⁴ M. Pasikowska-Schnass, Access to culture in the European Union, EPRS | European Parliamentary Research Service, UE 2017, p. 4 covers

⁵⁵ Cultural cooperation within the European Union, <http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-ramach-unii-europejskiej> (11.02.2019)

4.1.1 EU primary legislation and culture

The primary legislation is a superior source of law in the EU. It is composed of the founding treaties: The Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, the protocols and annexes to the Treaties, the Treaties on the accession of the Member States to the European Union and the other treaties. Combined, these treaties specify the division of powers between the Union and the Member States, they regulate the decision-making process, rights of the EU institutions and the scope of their operations in each policy area.⁵⁶ The primary legislation also consists of the general principles of EU functioning, developed by rulings of the European Court of Justice and Council decisions. The primary legislation poses a legal context, in which the EU institutions formulate and implement policies in different fields.

The primary legislation is of a constitutional character and it remains at the top of the hierarchy of sources of the European Union law, first of all in relation to the secondary legislation made by the EU institutions, but also regarding the national law of the Member States.

It is worth noting that the European Union law does not define the term “culture”. Although Title XIII of **the Treaty on the Functioning of the European Union** (consolidated text taking into account the changes introduced by the Lisbon Treaty) is entitled “Culture”, there is no clear explanation. Article 167 TFEU reads:

- “1. The Union shall contribute to the flowering of the cultures of the Member States while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.*
- 2. Action by the Union shall be aimed at encouraging cooperation between the Member States and, if necessary, supporting and supplementing their action in the following areas:*
 - improvement of the knowledge and dissemination of the culture and history of the European peoples,*
 - conservation and safeguarding of cultural heritage of European significance,*
 - non-commercial cultural exchanges,*

⁵⁶ The latest revision of EU primary legislation was carried out with the Lisbon Treaty, which entered into force in December 2009.

- artistic and literary creation, including in the audiovisual sector.
- 3. *The Union and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture, in particular the Council of Europe.*
- 4. *The Union shall take cultural aspects into account in its action under other provisions of the Treaties, in particular in order to respect and to promote the diversity of its cultures.*
- 5. *In order to contribute to the achievement of the objectives referred to in this Article:*
 - *the European Parliament and the Council acting in accordance with the ordinary legislative procedure and after consulting the Committee of the Regions shall adopt incentive measures, excluding any harmonisation of the laws and regulations of the Member States,*
 - *the Council, on a proposal from the Commission, shall adopt recommendations.”⁵⁷*

Equally important for this study is Article 3 of **the Treaty on European Union**, which defines the objectives of the EU. Paragraph 3 of this reads, among others:

It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child.

It shall promote economic, social and territorial cohesion and solidarity among the Member States.

It shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.”⁵⁸

While commenting on the notion of national and regional diversity, the legal literature pays attention to the fact that the European cultural diversity is composed of “ language, literature, theater, visual arts, architecture, craftsmanship, cinema as well as radio and TV broadcasting. It is stressed that the elements that make up the European cultural diversity, on the one hand, are related to particular states or regions and on the other pose a part of the common European cultural heritage.”⁵⁹

⁵⁷ Consolidated version of the Treaty on the Functioning of the European Union - PART THREE: UNION POLICIES AND INTERNAL ACTIONS - TITLE XIII: CULTURE - Article 167 (ex Article 151 TEC) Official Journal L 15, 09/05/2008 P. 0121 – 0122.

⁵⁸ Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union - Consolidated version of the Treaty on European Union - Protocols - Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007 - Tables of equivalences Official Journal C 326, 26/10/2012 P. 0001 – 0390.

⁵⁹ W. Sobczak, op. cit., pp. 109-110.

Another provision to be considered is Article 4 Paragraph 2 of the Treaty on the European Union. It invokes the principles of respect for the national identity of the Member States: *The Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government. It shall respect their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State.*⁶⁰

National identity means specificity of culture, language, religion, but also state (constitutional) identity, state sovereignty, preservation of the basic state functions

The consequence of the application of this article is that the EU acts to preserve and develop the national identities of the Member States in the framework of its various policies, e.g. by supporting the cultural diversity of the Member States or by using various cultural policy instruments. Examples of such activities are the authorisation of exceptions constituting restrictions on the free movement of goods relating to the protection of national treasures of artistic, historical or archaeological value; the authorisation of exceptions to the prohibition of public aid when it is intended to promote culture and heritage conservation; respect for the specificities of Member States' education systems, cultural and linguistic diversity.

It should be stressed that under Article 6 of the Treaty on European Union, *The Union recognises the rights, freedoms, and principles set out in the Charter of Fundamental Rights of the European Union of 7 December 2000, as adapted at Strasbourg, on 12 December 2007, which shall have the same legal value as the Treaties*⁶¹. **The Charter of Fundamental Rights of the European Union**, although based on the European Convention on Human Rights and other European and international instruments, is innovative in many respects, in particular, because it includes, among others, disability, age and sexual orientation as prohibited grounds for discrimination, and provides access to documents, data protection, and good administration as regards fundamental rights, which are reaffirmed in it⁶². It is worth noting that the Chart

⁶⁰ Consolidated versions of the Treaty on European Union, op. cit.

⁶¹ Ibidem.

⁶² Protection of fundamental rights in the EU, European Parliament Fact sheets on the European Union, <http://www.europarl.europa.eu/factsheets/pl/sheet/146/ochrona-praw-podstawowych-w-ue> (20.02.2019).

which created a uniform catalog of rights, freedoms, and principles protected on the EU level, was not adopted as an international agreement but it had a form of an interinstitutional agreement - it was signed by three EU institutions: The Council, the Commission and the Parliament in Nice in 2000, the Lisbon Treaty gave it binding force equal to primary legislation. Importantly, the catalog of rights, freedoms, and principles included in the Charter of Fundamental Rights does not extend the scope of EU law beyond its competences or the Union's tasks, it also does not change the competences and tasks determined in the Treaties. The Charter does not bind the Member States in the full scope of their national laws but in those areas which belong to the EU's competence. The entities bound by the Charter are the European Union, EU institutions and EU's organizational entities with respect to the principle of subsidiarity, as well as the Member States, but only when they implement the EU law.

In the Charter of Fundamental Rights of the European Union, we will find provisions relating to cultural issues. Already the preamble of the document reads: *The Union contributes to the preservation and to the development of (...) common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, goods, services and capital, and the freedom of establishment.*⁶³ Article 11 of the Charter refers to the freedom of speech and information:

1. *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.*
2. *The freedom and pluralism of the media shall be respected.*⁶⁴

Article 13 concerns freedom of science and art: *The arts and scientific research shall be free of constraint. Academic freedom shall be respected.*⁶⁵ While Article 22 directly states that *The Union shall respect cultural, religious and linguistic diversity*⁶⁶ Equally important is Article 21 of the Charter of Fundamental Rights, which speaks of non-discrimination, where paragraph 1 reads: *Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, reli-*

⁶³ CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION, Official Journal of the European Communities, 2000/C 364/01.

⁶⁴ Ibidem.

⁶⁵ Ibidem.

⁶⁶ Ibidem.

gion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.⁶⁷ It is worth stressing that the Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life⁶⁸ as expressed in Article 25 of the Charter.

Finally, in the field of culture, the general principles of the Treaty on the Functioning of the European Union also apply in relation to safeguard clauses (Article 36 TFEU), freedom of movement for workers (Article 45 TFEU), freedom of establishment (Article 49 TFEU), freedom to provide services (Article 56 TFEU) and State aid (Article 107 TFEU).

Regulations included in the primary legislation do not provide for the unification of legal regulations of Member States in the field of culture

The European Union, by undertaking all actions in the field of culture, observes one of the basic principles it is based on, namely the principle of subsidiarity.

The principle of subsidiarity means that the European Union's role is to complement and support, and not to replace the Member States' actions

4.1.2. EU derived law and the field of culture

While the primary legislation is created by the Member States in a form of treaties, the derived legislation is established by the EU institutions. The legal basis is Article 288 of the Treaty on the Functioning of the European Union, according to which:

To exercise the Union's competences, the institutions shall adopt regulations, directives, decisions, recommendations, and opinions.

A regulation shall have a general application. It shall be binding in its entirety and directly applicable in all Member States.

A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods.

⁶⁷ Ibidem.

⁶⁸ Ibidem.

A decision shall be binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them.

Recommendations and opinions shall have no binding force.⁶⁹

Binding acts of secondary legislation: regulations, directives, decisions

Each of those acts of derived legislation produces legal effects, serves separate purposes and is addressed to a diverse category of addressees. The Lisbon Treaty also introduced the division of secondary law into legislative and non-legislative acts (Article 289 TFEU). The latter include delegated acts (Article 290 TFEU) and implementing acts (Article 291 TFEU).

Due to the character of the European Union's actions, rarely do the EU institutions apply in their cultural law-making activities those regulations which as acts of the derived legislation are instruments for unification of the Member States' law, and this means that they are first of all used in the fields, where it is necessary to unify the legal orders of the Member States.

Regulations are legal acts by which the EU institutions interfere most with national legal systems (they are fully and directly binding for the EU institutions, Member States, but also to natural and legal persons from these countries).

Directives are less intrusive than regulations. They usually serve to harmonise the legal provisions applicable within the EU, while allowing countries to choose the means to achieve the objectives of the Directive. Taking into account the subject matter of the study, it is worth stressing that the process of implementation of the directives should respect the diversity of culture, traditions or simply the distinct legal systems of Member States.

⁶⁹ Consolidated version of the Treaty on the Functioning of the European Union PART SIX - INSTITUTIONAL AND FINANCIAL PROVISIONS TITLE I - INSTITUTIONAL PROVISIONS Chapter 2 - Legal acts of the Union, adoption procedures and other provisions Section 1 - The legal acts of the Union Article 288 OJ C 326, 26.10.2012, p. 171–172.

A Directive is binding on each Member State to which it is addressed, in terms of the result to be achieved, it leaves the national authorities free to choose the form and means

Decisions and regulations differ from directives in the way they define the addressee; they are legal acts of an individual nature and therefore addressed to a specific entity. The addressees of the decision may be Member States (all or only those indicated in the decision) as well as natural and legal persons (companies, universities, local authorities, etc.).

The decision is binding on those to whom it is addressed and is applied directly

With regard to secondary legislation in the field of culture, decisions, followed by directives and regulations, are the most common binding acts adopted by the EU institutions. Taking into account the multitude of documents, the authors considered that it would be appropriate to refer in this part of the⁷⁰ study only to selected, exemplary acts of derivative legislation relating to the obligations arising from the implementation of Article 167 TFEU.

