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European Programme of Cultural Policy Reviews – Cultural Policy in Ukraine Experts' Report

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1. Preface

This is the 27th Council of Europe Review of National Cultural Policy. Such reviews are carried out at the request of the government of the country concerned and involve partnership and joint working between the Council of Europe and the authorities responsible for culture in the country.

Broadly speaking such reviews consist of three processes each of which delivers a specific 'product'. In the case of the most successful reviews it has usually been the processes themselves which have been the most important elements as they have often led to

- disciplined gathering and analysis of information related to the country's cultural sector which was previously not available
- changes of perceptions and practices in the country concerned which have helpfully promoted a new and wider debate amongst policymakers, practitioners and the public
- the seeding of a more confident, on-going and dynamic approach to cultural policy needs and policy formulation.

The three processes and 'products' are

1. a national exercise of gathering information and identifying trends, often carried out over quite a long period, which leads to the compilation and production of a 'National Report' by local experts under the aegis of the Ministry of Culture
2. visits, meetings and information-gathering by a Council of Europe team of specialists which leads to the production of a 'Council of Europe Experts' Report' which gives an external perspective
3. a formal presentation of the two reports in Strasbourg at the Council of Europe normally followed by a major consultation process in-country to follow up the reports. In the case of the in-country consultation process, the product is often some kind of 'National Debate' in the form of a structured wide-scale consultation exercise which in many cases has then led to a national conference and the formal pursuit of any new policy directions or practices.

This review of cultural policy in Ukraine seems to be particularly timely. In the heady days of the early period of independence there were lively and often contentious debates on national culture. These continue but since then the inevitable gaps have become evident between on the one hand, the aspirations and on the other, the realities imposed by 'transition', even when the aspiration has simply been to try to preserve the basic cultural infrastructure of the country.

While still undergoing a major and painful transition process, in recent years there have also been major positive changes in Ukraine. These changes are of historic European significance and are continuing as the country's independence, consolidation and democracy slowly mature.

In certain respects, and understandably, policy and legislation are sometimes not reflecting these changes adequately as the country moves and struggles from past

and still familiar (at least to the older generation) structures and practices to unfamiliar and often challenging new ones.

It can be reasonably argued that in a new socio-political climate and some fifteen years after independence this is a good time to take stock of where Ukraine has come from and where it is going and ask bold questions about the extent to which cultural policy is addressing current and future agendas and to what extent it is rooted in the past. While there remains among many sections of Ukrainian society, and amongst individuals, strong and understandable nostalgia for the Soviet past, it is sometimes easy to forget quite how fast that Soviet past is receding for many people. It is even easier to forget that it did not even exist for that part of the population, those under about 35, who were teenagers at the time of Soviet perestroika or have grown up during the time of an independent Ukraine.

There is another interesting and important element of timing related to this cultural policy review exercise which is of a personal nature. The idea of Ukraine participating in the Council of Europe cultural policy review process was proposed some three years ago by the then Minister of Culture, Mr Yuri Bohutskyi and it is he who should take the credit for a first and important step in bringing Ukraine and the Council of Europe together closer in the field of culture. It is appropriate to record that unambiguously here. His successors as Ministers - also with enthusiasm - followed up his initiative and the review process began. Late last year, Mr Bohutskyi again became Minister. There has therefore been an interesting, and one hopes and believes, productive mix of change and continuity to the context of the work that has been carried out both by the national experts and advisers in Ukraine and by the Council of Europe team.

We hope this special context might augur well for confident, inclusive, pragmatic, on-going debate on cultural policy in Ukraine and be the catalyst for the identification and pursuing of some helpful and appropriate new departures and experiments. Notwithstanding the enormous challenges, particularly related to the funding of culture, there is every reason to be confident. In this area, as with so many other aspects of Ukraine, the right ingredients are quite evidently available and plentiful and the question is really one of focussing on the right recipes which use those excellent ingredients to best effect. Inevitably finding the right recipes means making – and learning from – mistakes and can be frustrating and slower than many would like.

After a gastronomic analogy, it is an appropriate time to mention the superb hospitality and general help the Council of Europe team received in Kyiv, in Donetsk and in Donetsk Oblast during the two official visits (17-24 January 2005 and 16-21 January 2007). To the many hosts, advisers, helpers and cultural practitioners we met, we are very grateful both at a professional and a personal level.

Our programme involved a wide range of people and was very efficiently and professionally coordinated by the Ministry of Culture and Tourism. Our particular and unequivocal thanks go to Minister Yuri Bohutskyi and Deputy Minister Timofiy Kokhan not only for their substantial personal involvement, but also for the openness and frankness of the discussions we had with them. Their evident desire, which they shared with us as colleagues, is to move their country into an active, pragmatic and effective engagement and dialogue about European standards and promote cooperation in the field of culture both internationally and domestically. It has been a pleasure to work with them.

We also owe thanks to many other staff, past and present, of the Ministry. Two in particular made substantial practical contributions and should be mentioned - Olha Kostenko, former Deputy Minister of Culture and Svitlana Pavlysh, who accompanied us throughout our second visit.

We would like to thank the many people we met in Donetsk and Donetsk Oblast. Our main host and coordinator there, Mykola Ptashka, Head of the Department of Culture and Tourism of Donetsk Oblast, ensured that the visit was a success and a range of local specialists gave us presentations. We particularly appreciated the presentation by Nataliya Shynkarenko, Deputy Head of the Department of Culture and Tourism of Donetsk Oblast, of the official plans for the period 2006-2011.

We have been very ably supported by Oleksandr Grytsenko, Director of the Ukrainian Centre of Cultural Research, Kyiv, whose team produced an important and detailed draft 'National Report' which contained much valuable information, including statistical reports unavailable to us elsewhere. This work has been supplemented by inputs from Oleksandr Butsenko and his team from the NGO, the Centre for Democracy Through Culture, who also accompanied us in Kyiv and Donetsk during our second visit. We are very grateful to both Oleksandr Grytsenko and Oleksandr Butsenko for their personal as well as official support to us as colleagues.

Our gratitude extends to numerous other people in Ukraine who have taken an interest in this work. I hope they will forgive me for not mentioning them in person.

Finally I would like to thank my Council of Europe colleagues. We were very well served from Strasbourg first by Dorina Bodea until her departure, and then by Kathrin Merkle, both of whom have been supported by Marie-Pierre Fronteau. Dorina Bodea accompanied us for the first visit and Kathrin Merkle for the second. The period during which the Review has taken place has been a particularly volatile one in terms of government and parliamentary changes in Kyiv and coincided with a period of significant staff changes in Strasbourg which put constraints on some aspects of the work and modified the original timetable that had been planned. We have appreciated the persistence of the Ministry of Culture in Kyiv and the steady background support of Bob Palmer, Director of Culture, Cultural and Natural Heritage and of Gabriella Battaini-Dragoni, Director-General of Education, Culture, Youth and Sport in Strasbourg.

I am grateful to my fellow Council of Europe specialists involved in both the first and second visits who have made the review an enjoyable and stimulating experience. The first visit involved the participation of Deiana Danailova (Director of International Cultural Policy, Ministry of Culture, Bulgaria), Simon Mundy (Consultant, UK), Norbert Riedl (Director of Department in the Bundeskanzleramt, Austria) and Delia Mucica (Secretary-General, Ministry of Culture and Religious Affairs, Romania). The second visit involved the participation of Deiana Danilova, Norbert Riedl and Nada Svob-Dokic (Scientific Adviser, Institute for International Relations, Croatia).

Terry Sandell
March 2007

2. Executive Summary

Council of Europe policy reviews are carried out at the request of the government of the country concerned. They involve partnership and joint working between the Council of Europe and the authorities responsible for culture in the country. The process itself, especially the follow-up in-country which is normally in the form of a national consultation exercise, is often more important than the products – the reports and research.

However defined, Ukraine is unambiguously a European country. It is also endowed with extremely rich and diverse cultural traditions. It needs a cultural policy and on-going policy formulation processes which produce an environment and conditions within which culture and creativity can flourish.

To produce sound policy it is important to begin by posing the right questions. There is no point in coming up with the right answers to the wrong questions. The Council of Europe team was impressed by much of what it saw in Ukraine. There was a lot to admire in what those responsible for cultural policy at ministry, parliamentary, presidential, oblast and district levels had achieved since independence. In very difficult circumstances they were invariably providing good solutions and answers in a given situation but the team was not always convinced that in every case they were in response to the right questions.

In a new socio-political climate and some fifteen years after independence this is a good time to take stock of where Ukraine has come from and where it is going. It is an appropriate time to ask bold questions about the extent to which cultural policy is addressing current and future agendas and to what extent it is still rooted in the Soviet past. It is sometimes easy to forget quite how fast the Soviet past is receding for many people and to forget that it did not even exist for that part of the population, those under about 35, who were teenagers at the time of Soviet perestroika or have grown up during the time of an independent Ukraine.

This report urges, as its main recommendation, a very inclusive, on-going and structured national consultation exercise in Ukraine that focuses on practical, fundamental issues related to culture and cultural policy, the issues on which a modernising 21st century European state, which is geographically the biggest country in Europe, should be focussing.

