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## **COUNCIL FOR CULTURAL CO-OPERATION**

# **EUROPEAN PROGRAMME OF NATIONAL CULTURAL POLICY REVIEWS**

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## **CULTURAL POLICY IN ROMANIA**

Report of a European group of experts

compiled by  
Jacques Renard



**EUROPEAN GROUP OF EXPERTS**

M. Terry **SANDELL** (E)

(Chair/Président)

Director of Visiting Arts, 11 Portland Place, GB-LONDON W1N 4EJ

Tél. +44-171-389 3015 / 3019 - Fax : +44-171-389 3016

E-mail: [tsandell@visitingarts.demon.co.uk](mailto:tsandell@visitingarts.demon.co.uk)

M. Jacques **RENARD** (F)

(Rapporteur)

Administrateur civil au Ministère de la Culture, Professeur associé à l'Institut d'Etudes politiques de Grenoble, 15 rue de Liège, F-75009 PARIS

Tél. & Fax privé: +33-(0)1-42 80 29 51 - Tél. portable : 06 08 50 77 89

Tél. Secrétariat: +33-(0)1 53 79 58 51 - Fax Secrétariat: +33-(0)1-53 79 43 56

Tél. +33-(0)1 45 56 78 07 (79 07)

M. Peter **REITZ** (F)

Directeur du Goethe-Institut de Bucarest, Strada Henri Coanda 22, RO-71 119 BUCAREST

Tél. +40-1-312 0231 - Fax : +40-1-312 0585 - E-mail : [goeprog@fx.ro](mailto:goeprog@fx.ro)

M. Niels **BOEL** (E)

Head of Section, Ministry of Culture, Nybroegade 2, PO Box 2140 DK-1015 COPENHAGEN K Tél. +45-33-92 33 70 - Fax : +45-33-91 33 88 - E-mail : [nbo@kum.dk](mailto:nbo@kum.dk)

Mme Thérèse **MANGOT** (F)

Chargée de Mission, Secteur des Centres Culturels, Ministère de la Communauté française, Direction générale de la Culture, 44 bld Léopold II, B-1080 BRUXELLES – Tél. +32-2-413 24-62-63-64-66, Fax : +32-2-413 2415 - E-Mail: [therese.mangot@cfwb.be](mailto:therese.mangot@cfwb.be)

Mme Alessandra **MELUCCO-VACCARO** (F)

Ministero per i Beni Culturali e Ambientali, Ufficio Centrale Beni Ambientali e Paesaggistici, Piazza del Popolo 18, I-00187 ROMA – Tél. +39-06-326 5981 - Fax : +39-06-320 1319/1390 - E-mail : [a.melucco@mbca-ucbap.interbusiness.it](mailto:a.melucco@mbca-ucbap.interbusiness.it)

## FOREWORD



The Council of Europe decided to alter the length of the reports by groups of independent European experts reviewing national cultural policies. These previously detailed documents are now to be shorter, more condensed texts containing the experts' main analyses and conclusions. The report on Romania is the first of these new-style reports.

The European group of experts concerned made three one-week visits to Romania, in November 1998, March 1999 and June 1999. It should be noted that its task was completed before the report requested from the Romanian authorities had been compiled other than in partial or sectorial form. Consequently the two reports were drafted simultaneously, and the experts had limited written information at their disposal.

ACKNOWLEDGEMENTS

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The European group of experts was invariably given a warm and open welcome by the Romanian authorities, as well as by the officers of institutions and the various cultural-sector representatives it met.

The experts wish to thank all these people for their co-operativeness and kindness and for the fruitfulness of the discussions they had.

They are particularly grateful to Mr Ion Caramitru, the Minister of Culture, with whom they had several meetings and whose down-to-earth approach, energy and interest in the group's work were greatly appreciated.

Thanks are also due to Ms Maria Berza, State Secretary, Ms Yvette Fulicea, ministerial adviser, and Mr Vladimir Simon, Director General for International Relations, all of whom helped the experts greatly in their work.

Ms Dorina Bodea also deserves thanks for the attentiveness and competence she displayed in accompanying the group throughout its discussions and visits.

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## INTRODUCTION

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Romania has a population of more than 22 million and covers an area of 237,000 km<sup>2</sup> divided into three major geographical regions - Moldavia, Walachia and Transylvania. The product of a complex blend of western and eastern influences, the country was, it will be remembered, governed by a communist regime for 40 years and from 1965 onwards experienced the increasingly personal rule of Nicolae Ceaucescu.

The result is a situation in some respects common to most central and east European countries and in others quite specific: the present anti-state attitudes are a reaction to the earlier political regimentation and control.

The genuine revolution or popular uprising of December 1989 seemed to be quickly taken over by the former communist apparatchiks. Be that as it may, Romania's transition to a market economy has not followed the same pattern as in other countries.

The current economic and social situation is fraught with problems, as highlighted by the miners' movement of February 1998: high inflation (+150% in 1997, +60% in 1998), falling GDP (-6% in 1997) and unemployment (around 9%). Moreover - whether as a consequence of the still-centralised system under President Ion Iliescu between 1989 and 1996 or of current divisions in the coalition in power since Emil Constantinescu's election to the Presidency - Romania has fallen behind in the necessary restructuring of its economy and the process of privatisation.

All this is bound to affect cultural affairs, if only in terms of budgeting and funding. In compliance with IMF conditions, the national budget for 1999 has been pared to the bone. Romania is not currently on the first list of countries with which negotiations for the European Union's enlargement are being initiated.

At political level, the Romanian Constitution provides for a semi-parliamentary and semi-presidential regime. The ruling coalition confuses Christian Democrats, Social Democrats, Liberals and the party representing Romania's Hungarian minority. Hard-won freedom of expression, which has been fully enjoyed since 1989 (or only since 1996 according to some interpretations), is now the norm, including, as the Romanian authorities rightly point out, in the fields of arts, culture and the media.

The people of Romania, having shed the burden of ideological repression only to find themselves facing a battery of material problems, are disorientated and therefore vulnerable to political extremism - although so far this has remained confined to a small fringe. At the other end of the spectrum, only a few people have managed to get rich quick.

In this delicate situation, Romania has to cope with the further problem of national identity - a question long buried under the dead-weight of dictatorship but now re-emerging together with that of recognition of the country's multicultural nature. Alongside the Romanian majority (89.1% according to official figures), the population includes 18 officially recorded national minorities, among them Hungarians (8.9%), Germans (0.4%), Ukrainians, Serbs, Croats, Russians and Turks, as well as Roma (or gypsies). The status and size of these groups will be discussed in a later section of this report. With regard to religion, 70% of Romanians are Orthodox Christians; the Roman Catholic, Protestant and Uniat faiths are also represented.

Romania is, in fact, a country in the process of (re)construction. Its major challenges are the gradual establishment of the rule of law, the restoration of its dilapidated economy and a demonstration by all sections of society of their will to live together.

## 1. Cultural-policy administration, financial and objectives

- 1.1 Culture is the responsibility of a Ministry of Culture created in 1990 from the former State Committee for Culture and Art (later the Committee of Socialist Culture and Education), which was set up under the communist regime to take charge of cultural administration.

In those days, culture in Romania, as in other communist bloc countries, was subject to strict political regulation and highly centralised decision-making: the machinery of the state was all-powerful; ideological control was exercised; and cultural activities were organised on the basis of artists' and writers' unions. However, the legacy of that era also includes important networks of cultural establishments (theatres, museums and libraries, for example), an undoubted professionalism among their staff and a tradition of high-quality, specialised training in the arts.

The years 1989-96 were marked by instability at ministerial level, with a succession of eight different Ministers of Culture. Since the political change of 1996, the Minister has been Mr Ion Caramitru. Let it be said, straightaway - even though this is not usual in this type of report - that Mr Caramitru and the new team he brought with him have shown an infectious enthusiasm for reform. In the experts' view, this dynamism and desire for change deserve support.

As the new Ministry well knows, there are three main areas of difficulty: the need to reform cultural legislation and ensure that respect for all aspects of the rule of law becomes an inviolate principle; the need to find money; and, at the same time, the need to change attitudes. Clearly, much has to be done.

- 1.2 With regard to finance, the group of experts regrets that it was unable to analyse the Ministry's budget in depth for want of detailed information about, *inter alia*, how the funding situation has evolved and how the budget is allocated across the various sectors, functions and departments (see Appendix 10). It encountered the same problem in relation to the cultural expenditure of other Ministries and of local authorities. This shortage of information points up the need for the management arrangements of a still fledgling administration to be reinforced.

According to the information supplied, the cultural budget shrank between 1998 and 1999 from ROL 632 billion<sup>1</sup> to ROL 529 billion, after having expanded since 1996. On paper, the drop is in the order of 16%, but in fact it was much greater, owing to several factors: rampant inflation from 1998 to 1999, driving down the value of the Romanian currency (in dollar terms, cultural expenditure fell from USD 63 million to USD 35 million); delays in announcing the budgets (in 1998 this was done in May); and mid-year cuts in appropriations (representing 10% of the 1998 budget). In short, the budgetary situation is bleak, all the more so because the indications are that cultural funding in 1999 is being pruned more severely than the national budget generally.<sup>2</sup>

The group of experts therefore makes two recommendations. In the medium to long term, once the national finances are back on an even keel, the cultural budget should be given priority and should grow and according to a rate and a multi-annual plan debated in advance by parliament and fixed by the government. In the short term, it is essential that cultural funding should not be sacrificed more extensively than any

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<sup>1</sup> 1 dollar = ROL 10,000 in November 1998.  
= ROL 15,000 in July 1999.

<sup>2</sup> Ministry of Culture share of the national budget: 0.73% in 1998; 0.58% in 1999.

other area of the budget in order to meet more pressing demands. Apart from purely cultural considerations, there are three reasons why this is so. The first is the economy: culture is a factor in growth and job-creation, and investing in culture means investing in the economy. The second is democracy: culture is part of the social “cement” that binds people together, promoting dialogue between different groups and helping to develop an independent, active civil society. The third reason is Europe. A number of Romanian political figures emphasised their country’s wish to belong to Europe and stressed the importance of culture as a “passport” in this connection. This implies making the necessary budgetary effort.

In the absence of public money, certain project organisers and directors of cultural establishments have explored other sources of funding. The introduction of tiered admission prices is an option for a limited number of establishments or exceptional events, but its potential is obviously limited given the current income level of most Romanians. Patronage and sponsorship are developing, but both are still in their infancy. The group heard contradictory views on the effectiveness of tax incentives in this regard, and clearly there is room, in some cases, for improvement. Funding is also sought from private organisations. There is no doubt, for example, that the Soros Foundation (mentioned frequently in the group’s discussions) has made a positive contribution, but it is currently winding down its financial support for cultural activities. Its budget, which amounted to as much as USD 550,000 in 1994, is down to USD 150,000 in 1999.