The regulations serve the EU institutions (in the area of culture) mainly as a tool for setting/establishing large operational programmes. An example of such an act is Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014-2020)⁷¹, which supports the European cultural and creative sectors. The whole was divided into three sub-programmes: media, culture and a cross-sectoral component. It is worth noting that Article 2(1) of the Regulation provides a definition of the cultural and creative sectors: *‘Cultural and creative sectors’ means all sectors whose activities are based on cultural values and/or artistic and other creative expressions, whether those activities are market- or non-market-oriented, whatever the type of structure that carries them out, and irrespective of how that structure is financed. Those activities*

⁷⁰ In the section “EU policies and programmes in the field of culture”, due to the issues raised, it will be necessary to refer to EU documents.

⁷¹ Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014-2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC Text with EEA relevance OJ L 347, 20.12.2013, p. 221–237

*include the development, the creation, the production, the dissemination and the preservation of goods and services which embody cultural, artistic or other creative expressions, as well as related functions such as education or management. The cultural and creative sectors include inter alia architecture, archives, libraries and museums, artistic crafts, audiovisual (including film, television, video games, and multimedia), tangible and intangible cultural heritage, design, festivals, music, literature, performing arts, publishing, radio, and visual arts.*⁷²

The objectives of the programme are set out in Articles 3 and 4 of the Regulation. Article 3 defines the general objectives of the programme, which are to safeguard, develop and promote European cultural and linguistic diversity and to promote Europe's cultural heritage and strengthen the competitiveness of the European cultural and creative sectors, in particular of the audiovisual sector, with a view to promoting smart, sustainable and inclusive growth. The specific objectives include:

- (a) to support the capacity of the European cultural and creative sectors to operate transnationally and internationally;*
- (b) promote the transnational circulation of cultural and creative works and transnational mobility of cultural and creative players, in particular artists, as well as to reach new and enlarged audiences and improve access to cultural and creative works in the Union and beyond, with a particular focus on children, young people, people with disabilities and under-represented groups;*
- (c) to strengthen the financial capacity of SMEs and micro, small and medium-sized organisations in the cultural and creative sectors in a sustainable way, while endeavouring to ensure a balanced geographical coverage and sector representation;*
- (d) to foster policy development, innovation, creativity, audience development, and new business and management models through support for transnational policy cooperation*⁷³.

It is also worth stressing the content of Article 5 of the document in question, which introduces the term „European added value“, indicating that the support under the programme can count on activities with this title value. Paragraph 2 of Article 5 of the Regulation specifies that:

⁷² Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC Text with EEA relevance OJ L 347, 20.12.2013, p. 221–237.

⁷³ Ibidem.

European added value shall be ensured through one or more of the following:

- (a) the transnational character of actions and activities which complement regional, national, international and other Union programmes and policies, and the impact of such actions and activities on the cultural and creative sectors as well as on citizens and on their knowledge of cultures other than their own;*
- (b) the development and promotion of transnational cooperation between cultural and creative players, including artists, audiovisual professionals, cultural and creative organisations and audiovisual operators, focused on stimulating more comprehensive, rapid, effective and long-term responses to global challenges;*
- (c) the economies of scale and critical mass which Union support fosters, creating a leverage effect for additional funds;*
- (d) ensuring a more level playing field in the European cultural and creative sectors by taking account of low production capacity countries and/or countries or regions with a restricted geographical and/or linguistic area⁷⁴.*

As regards the Media sub-programme, to which 56% of the envelope is to be allocated, the priorities are set out in Article 9 of the Regulation:

- 1. The priorities in the field of reinforcing the European audiovisual sector's capacity to operate transnationally shall be the following*
 - (a) facilitating the acquisition and improvement of skills and competences of audiovisual professionals and the development of networks, including the use of digital technologies to ensure adaptation to market development, testing new approaches to audience development and testing new business models;*
 - (b) increasing the capacity of audiovisual operators to develop European audiovisual works with a potential to circulate in the Union and beyond and to facilitate European and international co-production, including with television broadcasters;*
 - (c) encouraging business-to-business exchanges by facilitating access to markets and business tools enabling audiovisual operators to increase the visibility of their projects on Union and international markets.*
- 2. The priorities in the field of promoting transnational circulation shall be the following:*
 - (a) supporting theatrical distribution through transnational marketing, branding, distribution, and exhibition of audiovisual works;*
 - (b) promoting transnational marketing, branding, and distribution of audiovisual works on all other non-theatrical platforms;*

⁷⁴ Ibidem.

- (c) *supporting audience development as a means of stimulating interest in, and improving access to, European audiovisual works, in particular through promotion, events, film literacy, and festivals;*
- (d) *promoting new distribution modes in order to allow the emergence of new business models.*⁷⁵

Article 12, in turn, presents the priorities of the Culture sub-programme, to which 31% of funds are to be allocated:

1. *The priorities in the field of reinforcing the cultural and creative sectors' capacity to operate transnationally shall be the following:*
 - (a) *supporting actions providing cultural and creative players with skills, competences, and know-how that contribute to strengthening the cultural and creative sectors, including encouraging adaptation to digital technologies, testing innovative approaches to audience development and testing new business and management models;*
 - (b) *supporting actions enabling cultural and creative players to cooperate internationally and to internationalise their careers and activities in the Union and beyond, where possible on the basis of long-term strategies;*
 - (c) *providing support to strengthen European cultural and creative organisations and international networking in order to facilitate access to professional opportunities.*
2. *The priorities in the field of promoting transnational circulation and mobility shall be the following:*
 - (a) *supporting international touring, events, exhibitions and festivals;*
 - (b) *supporting the circulation of European literature with a view to ensuring its widest possible accessibility;*
 - (c) *supporting audience development as a means of stimulating interest in, and improving access to, European cultural and creative works and tangible and intangible cultural heritage*⁷⁶.

The financial allocation for the implementation of the programme is set out in the Regulation at EUR 1 462 724 000.

A noteworthy directive which relates to EU cultural policy is, among others, Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State. It establishes cooperation mechanisms and return procedures for holders to ensure the return of cultural objects unlawfully removed from the territory of

⁷⁵ Ibidem.

⁷⁶ Ibidem.

one EU Member State to the territory of another. This applies to all cultural goods defined in national legislation as „national treasures of artistic, historical or archaeological value”⁷⁷.

Article 2 of the Directive defines, among other things, ‘cultural object’ and ‘public collection’. *‘Cultural object’ means an object which is classified or defined by a Member State, before or after its unlawful removal from the territory of that Member State, as being among the ‘national treasures possessing artistic, historic or archaeological value’ under national legislation or administrative procedures within the meaning of Article 36 TFEU.*⁷⁸ Natomiast „zbiory publiczne” oznaczają zbiory, które zostały sklasyfikowane jako zbiory publiczne zgodnie z ustawodawstwem tego państwa członkowskiego, stanowiące własność państwa członkowskiego, władz lokalnych lub regionalnych państwa członkowskiego, lub instytucji w tym państwie członkowskim, pod warunkiem że taka instytucja jest własnością tego państwa członkowskiego albo władz lokalnych lub regionalnych bądź też jest w znacznym stopniu finansowana przez te państwo lub władze lokalne albo regionalne.⁷⁹

Article 13 of that directive states that it applies only to cultural objects unlawfully removed from the territory of a Member State from 1 January 1993.

The terms and conditions of one of the most successful and best-known European cultural events - the European Capitals of Culture - were established by Decision 1622/2006/EC of the European Parliament and the Council of the EU. This action, in accordance with Article 1 of the document, *was established in order to highlight the richness and diversity of European cultures and the features they share, as well as to promote greater mutual understanding between European citizens.*⁸⁰ The cultural programmes presented in the applications must comply with Article 167 TFEU and meet the two categories indicated in Article 4 of the Decision. The first category has been defined as the „European dimension” and the programme’s objective in this respect is:

- (a) *foster cooperation between cultural operators, artists, and cities from the relevant Member States and the other Member States in any cultural sector;*

⁷⁷ Culture, European Parliament, Fact sheets on the European Union, <http://www.europarl.europa.eu/factsheets/pl/sheet/137/kultura> (15.02.2019).

⁷⁸ Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State, amending Regulation (EU) No 1024/2012 (recast) OJ L 159, 28.5.2014, p. 1–10.

⁷⁹ Ibidem.

⁸⁰ Decision No 1622/2006/EC of the European Parliament and the Council of 24 October 2006 establishing a Community action for the European Capital of Culture event for the years 2007 to 2019, Official Journal of the European Union, L 304, 03 November 2006.

- (b) *highlight the richness of cultural diversity in Europe;*
- (c) *bring the common aspects of European cultures to the fore.*⁸¹

As regards the second category, the „Cities of citizens“ - the goal of the programme is:

- (a) *foster the participation of the citizens living in the city and its surroundings and raise their interest as well as the interest of citizens from abroad;*
- (b) *be sustainable and be an integral part of the long-term cultural and social development of the city.*⁸²

Melina Mercouri financial prize is awarded to the cities by the European Commission if they meet the criteria laid down in Article 4 and have fulfilled the recommendations of the selection panel and the monitoring and advisory panel (Article 11).

4.1.3. Other activities of the European Union institutions having legal and political consequences in the field of culture.

Article 288 of the TFEU, referred to in the previous Chapter, indicates, in addition to the binding acts of secondary legislation, those which do not have such force - *Recommendations and opinions shall have no binding force*. These acts allow the EU institutions to express themselves without obligation - i.e. without legal obligation for the addressees - on the Member States and in some cases on EU citizens.

The recommendations suggest appropriate behaviour to the addressee, without imposing any legal obligation

Opinions are issued when it comes to assessing the current situation or its development in the European Union or its Member States

It is worth stressing that recommendations and opinions are the last categories of legal measures explicitly enshrined in the EU Treaties. However, they are primarily political and moral in nature. By introducing these acts, the authors of the Treaties hoped that those concerned would voluntarily follow the recommendations addressed to them and respond appropriately to the assessments of the situation of the Union's institutions, given the recognition they enjoy and the fact that they

⁸¹ Ibidem.

⁸² Ibidem.

have a comprehensive overview and that the information in their possession goes beyond the national framework. However, recommendations and opinions may also have indirect legal effects if they create preconditions for future legislation in force or if the Union institution commits itself, which may under certain conditions give rise to legitimate expectations⁸³.

An example of such legislation is the Council Recommendation of 22 May 2018 on the promotion of common values, inclusive education and the European dimension in teaching. The document indicates the responsibilities of the Member States, including the promotion of common values, which should be achieved, among others, *by promoting active citizenship and ethics education as well as an open classroom climate to foster tolerant and democratic attitudes and social, citizenship and intercultural competences*⁸⁴; or the promotion of the European teaching model, among others, *by fostering an understanding of the European context and common heritage and values and an awareness of the unity and diversity, social, cultural and historical, of the Union and the Member States of the Union*.⁸⁵

In addition to the legal acts provided for by the Treaties, the Union's institutions have at their disposal a variety of activities to shape the legal and political order of the Union, including resolutions, action programmes, communications, and conclusions.