The key issues identified by the Council of Europe team include revisiting the official definition of culture and what it should embrace; the remit and strategic purpose of the Ministry of Culture and the other bodies officially responsible for culture; the problem of 'semi-reforms' in the cultural sector; cultural and non-cultural legislation; the need for new 'formalised' and transparent relationships in the cultural sector and the exploration of a 'Compact' model¹; the repositioning of the Ministry of Culture by building on strengths rather than playing to weaknesses; and managing the new.

The main challenge for Ukraine, it could be argued, is not so much about the country taking this or that political direction but more about the management of modernisation i.e. developing a modern state oriented towards satisfying the needs of its citizens. Ukraine is going through rapid and major change. Policy and legislation are

¹ For details of the 'Compact' model see Chapter 10, pp 39-41.

sometimes not reflecting these changes adequately as the country moves and struggles from past and still familiar (at least to the older generation) structures and practices to unfamiliar and often challenging new ones.

In the old Soviet Union, the definition of culture tended to be 'What the Ministry of Culture does'. What the Ministry of Culture did not 'do', control or fund was not 'culture'. The old Soviet legacy still manifests itself in a static, narrow and outdated official concept of culture. Government and state bodies involved in culture - by the use of their resources, actions and time - define culture mainly in terms of certain forms of heritage (buildings, 'historical' folk culture, traditional museums etc) and 'high' classical culture (i.e. ballet; theatre; opera; classical music etc with rigid demarcations between them). This basically 19th century perception of culture is unhelpful in a 21st century modernising European country where linkages to a wide and diverse range of social and economic activities and agendas, the nurturing of the creative industries and a knowledge economy and the embracing of new and mutating forms of cultural expression and product are essential to the cultural health of a nation.

The problem of 'semi-reforms' and 'half-changes', which many would argue is characteristic of Ukraine's current general political and economic development, directly impacts on the cultural sector and cultural policy. Past practices and ways of working, relevant to a 'command economy', often still remain and dominate yet the context and Ukraine's needs have changed radically. The 'worst of the old' is getting in the way of the 'best of the new' with as a consequence unmeasured opportunity costs and mounting professional frustration especially on the part of the younger, 'successor' generations (i.e. those born in the 1970s and subsequently) who are so vitally important to the future of the country.

As a general rule, people working in culture and the arts are more comfortable with experimentation and new ideas than society at large. Normally creative and at the cutting edge, their thinking today is what the rest of society will follow tomorrow. Change of practices and models in the cultural sector, if handled properly, should be less of a problem than elsewhere in society. Indeed it is not unreasonable to expect the cultural sector to be providing the leadership for responsible change in society and be at the forefront of national modernisation.

The cultural sector (i.e. cultural practitioners from the state, independent and private streams) needs to engage in a new relationship or 'compact' with the Ministry of Culture and other state bodies to address systematically sector-specific problems of completing reforms and changes and clearing away inappropriate, out-of-date practices. A key missing element that would contribute to change has been the lack of demonstrable and sponsored experiments, small-scale projects and new models which could be used to develop modern practices appropriate to Ukraine's present and future needs. Such experiments, small-scale projects and models require active official support or recognition if they are going to be effectively promoted and eventually be absorbed by the 'system'.

It is a positive and understandable characteristic of 'transition' states that they seek a legislative base for the changes that are taking place in their societies. The signing up to international conventions and agreements, with concomitant domestic legislation requirements, is rightly seen as evidence of these countries' political will and democratic maturity. Put bluntly, however, the qualitative dimension of the implementation of legislation is really the litmus test of success for a maturing transitional state, not the number of laws passed or the areas covered. Legislation is not an end in itself but a means to an end and in the cultural sector there is no point

in wasting time and raising expectations with legislation which cannot be implemented or will not be implemented.

There is a need to establish a penetrative system of recognised information channels, regular briefings and in some cases training, for cultural practitioners and those implementing or affected by new legislation. A comprehensive list of current cultural legislation should be posted on the Ministry website with a short summary of the key points and the practical implications of each of these laws. A mechanism should be set up whereby the Ministry of Culture and the Verkhovna Rada (Ukrainian Parliament) agree that where legislation is simply not working, a list of priority problems is agreed, with the Ministry then empowered politically and financially to identify and research the problems and produce recommendations and proposed solutions for the Verkhovna Rada Committee's consideration and action.

Legislation not specifically related to the cultural sector can have as big an impact on culture and the cultural sector as cultural legislation itself and can sometimes be unintentionally negative. In recognising the importance of this, the Ministry and the other state and government organs responsible for culture should ensure that they have in place effective and recognised consultation and modern advocacy mechanisms to be able to provide a strong contribution to such non-cultural legislation when it is at the discussion and drafting stage. The Ministry of Culture (ideally jointly with the Verkhovna Rada Committee on Culture) should launch a serious and practical consultation process, including commissioning professional research, to identify the key areas and the main issues currently impacting negatively on culture and the cultural sector from existing and proposed future legislation of all types.

It is recommended that the Ministry investigate the concept, role and models for advocacy in the cultural sector used in other European countries, including in relation to non-cultural legislation, to see if there is anything that might be usefully and practically applied in Ukraine.

If the official definition of culture is debated and reviewed and the remit of the Ministry accordingly adjusted, the main functions of the Ministry will need to be redefined. It is suggested that leading discussion and policy development related to the wider definition of culture, consultation, commissioning market and other forms of research, promoting pilot projects and new models, ensuring the flow of information relevant to the sector and to individual cultural and arts organisations and practitioners, encouraging networking, advocacy, promoting private and other forms of sponsorship and providing non-financial support as defined by its users will be main elements. Continuing to be seen as the supplier of money, a micro-manager of today's detail and responsible for everyone's problems gets in the way of focussing on the important job of a modern European Ministry of Culture which is creating a positive environment for culture and developing tomorrow's development strategy.

In the cultural sector of modern and modernising European countries there are large numbers and different types of relationships including those between the state and the private sector, between the state and the 'third sector', between the different layers of government and at local level amongst many players. In Ukraine there is a need for new, formalised, transparent, standardised, mechanisms for such relationships and it is recommended that the 'Compact' concept is worth exploring in this context.

There is a need to tap proactively and manage through clear policy and transparent relationships the enormous potential of private money and sponsorship. There a

need to have an agreed methodology to stimulate private investment and sponsorship but without it leading to distortion of projects or policy which is a potential danger.

The crisis of cultural provision in rural areas, given the Ministry's budgetary limitations, can probably only be properly addressed by 'repositioning' the problem from being a 'cultural' one to being one that should be on a social inclusion/community development agenda and budget. This is an example of where the adoption of the 'culture and....' approach to culture and cultural policy is directly relevant and where modern advocacy is important.

Europe's global competitiveness depends on its ability to develop the knowledge economy, harness innovation, nurture creative industries and create and protect intellectual property. Ukraine needs to position itself in relation to this and have a coherent national policy in this area.

Ukraine is less plugged-in to European cultural networks, debates, policy development and experience-sharing than it should be. Knowledge and awareness of Ukraine in the rest of Europe is still at a relatively low level. More needs to be done to maximise opportunity and to increase the level of professional contact.

In the context of the EU's new Neighbourhood Policy there is potential for new cooperation and contacts related to the promotion of culture. The Council of Europe through direct cooperation with the European Commission should explore a potential facilitating role, perhaps using the 'Kyiv Initiative'. Further Council of Europe-Ukraine cooperation should be pursued through the development of the 'Kyiv Initiative'.

This Council of Europe cultural policy review should be proactively used to attract European bilateral interest in cooperation with Ukraine in the cultural sector at all levels.

There is much useful experience in many countries in Europe directly relevant to some of the challenges with which Ukraine is engaging. Targeted, problem-oriented research visits and study tours by relevant Ukrainians could be a relevant and effective tool in this respect.

In terms of European cooperation, a language of goodwill exists. Ukraine's post-Soviet official cultural policy frame of reference means however that engagement requires special understanding in particular at the conceptual level where there are currently differences between a focus on strategic cultural development (common in much of Europe) as opposed to concentration on the direct management of state culture (the tradition hitherto in Ukraine).

Ukraine has a big and important role to play in Europe. More attention needs to be paid to developing and maximizing contacts and opportunity for engagement with the Black Sea neighbours and the Russian Federation, as well as with other parts of Europe.

3. Introduction

However defined, Ukraine is unambiguously a European country. It is also endowed with extremely rich and diverse cultural traditions. While the country does not yet perform as well as it might wish according to certain European standards - poor living conditions for so many ordinary people and endemic corruption being examples - in terms of cultural diversity, heritage and creativity, it has few equals. Ukraine is historically and culturally an extremely important part of Europe and an essential part of the magnificent mosaic of European culture. It is in everyone's interest to help promote an environment, within Ukraine and around it, in which its pluralistic cultural traditions and practices - historic, folkloric, ethnic and contemporary - can survive, revive, thrive and be shared.

Experience in Europe, particularly in the last twenty years, has demonstrated that practical and enlightened cultural policy - taking account of the wider economic and social processes taking place in society and the key role that culture can and should play in those processes - can make a major contribution to creating such an environment.

Ukraine is well positioned at present to begin to take advantage of the experience of other countries in this area as well as to draw more on the lessons learnt by those other countries in Europe that in recent years have been going through, and in some case have gone through, tough and often painful transition of the type Ukraine has been experiencing. In addition to this, there is local experience and rich creative resources in Ukraine that can be applied to the cultural policy challenge. This includes not only the excellent professional specialists and advisers whom we met and who worked with us during our two visits to Ukraine, but large numbers of untapped other people, often younger (but not always!), who combine an urgent and real interest in the future, in effective cultural policy and in cultural development in Ukraine with the freshness of forward perspective, altruism and pragmatic idealism that is sometimes under-represented in decision-making.