Lastly, privatisation is sometimes mentioned as one way forward, but it is important here to temper expectations. Privatisation is certainly advisable and, indeed, in the culture-based industries it has been partly accomplished or at least begun. It is also desirable as a means of bringing new enterprises on to the market (art galleries and record and film production companies, for example); strictly speaking, however, this is not privatisation but rather the creation of new ventures in virgin or neglected territory. All the same, in the sense of the transfer to the private sector of organisations that previously enjoyed public-sector status and funding, privatisation is, in many cases, a mirage for cultural establishments that are not generally profitable - opera houses, libraries and museums, for example - unless they are prepared to change the fundamental nature of their role.

A general remark that should be made here is that the question of finding new resources is essentially one of balance. Of course, efforts to diversify sources of funding are legitimate provided they are not used as an excuse for axing public support. Likewise, the failure of the former “all-state” system is no justification now for uncritical adoption of an “all-private” credo. The reality is that, in a context of democratic institutions, the existence of a public area not subject to the laws of supply and demand can help to foster freedom of expression and creation and make culture accessible to a wider audience. At the same time - wherever the funding comes from - there is a clear need to improve cultural management and find effective ways of running cultural establishments and projects.

- 1.3 The central administration of the Ministry of Culture comprises three secretariats under State Secretaries and a general secretariat, sub-divided into general departments and services (see appendix). Its organisational chart comprises 217 posts, 187 of which are filled. There are plans to cut the number of posts and raise the salaries of the remaining employees (the regulations permit resources to be re-deployed in this way within the framework of an equivalent staff budget) in order to make the Ministry more efficient and dynamic.

A number of comments and recommendations on the Ministry's structure and operations are called for. Firstly, there is a good case for considering a partial restructuring. Purely as a suggestion, the group has outlined a different distribution of functions, under four headings: heritage, support for creativity, administration and management and a fourth area comprising transverse activities (forward-planning and strategy, international relations, decentralised activities, minorities, promotion of voluntary and community initiatives etc).

Secondly, the group considered there was room for improvement in the exchange of information between the different services and in the transparency of their work. If this observation is correct (and such problems are rooted in the practices of former times), improving efficiency will depend on the introduction of new procedures to expedite the flow of information both within and to and from the Ministry. These might include the production of annual activity reports, the creation of websites and the setting-up of an information and communication service.

Thirdly, in certain sectors and for certain types of assistance the Ministry has set up committees of experts and specialists to advise on policy or the distribution of available funding. But not all areas are covered by this system. The group recommends that it should be extended as widely as possible because it serves a number of purposes: it makes for more informed decision-making and greater transparency in relation to policy choices, as well as providing those involved in the cultural sector with a more democratic means of participating in administrative processes.

Fourthly, the current distribution of ministerial responsibilities should be reviewed. Responsibility for international relations and cultural activities outside Romania is shared between the Ministries of Culture and Foreign Affairs. This co-operation is welcome because the Ministry of Culture is quite rightly concerned to build up exchanges with other countries, raise Romania's profile abroad and attract foreign assistance, whether on a multilateral or a bilateral basis.

By contrast, the Ministry has a very limited role in relation to specialised arts education and the teaching of art in schools. Similarly, it has no real powers with regard to culture-based industries other than publishing. The film industry, for which it was formerly responsible, no longer comes within its remit; nor do the audio-visual sector, new information and communications technology or the music industry. Nowadays, however, cultural policy can no longer be applied exclusively to "culture" in the traditional sense, ignoring the major changes that have taken place in the mass production and consumption of culture, especially among young people (see below). The experts therefore recommend the establishment of a special inter-ministerial think tank and of a committee of academics, entrepreneurs and senior cultural administrators to conduct studies and make proposals with a view to stimulating debate on the various issues and exploring options for the transfer or sharing of responsibilities between ministries. When this process is complete, institutional changes - such as the creation of a Ministry of Culture and Communications or the appointment of a State Secretary for Cultural Industries - may be considered.

Generally speaking, the cultural dimension should figure in all areas of public policy-making - in relation to spatial planning, infrastructure, education, tourism, national minorities etc. There is a good case for extending inter-ministerial co-operation at both national and departmental level.

- 1.4 There is little to be said about the general aims that have been officially declared - among them, support for creativity, the conservation of heritage, the establishment of an appropriate legislative framework and greater decentralisation. The real questions

are how these aims are to be acknowledged and pursued and what priorities will be set.

On the latter issue, the Ministry of Culture has, since 1996, signalled its choices very clearly. Heritage is at the top of its agenda.

This is no surprise. Romania's physical and intangible heritage is both rich and diverse, comprising objects and collections, historic buildings and ancient urban centres, cultural traditions and traditional skills. Much of this legacy, both urban and rural, was damaged or destroyed under communism - the partial loss of Bucharest's ancient architectural heritage is but one example among many. In undertaking to conserve and restore the surviving heritage - which has suffered the ravages of time and requires urgent and massive attention - the authorities are seeking to safeguard a national identity whose historic elements and various manifestations were considered to be at risk. In other words, the return - or advent - of democracy is also allowing Romanians to rediscover themselves and reassert the legitimacy of their own history. Moreover, the group of experts was well aware that the priority afforded to Romania's heritage, much of it religious, should be seen in the context of the new role that the churches (in particular the Orthodox Church) seek to play, or are already playing, in society and politics. The ambitious project to build a new cathedral in Bucharest is a physical expression of this development. Finally, there is also the question of Romania's international image and attractiveness to foreigners, including tourists.

For these various reasons it is clear that the heritage has to be a priority. But should it be the only one? And, in practical terms, has that priority (with its budgetary implications) been adopted at the expense of other sectors, given that public resources are under tremendous pressure or indeed shrinking? Moreover, if the heritage has top priority, the impression may well be given that other areas enjoy no, or relatively little, priority, however many wider-ranging initiatives the Ministry of Culture tries to take. At any rate, this is the impression received by writers, composers and artists.

The experts have certain reservations about the concept of Romania putting all its cultural eggs in the heritage basket. It is certainly understandable that senior figures in the Ministry should believe they face an emergency situation, leaving them, as they see it, with virtually no choice, at least in the short term. From a cultural policy point of view, however, it is doubtful whether one fundamental function ought to be given priority over others - not only topping the bill in policy terms but also cornering resources. Surely creativity and training deserve as much attention as the heritage. Despite all the problems, surely an effort should be made to address the needs of every sector. And surely contemporary art can be as useful as the heritage in helping Romanians to make sense of their society and build a future free from the shadow of their grim recent history.

## 2. Cultural institutions, decentralisation and the development of civil society

2.1 Romania's cultural institutions were constructed either before or during the communist period. Throughout the country there are 19 national museums, 62 district museums and some 600 municipal or city museums; approximately 50 theatres and opera houses including some of national importance in Bucharest and other cities; a score of orchestras and a dozen auditoria for variety shows and musicals; 2 national libraries, 41 district libraries, 212 town and city libraries and more than 2,600 local libraries, not including those run by the Ministry of Education. In addition there are more than 200 locally based general-purpose cultural venues.

While these networks are undoubtedly a resource, they are now ageing and face a range of practical and financial difficulties. Typically, buildings are run-down,

collections are not being updated and public access to museums is limited; in the performing arts there are fewer productions, wages are low and equipment is out of date. Each establishment or company now seeks its own solutions: these can include foreign tours for those who are bold or lucky enough, the use of temporarily or permanently rented space and appeals to potential sponsors. Audience and user numbers - formerly high - have been hit by the general economic depression, so that it is no exaggeration to say that the censorship of former times has been replaced by economic discrimination. The number of library users fell from 8 million in 1990 to 2 million in 1995, and the number of loans from 82 million to 33 million. Theatre audiences have declined from 6 million annually in the 1980s to 1 million in recent years, and concert audiences have fallen from 3 million to 1.1 million.

In response to this drop in cultural participation, the Ministry plans to create an in-house study unit to analyse cultural activity and audiences from a socio-economic perspective, thus providing a tool for policy implementation in this field.

- 2.2 To address the current situation, the Ministry of Culture has set itself two aims: to reorganise cultural institutions and to decentralise those which operate on a national basis. Work has not yet properly begun on the first aim, but the second is on the way to being achieved.

Two hundred institutions are being decentralised in a process that began in 1995 and has proved extremely eventful - with certain establishments being decentralised, recentralised and then decentralised again - probably for want of legislation on local public finances. In 1998, some 60 of the 200 were still being run at national level.<sup>3</sup> The eventual aim is to reduce that number to no more than 12 (including certain major establishments in Bucharest). The decentralisation of culture is in line with the Romanian Government's overall intention of devolving responsibilities and resources to local and regional authorities - the 42 districts, 2,682 municipalities, 182 towns and 80 *municipes*. A new law on local finances - which makes local authorities responsible for tax collection and fixes the distribution of tax revenue at 35% for the towns and municipalities, 15% for the district authorities and 60% for central government - came into force in early 1999, and laws on the publicly owned heritage and concession, as well as a law on local public administration, are either being drafted or on their way through parliament.

Generally speaking, there is no doubt that cultural decentralisation should be encouraged and, indeed, it remains one of the major tenets of cultural policy advocated by the Council of Europe, implying more powers for local authorities, decision-making as close as possible to the ordinary citizen and deconcentration of responsibilities and initiative-taking.

Without questioning the principle, the experts queried whether the pace and methods of decentralisation were appropriate. The politicians, administrators and culture professionals with whom they spoke were divided on this point. On the one hand, decentralisation was deemed desirable because most local and regional authorities wanted responsibility for cultural life and now had stable revenues, as well as because there was no doubt that it would tend to benefit the institutions by increasing their funding. On the other hand, it was feared that the local authorities were not yet competent to take charge of culture; that the level of politicisation in some authorities would make life difficult for the institutions; and that, ultimately, the funding of

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<sup>3</sup> The 60 national institutions include 19 museums, 10 theatres, 5 opera houses, 8 cultural centres in Romania and 6 abroad, 1 national library, 1 institute of cultural remembrance, 1 film archive centre and the National Office for Heritage Conservation.

institutions would be cut as local elected representatives sacrificed them to other priorities in times of severe budgetary pressure.

In all likelihood the reality is, and will continue to be, variable, depending on local circumstances, on how much conviction the directors of the various institutions can carry, and on the elected representatives' level of interest in culture. In practice, therefore, there may be neither uniformity nor equality in the different situations across the country.

It should also be noted that the combination of the law on local finances and the decentralisation of cultural institutions is, in practice, resulting in the transfer of responsibilities without any matching transfer of resources. When the Ministry of Culture transfers an institution, it retains in its budget the sum formerly earmarked for that institution, so that the local authority concerned then has to find the necessary funding from its own resources. In Iasi, for example, an unresolved problem has arisen from the discrepancy between the range and scale of cultural activities undertaken and the volume of resources available.