Resolutions contain common intentions and opinions on the overall integration process and specific tasks at EU and non-EU level⁸⁶

Resolutions may be issued by the European Council, the Council of the EU and the European Parliament. The political importance of the resolutions lies particularly in the fact that they guide the future work of the Council.

For example, the EP resolution of 13 December 2016 on a coherent EU policy for the cultural and creative sectors is worth mentioning.⁸⁷ In the document, the Parliament called for a strategic approach to release the potential of these sectors. It also asked the Commission to adopt measures for a coherent EU policy

⁸³ Klaus-Dieter Borchardt, ABC prawa Unii Europejskiej, Luksemburg 2017, p. 112.

⁸⁴ Council Recommendation of 22 May 2018 on promoting common values, inclusive education and the European dimension in teaching, [https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:32018H0607\(01\)&from=ET](https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:32018H0607(01)&from=ET) (12.03.2019).

⁸⁵ Ibidem.

⁸⁶ Klaus-Dieter Borchardt, op. cit., p. 113.

⁸⁷ European Parliament resolution of 13 December 2016 on a coherent EU policy for the cultural and creative sectors, 2016/2072(INI), <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0486+0+DOC+XML+V0//PL> (21.02.2019).

for the cultural and creative sectors, developing a comprehensive, coherent and long-term industrial policy framework for these sectors. Furthermore, it called for a series of measures to improve working conditions in the cultural and creative sectors, among others by including these sectors in the Youth Employment Initiative and by providing funding to support career paths, entrepreneurship and training in these sectors⁸⁸ Another example may be the Resolution by the Parliament of 8 September 2015⁸⁹.

Action programmes are established by the EU institutions upon their own initiative or at the request of the European Council and are aimed at implementing legislative programmes and general treaty objectives⁹⁰

The „EU’s Culture work plan (2015-2018)“ is worth mentioning at this point⁹¹ We will find here, among other things, the principles on which the work plan should be based:

- a) *to build on the achievements of the previous Work Plan for Culture (2011-2014) while adding to it a more strategic dimension in order to reinforce the link between the Work Plan and the work of the Council and its rotating Presidencies;*
- b) *to concentrate on topics with a clear EU added value;*
- c) *to take into account the intrinsic value of culture and the arts to enhance cultural diversity;*
- d) *to ensure the excellence, innovation, and competitiveness of the cultural and creative sectors by promoting the work of artists, creators, and cultural professionals and recognising the sectors’ contribution to the goals of the Europe 2020 strategy for growth and jobs, paying particular attention to the digital shift challenges;*

⁸⁸ Information documents on the European Union - 2019, www.europarl.europa.eu/factsheets/pl (19.02.2019).

⁸⁹ where the topic of cultural heritage was raised, stressing that the main value of this cultural heritage remains its cultural significance, but it also has a role to play in terms of economic growth and creation of workplaces. European Parliament resolution of 8 September 2015 towards an integrated approach to cultural heritage for Europe, 2014/2149(INI), <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0293+0+DOC+XML+V0//PL> (21.02.2019).

⁹⁰ Klaus-Dieter Borchardt, op. cit., p. 114.

⁹¹ The EU’s Culture work plan (2015–2018), https://eur-lex.europa.eu/legal-content/PL/TX-T/?uri=LEGISSUM%3A1002_4 (8.03.2019).

- e) *to mainstream culture in other policy areas, wherever relevant, in accordance with Article 167(4) TFEU;*
- f) *to encourage cross-sectorial cooperation;*
- g) *to ensure synergies with the Creative Europe Programme;*
- h) *to work towards evidence-based policy.*⁹²

The annexes to the plan also indicate its priority objectives, namely

- A. *Accessible and inclusive culture;*
- B. *Cultural heritage;*
- C. *Cultural and creative sectors: creative economy and innovation;*
- D. *Promotion of cultural diversity, culture in EU external relations and mobility.*⁹³

Atypical acts not listed in Article 288 TFEU also include communications from the EU institutions. Communications are usually developed by the European Commission and addressed to other EU institutions. Such a document is, among others, the Communication from the Commission to the European Parliament, the Council, the European Economic, and Social Committee and the Committee of the Regions of 10 May 2007 on a European agenda for culture in a globalizing world⁹⁴. The Commission presented a new strategy to strengthen cultural cooperation in the European Union (EU). The document focused on concrete proposals and a number of common objectives to be achieved. The Agenda encouraged the mobility of artists and cultural professionals and the exchange of all forms of artistic expression, the promotion and enhancement of intercultural competences and intercultural dialogue through the development of key competences for lifelong learning, such as cultural sensitivity and expression and communication in foreign languages⁹⁵

The Joint Communication to the European Parliament and the Council towards an EU strategy for international cultural relations (2016) is also worth mentioning as an example⁹⁶. The introduction to the document reads:

⁹² Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on a Work Plan for Culture (2015-2018), [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52014XG1223\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52014XG1223(02)) (8.03.2019).

⁹³ *Ibidem*.

⁹⁴ Communication from the Commission to the European Parliament, the Council, the European Economic, and Social Committee and the Committee of the Regions on a European agenda for culture in a globalizing world {SEC(2007) 570} (12.03.2019).

⁹⁵ http://publications.europa.eu/resource/cellar/337d1fae-13c8-4919-9739-0ae31f-5c6e1f.0018.02/DOC_2 (12.03.2019).

⁹⁶ JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Towards an EU strategy for international cultural relations JOIN/2016/029, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016JC0029> (12.03.2019).

Cultural diversity is an integral part of the values of the European Union. The EU is strongly committed to promoting a global order based on peace, the rule of law, freedom of expression, mutual understanding and respect for fundamental rights. Accordingly, promoting diversity through international cultural relations is an important part of the EU's role as a global actor. This involves a commitment to both promoting 'international cultural relations' through the support and assistance the EU provides to third countries and supporting the promotion of the Union and the diverse cultures of EU Member States through 'cultural diplomacy'⁹⁷. And further:

The EU has a lot to offer to the world: diversity of cultural expressions, high-quality artistic creation, and vibrant creative industry. It also stands to benefit greatly from increased exchanges with the rest of the world. At the same time, the EU's experience of diversity and pluralism is a considerable asset to promote cultural policies as drivers for peace and socio-economic development in third countries. This Joint Communication outlines the contribution the Union already makes to international cultural relations and proposes ways to develop the EU's international cultural relations in order to advance the Union's objectives to promote international peace and stability, safeguard diversity, and stimulate jobs and growth.⁹⁸

The Communication proposes an EU strategy for international cultural relations which will focus on three main directions for strengthening cultural cooperation with partner countries: supporting culture as a driver for sustainable social and economic development; promoting culture and intercultural dialogue in peaceful relations between communities, and enhancing cooperation on cultural heritage.

Conclusions are adopted at each European Council meeting, which indicates the problems the EU is facing, and specifies the actions to be taken or the objectives to be achieved

The conclusions are primarily of political importance, but often also indicate specific deadlines for reaching agreement on a given matter or for submitting a legislative proposal.

⁹⁷ Ibidem.

⁹⁸ Ibidem.

Let's take a look at selected European Council conclusions relating to the cultural policy of the Union. The Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States (2008)⁹⁹, which invite the Member States and the Commission, within their respective spheres of competence and with due regard for the principle of subsidiarity, to among others *strengthening the place and the role of culture in the policies and programmes conducted within the framework of external relations and promoting cooperation with third countries and international organisations with responsibility in the field of culture, in particular UNESCO and the Council of Europe, in order to improve the quality and diversity of the cultural activities carried out, and, more generally, contribute to the attainment of external policy objectives and to sustainable development*¹⁰⁰. It also called for a global and coherent approach:

- *drawing up a European strategy for incorporating culture consistently and systematically in the external relations of the Union and contributing to the complementarity of the Union's activities with those of its Member States,*
- *establishing specific strategies with regions and countries outside the Union with a view to clarifying objectives and approaches in the area of cultural relations; these strategies will, in particular, be tailored to the features and sustainable development prospects of their cultural sectors, to the state of cultural exchanges with the Union and to their economic and social situations,*
- *these specific strategies could be defined, in accordance with the distribution of powers established in the Treaty, at the end of processes involving expertise and consultation with the regions and countries concerned.*¹⁰¹

Other documents that may serve as examples of the European Council's influence in the area of culture include Council conclusions on the impact of the cultural and creative sectors on stimulating innovation, economic stability and social inclusion (2015)¹⁰²; Council conclusions on culture in the EU's external relations with a special focus on culture in development cooperation (2015)¹⁰³; Council conclusions on

⁹⁹ Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States, OJ C 320, 16.12.2008, p. 10–12.

¹⁰⁰ Ibidem.

¹⁰¹ Ibidem.

¹⁰² Council conclusions on cultural and creative crossovers to stimulate innovation, economic sustainability and social inclusion, OJ C 172, 27.5.2015, p. 13–16.

¹⁰³ Council Conclusions on culture in the EU's external relations with a focus on culture in development cooperation, OJ C 417, 15.12.2015, p. 41–43.

the role of the European digital library Europeana in the digital access, visibility and use of Europe's cultural heritage (2016),¹⁰⁴ etc.

4.2. EU institutions responsible for cultural policy

It is not without reason that this part of the study was primarily devoted to European Union law. After reading, even cursorily, subsection 4.1, the reader already has some idea which EU institutions are particularly involved in the process of law-making, including regulations relating to the field of culture.

This part of the study will briefly characterise the main institutions of the European Union - the European Commission, the European Parliament, the Council of the EU and the European Council - and the two advisory bodies indicated in Article 300 TFEU: The Committee of the Regions and the Economic and Social Committee (due to their obligation and right to give an opinion on the proposed legal solutions presented by the EC, EP or EU Council).

The European Commission is the executive body of the European Union, it takes decisions which guide the political direction of Union action

Article 17 of the Treaty on European Union is devoted to the European Commission. The Commission is led by a team of 28 Commissioners (the so-called College), one from each Member State. They take joint decisions to guide the political direction of the Commission. The Commissioners' term of office is 5 years and is correlated to the term of office of the European Parliament (as the body that approves the composition of the EC). The Commission is headed by a President, whose position in the Commission is extremely strong. The President is not only „first among equals“. The importance of their position lies in the fact that the President defines the guidelines within which the Commission carries out its tasks and decides on the internal organisation of the Commission¹⁰⁵.