This review of cultural policy in Ukraine seems to be particularly timely both in the view of the Council of Europe expert group but more importantly in the view of so many of the Ukrainians with whom we consulted. In recent years there have been major changes in Ukraine which are continuing as its independence and democracy slowly matures. In certain respects, and understandably, policy is sometimes not reflecting the changes adequately as the country moves and struggles from past and still familiar (at least to the older generation) structures and practices to unfamiliar and often challenging new ones.

This is surely a good time to take stock and ask important questions about the extent to which policy is addressing current and future agendas and to what extent it is rooted in the past. It is sometimes easy to forget quite how fast the Soviet past is receding for many people and that it did not even exist for that part of the population, those under about 35, who were teenagers at the time of Soviet perestroika or have grown up during the time of an independent Ukraine.

Ukraine seems always to have had a turbulent and momentous history. The last fifteen years have been no exception. There has been suffering, there have been missed opportunities and there has been disappointment but the achievements have

been real and of enormous significance when seen against the wider backcloth of Ukraine's history. Ukraine is a waking giant, a country that is rediscovering and reinventing itself. The biggest country in Europe in geographical terms, it is destined to be a major European player with enormous potential if given the right conditions and policies. In Ukraine today, perhaps even more so than anywhere else in Europe, European history really is in the making. For Ukraine's political and educated elites, the challenges, while great, are both exciting and of immense importance, but as is understandable, people having to address pressing day-to-day issues can sometimes get lost in these and not see the bigger picture all the time.

The main challenge for Ukraine, it could be argued, is not so much about the country taking this or that political direction but more about the *management of modernisation*². Whatever the progress made by Ukraine in terms of reform in the past fifteen years, it could be argued that the daily detail has not been as important as the trends. The trends are clear. Ukraine is a slowly modernising, European country and this is being driven in east and west, north and south, by fundamental trends in society at large, not by a narrow political elite. This process of modernisation and 'Europeanisation' is not an artificial process and is not alien to certain of the country's historical and popular traditions and orientations - traditions and orientations which it is now rapidly rediscovering. These traditions and orientations may have been suppressed or distorted by imperial absorption and administrative homogenisation of Ukraine into the Russian Empire from the 18th century onwards and by the further effects of the Soviet experiment of the 20th century, but they nevertheless are a significant part of the multilayered complexity and distinctiveness of today's Ukraine.

The challenge of modernisation is a thread which will run through this report because in our view the main issue for Ukraine is fully recognising and taking into account the country's nascent modernising economy and society and then designing and aligning a forward-looking cultural policy relevant to that. Modernisation is itself a cultural phenomenon and any national cultural policy that cannot encompass and respond to modernising social trends and processes is doomed to marginalisation and will be operating in some kind of very limited and artificial ghetto.

Although changes are taking place, cultural organisations and activities in Ukraine largely remain state-centred and state-directed whether on the local, regional or state level. There seems to be a willingness to deconstruct and reconstruct the existing type of organisation, management, financing, and the institutionalisation of cultural activities but the concepts have not been fully clarified. The key to this deconstruction and reconstruction of state culture is going to be through cultural policy which actively takes account of the importance of cultural participation and cultural democratisation as well as through other measures such as active use of the 'third sector' and, where appropriate, of privatization.

In the 19th century intellectual and philosophical debates in the Russian Empire about culture, history and identity, to which Ukrainians of course contributed so much, there was a repetitious tendency for two questions to be posed – 'Что делать?' and 'Кто виноват?' ('What is to be done?' and 'Who is guilty/responsible?'). Some would argue that this tradition is still strong in contemporary independent Ukraine! As in most countries, the long-suffering Ministers of Culture are usually of course identified

² In the document 'European Neighbourhood and Partnership Instrument – Ukraine: National Indicative Programme 2007-2010' in paragraph 4.2.1 modernisation is neatly summarised in relation to public administration and public finance reform as "developing a modern state oriented towards satisfying the needs of citizens."

in relation to the second question! The first question – ‘What is to be done?’ - is also often raised in an unhelpfully polemical, political and confrontational way leading to at best ‘a dialogue of deaf people’ and at worst ‘fight and flight’ by ‘opponents’ who retreat to non-communicating defensive silos.

Any Council of Europe cultural policy exercise should be encouraging people to look to the future, not to the past. Most importantly, with this report we hope that in a modest way it might serve as a catalyst to open up in Ukraine a responsible, inclusive and mutually-respecting debate with the widest possible consultation on the question ‘Что делать?’. In terms of what needs to be done, some key questions need to be answered on the connection between modernisation and the role of culture in Ukraine and the positioning of Ukraine in 21st century Europe. This requires in particular a practical questioning of what should be the basic, and collectively agreed philosophy, aims, scope, direction and main elements of Ukrainian policy in this context.

It may be stating the obvious but the starting point for producing anything positive is to begin by posing the right questions. There is no point in coming up with the right answers to the wrong questions! We make no apologies for concentrating in this report on what we believe should be the real questions. If in even a limited or modest way we can help with progress towards the posing of the right questions we feel we will have made a meaningful contribution. The Council of Europe cultural policy review exercise is not in essence about producing ‘two reports’, national and external, but about sharing experience and launching and implanting a dynamic consultation process that can contribute to a country’s constantly evolving policy process.

The issue of concentrating on the right questions, as opposed to unwittingly producing the right answers to the wrong questions, reflects a general feeling the Council of Europe team had during the time we had looking at the cultural policy and practice ‘landscape’ in Ukraine. We were impressed by much of what we saw, and not least by those responsible for cultural policy at ministry, parliamentary, presidential, oblast and district levels. In very difficult circumstances they were invariably providing good solutions and answers in a given situation but we were not always convinced that in every case they were in response to the right questions. It was at this fundamental level that we felt the ‘outsider’s perspective’ might be helpful and have some validity. It is very easy as an ‘insider’ to be so close to the daily detail of policy and practice that one cannot step back and see and recognize the slowly paradigm-shifting trends that should be shaping future policy and practice. We hope that it is in this area we might have been able to make some helpful contribution to Ukraine’s thinking on cultural policy.

4. Historical, Political and Policy Background

It is mentioned elsewhere in this report, and generally recognised by Ukrainians, that the rest of Europe has a relatively low level of knowledge of Ukraine. It may therefore be helpful for non-Ukrainian readers to provide some limited historical, political and policy background to provide a wider context.

Ukraine became an independent state in 1991 with the dissolution of the Soviet Union and adopted its current constitution in 1996. In 1992, Crimean Tatars who had been deported to central Asia by Stalin, returned to Crimea.³ There are approximately a quarter of a million Crimean Tatars in Ukraine.

The Constitution stipulates that the official language of Ukraine is Ukrainian but simultaneously guarantees the free development, use and protection of Russian and other languages of national minorities.

The last census in Ukraine in 2001 recorded a population of over 48 million (67% urban and 33% rural)⁴ of whom 37,500,000 were Ukrainian and 8,334,000 were Russian. There is also a significant Ukrainian diaspora, the largest numbers of which are in the Russian Federation (over four million) and in Canada (over a million). About 13% of Moldova's population is Ukrainian. There has been considerable interest in Ukraine in its diaspora and apparently some thirty laws and decrees regulate state policy related to foreign Ukrainians.

In the 2001 census 67.5% of the population said that Ukrainian was their native language and 29.7% that it was Russian although everyday usage would show figures that were lower for Ukrainian and higher for Russian than these percentages suggest.

Ukrainians are predominantly Orthodox Christians of three main streams: those who belong to the Ukrainian Orthodox Church which recognises the authority of the Moscow Patriarchate; those who belong to the Ukrainian Orthodox Church Kyiv Patriarchate; and those mainly in the west of the country who belong to the Ukrainian Greek Catholic (Uniate) Church which follows the Orthodox liturgy but recognises the Catholic Pope as its head.

Historical Background

Ukraine has a complex history which is normally traced back to Kievan Rus', an East Slavic state which was centred on the city of Kyiv from about 880 to the middle of the 12th century. It was founded by Varangian (Scandinavian) princes who adopted the local Slavic religion and names.⁵ The reigns of Vladimir the Great (980-1015) and Yaroslav the Wise (1019-1054) are considered the 'golden age' of Kievan Rus and this period included state adoption of Orthodox Christianity and of a sophisticated and humane written legal code.

³ During the period of the Soviet Union, Crimea was incorporated into the Russian Soviet republic but in 1954 became part of the Ukrainian Soviet republic in recognition of the 300th anniversary of the Treaty of Pereyaslav.

⁴ Ukraine has 454 cities and towns of which 9 have a population of over 500,000.

⁵ There is still some debate amongst historians about these origins.

Kievan Rus' was the largest contemporary European state at this time and culturally advanced. In about 1200, Kyiv had a population of 50,000 and Chernihiv about 30,000⁶. Yaroslav the Wise, who was married to the daughter of the King of Sweden, developed strong ties with the Byzantine Empire and Europe, facilitated not least through the arranging of some very astute marriages. His granddaughter married the Holy Roman Emperor, Henry III, while his sister and three daughters married the kings of France, Poland, Norway and Hungary.⁷ If anyone could be called the 'father' of Europe at this time, his was probably the strongest claim!