The proposed decentralisation can also be seen as an effort to make a clean break with the past and its all-pervasive central control. While the proposals may be good for democracy, it is also fair to point out that decentralising unaccompanied by proper safeguards could jeopardise a highly fragile sector such as culture and that the independence of creative professionals is better assured through the involvement of more than one public authority.

The group of experts therefore decided to propose a compromise that would apply for a limited period (5-10 years), on a basis of partnership between public authorities rather than one authority taking over from another. This solution would entail a system whereby central government and the local and regional authorities had joint responsibility for cultural institutions and co-financed them. The principles, duration and mechanisms of this joint financing - which would seem to be neither prohibited nor provided for under existing legislation - would be determined either by a generally applicable regulation or through case-by-case contractual negotiations.

Such arrangements would provide the government - during the present phase in which cultural policy is still being forged - with the financial resources and level of control it needs to achieve its aims: reorganisation of the cultural institutions, effective implementation of scientific and technical supervision, promotion of specific policies (eg support for creativity and encouragement of activities for specific audiences), observance of the independence of directors of cultural institutions with regard to artistic programming, and monitoring of the merits of appointments.

- 2.3 The institutional networks are in dire need of resources and more modern equipment. But they could also benefit from better management, less bureaucracy and formality and a loosening of the constraints under which establishments have to work. Throughout the many interviews they conducted, the experts had the impression that most cultural administrators and heads of institutions were aware of the problems and generally wanted to take action rather than resign themselves to a bleak future, although the shortage of resources was occasionally presented as a convenient excuse for inertia.

The first problem is that of inflexibility with regard to staff remuneration. The old system that is largely still in place lacks flexibility in three respects: the nature of employment contracts, which are contracts of indefinite duration or "for life"; the level of salaries, fixed according to egalitarian principles that do not permit merit payments; and the total number of salaried staff, which is probably excessive given that salaries represent almost 70% of the budget of certain theatres. The Ministry is

trying to introduce a new system, and the group of experts can only support its efforts. The new arrangements will include fixed-term contracts for new staff and/or certain categories of personnel - artistic staff in the performing arts and executive staff in institutions concerned with the heritage - and will introduce the possibility of varying salary levels (within reasonable limits) to reflect merit. If the total wage budget remains constant, however, the only means of raising certain salaries will be by reducing others or eliminating posts, which limits the room for manoeuvre.

The second problem is that of the cultural institutions' status. The experts noted that each institution had a "governing board" but that this body was drawn largely from the management, with a representative from the Ministry. It is, in fact, a board of trustees more than an entity clearly expressing the institution's independent legal personality. There is therefore a strong case for introducing appropriate administrative structures in the different establishments, bringing together prominent, well-qualified people, representatives of the public authorities to which the establishments report and staff representatives. Expert advisory boards could also be set up in the institutions concerned with the heritage.

The third problem is that of the quality of activities undertaken and the arrangements whereby they receive public subsidies from national or local authorities. Once the cultural institutions have covered their wage bills and running costs, they are left with a tiny production budget (the money earmarked in museums for exhibitions, or in theatres for new plays). The experts were struck, however, by the fact that many institutions reported preparing a large number of apparently high-quality projects even though it was clear that only some of them would be implemented. The group therefore recommends that project-based funding - which the Ministry now intends to introduce in certain sectors - should become the general rule and that a procedure should be initiated whereby each establishment and the authorities to which it reports agree a set of aims that will serve to determine the establishment's programme of activities and provide for varying levels of subsidy according to quality. For example, Romanian theatres put on few new plays by contemporary writers because they are unable - or in some cases do not want - to take financial and artistic risks, preferring to fall back on stock production. The system of subsidies could encourage new productions.

Lastly, most of the institutions lamented the fact that the current financial situation made it virtually impossible for productions or exhibitions to tour inside Romania. It would also seem that recourse to coproductions and exchanges between institutions is under-developed. The absence of this sort of flow of work and personnel is one factor in the compartmentalisation of cultural life. The experts therefore suggest that consideration be given to the establishment of a national body responsible for organising tours of shows and exhibitions. This body would be co-financed by the government and local authorities and would provide organisations hosting such productions with support in the form of guaranteed total or partial cover of any deficits resulting from the tours. It could be set up either by Artexim, an agency already organising shows and festivals, or by a new ad hoc structure.

- 2.4 Whatever the future of national cultural institutions, local authorities will have to become the main partners for cultural undertakings and practitioners. The experts travelled to three districts - Timis, Prahava and Iasi - and observed that district councils, as well as municipal and town authorities, were already assuming responsibility for many institutions and projects: museums, theatres, libraries, cultural centres, philharmonic societies, folk groups, festivals etc. The same trend was evident in Bucharest, where, as well as running 18 public cultural institutions, the city

authority is seeking to support new initiatives and clearly intends to extend its own cultural development capacity.

All this means that local and regional authorities will, in turn, have to define their own cultural policies. In the case of towns and cities, they will not only have to ensure that centrally located establishments can thrive but also improve access to culture for people living in suburbs or areas with little cultural provision. Specific consideration will have to be given to culture in rural areas. Romania remains largely a rural country, with 35% of the labour force working in agriculture. The traditional heritage of folklore, craftsmanship and oral culture was in some cases appropriated by the communist regime and in others fell victim to the regime's policy of standardisation. None the less it is very much alive in certain parts of the country. The conservation and rehabilitation of the heritage - and, in general, of the cultural dimension of the farming community - is a factor to be taken into account. A sound basis for development is available in Romania's high-quality ethnological museums.

In the absence of statistics and detailed information on local authorities' cultural expenditure, the experts could not comprehensively assess their activities. They would, however, make the following recommendations to the Romanian authorities: the first task should be the creation of a database on local authority expenditure and activities; the second should be to promote the establishment of competent cultural departments within such authorities and to train local elected representatives in cultural affairs; the third should be to provide a legislative or regulatory framework that will not only ensure the independence of local institutions but will also enable local authorities to give direct assistance to non-governmental organisations.

Lastly, it should be noted that the distribution of cultural responsibilities between the district councils, on the one hand, and the municipalities, towns and *municipes*, on the other, is not clear-cut and remains an area of controversy. Under the new law on local finances, the towns and municipalities are no longer subordinate to the districts; but the law does not spell out the division of powers and responsibilities between the two types of authority, and consequently situations are dealt with case by case in a context of widespread shortage. This problem should therefore be addressed, if need be by means of legislation introducing the requisite clarity.

- 2.5 The Romanian Government is represented in the 42 districts by prefects, who, while respecting the principle of local self-government, are responsible for ensuring that local authority decisions are lawful and for managing the government-run services in their district. In this context, each district has a cultural inspectorate, which is the administratively decentralised arm of the Ministry of Culture.<sup>4</sup> A breakdown of the structure, responsibilities and activities of the inspectorates appears in Appendices 3 and 4.

These services, which report to both the prefect and the Minister, have three functions. On behalf of the government and in accordance with the principle of decentralisation, they provide "specialist" supervision of cultural affairs - exercising control over the technical and specialised aspects of the cultural institutions' work - and ensure that regulations are adhered to. They also provide advice and assistance with projects. Lastly, they allocate funding to certain events or for specific purposes (running festivals, supporting different types of creative work or folk groups and

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<sup>4</sup> It is important not to confuse political and administrative decentralisation. Political decentralisation is the devolution of powers and resources to local authorities. Administrative decentralisation is the exercise by district-based government services of government functions previously performed at national level.

providing project-based funding for artists or publishers, for example). From the information gleaned during visits to several inspectorates, it would appear that the projects supported tend to be financed by a number of partners, in particular local authorities, and that the inspectorate's contribution is usually a minor one.

The inspectorates have a further role in that they must be consulted whenever the directors of cultural institutions are being appointed, although the local authorities making the appointments are not obliged to follow their advice. They also co-operate with specialised district committees on the implementation of heritage policy (see below).

The group of experts considered that, although the inspectorates had a certain function in local cultural life, their status and remit were still, if not unclear, at least in a state of flux. Some of those interviewed saw them as anachronistic, and there is currently no consensus on their legitimacy.

In theory, the authorities have three options. The first is to do away with the inspectorates on the ground that they were a creation of the communist regime. Taking such a step would imply that the inspectorates are unnecessary and incompetent or exercise political control. However, according to views expressed to the experts, this is not the case, even though some negative comments were made.

The second option is to devolve responsibility for the inspectorates to the district councils. While this solution cannot be ruled out in the long term, it would be premature today. It would deprive the Ministry of a useful tool without necessarily increasing the efficiency of the district councils and, moreover, it is by no means clear that the other tiers of local government would accept such an arrangement.

The third solution, favoured by the group of experts, is to maintain the inspectorates, strengthen them and develop their role - in other words, gambling on their rejuvenation, rather than doing away with them. They have the potential to become the primary instruments of partnership between government and the local authorities and should be promoted for that reason. They could also serve as centres of expertise serving all those involved in cultural activity; and, lastly, they could facilitate two-way communication, relaying government policy to the regions and conveying local demands and aspirations back to government.

And, in fact, this third way is the Ministry's chosen option, as it has decided to strengthen the role of the inspectorates in the heritage field (see 4.3). Indeed, the Ministry plans to rename them "Inspectorates for the Cultural Heritage", while reducing their role in other areas of cultural life and perhaps even scrapping their modest budgets on the ground that their task is to provide a link between partners in the cultural field rather than play an active role themselves.

While the reinforcement of their responsibilities for the heritage is welcome, the case for restricting or eliminating their other functions is less clear. It would be more useful if, while clarifying the criteria framing their action, they were required systematically to consult committees of experts on subsidisation decisions, as well as provided with greater autonomy in the management of funds. Given the slenderness of the resources available, it would seem preferable to allocate the inspectorates an overall budget (however modest) that had been negotiated in advance and might be paid in two stages over a financial year rather than continue the present arrangement whereby the central administration finances them month by month and project by project.

A further aspect of this third solution is the fact that it would require changes in the procedure for recruiting senior cultural advisers, which is currently controlled by the political parties.

2.6 One of the major challenges for a country that is learning the business of democracy is to develop civil society and the practice of community initiatives. It is a fact that, ten years after the fall of communism, civil society in Romania is still very fragile. The gradual change in the role of the writers' and artists' unions can certainly help to improve this situation in the cultural field, but more is needed. There are very few associations carrying out practical projects, meeting specific needs or taking local initiatives. Apart from the fact that it obviously takes time for a strong voluntary sector to develop, its current absence is surely also a reflection of the lure of individualism and economic liberalism - trends that emerged with the political changes and are tending to eclipse community spirit. While the creation of civil society cannot be decreed, it can certainly be encouraged through the establishment of a political, legal, fiscal and media environment that will be conducive to its development and stimulate the growth of community-based initiatives. In this respect, the current introduction of programmes to promote adult education and training for association leaders and those who run local cultural venues is to be welcomed.