The role of the EC is to defend the interests of the EU as a whole, not the interests of individual countries, so Commissioners are international officials and cannot be bound by instructions from national governments. In the Commission, it is

¹⁰⁴ Council conclusions on the role of Europeana for the digital access, visibility and use of European cultural heritage, OJ C 212, 14.6.2016, p. 9–13.

¹⁰⁵ Klaus-Dieter Borchardt, op. cit., p. 77.

they who take the decisions collectively¹⁰⁶, e.g. propose legislation, funding programmes and the annual budget for discussion and adoption by the European Parliament and the EU Council. As a rule, the EC takes decisions by consensus, sometimes they can be put to a vote. In this case, a simple majority shall be used and each Commissioner shall have one vote. The main tasks of the EC are submission of draft legislation - legislative initiative; management of EU policies and allocation of financial resources; enforcement of EU law; representation of the European Union on the international scene.

From the point of view of the European Commission's influence on cultural policy, it is the Commission that initiates all EU actions - it is the Commission that participates in submitting proposals and draft EU regulations to the Council, and is even obliged to act if the EU's interest so requires¹⁰⁷. As seen in the previous section, the Commission is involved both in the adoption of binding EU legislation - regulations, directives, and decisions - and is the author of many non-binding and non-standard acts.

The European Parliament is the only directly elected EU institution, it represents 500 million EU citizens and plays a key role in the election of the President of the European Commission and, together with the Council of the EU, it adopts EU law and budget

Article 14 TEU in paragraph 1 indicates that the *European Parliament, together with the Council, shall exercise legislative and budgetary functions. It shall exercise political control and consultative functions under the conditions laid down in the Treaties. It elects the President of the Commission*. This article also specifies the term of office of the EP, which is 5 years, and the number of MEPs, which is set at 750 (without a president).

The European Parliament (EP) is a unique practical example of multinational and multilingual democracy. Directly elected Members of the European Parliament participate in public debates and play a decisive role in EU policy-making¹⁰⁸.

¹⁰⁶ Decisions are taken jointly. All Commissioners are equal in the decision-making process, i.e. decisions are discussed jointly and all Commissioners are collectively responsible for them. They do not have individual decision-making powers, except in special cases where they receive special authorisation to do so.

¹⁰⁷ Klaus-Dieter Borchardt, op. cit., p. 79.

¹⁰⁸ The European Parliament The voice of citizens in the European Union. Short Guide to the European Parliament, Luxembourg 2017, p. 8.

Apart from the legislative function indicated in Article 14 TEU and illustrated by examples from the previous subsection, it is worth devoting some attention to the control function of PE. As the only directly elected EU institution, the Parliament takes its role as a guardian of freedom, human rights, and democracy, both within and outside Europe, very seriously. MEPs' primary task is to represent citizens at the EU level and protect their interests in dialogue with EU leaders and institutions¹⁰⁹ *EP control consists mainly of the Commission's duty to answer the inquiries of the Parliament* and explain their opinions and provide an annual report on the European Union's operations for a discussion. Parliament may then *declare*, by a two-thirds majority, a *motion of censure* and lead to the collective resignation of the members of the European Commission (Article 234 TFEU). In practice, also the Council must answer the questions asked by the European Parliament. The Parliament can conduct a direct political debate with two important EU bodies. The Parliament may also appoint special committees of inquiry in order to study cases of violating the EU legislation or poor administration in the EU.¹¹⁰ Most international agreements concluded by the EU require the approval of the European Parliament, which is also involved in shaping EU development and humanitarian aid policy. The EP's Sakharov Prize is also worth mentioning. It is awarded to individuals and organizations that have merited the defence of human rights, democracy and freedom of speech, fighting against intolerance and oppression anywhere in the world¹¹¹

The Council of the European Union represents the voice of EU governments, it adopts EU legislation and coordinates EU policies

The functions and composition of the Council of the European Union are described in Article 16 TEU. It stipulates in Paragraph 1 that *the Council shall, jointly with the European Parliament, exercise legislative and budgetary functions. It shall carry out policy-making and coordinating functions as laid down in the Treaties*. Paragraph 2 reads that *the Council shall consist of a representative of each Member State at ministerial level, who may commit the government of the Member State in question and cast its vote*.

¹⁰⁹ Ibidem. p. 11.

¹¹⁰ Klaus-Dieter Borchardt, op. cit., p. 67.

¹¹¹ Parlament Europejski: Głos obywateli w Unii Europejskiej..., op. cit., p. 12.

The official EU website mentions the main tasks of the EU Council¹¹²:

- together with the European Parliament, it negotiates and adopts EU legislation on the basis of legislative proposals presented by the European Commission,
- coordinates the policies of EU countries,
- sets out the orientations for the EU's foreign and security policy on the basis of European Council guidelines,
- signs agreements between the EU and other countries or international organisations,
- adopts, together with the European Parliament, the EU budget.

It is worth noting the way the Council of the EU takes decisions. First of all, it needs to be emphasized that all discussion and votes are public, and the decisions usually require a qualified majority¹¹³. At least four countries (representing at least 35% of the total EU population) are required to block a decision. There are, of course, exceptions that concern sensitive topics, such as foreign policy or taxation - then a unanimous decision is required (of all countries). A simple majority is required for procedural and administrative issues¹¹⁴

The work of the Council is prepared by a number of preparatory bodies (committees and working parties), composed of representatives of the Member States. One of the most important preparatory bodies is the Committee of Permanent Representatives of the Governments of the Member States (Coreper I and Coreper II), which in principle meets at least once a week. The work of the Council is supported by the Secretariat-General of about 2800 officials, headed by a Secretary-General appointed by the Council¹¹⁵

The European Council sets the general policy direction and priorities of the European Union

The European Council is composed of the Heads of State and Government of the EU countries, the President of the European Commission and the High Rep-

¹¹² https://europa.eu/european-union/about-eu/institutions-bodies/council-eu_pl#czym-zajmuje-si%C4%99-rada-ue? (15.03.2-19).

¹¹³ 55% of countries (with the current 28 Member States being 16) representing at least 65% of the total EU population.

¹¹⁴ https://europa.eu/european-union/about-eu/institutions-bodies/council-eu_pl#czym-zajmuje-si%C4%99-rada-ue? (15.03.2019).

¹¹⁵ Klaus-Dieter Borchardt, op. cit., p. 71.

representative for Foreign Affairs and Security Policy. The Council has been meeting informally since 1972. Its status was formalised in 1992 (Maastricht Treaty), while it has been an official institution of the European Union since 2009 (Lisbon Treaty).

Article 15 TEU, paragraph 1, states that *the European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions*. Special attention should be paid to the last sentence - due to its rank, the documents issued by this institution are of a political and not legal nature. However, the practice shows that conclusions are adopted by way of consensus¹¹⁶ and announced at the end of each European Council meeting. They give a signal so to the direction of legislative actions undertaken by the remaining and authorized EU institutions.

The Lisbon Treaty created a new institution - the President of the European Council. The President of the European Council does not have a national mandate, but a European mandate. They are in office for two and a half years on a full-time basis. Their task is to prepare European Council meetings and summarize the previous activities, as well as to represent the EU at international summits on Common Foreign and Security Policy issues¹¹⁷

The European Economic and Social Committee is an advisory body representing workers' and employers' organisations and other interest groups

The European Economic and Social Committee is an EU advisory body that delivers opinions on EU matters to the European Commission, the Council, and the European Parliament. It is a kind of link between the European institutions taking decisions and EU citizens. Within the Committee, interest groups can formally express their views on EU legislative proposals. The EESC's three main tasks are: to ensure that EU policies and legislation are better linked to the concrete economic and social reality and thus ensure a consensus that serves the general interest; to support a more participatory European society through dialogue with workers' and employers' organisations and other interest groups; to promote the values on which European integration is based and to promote participatory democracy and the role of civil society organisations¹¹⁸

¹¹⁶ Consensus is an agreement reached through discussion and compromise

¹¹⁷ Klaus-Dieter Borchardt, op. cit., p. 69.

¹¹⁸ https://europa.eu/european-union/about-eu/institutions-bodies/european-economic-social-committee_pl (1503.2019).

The EESC consists of 350 members (advisers) from the most representative organisations in each Member State. They are appointed for a period of five years by the Council of the EU, which adopts the list of members drawn up in accordance with the proposals of each Member State¹¹⁹.

The European Committee of the Regions is an advisory body representing European regional and local authorities

The European Committee of the Regions consists of elected representatives of local and regional authorities. Each country designates its members which are afterward appointed for a renewable five-year term by the Council of the EU. The number of members of the ECC is 350 and the size of the representation from each country depends on the population of that country. Members from one country form a national delegation that reflects the political, geographical, regional and local situation of that country. Any member may also be a member of a political group within the ECE¹²⁰.

It should be stressed that the Commission and the Council of the EU have an obligation to consult the Committee of the Regions in certain areas, the so-called 'mandatory consultation'. Such areas include culture, alongside education; public health; trans-European networks; transport, telecommunications and energy infrastructures; economic and social cohesion; employment policy and social rights legislation. In addition, the Council consults the Committee of the Regions on various legislative proposals on a regular basis and without legal force (these are so-called 'optional consultations')¹²¹

¹¹⁹ Klaus-Dieter Borchardt, op. cit., p. 88.

¹²⁰ https://europa.eu/european-union/about-eu/institutions-bodies/european-committee-regions_pl (15.03.2019).

¹²¹ Klaus-Dieter Borchardt, op. cit., p. 89.

V. Main EU initiatives and programmes in the field of culture in a few years frame

The issue of culture in the policies of the European Union should be analysed through the prism of all countries participating in it, but also as a common heritage. Participation in undertakings implemented as a part of the EU's cultural policy allows for achieving numerous diverse advantages. Actions that support the EU culture are also directed to improve the economic competitiveness, create new workplaces, promote the political interest of countries taking part in support programmes. For this reason, the cultural policy in the EU should be treated not only as a platform for cultivating the national heritage related to the preservation of monuments or promotion of fine arts development but also as one dimension of the common market.

Culture, as understood by the European Union, is a manifestation of innovation and creativity, it stimulates changes, which lead to the development of urban and rural areas. Contemporary communities find the aspects of culture regarding everyday life are very important.

5.1. A brief overview of significant European cultural programmes - from a historical perspective

From the 1980s the European Community has taken action in the field of culture. They concerned, among others, renovation of monuments of particular importance for European culture; intensification of artistic and cultural cooperation of professionals; support for reading, literature, translation; protection of architectural heritage; popularization and protection of European cultural heritage.