After the decline of Kievan Rus' and then the Tatar-Mongol invasion of the eastern part of modern Ukraine in the thirteenth century, the lands of modern central Ukraine became first part of the Grand Duchy of Lithuania and then later came under Polish rule. Under Lithuanian rule the local language, Ruthenian (Ukrainian), was extensively used but under Polish rule there was always a strong assimilationist policy including discouragement of the use of the language. Polish, as a result, has had a strong linguistic influence on Ukrainian. Ukrainians/Ruthenians, with their upper classes often absorbed and polonised or russified by the rulers, have tended to be until the 20th century a predominantly rural people. In written sources they have had extensive experience of being not 'themselves' but part of other people's histories. Since the 16th century, for example, they have found themselves in the Polish Commonwealth and the Habsburg, Romanov and Soviet empires.

In addition to the period of Kievan Rus', the history of independent statehood in Ukraine is also popularly traced back to the Zaporozhian Cossacks who controlled an area on the River Dnipro from the late 15th century. This territory was variously influenced by Poland, the Ottoman Empire and Muscovy. In 1654 under the Treaty of Pereyaslav, the lands of the Zaporozhian and left-bank Ukraine⁸ Cossacks (i.e. lands to the east of the River Dnipro) came under the protection of Muscovy and thereafter became referred to as Malorossiia – Little Russia. This in turn led to the end of Polish domination (apart from in right-bank Ukraine) and the replacement of Polish colonization and polonisation by Russian colonisation and russification.

Russian imperial 'protection' of the Ukrainian hetmanate gradually turned into direct rule. In the second half of the eighteenth century after the partitions of Poland in 1772, 1793 and 1795, the west of modern Ukraine came under the control of Austria and the rest of Ukraine became administratively incorporated into a rapidly homogenising Russian Empire. With the Russo-Turkish wars of that period, the Ottoman Empire's control of southern and central Ukraine receded and waves of colonisation took place in what became known as 'Novorossiia' (New Russia) including the creation of major new towns for Catherine the Great by Prince Potemkin.

The relationship between Kievan Rus' and the principalities to its north, then between the Hetmanate, and Muscovy and then later between their successors the "Little Russians" and the "Great Russians", became ever more complex and by the late 18th century for example, many Ukrainians were in leading political and administrative positions in St Petersburg. Ukrainian influence in the Russian empire was significant

⁶ As a point of comparison, London had a population of around 12,000 at this time and England's second city, Winchester had a population of 5,000.

⁷ Notwithstanding the advanced development by comparison with the rest of Europe, after Yaroslav the state was not particularly stable and from 1054 to 1224 some 64 principalities had short-lived existences, there were 293 succession claims and as a result of such disputes there were 8 civil wars.

⁸ Historically and traditionally, reference is often made to 'left-bank Ukraine' and 'right-bank Ukraine'. Left-bank Ukraine is to the east of the River Dnipro and right-bank Ukraine to the west. The Dnipro for a long period marked the boundary between Polish and Muscovite/Russian influence and control.

then, and subsequently, culturally (Gogol being an obvious example) as well as economically and politically. Until the early 19th century this was partly the result of the often superior educational and intellectual levels of the Ukrainian elite, fostered by local institutions such as the Kyiv Mohyla Academy.⁹ This Ukrainian influence in the empire continued right through the 19th century and into the Soviet period including in terms of providing leaders (e.g. Krushchev, Brezhnev, Chernenko).

Another significant point of historical reference for Ukrainians in relation to Ukrainian statehood was the creation of a Ukrainian People's Republic, established when the Russian Empire collapsed in 1917. It lasted however only until 1921 when Ukraine came under Bolshevik and Soviet rule.

The emergence of Ukrainian history from a Ukrainian and modern perspective owes much of its origins to Mykhailo Hrushevskyi (1866-1934), who became President of this Ukrainian People's Republic and who in many ways was the 'father of the nation' as well as an academic historian. Brought up in Georgia, and then with strong academic, intellectual and political links in Habsburg Galicia as well as in Kyiv, his pioneering work, amongst other things, nurtured the relationship between the two separated and culturally differentiated parts of modern Ukraine. He deconstructed Russian imperial history to repossess the 'Ukrainian' origins, recreated Ukrainian history and identified a 'national foundation myth' independent of the Russian imperial and 'Little Russia' version. Hrushevskyi is still of enormous influence on history writing and on the nation building that has been taking place in Ukraine since independence.¹⁰

Political Background

The consequences of the suppression and distortion of Ukrainian identity and history and of the Ukrainian language by Polish, Russian and Soviet rule of what is now modern Ukraine are still being played out. There were however also contradictory episodes and scenarios in this general background of cultural and political repression. Under Russian and Soviet rule, for example, aside from periods of crude suppression there were also periods of tolerance and even encouragement even if the motives behind them related to consolidation of imperial or political rule rather than any interest in the flourishing of Ukrainian culture, education and learning. Because of more tolerant Habsburg policy towards the constituent peoples of that empire, it is in western Ukraine and from western Ukraine that the current Ukrainian cultural and linguistic renaissance is rediscovering a lot of its riches,¹¹ notwithstanding the fact that assimilation and colonisation were extremely strong forces there.

⁹ This is explained by various factors, not least mainstream European intellectual and cultural influences (via Poland), including Renaissance, Jesuitical and counter-reformation influences, which did not reach Russia. The Kyiv Mohyla Academy was closed and turned into a theologocal seminary by the Russian imperial authorities in the early 19th century and in the Soviet period the campus was turned into a military-political training institution. Since independence it has been turned back into a university and is currently at the cutting edge of Ukrainian higher educational reform, including being a leading player in 'Bologna Process' European integration reforms.

¹⁰ Recommended introductory books on Ukrainian history for non-Ukrainians include the very readable introduction to contemporary Ukraine and its history, Anna Reid's 'Borderland – A Journey Through the History of Ukraine' (Phoenix, 1998). There is an excellent concise history available in both French and German is Andreas Kappeler's 'Kleine Geschichte der Ukraine' (C.H. Verlagsbuchhandlung, Muenchen, 1994), available in translation as 'Petite Histoire de l'Ukraine' (institute d'Etudes Slaves, Paris, 1997). More comprehensive histories of Ukraine include key works by Orest Subtelny and Paul Magosci.

¹¹ To a certain extent the Ukrainian diaspora (particularly in Canada) has also been an important source for cultural renewal and rediscovery.

Suppression of Ukrainian culture and identity in the Russian Empire was particularly strong between 1863 and 1905, particularly following the Ems Ukaz, a decree issued by the Russian tsar in 1876 which prohibited the printing, and therefore serious use, of the Ukrainian language. Between 1905 and 1914 things became better before another turn for the worse.

In the 1897 census in the Russian Empire there were recorded over 22 million Ukrainian speakers (compared with over 55 million Russian speakers) of which only 1,256,000 Ukrainian speakers were living in urban areas. In urban areas, Poles, Russians, Jews and other non-Ukrainians tended to be the majority.

Ukrainian culture and the Ukrainian language enjoyed a revival in the early Soviet period as a result of the Bolshevik policy of 'коренизация' ('indigenisation'). Teaching in Ukrainian, the rapidly expanding education system dramatically raised literacy levels particularly in rural areas while there was also a migration to the cities. In most cases the cities for the first time became Ukrainian in terms of population and education while during this period usage of Ukrainian was encouraged at work and in government administration.

Forced collectivization of the countryside in the late 1920's and the first Five-Year Plan in 1928, which triggered rapid industrialization and significant population movements,¹² began to transform Ukraine. Politically there was a reversal of 'коренизация/indigenisation' policies in 1932 but any 'nationalist deviation' was already being brutally suppressed by then. Severe anti-nationalist purges took place between 1929 and 1934 with a large part of the Ukrainian intelligentsia wiped out.¹³ A further estimated 7-10 million Ukrainians from the countryside died in 1932-3 in the 'Holodomor', a forced famine connected with collectivization which the Ukrainian government has recently declared an act of genocide. The 'Holodomor' had a devastating effect on Ukraine. This demographic havoc and human suffering of the late 20's and early 30's continued with further purges in the period 1936-1938, followed in the 1940s by the Second World War when Ukraine suffered another estimated seven million civilian losses, including of a million Jews.

While in some respects enjoying a special position in the Soviet Union, the contradictions related to Ukraine and Ukrainian identity mentioned earlier continued. For example, guerrilla warfare in western Ukraine against Soviet rule continued into the 1950s and Ukrainians in general were disproportionately represented in the labour camps of the GULag. On the other hand, Ukraine had its own seat at the United Nations and was not only the 'bread basket' of the Soviet Union but also was home to much of its industrial and scientific power, including its military production. The Chernobyl disaster, whose ramifications in Ukraine are still being experienced, is seen by many as one of the key triggers which hastened the collapse of the Soviet Union.

The renaissance of Ukrainian identity and also of the Ukrainian language since independence is quite striking. As far as language is concerned, in the 1980's in Kyiv, Russian totally dominated while nowadays Ukrainian is not only the official language used in government and parliament but is also used quite naturally in many other public contexts. Amongst the young it is now not only acceptable to choose to speak Ukrainian with one's peers but it is even 'cool' to do so.¹⁴ There is no question that

¹² Including through the use of GULag forced labour.