### 3. Support for creativity

3.1 In Romania today, creative people (writers, composers, performers and artists) face material difficulties. There is no doubt that the regained freedom of expression is a precious asset. It has encouraged the return (if only sporadically) of certain Romanian artists exiled during the communist years, some of whom have put down roots abroad. Sadly, the depressed economic climate has driven others - especially younger artists (including musicians) - to leave the country, attracted by the standard of living and career prospects in the west. It is also a fact that no social provision has yet been made for creative artists (in relation to social protection, unemployment insurance etc). In the communist era the writers' and artists' unions had a very close relationship with the authorities. That relationship is today very different and less cosy, but they are still burdened by the image - and probably by the internal operating methods - that they had under the old regime.

The purpose of these unions and associations is to defend their members' interests, foster their social protection, provide them with representation and promote the arts in their own branches. The Writers' Union has 2,000 registered members, the Artists' Union 3,000. Uniter - a new organisation set up in the early 1990s chiefly to represent actors, and with an image different from that of the old unions - has a membership of 1,200. The role of these organisations is considerable, as are their resources, since they own property in their own right and can generate income from it. Consequently, they should be encouraged to consolidate and develop their "social umbrella" function and their efforts to foster artistic life, for all this contributes to the establishment of an active, independent civil society.

In the field of fine arts, for example, the Artists' Union possesses exhibition spaces and studios, runs workshops, manages small factories producing art and craft materials and distributes social welfare payments. The Writers' Union has three functions: promoting national literature through journals and publishing houses, providing welfare assistance to writers in difficulty and promoting Romanian literature abroad.

However, with writers facing falling print-runs and sales, artists working in the virtual absence of private collections, and performers (most of them employed by the cultural institutions) poorly paid, public-authority intervention is well warranted.

3.2 The Ministry of Culture has introduced various forms of support for creative artists. The underlying principles are, in general, beyond reproach, but a number of comments are worth making.

The first concerns the budget for such support, which is of course smaller than that allocated to the cultural institutions. The problem is that when resources are scarce, as in 1999, this area of expenditure - by nature flexible - is the first to be squeezed because the funding of permanent institutions takes precedence. Such is the “iron law of wages”, evident here as elsewhere whenever budgets are tightened. The volume of project finance allocated to the Ministry’s performing arts department, for example, fell from ROL 6 billion in 1998 to ROL 2 billion (around USD 150,000) in 1999. Similarly, the project budget for the fine arts was cut by 50% (from ROL 2.8 billion to ROL 1.4 billion). There is thus a strong case for ensuring, in so far as possible, that budgetary cuts are more evenly spread.

The second comment concerns the diversification of support for creativity and the capacity of the system to reflect changes in artistic life. The mechanisms for supporting the fine arts are reasonably comprehensive, ranging from project funding to public commissioning and the purchase of artworks - each procedure being based on the advice of a competent committee. The real issue is how to ensure, amid the influx of applications for support, that artistic criteria take priority over social considerations.

The situation with regard to the performing arts is less satisfactory. Project finance is directed primarily to one-off projects that will have a national impact or attract substantial media coverage - the national theatre festival and the festival of contemporary music, for example. By contrast, the non-institutional sector gets little or no consideration. This is the sector that includes, in particular, the emerging young and independent theatre and dance companies. It is an area of the contemporary cultural landscape in Romania that deserves specific consideration, with a view to introducing, for example, a special fund for new performance projects. At the same time, one should not overlook the work done by publicly funded bodies wholly or partly dedicated to supporting new work. The Mogosoia Cultural Centre, for which the Ministry of Culture is responsible, and Arcub, a body supervised by the Bucharest city authority, are two examples of this type of organisation that the group of experts had an opportunity to visit.

Thirdly, it seems that new or non-traditional forms of artistic expression are not getting the attention they deserve. In particular, cultural administrators tend to fight shy of contemporary music such as rap or rock rather than embrace it with enthusiasm. More is the pity because this music attracts many young people who currently lack a means of expression, and it can also have a genuinely artistic dimension. The experts therefore recommend that specific forms of support for contemporary music be introduced, ranging from official encouragement and financial backing to the pooling of musical instruments and the provision of rehearsal and performance areas.

Fourthly, there is a shortage of outlets for contemporary art. Given the absence of a countrywide network of art centres, the museums ought to be more open to contemporary work, for example by hosting exhibitions. Some already do this - the National Art Museum for example, makes space available when it is needed - but a greater effort is probably required. The development of private galleries should be encouraged through measures including tax incentives. In Bucharest, for example, most of the existing galleries are run by the Artists’ Union or the city authority, while the Ministry funds an exhibition area inside the national theatre. The private galleries

can be counted on the fingers of one hand, yet only if they develop can a real art market emerge.

Here it is important to mention the planned museum of contemporary art, for which both the Ministry and the Artists' Union have lobbied and which now seems to have won approval at the highest level of government. The new museum is, indeed, intended to make good the lack of dedicated space and to afford proper recognition to national artistic endeavour. One can also assume that part of its purpose is to give Romania and its capital city a modern image, thus firmly restoring them to the mainstream of international art. It is thus an attractive project, but its technical and financial implications warrant the closest scrutiny. Its success will depend on the existence of substantial collections. Its running costs will, in any case, be steep - more so than the initial investment - and could not be met from the Ministry's current resources.

- 3.3 For want of time and relevant documentation, the group of experts could not consider in depth the question of art education in schools and specialised art training. The latter is dispensed within the education system itself, from primary to tertiary level. That explains why it falls under the sole responsibility of the Ministry of Education, but it does not justify the fact that the Ministry of Culture is neither consulted nor involved in decisions concerning such training.

Education in Romania generally is being subjected to a major process of reform in order to adapt it to the new economic and social context. In the documents communicated to the group of experts concerning the reasons for this reform and the principles behind it, there was regrettably little mention of art education, though the questions of cultural diversity and minority languages were covered in some depth.

In the context of the present report, the experts can only recommend that questions concerning the organisation, means and quality of cultural and art education in schools, be made the subject of a further study.

#### 4. Heritage conservation

- 4.1 The priority accorded to the heritage - in particular the architectural heritage - is reflected in a major increase in the relevant budget, from ROL 12 billion when the current Minister of Culture took office in 1996 to ROL 231 billion in 1998. It now accounts for almost a third of the Ministry of Culture's total expenditure.

Alongside this remarkable rise in spending, various heritage-related pilot projects were launched outside the normal framework of administrative regulations; international assistance was sought for these ventures and they are intended to have Europe-wide impact. A good example is the project for the city of Sibiu and its historic centre, which has received support from the Council of Europe, UNESCO, the World Bank and several countries, including Luxembourg and Germany. It is a comprehensive restoration programme intended to upgrade the built environment and revive traditional trades and skills. The project, which established from the outset a strong connection between heritage and tourism and has required the development of new infrastructure, is certainly worth watching as an experiment in the use of culture to boost an urban economy.

As well as increasing the budget, the government has sought to change the statutory and regulatory framework for heritage policy, and not only with regard to historic buildings. A very recent (1995) law on historic buildings has been deemed too centralist and is currently being replaced by a new text, which the government was due to submit to parliament at the time this report was being written. Also in the

pipeline are a museums bill (currently being considered by parliament) and a bill on movable heritage (which is at the stage of inter-ministerial discussion). A third piece of draft legislation concerns public libraries, for which the Ministry has just launched a book-buying programme. Lastly, a law on legal deposit, promulgated in 1996, is beginning to be applied.

- 4.2 With regard to historic buildings, the new bill is intended to adjust, rather than radically alter, the existing institutional framework, to fill in some gaps and to transpose the relevant international legislation. Most importantly, it is designed - or at least this is the impression given by its drafters - to replace a system based on direct management by one that will work through incentive and regulation. In other words, the government intends to encourage rather than act directly, and that policy should be applauded. The number of officially recognised historic buildings - approximately 23,000 - is considerable. However hard it tries, the Ministry alone will be unable to find funding for them all. Moreover, a policy of heritage conservation will not succeed if it is merely coercive: it must also carry conviction and attract support, and that requires awareness-raising. The distribution of the ownership of historic buildings is a further argument for the new approach: it is estimated that 30% of them are publicly owned, 10% are in private hands, and 60% belong to the churches, which (with the exception of the Uniat Church, stripped of all its property) retained ownership of their buildings under the communist regime even though their land was confiscated.<sup>5</sup>

Partnership is therefore essential. A law on property leasing, currently being drafted, will allow more scope for private initiative. With regard to the law on the heritage - and without pre-judging any provisions already adopted - it ought, at least, to spell out the respective responsibilities of the state and property-owners and stipulate, in the case of buildings not in public ownership, how the cost of restoration should be split. In particular, there is a need to clarify the role played by the local authorities, whether as owners of historic buildings, as funding partners for the restoration of buildings not in their ownership or as the bodies responsible for drawing up and implementing town-planning schemes that must provide for architectural conservation. According to the information gathered by the group of experts in various regions, the level of co-operation between local authorities and the state (in particular with regard to finance) is very uneven.

A further requirement is that government aid - currently payable only to restoration contractors - be directed to property-owners once the personal income tax system is in place. There is welcome provision in the legislation for subsidies, in the form of tax relief, to property-owners undertaking restoration work, which is recognised as being very costly in some cases.

- 4.3 Another question is who decides which buildings are to be conserved, what work should be done on them and what the priorities should be. A national committee (one of two such bodies, the other being responsible for archaeology) advises the Ministry of Culture, and its role is confirmed in the new bill. The committee, an independent body, has some thirty members - experts, specialists and academics, reflecting the different sections of the Ministry's work - whom the Minister appoints for a term of three years. It also draws on the work of district committees for which it is

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<sup>5</sup> A law on the restitution of property provides for land to be returned to the churches up to a maximum of 50 hectares per plot.

responsible. It should be noted that the bill draws a distinction between two categories of historic buildings: those of national interest and those of interest at district level.

With regard to the processing of heritage projects, the Ministry operates through a national office for historic buildings and, at district level, through cultural heritage offices that are also responsible for listing historic buildings.

The work of conservation is carried out by a limited number of approved companies (effectively enjoying a monopoly), which respond to calls for tender and undertake the conservation projects. The procedure for granting companies approval has to be confirmed in legislation.

For the supervision of conservation work the Ministry of Culture has a team of historic buildings inspectors. They are few in number, and their competence is recognised to be problematic.

The administrative apparatus outlined above is not insubstantial, but the group of experts feels that caution should be exercised regarding its efficiency and the conformity between law and practice. The group considers that a number of general recommendations may be made.

The reorganisation of the centrally based historic buildings administration, as envisaged in the bill, is desirable because the current system - which includes the National Committee, the Historic Buildings Department, a centre for the conservation of the national cultural heritage and the National Office for Heritage Conservation - is not very coherent, with the result that responsibilities tend to overlap.