From the very beginning, the cultural activities have been carried out in cooperation with third countries, mainly with the associated countries, including among others the Middle-East countries since the 1990s. One of the first programmes was Kaleidoscope¹²², implemented between 1996 and 1999. Its aim was to promote the culture of the European peoples by supporting cultural events and artists and peo-

¹²² more information available https://europa.eu/rapid/press-release_IP-95-764_en.htm

ple working in the cultural sector (support was conditional on the participation of operators from at least three Member States)¹²³

The Ariane programme¹²⁴, implemented between 1997 and 1999, was aimed at disseminating and popularising the literary creation and history of European nations (largely through translation). The Raphael programme¹²⁵, implemented at the same time, aimed in turn at restoring and popularising the European cultural heritage, encouraging international cooperation and, finally, broadening public access to culture¹²⁶

These programmes were a preparation for the wider measures taken in the Culture 2000¹²⁷ programme for the 2000-2006 budget period. The main objective was to promote and support creative activities, to ensure mutual knowledge of history, to cultivate a common European cultural heritage, to support European integration. This was to be achieved through the implementation of specific objectives, which included: emphasizing the diversity of cultures as a significant factor of European identity; promoting creativity and dialogue between cultures; opening up to cultures from outside the EU; increasing access to various forms of cultural activity; using new technologies; recognising culture as one of the factors influencing the economy; promoting European culture in the world and emphasising its importance for the civilisational heritage of humanity¹²⁸.

Since 2001, the structure of the Culture 2000 Programme covered four areas defined by the European Commission as follows:

1. Common European Cultural Heritage (movable, immovable, archaeological and underwater);
2. Common European artistic and literary creation;
3. Mutual understanding of the history and culture of the nations of Europe;
4. European projects such as the European Capital of Culture and cultural initiatives of the countries holding the EU Presidency¹²⁹.

¹²³ <http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-rachmach-unii-europejskiej>

¹²⁴ more information available https://europa.eu/rapid/press-release_IP-97-1057_en.htm

¹²⁵ more information available <https://cordis.europa.eu/article/rcn/9322/en>

¹²⁶ <http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-rachmach-unii-europejskiej>

¹²⁷ DECISION No 508/2000/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 February 2000 establishing the Culture 2000 programme <https://www.prawo.pl/akty/dz-u-ue-l-2000-63-1,67429948.html>

¹²⁸ <http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-rachmach-unii-europejskiej>

¹²⁹ The Presidency of the Council of the European Union is the period during which a Member State chairs meetings of the Council of the European Union; it also represents the Council of the EU internationally.

Each of the above-mentioned fields has been assigned 4 categories of projects (experimental, innovative and special projects, as well as projects implemented within the framework of institutionalized, multi-annual, international cultural co-operation agreements), and each category has its own subcategory of projects. The subcategories covered a very broad spectrum of cultural activities - it is worth mentioning some of them:

- within Domain I: digital technology and movable cultural heritage, travelling exhibitions relating to movable heritage, conservation and restoration of monuments from the 10th to 15th century, support for and access to archaeological and architectural heritage, artistic movements and schools from the 19th to 20th century, underwater archaeology, archives (excluding cinematographic archives);
- within Domain II: new technologies and literary creation; new technologies and performing and visual arts; promotion of new forms of expression and relations with the public in the performing, visual and other arts relating to them; promotion and circulation of the works of young musicians and composers; cultural communication, artistic creation and social inclusion; literary discussions, exchanges, publications, and dissemination; travelling exhibitions combining elements of new technologies and new forms of artistic expression; contemporary dance, co-productions, and choreography; co-productions in the field of visual and other arts related to this category of art and the flow of works; co-productions in the field of opera and lyrical theatre; theatre co-productions; contemporary music; cooperation between writers' associations and literary institutes aimed at developing literary output; multidisciplinary forms;
- within Domain III: use of digital technologies and multilingualism to enhance heritage and cultural values; promotion and study of the 'leitmotif' and memory of the place and of the historical moments shared by the peoples of Europe which are of cultural interest; promotion of current trends in the perception and understanding of ideas characteristic of the 18th and 19th centuries, as well as dissemination of both by means of educational publications in book and multimedia form; mutual relations between various philosophical and religious trends from the 1st to the 9th century A.D.; the influence of the Enlightenment period on the shape of the contemporary European state; mutual understanding of the history and culture of Europeans in the context of extracurricular education systems in Europe.

The Culture 2000 programme is followed by the Culture 2007 programme¹³⁰ (for 2007-2013). The Culture 2007 programme was the only EU programme addressed directly to cultural operators from all over Europe. It allowed to receive funding for international, non-profit cultural and artistic projects supporting three objectives:

- 1/ mobility of people active in the cultural sector;
- 2/ circulation of artistic and cultural works and products;
- 3/ Intercultural dialogue.

Public or private institutions and organisations with legal personality and active in the cultural sector in any field could apply for grants (an exception was made for audiovisual activities, as they were covered by the MEDIA Programme below during this period). The programme consisted of three main areas and grant competitions were held once a year for each area according to the established call for proposals schedule:

- area 1 supported cultural projects (short and long-term, projects with third countries, European cultural festivals, literary translation projects);
- area 2 supported cultural operators at European level through operating grants: ambassadors of European culture (including orchestras, choirs, theatre groups, dance groups, which have included at least 7 countries); networks of promoters (today we would call them European cultural networks, about which you will read below); structural dialogue platforms (for organisations actively involved in structural dialogue with the European Commission);
- area 3 included cooperation projects between organisations from a minimum of three countries, analysing European cultural policies, examining cultural strategies at local, regional, national and/or European level in projects lasting up to two years¹³¹

As we can read on the European Union website „The MEDIA programme was an initiative that ran from 2007-2013 with a budget of €755 million to support projects and activities designed to support the development and distribution of thousands of films, as well as training activities, festivals, and promotion projects throughout the continent”¹³². The programme was mainly to strengthen the audiovisual sector, to increase the distribution and circulation of European audiovisual works within

¹³⁰ DECISION No 1903/2006/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 December 2006 establishing the Culture Programme (2007-2013) <https://www.prawo.pl/akty/dz-u-ue-l-2006-378-22,67653990.html>

¹³¹ Culture Programme 2007-2013 in Poland – analysis and summary, Warszawa 2013, pp. 8-10.

¹³² https://ec.europa.eu/programmes/creative-europe/previous-programmes/media_en

and outside Europe, to improve competitiveness by facilitating access to financing and promoting the use of digital technologies. The initiatives supported include training of professionals, development of production projects, distribution of films and audiovisual programmes, promotion of films and audiovisual programmes, support for film festivals, promotion of the use of new technologies¹³³

The programme also launched the MEDIA Mundus initiative, which explored ways to strengthen global cooperation between EU and non-EU audiovisual professionals¹³⁴

5.2. The Creative Europe Programme

In 2018, the European Commission adopted a new European agenda for culture, which follows on from the European Agenda for Culture adopted in 2007. The Council of the European Union, in a work plan adopted on 27 November 2018, identified the following five priorities for European cooperation on cultural policy-making:

- 1/ sustainable development in cultural heritage;
- 2/ consistency and well-being,
- 3/ an ecosystem that supports artists, creators and creators and European content;
- 4/ Gender equality,
- 5/ international cultural relations¹³⁵.

This plan forms part of the strategic framework of the European Agenda for Culture¹³⁶.

The Creative Europe¹³⁷ programme today is the main source of EU funding for the culture sector. The Programme also supports policy work undertaken under the Work Plan for Culture. As of 2021, a new programme will support policy action in the field of culture. This programme supports European cinematography, the arts, and the creative sector. Its aim is to create jobs and growth in Europe and to open up to new opportunities and markets around the world and thus win new recipients. This programme is a continuation of the previously described undertakings

¹³³ Ibidem.

¹³⁴ Ibidem.

¹³⁵ A new Work Plan for Culture to start in 2019, https://ec.europa.eu/culture/news/2018/new-work-plan-culture-start-2019_en

¹³⁶ https://ec.europa.eu/culture/policy/strategic-framework_en

¹³⁷ https://ec.europa.eu/programmes/creative-europe/node_en

already taken since 2011 (Culture Programme 2007-2013¹³⁸ and Media Programme 2007-2013¹³⁹), and is implemented under annual work¹⁴⁰ programmes.

The Creative Europe Programme currently consists of three sub-programmes: Culture - supports cultural sector initiatives, including those promoting cross-border cooperation, platforms and networking, literary translation; Media - supports audiovisual sector initiatives, including those promoting the development, distribution of or access to audiovisual works; Cross-sectoral - provides a kind of guarantee instrument and supports transnational policy cooperation.

On the homepage of the programme, we can read that its primary objectives are to:

- help the cultural and creative sectors seize the opportunities of the digital age and globalisation;
- enable the sectors to reach their economic potential, contributing to sustainable growth, jobs, and social cohesion;
- give Europe's culture and media sectors access to new international opportunities, markets, and audiences¹⁴¹.

The Creative Europe Programme, as part of the so-called actions, includes European prizes:

- *EU Prize for Contemporary Architecture - Mies van der Rohe Award* – “is a biennial prize highlighting outstanding architectural works built across Europe. Besides the main prize, the Award also includes the Emerging Architect Prize”¹⁴²;
- *European Union Prize for Literature* - is an annual initiative to recognise the best emerging authors in Europe¹⁴³;
- *European Heritage Awards* - highlight some Europe's best achievements in heritage care, and showcase remarkable efforts made in raising awareness about cultural heritage¹⁴⁴;
- *Music Moves Europe Talent Awards* – is the EU prize for popular and contemporary music, with this award the European Commission aims to put

¹³⁸ https://ec.europa.eu/programmes/creative-europe/previous-programme/culture_en

¹³⁹ https://ec.europa.eu/programmes/creative-europe/previous-programmes/media_en

¹⁴⁰ The existing programmes - from 2011 to 2020 - are available at https://ec.europa.eu/programmes/creative-europe/annual-work-programmes_en

¹⁴¹ https://ec.europa.eu/programmes/creative-europe/about_en

¹⁴² https://ec.europa.eu/programmes/creative-europe/actions/architecture-prize_en

¹⁴³ https://ec.europa.eu/programmes/creative-europe/actions/literature-prize_en

¹⁴⁴ https://ec.europa.eu/programmes/creative-europe/actions/heritage-prize_en

a spotlight on the most interesting new European talents – and to showcase the richness of the European music industry¹⁴⁵;

- *Young Talent Architecture Award* - was launched to support the talent of recently graduated Architects, Urban Planners, and Landscape Architects¹⁴⁶.