¹³ Known in Ukraine as the 'executed renaissance' (розстріляне відродження).

¹⁴ This is in stark contrast to the imperial and Soviet past where Ukrainian was often portrayed as either a 'farmyard dialect' or the sign of being a nationalist bourgeois counter-revolutionary!

Ukrainian is gaining ground and that even those without a family background of Ukrainian are learning it properly through the education system and using it.

There are however tensions and potential problems related to the Ukrainian language. In the east of Ukraine in particular and in the south, there are proud Ukrainians for whom the Ukrainian language is not an essential part of 'Ukrainainess'. At one extreme such people may be aggressively russophone (i.e. in no way do they want to reduce the use of Russian) through to people who are happy to learn or use Ukrainian but resent, or at least feel uncomfortable with, the tendency in some quarters, especially in western Ukraine, for identity and national pride to be equated with whether or not one is a Ukrainian speaker. There are of course also people who raise the language issue for other reasons and disingenuously use it for crude political purposes. The language issue is one element which frequently leads to talk of an east-west division in Ukraine. This apparent 'division' is sometimes perceived outside Ukraine simplistically and erroneously when in fact it is very complex.

Following independence, there has been a strengthening of Ukrainian identity but in general there was comparatively disappointing economic and political development and major problems of corruption, gangsterism, manipulation of the public and constraints on media and press freedom. While public desire for economic and democratic reform were the main causes of the Orange Revolution, it also highlighted, fourteen years after independence, the need to create a new paradigm in Ukraine and a new cultural identity to replace a continuing Soviet or post-Soviet (but nevertheless Soviet) mindset. The Orange Revolution stimulated a new pride in Ukraine and Ukrainian culture and triggered heightened interest in the native Ukrainian language. Culture throughout the country now has an important role in promoting democracy and modernisation and in developing Ukrainian identity and image both at home and abroad.

While there have been political changes in the past year and serious political and constitutional tensions exist and in some areas there is a danger of atavism, this has not significantly affected the paradigm shift that has taken place in Ukraine both politically and culturally in the last couple of years. To take one significant example, all the political parties in Ukraine, with the exception of the Communist Party, are committed to the achievement of 'European norms and standards' and to the pursuit of a European integration agenda.

Policy Background

The National Report for this Council of Europe policy review exercise covers in detail much of current and past cultural policy formulation but the following may also be helpful.

Difficult as the years since independence have been, many in Ukraine would argue that there has not been a crisis of Ukrainian culture but a crisis of public cultural institutions inherited from the Soviet past. There is in fact a transformation and renaissance of Ukrainian culture, a complicated process, which is throwing up problems as well as achievements.

The framework for current cultural policy in Ukraine consists of a number of laws and edicts passed since independence. The key ones are 'The Fundamentals of the Legislation on Culture of Ukraine' (1992), the 'Constitution of Ukraine' (1996), 'Conceptual Guidelines for Executive Authorities Concerning the Development of Culture' (1997), the 'Law on Local Self-Governance' (1997), the 'Budget Code of

2002', the 'Conceptual Framework of Public Cultural Policy in Ukraine' (2005), the 'Presidential Decree on Highest Priority Measures to Enrich and Develop the Culture and Spiritual Heritage of Ukrainian Society' (2005) and the 'Budget Code for 2007'.

Government cultural funding in Ukraine is determined by an annual 'Law on the State Budget' and the 'Budget Code'. The Budget Code very rigidly allocates funding according to major sectors and spending adjustments can only be made by the budget-holding ministry within the sector not across sectors. According to the 'Law on the State Budget' about twenty different government agencies are involved in dispensing funds for arts and culture.

The first attempt to articulate the Ukrainian government's post-independence cultural policy was reflected in the law 'The Fundamentals of Legislation on Culture' passed in 1992. 'The Fundamentals' illustrated "the strong desire of the Ukrainian intelligentsia to restructure the cultural field and to embrace the Ukrainian language as part of Ukraine's national identity."¹⁵ 'The Fundamentals' did not define 'national culture', a contentious subject particularly at that period but it did raise important and sensitive issues related to the promotion of the Ukrainian language, preservation of national cultural heritage and cultural rights. 'The Fundamentals' emphasised the role of government funding and was the first law in Ukraine to refer to the function of NGOs, defining them, at least in theory, as legal entities with the same rights as state institutions.

As one would expect of something written at that time of early independence, 'The Fundamentals' while presenting some interesting new ideas and raising important issues, did not focus on the practical measures the government should take to implement the new ideas. It also set an unfortunate precedent of legislation in the cultural field being declarative rather than practical. The new 'cultural' laws that followed had limited impact and sometimes even contradicted social and economic legislation already in force meaning that they simply could not be implemented.

'The Fundamentals of the Legislation on Culture' stipulated that funding for culture from government and private sources should be at least 8% of GDP. This unrealistic figure has never been achieved with state funding since the mid1990s apparently fluctuating between 0.44% and 0.77% of GDP.

The 1990's often saw decreases in public support for culture, often dramatically so. Reduced state funding and lack of alternative sources of funding caused a crisis. Between 1990 and 2001 the number of libraries declined by 5000. Theatre attendance went down over the same period from 17.6 million to 5.9 million and museum visitors from 31.8 million to 17.1 million.¹⁶ This was also a period of general economic crisis, mass unemployment and social instability.

Publishing and film production also went through a severe crisis but in the late 1990s privatisation began to work with the privatisation of television particularly successful although until 2004 even privatised television was severely constrained by government controls and corrupt practices. Alongside this, and to the present day, film, publishing and broadcasting are continually vulnerable to predatory foreign interests and in particular the market invasion of highly competitive Russian language products.

¹⁵ From a paper by Anna Bernadska on 'Funding Culture and the Arts in Ukraine' p. 4.

¹⁶ Figures quoted by Anna Bernadska in her paper cited above.

The 1990's also saw the adoption of several laws that provided the basis for decentralisation in the cultural sector. The aim was to reduce or limit the financial responsibilities of the Ministry of Culture by redistribution of responsibilities to the oblast/regional and local government level. These laws included the 'Law on Local Self-Governance' in 1997 and the 'Law on Local State Administrations' in 1999. By these measures local government was empowered to formulate local cultural policies. Budget reform which began in 2000 further encouraged decentralisation and the 'Budget Code 2002' adopted in 2001 established the rules for developing and managing local budgets.

Data for 2002 showed that only 655 (1.5%) of 46,500 cultural institutions were receiving direct subsidies from the Ministry of Culture. The remaining 45,800 (98.5%) were funded through local budgets. Regional and municipal budgets made up 60.6% of the consolidated budget with 25.6% from the state budget (and 13.8% from paid services and special funds). Leaving out of account the latter, by 2005 because of increases in the state budget this had changed to 38% from the state budget and 62% from regional and municipal budgets i.e. the ratio of the state budget to the local had shifted significantly in favour of the state.

Except for the 'Law on State Support to Book Publishing' passed in 2003 that eliminated taxes on Ukrainian publishing companies (until 2008), there were no other fiscal or legal incentives to support investments to cultural production or cultural industries from the private sector. Even implementation of the 'Law on State Support to Book Publishing' was postponed until 2005. In short this has been an area where there has in the main been an absence of a wider strategic cultural policy and this has been damaging both to traditional and new creative industries in Ukraine.

The 'Law on Charitable Activity and Charitable Organisations' (1997) granted limited tax exemption on money donated to local budgets or non-profit organisations but had relatively little impact mainly because Ukrainian businesses tend not to report profits. There was also a Presidential Decree 'On Support of Charitable Activities in Ukraine'.

The law 'Conceptual Framework for State Cultural Policy' (2005) envisaged as priorities

- (a) adjusting/linking government spending on culture to economic growth
- (b) revising existing legislation on culture and adopting new laws
- (c) government cultural funding allocated according to new standards of free basic cultural provision
- (d) diversifying funding sources for culture and the arts
- (e) encouraging and promoting philanthropy by providing tax incentives
- (f) stimulating investment in cultural industries by providing tax incentives
- (g) creating public 'arm's-length' agencies to distribute government funding for culture
- (h) introducing democratic principles for public control and monitoring of cultural funding
- (i) delegating cultural decision-making to local government to decentralise and de-monopolise the state system of cultural administration
- (j) state cultural institutions to be privatised or passed to non-profit organisations

In April 2005, a Presidential Decree amalgamated the Ministry of Culture and the State Tourism Administration into the current Ministry of Culture and Tourism.

Ukraine's chosen path of European integration and aspirations to EU membership have influenced cultural policy as they have many other areas of Ukraine's social and

economic policy. Ukraine's cultural policy has had to take account of and begin to incorporate common EU ideas related to cultural access and participation, cultural identity and diversity, cultural citizenship, cultural diplomacy, tolerance and creativity.