The administrative devolution of the system to district inspectorates, committees and offices (allowing them to select priorities and supervise heritage classification procedures), as provided for in the bill, is a thoroughly positive development that ought, indeed, to be taken further. Greater decentralisation would strengthen the essential link with local authorities and property-owners and help to foster awareness and understanding of the heritage. A part of the conservation budget could be devolved for these purposes (and hence managed by the inspectorates), initially on a trial basis in two or three districts.

Basic and further training for technicians and architects and the staff of companies that advise on, or manage, conservation projects must be improved and should be made the subject of a priority programme.

More satisfactory arrangements should be made for supervision and monitoring to ensure that conservation work is done properly. If necessary, appropriate budgetary and technical measures should be taken to this end.

- 4.4 The question of opening historic buildings to the public should be considered forthwith. The fact that the heritage - historic monuments, groups of buildings and archaeological sites - has been re-democratised implies that it should be accessible to as many people as possible. A unit (comprising independent figures, including some non-Romanians) should be set up to conduct studies and make proposals on such aspects of this question as arrangements for visitors, signposting, ticketing systems, guides and talks. In the case of historic buildings in private ownership, the option of offering additional tax relief to people who open their premises to the public for all or part of the year might be considered.

Legislation for conserving protected sites already exists and is implemented by the Ministry of Public Works. There is a good case for considering the transfer of this responsibility, together with the corresponding budgetary and staff resources, to the Ministry of Culture, for it is logical not to separate policies for protecting and upgrading historic buildings from those concerning the environments, both natural and built, of such buildings.

## 5. The culture industries

5.1 The culture industries and media sector has seen dramatic changes in the past ten years. The liberation of the airwaves, the growth of a market economy and private initiative, and the opening of the country to the outside world have radically transformed what was previously a rigid and particularly archaic society (just two hours of television broadcasting a day on the sole public channel during the final years of the Ceaucescu regime).

Consequently, although the Romanian economy as a whole is not generally thought to have carried out the necessary changes, the same cannot be said of the culture industries. This observation is of paramount importance. The growing mass consumption of culture conveyed mainly by audiovisual media and the new communication technologies has gone hand in hand with a huge influx of foreign cultural products appealing to a broad section of the public, in particular the young, but has also given rise to certain phenomena of rejection.

For that reason the authorities cannot remain indifferent to these trends concerning CDs, video, television and the like. There has been a technological development, as well as an economic development, reflected in the emergence of private businesses, both national and foreign. Yet has there also been a cultural development? In the final analysis, there appears to be a danger of creating an increasingly divided cultural landscape - ie, on the one hand, the production and consumption of a standardised mass culture, for the most part imported and intended for a large captive audience; and, on the other, reactions (whether deemed positive or otherwise) of national withdrawal or even religious revival - with, in the middle or on the fringe, a cultural administration seeking to perpetuate helpless institutions somehow or other and regarding the increasingly costly restoration of monuments as its main concern.

For the same reason the group of experts advocates an overall strategy in the cultural field, involving those industries, some of them new, that have suddenly emerged in Romanians' daily lives. Under the country's political and administrative system, it is for the Ministry of Culture to propose and establish this strategy as well as the relevant policy. The idea is not to curb private initiative or undermine the freedom of economic operators governed by the rules of competition, but to promote, regulate and possibly co-ordinate public and private services as well as establish synergies between them.

5.2 The biggest changes have been in the audiovisual sector. The national report provides the relevant statistics and data, to which reference should be made. The private sector has expanded rapidly in respect of television and radio alike. Private television channels now have the largest audiences, notably the five terrestrial channels: Pro-TV, which is doing particularly well, Antena 1, Tele 7 ABC, Prima TV and Acasa TV. Cable TV has undergone astonishing growth, with three million households cabled, while satellite television and theme channels are also gaining ground.

Back in 1992, Romania introduced regulations for the audiovisual sector on the basis of principles which have proved satisfactory. There is an independent regulatory authority, the National Audiovisual Council, which is similar to certain western models in its appointment methods, its statute and its role. Although its functioning has drawn criticism, this body should be consolidated, as its very existence is a positive factor. However, attention must also be drawn to a number of negative aspects.

First of all, public television, with three national and four regional channels, appears to be in a very poor state. (The same cannot be said of public radio, which incidentally has a cultural station, Radio România). Public television's audiences are falling, its sources of funding (licence fee, subsidies and advertising), are inadequate and it is manifestly bureaucratic and inefficient. However, the public audiovisual service is not only a burden: it can also be an asset capable of strengthening social cohesion or promoting a high-quality audiovisual cultural policy.

In this connection the group of experts can make only a general recommendation to the Romanian authorities: they should set out to rehabilitate public television by means of a far-reaching reform rather than allow the decline to continue, which will inevitably lead to privatisation. Such a reform presupposes increased resources: this implies either the provision of more public financing, which raises again the question of the state's impoverishment, or the establishment of a system for taxing the advertising receipts of the private channels. It also presupposes the transformation of structures and management methods and the drawing up of a business plan. Programme content and quality also pose problems, because they are increasingly influenced by commercial pressures, even in the public sector, though not so much as in the private sector. The standards set by regulations concerning programming (percentage of own production, percentages of national and European productions in the overall schedule, percentage of broadcasts with a cultural emphasis etc) do not call for any criticism, although the statistics reflecting results are sometimes questionable. In any case, these are all subjects which might require further thinking or even further negotiations, as a bill amending the existing audiovisual law is now being prepared - dealing in particular with the concentration process in the public sector - and some new managers have been recently appointed in the sector. Lastly, although Romania has not signed the GATT cultural exception clause, its legislation embodies the quota rules and obligations of the European "Television without Frontiers" Directive. The group of experts urges the Romanian authorities to enforce these provisions as rapidly and effectively as possible.

- 5.3 The cinema, which has been hard hit by the crisis, has witnessed plummeting box-office takings (audiences have fallen from 16 million spectators in 1989 to 8 million today), the virtual disappearance of Romanian-made films (compared to a pre-1989 annual production of 25 films), a market 80% dominated by American films, the closing of a number of cinemas and the obsolescence of those still open. The film studios and a large part of the distribution network have been privatised (once again to the advantage of American rather than European companies). Faced with this disastrous situation, the Romanian authorities took the only firm, proactive decision needed: a decision to rebuild the Romanian film industry. In early 1998, legislative provision was made for a National Film Office. The group of experts was very favourably impressed by this arrangement, which is also based on western models, because of the way in which resources are raised (creation of a support fund financed by 10% of box-office receipts, 1% of video-cassette receipts and 3% of television channels' turnover), the method of targeting action (selective and automatic production assistance<sup>6</sup>, distribution and screening aid etc) and the concern for economic realism underlying the reform (official aid normally limited to 49% of a film's cost but capable of reaching 75% for first films; management and concession

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<sup>6</sup> With regard to selective assistance, the group of experts questioned the desirability of film projects having to be submitted anonymously to the relevant committee.

contracts concluded with cinema operators etc). The competence of the Office's executive staff, as well as the financial support granted by the government in 1998 to launch the scheme are further good omens. Some dozen films are reported to have been put in production in the first year, and funds totalling two million dollars raised. Of course, it will be necessary to assess the results of this policy, which is still in its infancy. The Union of Film-Makers is sceptical, particularly as regards the arrangements for financing film production. The group of experts, for its part, recommends vigorous continuation of this reform (which may well revive the Romanian film industry) and is closely following its implementation.

If the question of production financing is not satisfactorily settled as a result of the 51% payable by the producers not being obtainable, it will be necessary to propose additional arrangements, for which there may be three possibilities:

- an exceptional catalysing input by the state for two or three years in order to kick-start the scheme or finance certain films, whether or not first-time productions, beyond the 49% limit;
- the introduction of a requirement for public and private television channels to invest in production over and above the 3% of their turnover earmarked for the support fund;
- the institution of specific tax relief for individuals agreeing to finance film productions.

5.4 The record sector has also undergone considerable change. In the past, a single public company, *Electrecord*, had a monopoly on phonographic production. It has since become a mixed-economy company (60% state, 40% private) and now has less than 20% of the "legal" market, which it shares with five other private firms, for the most part subsidiaries of the international majors. But this market accounts for only about 20% of actual sales, dominated by pirated CDs and cassettes of international producers, which obviously appeal more to the Romanian public than national light or folk music.

Three observations are called for:

Firstly, the administrative and judicial authorities should step up the fight against piracy and all fraudulent practices.

The second comment concerns the role of the Ministry of Culture. In respect of its public shareholders, *Electrecord* has relations only with the State Property Fund, which is responsible for the privatisation process. But as far as the state's responsibilities in *Electrecord* are concerned, why should the future of this company be governed only by economic or financial considerations? The cultural aspect should also come into the reckoning.

The third observation has to do with the desirability of gradually introducing a cultural policy in the phonographic sector. What type of production? What system of distribution? What financial incentives for the creation of new works? A think-tank should be set up to study these questions and present proposals.

5.5 The situation of the book and publishing sector was subjected to a recent UNESCO analysis<sup>7</sup> as part of the "Governments like books (electronic books too)" programme, as well as a study seminar. The group of experts endorses the conclusions of the analysis, to which it ventures to refer the reader.

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<sup>7</sup> Report by Alvaro Garzon, Council of Europe/UNESCO, September 1998.

It should be pointed out that the Romanian authorities recently put a number of these conclusions into effect, which is to be welcomed. The sale of books is no longer subject to VAT, but this does not imply zero tax, because the usual taxes are still levied on imported paper, bookshop sales etc. A change in the law would be desirable. A commercial bibliographical database called "Books in print" has been created in conjunction with the Council of Europe and the Open Society Foundation. A programme to subsidise the activities of publishing houses has been drawn up, and special legislation on books is being prepared. The group of experts urges the authorities to continue along this path, drawing on Romania's tradition in the literary field.

- 5.6 In 1996 the Romanian authorities introduced new copyright legislation based directly on the European conception of copyright, which is also to be welcomed. This legislation recognises the pecuniary and non-pecuniary rights of authors as well as the neighbouring rights of performing artists and producers. It makes provision for the collective management of rights; and in fact three authors' associations and three neighbouring rights associations have now been established. Royalties have been introduced for private copying and reprography. The European Union's main directives and the relevant international conventions have been taken into account. The Romanian Copyright Office (ORDA), an independent public body, has been set up to supervise, monitor and co-ordinate legislation. The Romanian authorities should be encouraged to ensure that the legislation is properly applied. Two observations may be made. Firstly, although the ORDA reports to the Prime Minister, it is the Ministry of Justice that is responsible for government policy in this area, not the Ministry of Culture. Once again, this is highly regrettable. Secondly, it is also unfortunate that the legislation does not make provision, as in some other countries, for part of the sums collected by way of copyright to be set aside for activities in the public interest (artistic creation, dissemination etc).