The Creative Europe programme is also the broadly known initiatives as, among others, The European Capitals of Culture¹⁴⁷ (initiative was designed to: highlight the richness and diversity of cultures in Europe, celebrate the cultural features Europeans share, increase European citizens' sense of belonging to a common cultural area, foster the contribution of culture to the development of cities¹⁴⁸); European Heritage Days¹⁴⁹ (during the European Heritage Days, doors are opened to thousands of monuments and sites - some of them normally closed to the public, allowing people to enjoy free visits, learn about their shared cultural heritage and become actively involved in the safeguarding of Europe's heritage for present and future generations¹⁵⁰).

Let's take a look at selected projects in two Creative Europe sub-programmes: Culture and Media The project from 2019 is *PLAYON! A new face of storytelling, using immersion technology*. It is a broad project, initiated by 9 European theatres, which extended and diversified experience in the use of digital technologies. The project allowed to establish a partnership within a technical sector which brings together as many as 8 universities, which pose some creative support in the scope of technical knowledge. With a grant of EUR 2 million, the partner institutions want to achieve the following objectives over the next four years: development of new forms of storytelling which use the structure known from digital games; combination of new narrative forms with technologies using immersion mechanisms; use of the developed effects to expand theatrical activities in public space and an invitation to co-create stories of high school students¹⁵¹

Also, nearly a two-million (EUR) support was granted in 2019 to the project *HEMI - hub for exchange of music innovation in Central and South-Eastern Europe*. It is a kind of incubator for music networks and communities in Central and Eastern Eu-

¹⁴⁵ https://ec.europa.eu/programmes/creative-europe/actions/eu-music-prize_en

¹⁴⁶ https://ec.europa.eu/programmes/creative-europe/actions/young-talent-architecture-award_en

¹⁴⁷ https://ec.europa.eu/programmes/creative-europe/actions/capitals-culture_en

¹⁴⁸ Ibidem.

¹⁴⁹ https://ec.europa.eu/programmes/creative-europe/actions/heritage-days_en

¹⁵⁰ Ibidem.

¹⁵¹ <https://kreatywna-europa.eu/fundedprojects/playon-nowe-oblicze-strorytellingu-wykorzystujacego-technologie-immersyjne-playon-new-storytelling-with-immersive-technologies/>

rope and the CSEE sector working to strengthen and expand cooperation between organisations operating in the broadly defined music industry and the live music sector. The aim of HEMI is to develop partnership activities consisting of conferences, festivals, music events, panels, workshops, and online seminars. HEMI also aims to educate the music sector by organising mentoring sessions for musicians and managers¹⁵².

The project *ADESTE+ Audience development strategies for cultural organisations in Europe* received more than one million (EUR) in 2018. It is addressed both to cultural organisations focused on recipients and audiences, and to the units supervising and organising the activities of these organisations. ADESTE+ is intended to develop and promote innovative methods in audience development. The tools developed are designed to help organizations to effectively engage in audience acquisition and create an informed audience¹⁵³.

The *Media* sub-programme mainly subsidises film productions, but also game development, training, promotion or distribution projects, and film festivals. For example, support for TV and VOD producers and broadcasters may be sought by independent producers (the main objective and area of activity of the company must be audiovisual production) preparing fiction, animation and creative documentaries for television broadcasting or on platforms of high quality, with the significant participation of professionals who are citizens or residents of the MEDIA component countries. Of course, there are certain specific conditions to be met by a project, such as a feature film (film or series) of a minimum length of 90' intended for television distribution in the first place, an animation (film or series) of a minimum length of 24' intended for television distribution in the first place, or a creative documentary (film or series) of a minimum length of 50' intended for television distribution in the first place¹⁵⁴.

In turn, when it comes for example to video games development, the aim of this funding area is to increase the capabilities of the European game producers to develop innovative projects with potential allowing distribution within and beyond Europe and improve the competitiveness of the European sector of video games on the European and international markets. Applicants may submit proposals to develop a video game concept and design with a highly innovative and cre-

¹⁵² <https://kreatywna-europa.eu/fundedprojects/hemi-hub-for-exchange-of-music-innovation-in-central-and-south-eastern-europe/>

¹⁵³ Homepage: <https://www.adesteplus.eu/>

¹⁵⁴ Support for TV and VOD producers and broadcasters, promotional leaflet, Creative Europe Desk Poland

ative storyline for commercial use on computers, consoles, mobile devices, tablets, smartphones and other technologies¹⁵⁵.

It should be kept in mind that the innovative nature of projects co-founded as part of the MEDIA components of the Creative Europe programme is one of the most important criteria when the applications are evaluated by independent experts. Of particular importance in this context are developing existing initiatives and enriching them with new elements responding to the needs of a changing market; new technological solutions developed in the framework of the proposed projects; extending the distribution strategy to new channels; new methods of reaching out to the public; increasing promotional and marketing potential, e.g. in the field of marketing and marketing. through the use of databases and other IT tools; effective strategies for partner and sponsor acquisition; proposals for new ways of financing (e.g. crowdfunding, cooperation with business and private investors); effective use of funds (e.g. crowdsourcing, sharing of project results with partners, networking, knowledge and know-how exchange)¹⁵⁶.

5.3. Cultural Networks

It is worth paying a little more attention to the European network of cultural cooperation. The *Cultural Network* is an organisation of persons and/or institutions with similar professional interests or a similar role in their own cultural environment or in a particular art field. European cultural networks operate across national borders, usually taking the legal form of an association registered in a European country. The networks pose a bridge between the basic cells of the cultural sector (individuals artists, animators, organisations from the third sector) and international institutions. They remain some important actors on the European cultural stage. Their strength is to convince their member organizations that a joint effort brings better results, both at the local and international level, and the combination of research/theoretical and practical dimensions, typical for many associations, is an invaluable value for contemporary cultural operators¹⁵⁷.

Currently, the support for international cultural actions performed by the European networks of cultural cooperation is granted provided that the project

¹⁵⁵ Video game development, promotional leaflet, Creative Europe Desk Poland

¹⁵⁶ Innovations in the audiovisual sector, promotional leaflet, Creative Europe Desk Poland

¹⁵⁷ M. Sternal, *Sieci współpracy kulturalnej – czym są, jak powstają i działają?*, Warszawa 2012, pp. 9 and 12.

implemented by the network contributed to the network contributes to the following objectives and priorities:

- acquiring skills, competences, and expertise, exchanging experience and testing innovations,
- enable operators in the cultural and creative sectors to operate transnationally and cooperate internationally,
- strengthening cooperation between existing networks to strengthen their organisational and financial structure in order to avoid carrying out the same activities¹⁵⁸.

Among the current European cultural cooperation networks, the following can be mentioned:

- *Trans Europe Halles* - supports civil society initiated cultural centres to improve their resilience, sustainability, international cooperation, and mobility, and to train cultural professional workers¹⁵⁹;
- *Network of European Museum Organisations* - is a network of national museum organisations and similar bodies representing the museum community of the member states of the Council of Europe. Together, NEMO's members speak for over 30,000 museums across Europe¹⁶⁰;
- *Live (DMA)* - is an umbrella network gathering popular live music venues and festivals throughout Europe. It supports emerging artists and cultural diversity within the popular music industry, in addition to endorsing data collection and research¹⁶¹;
- *IMZ – International Music + Media Centre* - is an international network with a strong B2B orientation. It targets producers of cultural content and media dissemination and covers various music genres as well as traditional and contemporary dance-productions in and for audiovisual media¹⁶²;
- *Federation of European Storytelling (FEST)* - endorses storytelling as performing art, and aims to develop its quality, artistry, documentation, mobility and professional competences, as well as applying this discipline to other cultural and social sectors¹⁶³;
- *Eurozine* - plans to improve the know-how of European cultural journal operators in terms of internationalisation, digital technologies know-how,

¹⁵⁸ <https://kreatywna-europa.eu/aplikacje/sieci-europejskie/>

¹⁵⁹ Homepage: <http://teh.net/>

¹⁶⁰ Homepage: <https://www.ne-mo.org/>

¹⁶¹ Homepage: <http://www.live-dma.eu/>

¹⁶² Homepage: [Homepage: https://www.imz.at/](https://www.imz.at/)

¹⁶³ Homepage: <https://fest-network.eu/>

business, and management, along with fostering translation and publishing activities¹⁶⁴;

- *European network on cultural management and policy* - is an international non-governmental organisation and European network of higher educational institutions and training organisations dealing with cultural management education and training¹⁶⁵;
- *European Music Council* - is an umbrella organisation for musical life in Europe, advocating for the societal and political significance of musical diversity in Europe¹⁶⁶;
- *European Festivals Association* - is the umbrella organisation for festivals across Europe and beyond¹⁶⁷;
- *European Dancehouse Network* - is designed to cooperate in securing a sustainable future for the dance sector and to improve relevance for diverse dance among society¹⁶⁸;
- *Culture Action Europe* - is an organisation aiming to promote culture, to disseminate information on European policies and legislation that have an impact on the cultural development of European societies, and to exchange, convey, and publish ideas and debates on European policies¹⁶⁹;
- *ENGAGE Empowering today's audiences through challenging theatre* – is a network of public theatres represents over 40 publicly funded theatres in more than 20 countries. It aims to increase visibility, public participation and engagement with theatre, involving digital technologies and raising the profile of contemporary drama¹⁷⁰;
- *EUROPA CANTAT EV* - is a network that promotes collective singing while also fostering intercultural dialogue, cross-sectorial cooperation and encouraging inclusion and stylistic diversification of choral singing throughout Europe¹⁷¹;
- *European Composer and Songwriter Alliance* - represents over 23,000 professional composers and songwriters in 22 European countries, with 43 member organisations across Europe, and represents the interest of music

¹⁶⁴ Homepage: <https://www.eurozine.com/>

¹⁶⁵ Homepage: <https://www.encatc.org/>

¹⁶⁶ Homepage: <https://www.emc-imc.org/>

¹⁶⁷ Homepage: <https://www.efa-aef.eu/en/home/>

¹⁶⁸ Homepage: <http://ednetwork.eu/>

¹⁶⁹ Homepage: <https://cultureactioneurope.org/>

¹⁷⁰ Homepage: <https://www.europeantheatre.eu/?l=FR>

¹⁷¹ Homepage: <https://europeanchoralassociation.org/>

writers of art and classical music, film, and audio-visual music, and popular music¹⁷².

5.4. European Year of Cultural Heritage

Another initiative planned in the Council of the European Union document¹⁷³ of November 2018 was the **European Year of Cultural Heritage**¹⁷⁴, which established 2018 as a period for celebrating a diverse cultural heritage across Europe - at EU, national, regional and local levels¹⁷⁵. "To make sure the European Year of Cultural Heritage leaves a policy imprint beyond 2018, the European Commission, in collaboration with key partners, is running long-term projects around 10 themes, called the 10 European Initiatives. The 10 European Initiatives correspond to 4 principles that define what the European Year of Cultural Heritage 2018 stands for: Engagement, Sustainability, Protection, and Innovation"¹⁷⁶.