One of the problems in Ukraine since independence has been a lack of real clarity concerning responsibility for culture. At one level it is the responsibility of everyone and no-one. Policy comes from the President of Ukraine through the Presidential Secretariat (Humanitarian Policies Unit) and presidential edicts, through the Cabinet of Ministers (particularly the State Committee on Humanitarian and Social Issues), through debate and legislation in the Verkhovna Rada (Ukrainian Parliament) normally driven by the Verkhovna Rada Committee on Culture and Spiritual Heritage and of course by the Ministry of Culture (which also has an advisory body called the Collegium). Local regional (oblast)¹⁷ administrations, cultural departments of county ('raion') and city administrations and so on also have responsibility for culture and create policy. Crimea, as an autonomous republic of Ukraine, has its own Ministry of Culture. In terms of external relations, the Ministry of Foreign Affairs also has a responsibility for culture.¹⁸ In addition there are representatives of Ukrainian cultural interests – intellectuals, officials, advisers, union leaders and so on – who because of the nature of Ukrainian society and the power of personal contacts also have significant influence. The result tends to be a lot of legislation and declaratory actions which in practical terms lead to little or nothing. While announcing commitment to national culture is important, a never-ending stream of edicts and unenforced and sometimes unenforceable legislation inevitably erodes confidence and commitment at a working professional level.

Sadly, two examples, serve to illustrate the problem of good intentions and well-meaning promises being enshrined in legislative acts which then fail to have practical outcomes. The Presidential Edict of November 2005 proclaimed that ensuring the enrichment and development of the culture and spiritual heritage of Ukrainian society is one of the high-priority tasks of the Cabinet of Ministers. This edict also set up a National Board for Cultural Affairs which was intended as an advisory board but whose make-up is somewhat narrow and whose legal status is confused. This Board with the Presidential Secretariat then produced 'The Roadmap to the Programme for Enrichment and Development of the Culture and Spiritual Heritage of Ukrainian Society' which defined three key strategic priorities: integrity of the national linguistic and cultural space; the updating of national cultural heritage and protection of the national cultural industries but no clearly-defined and timetabled action plan accompanied it. The second example, the 'Conceptual Framework for State Cultural Policy 2005-2007', a law passed in 2005, is well-written, contains specific action points with timelines but little if anything has so far been turned into reality.

It is possible that when revisited in more auspicious times, some of the edicts and legislation may prove to be helpful but currently much of it tends to be words on paper or initiatives which are short-lived.

To summarise:

- The origins of Ukrainian statehood and Ukrainian identity are usually traced back to three main periods – Kievan Rus (9th-13th centuries), to the Cossack

¹⁷ There are 24 oblasts and in addition two special city administrations – Kyiv and Sevastopol.

¹⁸ The Ministry has recently set up a unit to deal with Ukraine's image and national branding and Task 6 of its Priority Tasks for 2005 included promoting Ukrainian culture in the world to overcome Ukrainian intellectual and creative isolation and support for Ukrainians to participate in events overseas.

Hetmanate (15th-18th centuries) and to the Ukrainian People's Republic (1917-1921).

- Ukraine was an extremely important part of the Russian Empire and then of the Soviet Union economically, politically and culturally. In the 20th century it suffered dramatically with huge demographic losses and distortions.
- Ukrainian culture and identity and the Ukrainian language have historically gone through periods of repression under foreign rule but since independence there has been a renaissance and a modern 'Ukrainian-ness', variously interpreted, has emerged.
- Cultural policy in Ukraine is currently determined by, and formulated within, a framework of laws and presidential edicts. Much of this however tends to be declarative and formalistic with practical implementation weak.

5. 'What is Culture?' – Practical Policy Issues

It unfortunately tends to be the case that there are serious dangers of interesting, but unhelpful, diversion if one engages with the philosophical aspects of culture too deeply when addressing practical cultural policy. Questions such as 'What is culture?' can lead to marathon and divisive debates but not necessarily help in the shaping of strategic policy delivery at a practical level.

Some kind of general philosophical starting point is of course needed for cultural policy but normally only for broader orientation. There has been much intellectual, academic and political debate and dispute since independence about what constitutes Ukrainian culture. That is not a subject that it is appropriate for 'outsiders' to engage with in a report of this nature. It is interesting however that paradoxically the question of 'What is culture?' posed in a practical, social, economic and non-philosophical context was one of the key issues for the Council of Europe team when looking at the situation in Ukraine.

In the old Soviet Union, the definition of culture tended to be 'What the Ministry of Culture does'. What the Ministry of Culture did not 'do', control or fund was not 'culture'. While there is no question that such an attitude no longer exists in the Ministry of Culture in Ukraine, nor in its staff, this old Soviet legacy in many respects does still linger. This is manifested in various ways which are very obvious to outsiders but perhaps less so to those 'inside'.

The first way in which this is manifested is that the government and state bodies involved in culture - by the use of their resources, actions and time - define culture mainly in terms of certain forms of heritage (old buildings, 'historical' folk culture, traditional museums etc) and 'high' classical culture (i.e. ballet; theatre; opera; classical music etc with rigid demarcations between them). This raises many issues. To take just one example, in the contemporary world, artistic fusion, hybridisation and cross art-form collaboration are common and normal to an extent that the traditional borders between art forms are becoming blurred and sometimes disappear altogether.

Managing culture and arts according to a 19th century grid of categorisation is impractical and unhelpful and leads to state support and funding mechanisms encouraging conservatism and fossilisation rather than dynamic contemporary creativity. It also means that the Ministry is identified with 'dead' culture, historical culture and 'classical arts' which are appealing to increasingly smaller (and older) segments of Ukrainian society but not to those on whom the future of the country and its culture depends¹⁹.

The second way the Soviet legacy and definition of culture manifests itself is through a lack of recognition at an official level in Ukraine of much of what is accepted in most countries of Europe nowadays as key and recognised areas of culture. This wider, modernised view of culture is directly relevant to national or official cultural policy and provision. It covers areas such as the creative industries, lifestyle issues, cuisine, youth culture, television, video and digital arts, design and fashion, virtual museums, club culture and so on. They are by default and by the legacy of Soviet

¹⁹ This dilemma is very clearly evident in an area like architecture. The Ministry of Culture is responsible for old buildings but has nothing to do with new ones.

practice, currently outside of the government and state bodies' remit, and therefore not part of the Ukrainian official concept of culture.

We felt very strongly that the de facto 'official' concept or categorisation of culture is already extremely unsuited to even the current needs of a modernising Ukraine. We feel public and specialist debate is needed on this fundamental question of what constitutes culture (and therefore what should cultural policy encompass) in a modernising European state. Asking questions about how and why so many European countries in the past decade or so have redefined and repositioned culture may be a good starting point. Why are so many other European countries trying to maximise the benefits a wider definition of culture can bring? Why is culture becoming so prominent on those countries' economic and social development agendas?

The importance of addressing the question of what culture is and where it is positioned in Ukraine is of course one related to economic and social development as well as a genuinely cultural question. In the past decade or so in many countries, and in entities such as the European Union, research has shown that in fact much more funding and investment goes into 'culture' from non-cultural budgets than from traditional 'cultural budgets'. This is often because culture is intertwined or relevant to a large number of economic and social activities and agendas in a modern European society.

This could be described as the 'culture and.....' dimension/agenda found in most modern and modernising European states. This concept is not entirely alien to Ukraine in that the Ministry itself enshrines such a 'culture and...' agenda, as it is currently now responsible for culture and tourism with someone presumably having made the economic or social connection between the two. More explicitly of course, this has come from recognition of the contribution culture makes, ultimately economically, directly and indirectly, to tourism which is seen by most governments as a profitable and 'hard' sector of the economy.

In some countries in Europe, the 'culture and....' approach permeates almost everything ranging from 'culture and health' (culture and arts can contribute to well-being, the well-being of citizens can be translated into economic benefits); to 'culture and employment' (jobs in the cultural and leisure sectors can be created much more cheaply in terms of state subsidy than in the agricultural or industrial sectors); to 'culture and regeneration' where a cultural dimension is often central to urban renewal and sustainability or the restructuring of industrially declining regions; to 'culture and social inclusion' which takes many forms such as building national identity or dealing with marginalised sections of a society. And so on.

To take up an earlier point, culture may indeed be what the Ministry of Culture does but in modern and modernising European states and economies, it is also what the Ministry of Labour does, what the Ministry of Education does, what the Ministry of Health does, what the Ministry of Family and Youth does, what the Ministry of Planning does, what the Ministry of Industry does and what the Ministry of Trade does. The interweaving of culture and economy and culture and social development spreads even further. Even in Ukraine the private sector is already beginning to play an important role in non-commercial, as well as commercial, culture, while a lot of people working in the traditional cultural and creative sectors are 'private entrepreneurs' or de facto small businesses.

Once an acceptance or linkage is made between culture and a very diverse range of social and economic activity in a modern society, this in turn tends to expand the

definition of 'What is culture?' Once that definition is widened it has to lead to a major conceptual change in the nature and function of cultural policy in a modern or modernising state.

By extension, the role of the government and state bodies responsible for culture, not least a Ministry of Culture, then needs to be seen in a quite different perspective and context. The tendency to be stuck with old models, the problems of constant 'fire-fighting' and the temptation to micro-manage all need to be abandoned. Instead of being primarily involved in direct management of 'culture' and narrowly responsible for everyday matters such as the appointment of theatre directors or the salaries of museum staff or the touring of orchestras or the leaking roof of this or that cultural building, there is a need for a powerful strategic player and body that can coordinate, promote and exploit all those 'culture and' strands of a modern society and economy. Culture in such a scenario can be moved from being an impoverished (and often neglected) ghetto and backwater of government, of diminishing relevance to an ever increasing proportion of its citizens, to a key player on the agenda of a modernising state.