## 6. Cultural identities

- 6.1 Although the communist regime recognised the existence of national minorities<sup>8</sup> (with the notable exception of the Roma) and granted them certain rights, it had a repressive attitude towards them, and this was intensified in the 1980s. At the end of this period, the question of national minorities, which account for 10-15% or more of the population, re-emerged. The situation of such minorities varies in both time and space. Some members of these groups have emigrated (Jews, Germans and Hungarians); their numerical size differs from region to region (cf the Hungarians in Transylvania); the tradition of ethnic coexistence and interculturality is stronger in some regions, such as Banat, than in others. The influence of the various minority groups and their degree of integration in society are not uniform either. Numerically, the Hungarians are the biggest minority, with a total of nearly two million; any yearnings for independence on their part have caused resentment and continue to do so. It is true that in 1996 Hungary and Romania signed a treaty regulating their relations and that, as already mentioned, the

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<sup>8</sup> While not expressing a view on its appropriateness, the group of experts uses the term "national minority" as it appears in the Council of Europe's official documents as well as in the Romanian Constitution.

party representing the Hungarian minority is in the present governmental coalition. However, the recent conflict in Kosovo seems to have revived tensions between Hungarians and Romanians, at any rate in Transylvania, and reawakened autonomist aspirations. As for the German minority (numbering 100,000, half of whom live in Banat), it appears to be well organised and possess a certain economic basis.

The most difficult issue is that of the Roma, because it is simultaneously a social, ethnic and cultural problem and is rooted in the distinctive history of a people that has often been neglected or subjugated, including during the first half of the 20<sup>th</sup> century. How many Roma are there? Many of them do not claim to be Roma. Numbering 400,000 officially, but as many as 3 million in reality according to some sources, they probably total somewhere between 1 and 1.5 million. In the past they were forced to become assimilated or sedentary, and their economic situation today is more difficult<sup>9</sup>, while the temptation to equate Roma with insecurity and crime is commonplace.

Consequently, the approach to be adopted towards the Roma must be comprehensive in nature: it must contain a social component (improvement of their material situation), a cultural component (recognition of Roma as a minority) and a political component (combating discrimination and racism).

- 6.2 The Romanian Constitution recognises the existence of national minorities, their right to an "ethnic, cultural, linguistic and religious identity", and their right to learn their mother tongue and be taught in that language. It also entitles each minority to one parliamentary seat. The government's declared objectives are: the protection of minorities, the establishment of a legal framework for safeguarding their identity, the introduction of specific support arrangements and the promotion of intercultural activities. As regards methods, the Romanian authorities have a two-pronged approach: a partnership with civil society (ie with organisations representing minorities) and decentralisation (problems should be appropriately addressed at local level).

A special political and administrative scheme has been set up (see appendix) which attests to a real effort to tackle this question. In January 1997 a new ministry was established, the Department for National Minorities, with a Hungarian minister and a German state secretary. It is flanked by a Council of National Minorities, which includes three members of every minority represented in parliament and whose function is to provide advice, study problems and make proposals.

The department is a small unit of 26 persons with a very modest budget (ROL 32 billion, ie 20 times less than in the case of the Ministry of Culture), even though its budget trebled in size between 1998 and 1999, which, given the financial context, is remarkable. It does not in fact seem desirable for its resources to emulate those of a traditional ministry, although they may of course be increased to enable the department to carry out its own programmes, including cultural ones. The role of this ministry should be threefold: helping to transform the existing legislative and administrative framework (which it is already trying to do); encouraging the other ministries to change their practices and launch operations of their own; and heightening public awareness. On the other hand, the department's budget should not be so small as to make it seem purely symbolic.

The Ministry of Culture has a directorate of national minorities whose own funds, according to the information provided, also rose sharply in 1997 and 1998, although

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<sup>9</sup> For example, Roma living in rural areas did not benefit from the post-1989 redistribution of land to its former owners.

the total amount (ROL 1.6 billion) earmarked for the subsidising of projects, represents only 0.25% of the ministry's budget.

- 6.3 The intentions are praiseworthy, the institutional plan of action exists and the desire to involve representatives of minorities is manifest. What is the actual situation? On the strictly cultural level, there are two forms of actions.

Firstly, there are a fair number of institutions and activities that are specifically dedicated to the cultural expression of minorities. To cite just a few, there are theatres staging performances in minority languages, notably the Hungarian and/or German theatres and opera houses in Timisoara, Cluj-Napoca and Sibiu, as well as professional and amateur artistic groups representing virtually all the minorities (Ukrainian, Czech, Serb, Jewish, Roma etc). Financing comes from the ministry and its inspectorates as well as from local authorities and private sources.

Secondly, the Ministry of Culture is clearly trying to integrate the expression and enhancement of minority cultures as an objective in "ordinary" policies and hence in the regular activities of its services and the institutions under its supervision. Here again, many examples could be cited, and it is true that most of the officials met by the group of experts said that they were working along these lines or practising "positive discrimination" in favour of minorities: heritage restoration, activities in museums, a programme for publishing houses, producing books and magazines for minorities, support for visual artists etc. Public television broadcasts regular programmes in Hungarian and German, as well as special programmes for other minorities, including Roma.

Needless to say, the group of experts cannot pass any definitive judgment on the scale of these various activities or on their quality and results, the extent of their coverage or the manner in which the target groups have reacted to them. That would require a very detailed analysis which goes beyond the framework of this report. It can, however, be inferred that a trend is under way in the right direction and should be continued.

- 6.4 On a more general level, can it be said that the situation of national minorities has improved over the last ten years? The group of experts felt it could detect two contradictory attitudes among the Romanian authorities: on the one hand, a certain proactiveness in the matter, motivated by the need to consolidate a democratic and peaceful society and by a concern to enhance Romania's international image: on the other hand, a certain cautiousness due to the supposed unwillingness of large sections of the population to endorse such a policy as well as to the policy's immediate political impact.

It would appear that the presence of these ethnic and national minorities and the resulting cultural diversity are viewed above all as a problem, ie as a burden or encumbrance to be shouldered as well as possible in a developing democracy. Yet the presence of minorities can also prove an asset by fostering a pluralist and open society, a process of mutual enrichment and a creative mingling of cultures.

The situation of the Roma warrants further consideration in this connection. The Romanian officials acknowledged that this was an unsolved problem. In the opinion of the group of experts, the (understandable) embarrassment of these officials on this subject is obvious. Sometimes the problem is underestimated amid the general economic depression; sometimes it is reduced to its social dimension; and in yet other cases a hypothetical distinction is drawn between the "good" (sedentary) Roma and the "bad" (still nomadic) ones. The Roma themselves, although they now have a parliamentary representative and the Department of National Minorities has

established a national office for them, are divided among more than 70 organisations. Their attitude towards the authorities is one of avoidance. Thus, the inspectorates note that they never receive any projects from the Roma. Moreover, Romany is still an unwritten language. The fact is that every culture is a mixture of rootedness and "vagabondage". In the case of the Roma, the rootedness is not spatial, because they do not have a territory. Rather, it lies in their very "vagabondage", their wanderings, their oral culture, language, family tradition and memory. Their sense of otherness vis-à-vis other cultures is greater. The development of a Rom intelligentsia, which is already emerging; (some of its members are demanding cultural rights and proclaiming their pride in their origins) can be a decisive factor for change in this connection.

The group of experts therefore recommends that special attention be paid to the recognition and preservation of Rom culture and to the fostering of an understanding thereof by other communities in an intercultural context. Encouragement should be given to the development of research and the provision of museums and other instruments for making this culture more widely known.

- 6.5 The at times highly sensitive nature of the question of national minorities explains the hesitations or zigzaggings of the legislature. A law currently being drafted on national minorities provides for the use of minority languages in public services, which is not an uncontroversial proposal. At the same time, an effort is being made to reconcile in law and practice the compulsory nature of education in Romanian and the option for members of minorities to be taught in their own language. How far should the scales be tipped? For example, should history and geography be taught in Romanian or in a minority language? Should it be possible to demand the setting up of an all-Hungarian university in Cluj? These questions have yet to be answered. In any case, promoting intercultural relations is clearly one of the Ministry of Culture's declared priorities. It involves not only fostering individual identities but also stimulating dialogue and exchange between them. A number of persons to whom the group of experts spoke stressed the danger of "enclaves" and "confinement". From this point of view, the Timisoara Intercultural Institute, which is supported by the Council of Europe, is exemplary; such initiatives should be promoted in other parts of the country.

## 7. International relations

- 7.1 The international dimension of Romanian cultural policy has been repeatedly mentioned in this report. The policy reflects not only a deliberate choice by a country freed from dictatorship and legitimately wishing to establish new ties with many countries, but also an obligation imposed by the economic and financial context. The two ministries concerned (Foreign Affairs and Culture), which in the past were rivals, have clarified the demarcation of their responsibilities and now seem to be co-operating together. For conducting their cultural activities in other countries, they have cultural advisers at their disposal in several major embassies as well as six Romanian cultural centres abroad - in Venice, Rome, Paris, Vienna, Budapest and New York. They can also rely on the Romanian Cultural Foundation, a state-subsidised body which promotes the country's image abroad and carries out international programmes. Consideration is being given to extending the network of Romanian cultural centres, but this is obviously encountering the problem of budgetary resources, which are already insufficient for the optimum operation of existing centres.

- 7.2 The group of experts will merely underscore some major issues faced by the Romanian authorities which cannot of course be dealt with immediately but whose effective treatment will largely depend on the position taken up by Romania in the international community.

The first issue concerns the authorities' ability to conduct satisfactorily their cultural exchanges, not only in a world where communication technologies know no national boundaries but also in the current situation, where far-reaching developments with adverse effects are occurring, such as the emigration of artists, the pirating of cultural products and the influx of imported audiovisual goods.

The second issue has to do with the future of the French language in Romania amid an international environment marked by the continuing and growing influence of English, particularly in the culture industries.

The third issue involves the geopolitical priorities set by the Romanian authorities, bearing in mind that the objectives of cultural diplomacy may vary in their degree of harmony with spontaneous movements of co-operation and exchange among artists and other cultural practitioners. This issue concerns Romania's neighbouring countries (above all Moldavia), some of which have indigenous Romanian communities, the countries of south-east Europe, the countries of Latin culture, Russia and the other Slav countries, and the countries of western Europe etc.

- 7.3 Lastly, Romania must acquire a new international image, as its current one is still too often negative or indecisive owing to past and present political, economic and social vicissitudes. In this context, culture can be a fundamental element capable of suggesting the emergence of another "point of view" and facilitating the drawing up of a new strategy vis-à-vis the outside world. Not only the national heritage or the renown of intellectuals or artists, but also Romania's very cultural diversity can be harnessed to this objective. For this purpose, a think-tank made up of leading figures from the economic, cultural and tourist sectors ought to be set up.