As we can read on the programme website "There are 2 key assumptions behind the 10 European Initiatives. First, that cultural heritage has a clear European dimension and therefore calls for joint action at the European level. Second, that cultural heritage needs to be addressed, in addition to cultural policy, through other EU policies such as education, agriculture and rural development, regional development, social cohesion, environment, tourism, research, and innovation, among others. The 10 Initiatives provide a framework for a European, cross-sectoral and integrated approach to cultural heritage"¹⁷⁷.

¹⁷² Homepage: <http://composeralliance.org/>

¹⁷³ Draft Council conclusions on the Work Plan for Culture 2019-2022 – Adoption, <http://data.consilium.europa.eu/doc/document/ST-13948-2018-INIT/en/pdf#http://data.consilium.europa.eu/doc/document/ST-13948-2018-INIT/en/pdf>

¹⁷⁴ <https://europa.eu/cultural-heritage/>

¹⁷⁵ Ibidem.

¹⁷⁶ https://ec.europa.eu/culture/content/overview_en

¹⁷⁷ Ibidem.

10 EUROPEAN INITIATIVES • 4 PRINCIPLES

ENGAGEMENT

1. **Shared heritage:** cultural heritage belongs to us all
2. **Heritage at school:** children discovering Europe's most precious treasures and traditions
3. **Youth for heritage:** young people bringing new life to heritage

SUSTAINABILITY

4. **Heritage in transition:** re-imagining industrial, religious, military sites and landscapes
5. **Tourism and heritage:** responsible and sustainable tourism around cultural heritage

PROTECTION

6. **Cherishing heritage:** developing quality standards for interventions on cultural heritage
7. **Heritage at risk:** fighting against illicit trade in cultural goods and managing risks for cultural heritage

INNOVATION

8. **Heritage-related skills:** better education and training for traditional and new professions
9. **All for heritage:** fostering social innovation and people's and communities' participation
10. **Science for heritage:** research, innovation, science and technology for the benefit of heritage

Source: https://ec.europa.eu/culture/content/overview_en

VI. Terminology¹⁷⁸ used in the script

Acquis communautaire - the *acquis communautaire* of the European Union, it covers all the treaties, existing laws, judicial decisions, different types of decisions of the second (foreign and security policy) and third pillar (justice and home affairs), as well as soft law.

Creative Europe - the 2014-2020 programme, established by Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013, supports the European cultural and creative sectors. Creative Europe consists of three sub-programmes: Culture - supports cultural sector initiatives, including those promoting cross-border cooperation, platforms and networking, literary translation; Media - supports audiovisual sector initiatives, including those promoting the development, distribution of or access to audiovisual works; Cross-sectoral - provides a kind of guarantee instrument and supports transnational policy cooperation.

Culture - is understood as a space for social institutions, laws, and relations between people, societies, and is often treated as the overall behavior and functioning of man in society. In general, culture is nowadays understood as material and symbolic products, which are a transformation of the state of nature that builds current consciousness and is the legacy of the community.

Cultural management - includes the planning, processing, monitoring, and controlling of management functions in an international and cross-cultural context. Cultural management addresses the minimization of cultural conflicts for an increased organizational efficiency considering manifestations of corporate and country culture.

Cultural Network is an organisation of persons and/or institutions with similar professional interests or a similar role in their own cultural environment or in a par-

¹⁷⁸ For the full database of the terminology used in the EU, see <https://iate.europa.eu/home> IATE (Interactive Terminology for Europe) is the EU's terminology database. It has been used in the EU institutions and agencies since summer 2004 for the collection, dissemination, and management of EU-specific terminology. The project was launched in 1999 with the aim of providing a web-based infrastructure for all EU terminology resources, enhancing the availability and standardisation of the information.

ticular art field. European cultural networks operate across national borders, usually taking the legal form of an association registered in a European country.

Cultural policy - a deliberate, systematic interference in the sphere of culture conducted to achieve specific goals. Generally, the main goals of cultural policy are: preserving the cultural identity of the nation, providing an equal access to culture, promoting creativity and high quality of goods and services, as well as providing a diversified cultural offer (in order to each social group could find conditions for active participation in culture), conducting conscious cultural education understood as a process of shaping participation in the sphere of artistic life from an early age, promoting own culture through its balanced presentation on the internal and external market, in a balanced relationship of activity in both the western countries and the eastern states, creating a coherent financing system and supporting valuable and significant cultural phenomena. This applies to subsidies not only for the artistic events at the state level but also for projects at the local level prepared by non-governmental organizations.

Cultural rights - are seen as part of civil rights relating to freedom of expression, right to and responsibility for cultural heritage, right to free practice of art and culture and to creative work, right to protect the intellectual and material benefits accruing from scientific, literary and artistic production, right to participate in cultural life and right to equally accessible and available cultural, library and information and leisure services, right to choose one's own culture, right to the development and protection of culture – respect for culture and its autonomy and for cultural identity.

Cultural and creative sectors - include among others architecture, archives, libraries and museums, artistic crafts, audiovisual (including film, television, video games, and multimedia), tangible and intangible cultural heritage, design, festivals, music, literature, performing arts, publishing, radio, and visual arts.

Decision - is an act of community law binding for those entities which it is directed at, and it is applied directly.

Directive - is an act of Community law which is binding on each Member State to which it is addressed as regards the result to be achieved, leaving the national authorities free to choose the form and means.

European Economic and Social Committee - is an advisory body representing workers' and employers' organisations and other interest groups. It is a kind of link between the European institutions taking decisions and EU citizens. Within the Committee, interest groups can formally express their views on EU legislative proposals.

European Committee of Regions - is an advisory body representing European regional and local authorities. It consists of elected representatives of local and regional authorities.

European Commission - is the executive body of the European Union, it takes decisions guiding the political direction of the Union. Its task is to defend the interests of the whole EU. The main tasks of the EC are submission of draft legislation - legislative initiative; management of EU policies and allocation of financial resources; enforcement of EU law; representation of the European Union on the international scene.

Conclusions - are adopted at each European Council meeting, which identifies the problems faced by the EU and sets out the actions to be taken or the objectives to be achieved.

Opinions - are non-binding acts of secondary EU law, issued when it comes to assessing the current situation or its development in the European Union or its Member States.

European Parliament - is the only directly elected EU institution, represents 500 million EU citizens, plays a key role in the election of the European Commission President and, together with the Council of the EU, it adopts EU law and budget

Policy - is a process as well as a product. It is used to refer to a process of decision making and also a product of that process. Policy may be understood as: an argument rationalizing the course of action taken by government (e.g. legislation); a plan of action adopted by an individual or group; a written contract or certificate, a plan or course of action as of a political party, or business intended to determine decisions, actions, etc. Policies are statements that guide thinking and actions in the decision-making process.

Primary EU legislation - is of a constitutional nature and is situated at the top of the hierarchy of sources of EU law, first of all in relation to the secondary law established by the EU institutions, but also in relation to the national law of Member States.

Secondary EU legislation - includes regulations, directives, and decisions - is derived from the principles and objectives set out in the Treaties (primary law).

European Council - it sets the main direction for the EU policy and priorities. The European Council is composed of the Heads of State and Government of the EU countries, the President of the European Commission and the High Representative for Foreign Affairs and Security Policy.

Council of the European Union - represents the voice of EU governments, adopts EU laws and coordinates EU policies. It is composed of representatives of EU Member States at the ministerial level.

Resolutions - legal acts issued by the EU institutions containing common intentions and opinions on the overall integration process and specific tasks at EU and non-EU level.

Regulation - is the binding act by which the EU institutions interfere most closely with national legal systems (it is binding in its entirety, directly, on the EU institutions, the Member States, but also on natural and legal persons from those countries).

National identity - means the specificity of culture, language, religion, but also state identity (constitutional), state distinctiveness, preservation of basic state functions.

Recommendations - are non-binding acts of secondary EU legislation, suggesting to the addressee appropriate behaviour without imposing a legal obligation.

Subsidiarity - means that the European Union's role is to complement and support, rather than replace, the actions of the Member States. The aim of introducing the principle of subsidiarity into the European treaties was to exercise competence at the level closest to the citizen.

Proportionality principle - under this principle, EU action is limited to what is necessary to achieve the objectives set out in the founding treaties. In other words, the essence and form of a given activity must be oriented towards the goal for which it was intended.

Literature

Babicz-Zielińska E., Jeżewska-Zychowicz M., Wpływ czynników środowiskowych na wybór i spożycie żywności, "Handel wewnętrzny" 2015 nr 2(355)

Botz-Bornstein T., What is the Difference Between Culture and Civilization?: Two Hundred Fifty Years of Confusion, "Comparative Civilizations Review", vol. 66, 2012

Borchardt K-D., ABC prawa Unii Europejskiej, Luksemburg 2017

Carrithers M., Why Humans Have Cultures: Explaining Anthropology and Social Diversity, Oxford University Press 1992

DeVereaux, Cultural Management and the Discourse of Practice, http://www.fachverband-kulturmanagement.org/wp-content/uploads/2012/02/devereaux_cultural_management_discourse_of_practice.pdf

Fimyar O., Critical Review: What is the policy? In search of frameworks and definitions for non-Western contexts, "Educate" Vol. 14, No. 3, 2014

Głowacki J., Hausner J., Jakóbiak K., Markiel K., Mituś A., Żabiński M., Finansowanie kultury i zarządzanie instytucjami kultury, http://www.kongreskultury.pl/library/File/RoSK%20finansowanie/finansowanie_kultury_wer.pelna.pdf

Hafele E., European Cultural Routes: a practical guide, Vienna 2013, <http://www.kpd.it/uploads/Tarptautiniai%20ry%C5%A1iai/Kult%C5%ABros%20keliai/Cultural%20Routes%20HANDBOOK.pdf>

Hańderek J., Pojęcia i definicje kultury, <http://www.pjac.uj.edu.pl/documents/30601109/98855445/fk02%20ha%C5%84derek%20poj%C4%99cia%20i%20definicje%20kultury.pdf>

Hofstede G., Hofstede G. J., Minkov M., Cultures and Organizations. Intercultural Cooperation and Its Importance for Survival, New York 2010
https://link.springer.com/chapter/10.1057/9780230250437_6

Ivaschenko Y.S., Akhmetova A. V., The figure of a cannibal in the traditional Nanai culture, "European Journal of Science and Theology", nr 12.4, 2016

Keessing R., Theories of Culture Revisited, "Canberra Anthropology", vol. 13 nr 2, 1990