To summarise:

- is there a strong and unhelpful (in policy terms) Soviet legacy related to the definition of culture (i.e. what it encompasses) which is incompatible with the needs of a modernising European country?
- might there be an issue with the current remit of the Ministry of Culture which could be seen as too narrow, especially if one looks at current practice in many other European countries?
- is there a need to revisit the strategic purpose of the Ministry of Culture and other state and government bodies responsible for culture to ask to what extent their current remit might need to change fundamentally if they are to have future relevance and influence in a modernising Ukraine?
- is there a need for the Ministry of Culture and other state and government bodies responsible for culture to focus their responsibilities on the 'environment for culture' in its wider definition rather than manage 'culture' in its narrow definition? Such a change of strategic purpose can be succinctly expressed in English as a move from being a Ministry **of** Culture to being a Ministry **for** Culture i.e. creating the climate, environment and conditions in which culture can survive and flourish, not directly creating or managing culture or cultural activities as such.

6. The Problems of Transition and Semi-reforms

Ukraine is experiencing a period of extreme transition which is both similar to the recent experiences of many other countries in central and east Europe but also with its own very specific and unique features. It is beyond the scope of this report to address general issues related to Ukraine's transition but one element – the problem of 'semi-reforms' and 'half-changes', which many would argue is characteristic of many aspects of the country's current political and economic development – directly impacts on the cultural sector and cultural policy.

It is perfectly understandable and commendable that responsible political and administrative leaders will not want to introduce unnecessary change, change that is not viable or change that will have little positive impact in a country which for the last fifteen years has seen so much change and disruption, much of it not positive, especially not for ordinary people.

There is, however, in Ukraine a problem of 'semi-reforms' and 'half-changes', including in the field of culture, cultural provision, cultural policy, cultural administration and cultural management. While things have undoubtedly moved on, past practice and ways of working - which were relevant and appropriate to the old command-structure centralised Soviet Union, but not to a contemporary and modernising Ukraine - to a large degree still remain and dominate.

There are at least two main issues that illustrate the problem. The first is that in many areas, and at all levels, one can see on a daily basis the effect of the 'worst of the old' impeding and harming the 'best of the new'. The second is that a lot of the old practices, ways of working and methods and styles of management, now totally inappropriate, remain in place not so much because of an active policy to retain them but by default and through conservatism, indifference and atrophy in the 'system'.

After fifteen years of independence, 'third way' reform, embarking on a path of modernisation and the setting of a 'European norms and standards' agenda, the question is whether the time is now finally ripe for Ukraine to engage actively with tackling those elements of the past which are now irrelevant or are having a serious negative effect on cultural development. An image comes to mind of a person with a foot in two boats that are moving apart and with the inevitable danger of falling into the water if the second foot does not fairly soon follow the first.

At the risk of using a second banal analogy, the management team of a good supermarket regularly check the shelves for products they have that are past their 'sell-by date'. Nobody disputes that these products were perfectly good in their time but simply they are not what is needed or required now. In some cases the failure to remove them damages the credibility and image of the company and its brand and can be positively harmful in other ways, not least to those the supermarket most wants to please and attract. The question is whether there should be some active and practical programme to tackle and 'tidy up' anachronistic models and practices on the shelves of Ukraine's cultural life which are holding back the modernisation of Ukraine's cultural sector, impeding healthy cultural provision and harming the climate for culture and creativity?

By nature, people working in culture and the arts are more adept at and comfortable with, experimentation, new ideas and creative departures, than society in general. They are normally creative and at the cutting edge, with their thinking today being what the rest of society will follow tomorrow. Therefore change of practices and models in the cultural sector, if handled properly, should be less of a problem than elsewhere in society. It is not unreasonable to expect the cultural sector to be providing the leadership and examples for responsible change in society, not following behind. The cultural sector should be at the forefront of national modernisation.

To what extent are the cultural community itself, and the government and state bodies, really carrying out what should be their natural role of turning the transitional 'semi-reforms' and 'half-changes' (that have been very important in taking Ukraine from the past) into responsible, forward-looking and creative actions relevant to Ukraine's present and future and to the inexorable process of modernisation? Should this area be the core of any 'National Debate' or consultation process which follows this Council of Europe Cultural Policy Review? Is this not the area where the cultural community, not simply the official cultural bodies, should be challenging itself to action and is this not the obvious area for exploration of new and formal partnerships which are discussed later in this report in the 'Compacts and Relationships' section?

One of the reasons and arguments for the continuation of old practices and models, rather than introduction of the new, is that the old things seem to 'work'. The fact is that more often than not they not only do not work or work badly but in fact create unmeasured serious collateral damage. Such damage can include de facto 'system-collapse' and the generating of cynicism and apathy, not to mention the killing or alienating of artistic initiative, managerial creativity and an 'entrepreneurial' culture. Such real damage does not appear on the 'balance sheet' when looking at how the old things still 'work' and how much the real cost of continuing with the inappropriate actually is.

The people who argue that the old things 'work' are often right in being resistant to change and they should be respected. If they do not have evidence or experience of a new model or practice's viability in a Ukrainian context - whether that new model or practice is entirely local, one that is used successfully in other European countries or a combination of the two - why should they risk change? This is particularly true in a society like Ukraine where the Soviet experience instilled in people an assumption that in a given situation there was only one 'right' model and only one way of doing things. This was prescribed by the state, or at least 'from above', and exploration of alternatives and adoption of local solutions was in those times an act of apostasy.

Is the practical reason why the final 'half' of the 'semi-reform' or the remaining 'part' of the 'half-change' has not taken place linked to the fact that there has been a lack of promoted models and good practices to follow and too few practical small-scale reforms? Have the 'conservatives' simply been experiencing lack of 'right answers' whether 'from above' or from their more progressive and experimental peers which makes them wary of change? Has there hitherto been insufficient state and government encouragement of pilot small-scale projects, experiments and new practices which could produce viable modern models relevant to Ukraine's vibrant present and modernised future?

There have of course been a small number (i.e. too few?) experiments and pilot projects but many would argue that these have often been developed in spite of, rather than because of, official support or interest. As a result, what has been learnt by such activity is not promoted and communicated effectively and not then absorbed

by the 'system'. A crucial question and challenge is that if there has been insufficient support for experiments, pilot projects and development of new models and practices, what should be the role of the Ministry of Culture, the other state bodies and the cultural sector itself in all of this from (a) a policy perspective and (b) a practical perspective?'

One could cite many concrete examples in the cultural sector of 'semi-reform' and 'half-change'. One seems particularly important at a practical level. The way state funding is now given has in some respects changed, for example in certain instances a tendering process is used in the allocation of certain Ministry of Culture grants. This is a welcome development but unfortunately is not being done radically enough. In the first instance the time-scale for such tendering processes is often determined by bureaucratic Ministry and state budget timetables rather than by real-world and professional needs.²⁰ Then there is the problem of transparency as the procedures for applying for tendering sometimes look very similar to those of a discredited past. Finally and probably most importantly, no publicly available modern performance indicators and evaluation measures are part of the system so there is no real accountability of those who receive the grants beyond basic Soviet-style accounting requirements which measure only inputs and some basic statistical information, not real results. In short the tendering process, to take this example, has been grafted on to old practices rather than being used to move the system from an old Soviet-style functional approach to results-based performance which the state cultural sector so desperately needs.

To summarise:

- as part of a wider transition process, Ukraine is in general currently suffering from a syndrome of 'semi-reforms' and 'half-changes'. These 'semi-reforms' and 'half-changes' may have served the country well for moving from the past but are they now serious obstacles to moving forward and addressing current and future needs in the cultural sector?
- past practices and ways of working relevant to a 'command economy' often still remain and dominate yet the context and Ukraine's needs have changed radically. Is the 'worst of the old' getting in the way of the 'best of the new' with as a consequence unmeasured opportunity costs and mounting professional frustration especially on the part of the younger, 'successor' generations (i.e. those born in the 1970s and subsequently) who are so vitally important to the future of the country?
- has a key missing element been the lack of demonstrable and sponsored experiments, small-scale projects and new models which could be used to develop modern practices appropriate to Ukraine's present and future needs? Such experiments, small-scale projects and models do however require active official support²¹ or recognition if they are going to be effectively promoted and eventually be absorbed by the 'system'.
- does the cultural sector (i.e. cultural practitioners from the state, independent and private streams) need to engage in a new relationship or 'compact' with the Ministry of Culture and other state bodies to address systematically

²⁰ An example of this might be a grant for a festival or exhibition. In reality they will need a year or more of preparation but grants are sometimes only available three months or similar in advance.

²¹ Not always financial, and certainly not only financial.

sector-specific problems of completing reforms and changes related to the cultural sector and 'clearing the shelves' of inappropriate, out-of-date practices?

7. Legislation related to the Cultural Sector

Good legislation can be very important for creating the right environment within which culture can flourish. Quite a lot of legislation related to culture has been passed in Ukraine in recent years. A lot of it is very pertinent – as legislation - and conforms to wider European norms. The problem however is that it is often not put into practice at all or it is weakly implemented.

This is often because those who should know the legislation and be implementing it (e.g. cultural practitioners) have not been given sufficient, or any, information or training to turn the good intentions of the legislators into reality. The right question in this particular area, it could be argued, is why bother to legislate in the field of culture if the legislation is often not implemented or the relevant laws remain unknown even to those who should be most directly affected by them?