- 7.4 As already seen, Romania intends to play its full role in the development of Europe. Its firm attachment to Europe is not only desired but also desirable, both for Romania itself and for Europe. The country's history, cultural wealth and diversity are products of Europe's past. Let us hope that it will soon play an active part in shaping Europe's future as, indeed, it deserves to do.

List of appendices

- Appendix 1: Summary of the main recommendations
- Appendix 2: List of persons met
- Appendix 3: Available in French version only
- Appendices 4: The Inspectorates of Culture
- Appendix 5: Available in French version only
- Appendix 6: Available in French version only
- Appendix 7: Available in French version only
- Appendix 8: Available in French version only

## Appendix 1

### Summary of the main recommendations

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1. Cultural-policy administration, budget and objectives
  - Maintain and increase the budget of the Ministry of Culture. In the short term, stabilise the budget or, at least, avoid reducing it by a percentage greater than the decline in the state's general budget. In the medium and long term, make this budget one of the priorities of governmental action and introduce a pluriannual plan for increasing appropriations, as debated in parliament.
  - Improve, where necessary, the fiscal arrangements for fostering the development of sponsorship.
  - Encourage the introduction of a policy of diversified admission charges, with due regard to the desirability of cultural democratisation.
  - Support the development of private initiative in sectors likely to open themselves up to competition.
  - Envisage a reform of the organisational chart of the Ministry of Culture.
  - Establish new procedures for promoting the circulation of information in administrative bodies.
  - Make wider use of consultative committees of experts and practitioners for allocating subsidies and drawing up official policies.
  - Set up an interministerial working party and a study group to make proposals on a new division of ministerial responsibilities, particularly with regard to artistic education and the culture industries.
  - Develop interministerial co-operation to give a cultural dimension to all official policies.
  - The group of experts wonders about the balance that should be struck between the state's fundamental functions in the area of cultural policy, now that the Ministry of Culture has given priority to the heritage.
  
2. Cultural institutions, decentralisation and the development of civil society
  - Set up a body to study and analyse cultural participation processes, particularly with regard to the number of people visiting cultural institutions.
  - The decentralisation of responsibilities for the benefit of local authorities should be reviewed not as to its principle but as to the ways in which it is currently implemented. It is suggested setting up on a temporary basis a system of joint supervision and mixed financing for cultural institutions affected by decentralisation measures.
  - Continue and amplify the process of restructuring cultural institutions, especially with regard to staff recruitment and remuneration arrangements
  - Create appropriate administrative and management structures for cultural institutions.
  - Systematise the financing of projects emanating from cultural institutions and initiate contractual arrangements between supervisory authorities and institutions.
  - Establish a national body for organising tours of shows and exhibitions within Romania with the joint assistance of the state and local authorities.
  - Consolidate cultural decentralisation by setting up a database on the cultural expenditure and activities of local authorities, promoting the creation of cultural services and the training of local councillors and permitting local authorities to finance non-governmental organisations.
  - Clarify the division of responsibilities and financial burdens between local authorities.

- Help local authorities to introduce cultural policies at both urban level (cultural activities in suburban areas) and rural level (preservation of traditional cultures).
  - Consolidate the status and role of the culture inspectorates in order to make them the key instrument in the partnership between central and local government. To this end, their staffs should be increased, some of their powers, especially in the heritage sector, strengthened, their budgetary management autonomy expanded, their use of expert committees systematised and their methods of recruiting head advisers modified.
  - Encourage the development of a strong and independent civil society by means of an appropriate environment.
3. Support for artistic creation
- Seek to maintain flexible, mobile arrangements for funding support for artistic projects.
  - Diversify subsidies for artistic creation, particularly in the performing arts field, in order to support the emergence of a non-institutional sector. A specific assistance fund should be set up.
  - Recognise and make provision for new forms of artistic expression.
  - Alleviate the lack of venues for contemporary art by encouraging the provision of more museums and the development of private galleries. Give further thought to the desirability and feasibility of establishing a museum of modern art.
4. Heritage protection
- Continue the process of legislative reform, particularly work on the historic heritage bill. In this connection, the respective responsibilities of the state, local authorities and private owners need to be clarified, particularly with regard to financing and taxation.
  - Step up the devolution of responsibilities and financing to district inspectorates and committees.
  - Improve the training of specialists in monument restoration.
  - Strengthen the supervision and monitoring of the execution of restoration schemes.
  - Set up a task force to study the opening of historic monuments to the public and make proposals on the subject.
  - Envisage changing the current division of ministerial responsibilities regarding protected sites.
5. The culture industries
- Develop the Ministry of Culture's strategic function concerning the culture industries.
  - Promote a radical reform of public television.
  - Initiate thinking, in conjunction with broadcasters, about the content and quality of audiovisual programmes.
  - Continue the reform of the cinema and support the activities of the National Film Office. Put into place arrangements for the additional financing of film production if the existing system proves insufficient.
  - Step up the fight against piracy, notably in the phonographic sector.
  - Promote a comprehensive and coherent policy in the record sector.
  - Continue the reforms in the publishing sector.
  - Fully enforce the copyright law and make the Ministry of Culture responsible for policy presentation in this area.

6. Cultural identities

- Improve the political and administrative arrangements for taking account of national minorities, involving their representatives in decision-making and promoting their cultural self-expression.
- Maintain and increase assistance to institutions and specific activities fostering the cultural production and expression of minorities.
- Take greater account of minority cultures in "ordinary" policies and the activities of cultural institutions.
- Promote an overall approach to the question of the Roma, with its social, economic, cultural and political implications (combating of discrimination and racism).
- Give particular attention to the recognition, protection and understanding of the cultural identity of the Roma.
- Continue the process of bringing existing legislation and regulations into line with the specific situation of national minorities, notably with regard to the teaching of their languages.
- Increase the number of activities promoting interculturalism and dialogue between cultures.

7. International relations

- Strengthen the existing institutional arrangements relating to cultural action abroad.
- Continue the opening-up of Romania to the rest of the world, particularly Europe, in a context where the major issues include, inter alia: the role of the Romanian authorities amid changes in cultural life and the development of new communication technologies; the future of the French language in Romania; and the definition of the geographical priorities of Romania's external cultural policy.
- Set up a think-tank to define a new image of Romania abroad and the role that culture can play in this regard.

**Appendix 2****LIST OF PEOPLE MET****First visit****Ministry of Culture**

Mr. Ion CARAMITRU- Minister  
 Mrs. Maria BERZA – Secretary of State  
 Mr.Hunor KELEMEN - Secretary of State  
 Mr.Sergiu NISTOR - Director General of the General Directorate for National Cultural Heritage  
 Mrs. Yvette FULICEA- Advisor to the Minister for heritage concerns  
 Mrs. Adriana TANASESCU- Director General, General Directorate of Institutions, Centres and Inspectorats for Culture  
 Mr.Carol KONIG- directeur de la Direction pour les Minorités Nationales  
 Mr.Ernest OBERLANDER- TARNOVEANU- Director of the Directorate on Museums at the Ministry of Culture  
 Mrs. Dorana COSOVEANU - Advisor to the Minister

**Ministry of Foreign Affairs**

Mr.Serban STATI - Director General of the General Directorate for Cultural Affairs  
 Mr.Dan Eugen PINETA – Director of the Directorate for Cultural and Scientific Relations

**Cultural Centre Mogosoaia**

Mrs. Beatrice COMANESCU - Director

**Team of Romanian experts for the drafting of the Romanian National Report**

Mr.Horia MATEI – President of the Group  
 Mr.Adrian GUTA - Art critic  
 Mr.Dan MATEI - Director of the Institute of Cultural Memory at the Ministry of Culture

**Department for Local Public Administration**

Mr.Ioan ONISEI, Deputy State Secretary

**Institute of Marketing and Surveys – IMAS**

Mr.Alin TEODORESCU- Director

**Union of Theatre People of Romania**

Mrs. Aura CORBEANU- Executive Director

Mr.Cornel TODEA- Vice-President

*The Commission for Culture at the Chamber of Deputies*

Mr.Gabriel TEPELEA, President

Mr.Virgil NITULESCU, Advisor

*The Commission for Culture of the Senate*

Mr.Eugen VASILIU, President

*Representative of Romania at the CDMM (Council of Europe)*

Mr.Horia MURGU

*Museum of the Romanian Peasant*

Mr.Horia BERNEA – Director

Mrs. Irina NICOLAU - museographe

*Theatre « Bulandra »*

Mr.Victor REBENGIUC - Director

*Union of Visual Artists of Romania*

Mr.Nicolae ALEXI - President

*Union of Writers of Romania*

Mr.Laurentiu ULICI - President

Mr. Eugen URICARIU - Vice-President

*Romanian Opera*

Mr. Razvan CERNAT - Director

*Editura « VIDEO » (of the Ministry of Culture)*

Mrs. Anca DAMIAN - coordinator of programmes

*The Centre of Cultural Projects ARCUB*

Mr.Mircea SCARLAT - Director

*The Town Hall of Bucharest*

Mr.Stefan IONESCU – Director for Cultural Affairs

Romanian Television Company

Mr. Adrian E.IONESCU - Director  
 Mr. Doru DUMITRESCU - Director of Programmes

***Second Visit*****TIMISOARA**Inspectorate for Culture

Mr. Ioan Viorel BOLDUREANU - Chief Advisor

Local Authorities

Mr. Ioan BOGOEVICI - President of the Department Board of Timis  
 Mr. Constantin OSTAFICIUC – Deputy Prefect

National Theatre of Timisoara

Mr. Stefan IORDANESCU - Director

Romanian Television Company - studio « Timisoara »

Mrs. Brandusa ARMANCA Director

Magazine « Orizont »

Mr.Mircea MIHAIES - Chief Editor  
 Mrs. Adriana BABETI - Writer  
 Mr.Cornel UNGUREANU - Literary Critic

Stepan Project

Mr. Ilie STEPAN- "leader" of rock group Stepan Project

« Timisoara » Society

Mr. Alexandru MIHALCEA - President

Intercultural Institute of Timisoara

Mr.Calin RUS - Director

German Democratic Forum

Mr.Karol SINGER - President

Banat Museum

Mr. Florin DRASOVEANU - Director

**BUCHAREST**ARTEXIM

Mr.Mihai CONSTANTINESCU Director

National Cinematographic Office

Mr.Radu GABREA - President, Secretary of State

Ministry of Culture

Mr.Vladimir POPESCU DEVESELU - Director General of the Directorate of Performance Institutions

Mrs. Simona TANASESCU, Director of the Directorate of Visual Arts

Mr.Vasile IONESCU , Advisor for the Minority Rom problems

Record Company « Electrecord »