Kroeber A. L., Kluckhohn C., Culture: A Critical Review of Concepts and Definitions, New York 1952

Lessig L., Remix. Making Art and Commerce Thrive in the Hybrid Economy, London 2008

Majorek M., Kod YouTube. Od kultury partycypacji do kultury kreatywności, Kraków 2015

Pasikowska-Schnass M., Access to culture in the European Union, EPRS | European Parliamentary Research Service, UE 2017

Pihlström S., Morton White's philosophy of culture: Holistic pragmatism and interdisciplinary inquiry, "Human Affairs" 21.2, 2011

Przastek D., Polityka kulturalna w Polsce (i na świecie), "Studia BAS", Nr 2(46) 2016

Rahimi G. R., Noruzi M. R., A Brief Look on Policy, Typology of Policy, and Its Related Affairs, "International Journal of Business and Social Science" Vol. 2 No. 11 [Special Issue - June 2011

Schein E., Organizational culture, "American Psychologist", Vol. 45 No. 2

Schein E., Organizational Culture: A Dynamic Model, MIT 1983 <https://apps.dtic.mil/dtic/tr/fulltext/u2/a126613.pdf>

Spencer-Oatey H., What is culture? A compilation of quotations, GlobalPAD Core Concepts 2012

Sobczak W., Ochrona dziedzictwa kultury w systemie prawnym Unii Europejskiej, Środkowoeuropejskie Studia Polityczne, 2009, issue 3

Sternal M., Sieci współpracy kulturalnej – czym są, jak powstają i działają?, Warszawa 2012

Szacka B., Wprowadzenie do socjologii, Warszawa 2003

Sztalt K., Stanisława Ossowskiego koncepcja dziedzictwa kulturowego, "Roczniki nauk społecznych", Tom 4(40), numer 2, 2012

Włodarczyk E., Kultura (in:) J. Pilch (ed.), „Encyklopedia Pedagogiczna XXI wieku”, tom II, Warszawa 2003, https://repozytorium.amu.edu.pl/bitstream/10593/12629/1/Wlodarczyk%20E_Kultura.pdf

Culture, European Parliament, Fact sheets on the European Union, <http://www.europarl.europa.eu/factsheets/pl/sheet/137/kultura>

Cultural cooperation within the European Union, <http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-ramach-unii-europejskiej>
Information documents on the European Union - 2019, www.europarl.europa.eu/factsheets/pl

Culture Programme 2007-2013 in Poland – analysis and summary, Warszawa 2013, https://ec.europa.eu/programmes/creative-europe/previous-programmes/media_en

A new Work Plan for Culture to start in 2019, https://ec.europa.eu/culture/news/2018/new-work-plan-culture-start-2019_en

The European Parliament The voice of citizens in the European Union. Short Guide to the European Parliament, Luxembourg 2017
https://europa.eu/european-union/about-eu/institutions-bodies/council-eu_pl#czym-zajmuje-si%C4%99-rada-ue

The UNESCO Cultural Conventions: a tool for sustainable development
<http://www.unesco.org/new/en/culture/themes/culture-and-development/the-future-we-want-the-role-of-culture/the-unesco-cultural-conventions>

What is Cultural Management, <https://www.igi-global.com/dictionary/cultural-management-for-multinational-enterprises/44711>

Documents

Council of Europe, European Cultural Convention, Paris 1954, <https://rm.coe.int/168006457e>

Strategy for Cultural Policy, Publications of the Ministry of Education, Finland 2009, <https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/76674/opm45.pdf?sequence=1>

Report on the state of cultural cooperation in Europe, European Commission: Directorate-General for Education and Culture 2003, <http://www.interarts.net/descargas/interarts691.pdf>

Council of Europe, *Faro Convention*, 2015, <https://www.coe.int/en/web/culture-and-heritage/faro-convention>

50 years of the European Cultural Convention, Report by the Secretary General to the Wrocław Conference, 2004, <https://www.ms.gov.pl/resource/9bb803b6-92ff-4fc9-8d9e-b16f3e349ed9>

The latest revision of EU primary legislation was carried out with the Lisbon Treaty, which entered into force in December 2009.

Consolidated version of the Treaty on the Functioning of the European Union - PART THREE: UNION POLICIES AND INTERNAL ACTIONS - TITLE XIII: CULTURE - Article 167 (ex Article 151 TEC) Official Journal 115, 09/05/2008

Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union - Consolidated version of the Treaty on European Union - Protocols - Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007 - Tables of equivalences Official Journal C 326, 26/10/2012

Protection of fundamental rights in the EU, European Parliament Fact sheets on the European Union, <http://www.europarl.europa.eu/factsheets/pl/sheet/146/ochrona-praw-podstawowych-w-ue>

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION, Official Journal of the European Communities, 2000/C 364/01.

Consolidated version of the Treaty on the Functioning of the European Union PART SIX - INSTITUTIONAL AND FINANCIAL PROVISIONS TITLE I - INSTITUTIONAL PROVISIONS Chapter 2 - Legal acts of the Union, adoption procedures and other provisions Section 1 - The legal acts of the Union Article 288 OJ C 326, 26.10.2012

Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014-2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC Text with EEA relevance OJ L 347, 20.12.2013

Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020) and repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC Text with EEA relevance OJ L 347, 20.12.2013

Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State, amending Regulation (EU) No 1024/2012 (recast) OJ L 159, 28.5.2014

Decision No 1622/2006/EC of the European Parliament and the Council of 24 October 2006 establishing a Community action for the European Capital of Culture event for the years 2007 to 2019, Official Journal of the European Union, L 304, 03 November 2006

Council Recommendation of 22 May 2018 on promoting common values, inclusive education and the European dimension in teaching, [https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:32018H0607\(01\)&from=ET](https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:32018H0607(01)&from=ET)

European Parliament resolution of 13 December 2016 on a coherent EU policy for the cultural and creative sectors, 2016/2072(INI), <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0486+0+DOC+XML+V0//PL>

European Parliament resolution of 8 September 2015 towards an integrated approach to cultural heritage for Europe, 2014/2149(INI), <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0293+0+-DOC+XML+V0//PL>

The EU's Culture work plan (2015–2018), https://eur-lex.europa.eu/legal-content/PL/TXT/?uri=LEGISSUM%3A1002_4

Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on a Work Plan for Culture (2015-2018), [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52014XG1223\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52014XG1223(02))

Communication from the Commission to the European Parliament, the Council, the European Economic, and Social Committee and the Committee of the Regions on a European agenda for culture in a globalizing world {SEC(2007) 570}
http://publications.europa.eu/resource/cellar/337d1fae-13c8-4919-9739-0ae31f-5c6e1f.0018.02/DOC_2

JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Towards an EU strategy for international cultural relations JOIN/2016/029, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016JC0029>

Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States, OJ C 320, 16.12.2008

Council conclusions on cultural and creative crossovers to stimulate innovation, economic sustainability and social inclusion, OJ C 172, 27.5.2015

Council Conclusions on culture in the EU's external relations with a focus on culture in development cooperation, OJ C 417, 15.12.2015

Council conclusions on the role of Europeana for the digital access, visibility and use of European cultural heritage, OJ C 212, 14.6.2016

DECISION No 508/2000/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 February 2000 establishing the Culture 2000 programme <https://www.prawo.pl/akty/dz-u-ue-l-2000-63-1,67429948.html>

DECISION No 1903/2006/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 December 2006 establishing the Culture Programme (2007-2013) <https://www.prawo.pl/akty/dz-u-ue-l-2006-378-22,67653990.html>

Draft Council conclusions on the Work Plan for Culture 2019-2022 – Adoption,
[http://data.consilium.europa.eu/doc/document/ST-13948-2018-INIT/en/pdf](http://data.consilium.europa.eu/doc/document/ST-13948-2018-INIT/en/pdf#http://data.consilium.europa.eu/doc/document/ST-13948-2018-INIT/en/pdf)

Internet sources

https://europa.eu/european-union/about-eu/institutions-bodies/council-eu_pl#czym-zajmuje-si%C4%99-rada-ue?

<http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-ramach-unii-europejskiej>

https://europa.eu/european-union/about-eu/institutions-bodies/european-economic-social-committee_pl

https://europa.eu/european-union/about-eu/institutions-bodies/european-committee-regions_pl

<http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-ramach-unii-europejskiej>

https://europa.eu/rapid/press-release_IP-97-1057_en.htm

<https://cordis.europa.eu/article/rcn/9322/en>

<http://stosunki-miedzynarodowe.pl/unia-europejska/1349-wspolpraca-kulturalna-w-ramach-unii-europejskiej>

https://ec.europa.eu/culture/policy/strategic-framework_en

https://ec.europa.eu/programmes/creative-europe/node_en

https://ec.europa.eu/programmes/creative-europe/previous-programme/culture_en

https://ec.europa.eu/programmes/creative-europe/previous-programmes/media_en

https://ec.europa.eu/programmes/creative-europe/annual-work-programmes_en

https://ec.europa.eu/programmes/creative-europe/about_en

https://ec.europa.eu/programmes/creative-europe/actions/architecture-prize_en

https://ec.europa.eu/programmes/creative-europe/actions/literature-prize_en

https://ec.europa.eu/programmes/creative-europe/actions/heritage-prize_en

https://ec.europa.eu/programmes/creative-europe/actions/eu-music-prize_en

https://ec.europa.eu/programmes/creative-europe/actions/young-talent-architecture-award_en

https://ec.europa.eu/programmes/creative-europe/actions/capitals-culture_en

https://ec.europa.eu/programmes/creative-europe/actions/heritage-days_en

<https://kreatywna-europa.eu/fundedprojects/playon-nowe-oblicze-strory-tellingu-wykorzystujacego-technologie-immersyjne-playon-new-storytelling-with-immersive-technologies/>

<https://kreatywna-europa.eu/fundedprojects/hemi-hub-for-exchange-of-music-innovation-in-central-and-south-eastern-europe/>

<https://www.adestepus.eu/>

<https://kreatywna-europa.eu/aplikacje/sieci-europejskie/>

<http://teh.net/>

<https://www.ne-mo.org/>

<http://www.live-dma.eu/>

<https://www.imz.at/>

<https://fest-network.eu/>

<https://www.eurozine.com/>

<https://www.encatc.org/>

<https://www.emc-imc.org/>

<https://www.efa-aef.eu/en/home/>

<http://ednetwork.eu/>

<https://cultureactioneurope.org/>

<https://www.europeantheatre.eu/?l=FR>

<https://europeanchoralassociation.org/>

<http://composeralliance.org/>

<https://europa.eu/cultural-heritage/>

https://ec.europa.eu/culture/content/overview_en

<https://iate.europa.eu/home>

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