Mrs. Cornelia ANDREESCU, General Director

Mr.Grigore PETREANU - Deputy Director

Mrs. Elena RUGINA - Deputy Director

Romanian Cultural Foundation

Mrs. Angela MARTIN – Deputy Director

Mrs. Catrinel PLESU - Director of programmes

**PLOIESTI**Prefecture of the Department of Prahova

Mr. Vasile BARBULESCU - Director

Inspectorate for Culture

Mr.Florin SICOIE - Chief Advisor

Departmental Museum Ploiesti

Mrs. Ruxandra IONESCU - Director

Commission for Culture of the Senate

Mr.Oliviu GHERMAN, member and representative of the Opposition party PDSR (Social Democratic Party of Romania)

National Museum of Art of Romania

Mrs. Roxana TEODORESCU - Director

Mrs. Codruta CRUCEANU - Project Coordinator

**Third Visit****IASI***Inspectorate for Culture*

Mr. Florin CANTIC - Chief Advisor

*Local Authorities*

Mr. Constantin SIMIRAD – Mayor

Mr. Vladimir TANASOIU - President of the Conseil Départemental

Mr. Lucian DIRDALA - Advisor to the Prefect

*Library « Gh. Asachi »*

Mr. Gheorghe BUSUIOC – Director

*Complex of National Museums « Moldova »*

Mr. Vasile CHIRICA - Director

*Association « Stefan cel Mare »*

Mr. Mihai LEOVEANU - President\*

**BUCHAREST***Ministry of Culture*

Mrs. Delia MUCICA - Secretary General

Mr. Dan NICOLAE, Director of the Directorate of Historical Monuments

*National Office for Copyright*

Mrs. Rodica PARVU - Director

*National Theatre of Bucharest*

Mr. Ion COJAR - Director

Mr. Gelu COLCEAG - Deputy Director

*Ministry of Education*

Mr. Mircea MANIU- Director of the Directorate for International Relations

Mrs. Luminita MATEI - Deputy Director

*Church « Stavropoleos »*

Father Iustin MARCHIS

National Library of Bucharest

Mr. Dan ERCEANU - Director

Union of Film Authors and Directors

Mr. Dan PITA - Vice President

Mr. Sergiu NICOLAESCU - Director

Mr. Serban MARINESCU - Director

« Soros » Centre for Contemporary Art

Mrs. Irina CIOS - Director

National Radio

Mr. Viorel POPESCU - Director of the « Romania Actualitati » chain

Rock Groups – « Doua usi » et « Feed-back »

## Appendix 4

### Culture Inspectorates

1. Romania's system of sub-central administration, based on the principle of local self-government, comprises districts (42), municipalities (2,682), towns (182) and *municipes* (80).

The prefects are the state's representatives in the districts. They supervise the legality of the acts of local authorities and are in charge of the state's services operating in the districts. These services include the culture inspectorates.

Originally set up by the communist regime under another name, these services are the regional branches of the Ministry of Culture. As such, they have certain similarities with the regional directorates of cultural affairs in France.

The services are staffed by public officials, whose number varies from one district to another but is usually about a dozen: head regional advisers, specialised inspectors and advisers, accountants, secretaries and operatives.

The head regional adviser reports to both the Ministry of Culture and the prefect, who represents all the ministries in the district. He is appointed by the minister after the submission of candidatures and a selection process. According to the information obtained by the group of experts, the short-listed candidates are approved beforehand by the political parties. A committee consisting of the prefect and the District Council selects a small number of persons from among the candidates, and the ministry then chooses the future adviser from the shortlist. This procedure ought to be changed in order to preclude political influence. Strict neutrality in recruiting should be sought at all costs so as to place emphasis solely on competence and professionalism.

The duration of advisers' functions is not defined and no doubt depends on the assessment of their performance: the evaluation of head regional advisers is a matter for the minister. It may be inferred that in the event of a change of minister, some rotation or renewal of head advisers may occur as the shortlisting is done on a political basis.

According to oral information received by the group of experts, these heads of service are either experts or practitioners: academics, artists, writers.

2. The inspectorates have the following functions:
  - a) They exercise "specialised supervision", ie the scientific and technical supervision of cultural institutions and activities, and ensure that laws and regulations in the cultural sphere are properly applied.
  - b) They give expert advice to local and regional authorities and organisers of cultural projects. In so doing, they no doubt help to stimulate, promote and even co-ordinate local cultural life.
  - c) They finance a number of cultural and artistic projects. Sometimes these projects are submitted to them by local authorities, artistic groups or non-governmental organisations; sometimes they initiate them themselves. The assistance provided by the inspectorates usually amounts to less than half of a project's cost (under 25% on average?) and is intended for the carrying out of activities, rather than for capital investment. The projects subsidised cover the entire cultural spectrum: festivals, support for artistic groups, subsidies for publishing, competitions for young artists, backing for folk groups, organisation of seminars etc. It also seems that, although they cannot act directly to assist the culture industries, the inspectorates grant them ad hoc subsidies (eg for the production of video cassettes or CDs). Each inspectorate submits an action programme which is

subject to prior approval by the ministry.

The budget actually available to the inspectorates is clearly small. For example, in the district of Iasi the inspectorate's 1999 budget amounts to ROL 250 million, or about 16,000 dollars. More than half this sum goes on staff salaries and operating costs, leaving less than 5,000 dollars for activities.

Moreover, in some sectors the inspectorates make use of advisory committees. The comment made about the central administration, ie the desirability of these committees being used as widely as possible, may also be applied to the inspectorates.

- d) Under rules introduced in March 1998, the inspectorates must be consulted on the appointment and replacement of heads of cultural institutions under the control of local authorities. Local authorities are not required to follow the inspectorates' advice and may thus disregard it. The above-mentioned rules are to be confirmed in the local government law which was being drafted at the time of writing.

Concerning the practical arrangements for appointing heads of institutions, it should be pointed out that a ministerial recommendation advocates holding a competitive examination, followed by the proposal of a choice of candidate by the competent committee (on which the inspectorate is represented) and a final decision by the local authority. Such a procedure has been followed in a number of cases, but the group of experts does not know whether it is a general practice.

- e) The inspectorates also participate in implementing heritage policy. They work in liaison with the district's specialised committee, which reports to the National Committee of Historic Monuments. This committee compiles and updates the list of historic monuments in the district and expresses its view on the desirability and nature of restoration schemes to be carried out; its analyses and recommendations are then sent to the central department of the Ministry of Culture. Each district also has a heritage office to investigate matters pertaining to historic monuments.

- 3. The group of experts' evaluation of the inspectorates is based on the three visits it made in the provinces and on the opinions expressed by the various persons it met. Its information is therefore only partial, but it nevertheless believes that it is able to arrive at some general conclusions.

Regarding the status and functions of these services, the group reached the conclusion, as set out in the body of its report, that the role of the inspectorates should be consolidated and even expanded. This conclusion was arrived at after consideration of the state of official cultural policies and the instruments available to them in a context of extremely limited financial resources. Such a recommendation is not self-evident; although, in the districts visited, these services are appreciated and their co-operation with the local authorities deemed satisfactory, the group of experts nevertheless heard critical or negative comments, and indeed some local authorities have - or are said to have - requested the abolition of the inspectorates. However, the group of experts takes the view that such services constitute, at least potentially, a reservoir of highly important expertise, an instrument for the desirable partnership between the state and local authorities and a channel for contact, dialogue and fruitful exchange among the various protagonists of cultural life as well as between the state and civil society.

However, the inspectorates' relations both with their central administration and with local authorities need to be clarified or better defined.

The ministry's central department sometimes seems uncertain about the inspectorates and is perhaps not yet fully aware of the support role they can play in implementing state policy. There is therefore a temptation to confine them to the sole function of "specialised monitoring" and administrative supervision, to the detriment of the function of contributing to the planning and implementation of projects. The inspectorates have

been accused of taking the place of cultural practitioners (especially when they themselves mount projects) instead of helping to bring practitioners closer together or promoting their interaction. Admittedly the inspectorates cannot take "direct" action as opposed to causing it to be taken, except in very exceptional cases. But it would be a mistake to limit them to a purely administrative role, because that would deprive the state of a tool for communication, stimulation and even facilitation of cultural life, even though this must of course remain primarily the business of artists and other practitioners. The inspectorates cannot content themselves with remaining in the background as mere supervisors: they must become involved, give practical assistance to project organisers and thereby contribute to the development of cultural life.

The inspectorates do not have the benefit of financial decentralisation. Once their programmes have been prepared and approved, they still have to be carried out. Owing to the scarcity of budgetary resources, however, the central department's funding for the inspectorates is distributed on a monthly and project-by-project basis. It therefore seems desirable to change this arrangement by granting the inspectorates a certain amount of financial independence despite the slenderness of available resources. Hence the suggestion to allocate the inspectorates a budgetary package, even a small one, at the beginning of each year, negotiated on the basis of the action programme presented. In practice, the funds would be paid in two instalments, so as to regulate the flow of finance according to the state's resources.

Lastly, the inspectorates should enjoy greater decentralisation of responsibilities. The historic heritage bill does in fact provide for an increase in their powers in this area, by virtue of the distinction made between monuments of national importance and those of district importance. The implementation of the historic buildings protection policy should be brought closer to the ground level, on the assumption that the inspectorates and district committees possess the human resources needed to carry out their expert evaluations. For this reason, the Ministry of Culture envisages that the district heritage offices should serve as the kernel of the inspectorates' enlarged services. On that basis, it is logical that they be given responsibility for taking decisions on monument protection, setting priorities for restoration work and even allocating subsidies.

For this purpose, the Ministry of Culture plans to change the names of the inspectorates to "Cultural Heritage Inspectorates". As such, they would oversee an archaeological service, a historic monuments service and a movable heritage service. As a *quid pro quo*, only a small number of the advisers currently responsible for cultural activities or support for artistic creation would remain, and consideration is even being given to scrapping the inspectorates' operational funds. This would result in a significant change in their functions, as the heritage activities would become preponderant to the detriment of the functions performed hitherto. The group of experts, for its part, believes that although it is desirable to strengthen the inspectorates' heritage role, it would be inappropriate to make them the only real centre of action or to prune to a bare minimum the function of fostering cultural life. What was gained on the swings would be lost on the roundabouts, whereas the development of both functions seems perfectly feasible and even to some extent, necessary, as heritage enhancement and support for artistic creation benefit from cross-fertilisation.

Should the Ministry of Culture decentralise some of its functions and financial resources, it must give the inspectorates precise guidelines, lay down detailed instructions and ensure the co-ordination of its network of decentralised services. Currently, it brings together all the head advisers once or twice a year in what appears to be a mainly formal manner. The group of experts suggests increasing the frequency of such meetings and ensuring that they result in a proper discussion between the central and decentralised services.

Relations between local authorities and the inspectorates are possibly imbued with a certain empiricism, if only in the definition of each side's share in the financing of projects. This has the advantage of flexibility, but also the disadvantage of not clearly establishing the apportionment of costs and perhaps failing to make the full extent of the public commitment understandable to project organisers. Consequently, thought might be given to the desirability of conducting negotiations in this area so as to arrive at a better definition of responsibilities, no doubt on a sector-by-sector basis.