It is a positive and understandable characteristic of ‘transition’ states that they seek a legislative base for the changes that are taking place in their societies. This is rightly encouraged by international and multilateral organisations. The signing up to conventions and agreements, with concomitant domestic legislation requirements, is rightly seen as evidence of these countries’ political will and democratic maturity. Of course it is something in which they, and the international or European multilateral organisations to which they belong, can and should take pride. The problem however is that the inevitable pressure to get legislation onto the national law books, even when the legislation is well drafted, tends to lead to an emphasis on the political will to pass laws rather than on the political will to ensure society’s effective implementation of those laws. This is a fundamental issue about the qualitative functioning of the state for the benefit of its citizens.

At practical policy level, particularly in the cultural sector, legislation should not be an end in itself but a means to an end. Surely the golden rule in the cultural sector should be to avoid wasting time or raising expectations with legislation related to culture which cannot be implemented or will not be implemented? Even where there is some implementation, it is important that this is not just a manifestation of a limited expression of political and parliamentary will but a genuinely qualitative example of the functioning of the state and society. Put bluntly, the *qualitative dimension of the implementation of legislation* is really the litmus test of success for a maturing transitional state, not the number of laws passed or the areas covered.

The limitations of time during our visits did not allow us to delve sufficiently into the detailed relationship in the legislative area between the Ministry of Culture, the relevant parliamentary committee of the Verkhovna Rada (Ukrainian Parliament) and the President’s Office. We did however see enough to feel that examination of a selection of other countries’ practices in this area might be of practical use in helping to achieve more effective cooperation, more productive working and more realistic goals. In the area of setting more realistic goals for legislation, we came across several examples of where good intentions simply could not be translated into practical reality. The most visible example of the problem of good intentions - well-drafted legislation and lack of implementation - is sadly the fundamental law passed in 2005, ‘Law on the Concept of State Policy in the Field of Culture for 2005-2007’.

In this report we draw attention to the remit of the Ministry of Culture and that it should be re-examined, and if thought appropriate, be adjusted to reflect a more modern European understanding of what culture includes in contemporary societies and economies. If pursued this would involve many of the Ministry's traditional functions being dropped, delegated or 'outsourced', especially the 'hands-on' functions. This would need to be done not least to produce capacity for managing any new wider remit in appropriate ways. We do feel strongly that the problem of effective implementation of cultural legislation is so important in Ukraine that interventionist action is needed by the Ministry in a way that does not seem to have happened in the past and this should feature prominently in any refinement of the Ministry's remit.

What seems to be missing in Ukraine at the moment is a penetrative system of recognised information channels, regular briefings and in some cases training for cultural practitioners and those implementing or affected by new legislation. If it is not feasible to reach all the key people directly, which will probably be the case, then there is a need to put in place systematic, hierarchical cascading systems with people being made accountable for ensuring cascading happens effectively. It could be argued that this should not be the responsibility of the legal specialists in the Ministry of Culture (who do a limited amount of consultation and briefing of this type), but be given to lay people who will be able to see how things work from the point of view of the users and implementers of legislation rather than from the point of view of the legislators and lawyers.

In general, the Ministry's focus should be on consultation with the cultural sector and the public and should include the commissioning of market and opinion research. There is a real need to set up some system of measurement of degree of implementation and effectiveness of all the main laws relating to culture. There should be routine formal reporting to the Minister of Culture on this area (perhaps quarterly?). The Minister, in turn, should report (biannually?) to the Verkhovna Rada Committee on Culture. The Minister and the Verkhovna Rada Committee should (annually?) review the key areas of problem and non-implementation and on the basis of degree of practical importance or urgency agree a strategic action plan to address the issues, including considering the need for public information campaigns, press and media campaigns, training programmes for the key implementers, market or opinion research as required and so on.

At the very least, could the Ministry of Culture and the Verkhovna Rada Committee on Culture usefully be more proactive in monitoring and promoting the implementation of cultural legislation by

(a) having a comprehensive list of current cultural legislation available on the Ministry website in the form of (i) a list of laws passed or in force, (ii) a short summary of the key points and the practical implications of each of these laws and (iii) for each law to have a link to the full text of the legislation for those interested or requiring to see all the details of the law?

(b) agreeing, where legislation is simply not working for whatever reason, a list of priorities, with the Ministry then empowered politically and financially to identify and research (probably through commissioning/social contracting rather than directly doing it itself) the problems and producing recommendations and proposed solutions for the Verkhovna Rada Committee's consideration and action? The financial cost of this should be seen as, and come from, part of a legislative, law-enforcing budget not as part of the 'culture budget'. The list of priorities agreed between the Ministry of Culture and the Verkhovna Rada

Committee should be made public and be posted on the Ministry's website as should be the recommendations and planned solutions proposed by the Ministry.

Good legislation can be very important for producing the right climate in which culture can flourish. In Ukraine should the main priority be 'less but better' i.e. cultural legislation that can be properly and qualitatively implemented?

To summarise:

- Legislation is not an end in itself but a means to an end. In the cultural sector is there any point in wasting time and raising expectations with legislation which cannot be implemented or will not be implemented?
- is there a need to establish a penetrative system of recognised information channels, regular briefings and in some cases training, for cultural practitioners and those implementing or affected by new legislation?
- could a comprehensive list of current cultural legislation be posted on the Ministry website with a short summary of the key points and the practical implications of each of these laws?
- could a mechanism be set up whereby the Ministry of Culture and the Verkhovna Rada could agree that where legislation is simply not working, for whatever reason, a list of priorities be negotiated, with the Ministry then empowered politically and financially to identify and research the problems and produce recommendations and proposed solutions for the Verkhovna Rada Committee's consideration and action?

8. Legislation not related to the Cultural Sector

In many countries in Europe, legislation not directly related to the cultural sector can be as important, in some cases more important, than direct cultural legislation. This is certainly true in Ukraine.

Both earlier in this report and later in the section 'Building on Strengths' we focus on what we believe the remit of a Ministry of Culture in a modernising European country should be. An essential element of this is the key role it should play in modern 'advocacy' at all levels, not least within government. We also make it clear in this report that we believe the fundamental function of the Ministry of Culture in particular (but also of the other state and government organs responsible for culture) should be *to create the climate and conditions within which culture and the cultural sector can thrive*.²² If one follows the logic of this then the Ministry, the Verkhovna Rada Committee for Culture and the Cultural Administration of the President's Office should be concentrating on, and be very active players, working as an 'advocacy machine' on legislative matters and law reform as it impacts on culture, cultural provision and the cultural sector.

There is evidence that they often do work in this way when addressing cultural legislation but paradoxically effective 'modern advocacy' is even more important in the area of non-cultural legislation. This is because it is in this area where the cultural sector is not involved with the direct drafting of the legislation. In a modern state the range of such non-cultural legislation which impacts on the healthy functioning of culture in society is extremely wide. It can and does include for example legislation related to employment; tax (particularly VAT, business and personal taxation); regulations related to gifts and donations (e.g. sponsorship or charitable-giving); regulations relating to NGOs, charities and governance in the third sector; local government powers and decentralisation; licensing and so on. All of these have an indirect, but also often a direct, impact - positive or negative - on culture and the cultural sector. It needs to be clearly recognised that they often have a far greater impact than cultural legislation itself.

While making clear recommendations in this area that look forward, it should be underlined that there are very serious current problems related to past non-cultural legislation. This needs to be tackled or at the very least be recognised with a view to ameliorating some of the negative impact. Because there has not been in place a rigorous and systematic mechanism with clearly-identified allocation of responsibilities for monitoring the impact of non-cultural legislation on culture, many of the factors today preventing reform and change are in fact embedded in such past legislation. Employment law is an obvious example but there are numerous others.

In addition to addressing this area in terms of future legislation, the Ministry of Culture (ideally jointly with the Verkhovna Rada Committee on Culture) should launch a serious and practical consultation process and in addition commission professional research to identify the key areas of relevant non-cultural legislation and the main issues impacting negatively on culture and the cultural sector from existing and any currently proposed future legislation. On the basis of the consultation and the research, the Ministry and Verkhovna Rada Committee should selectively and decisively draw attention to the main problems damaging or constraining the

²² as opposed to the old Soviet practice that the Ministry creates, or should create, 'culture' itself.

flourishing of culture, cultural provision and the cultural sector. This should be done using a new, modern and professional approach to advocacy.

In Ukraine, as in many countries, there is often a latent 'national' sympathy at both the political and legislative levels to see culture as special and sometimes as an 'exception'. This is usually very healthy and positive and this latent sympathy should of course be used and exploited. The problem however is that if used as the only argument – 'culture is different' – it can be dangerous. In modern states there is usually a need to appeal beyond the practical and emotional aspects of the argument that culture is different to additional arguments. One obvious example is that in a country where there is a past tradition and current practice of not paying taxes, arguing for tax-breaks for support for culture, needs to be based on something more practical and fiscally rigorous than simply saying that culture is special.²³

Being able to research and marshal these extra arguments for culture in any given situation is a key part of modern advocacy. We recommend that Ukraine examines current cultural advocacy practice in a selection of other European countries to see what could be useful and relevant to Ukraine in developing such practices and techniques.

To summarise:

- is it properly recognised in Ukraine that legislation not specifically related to the cultural sector can have as big an impact on culture and the cultural sector as cultural legislation itself and can sometimes be unintentionally negative?
- in recognising the importance of this, should the Ministry and the other state and government organs responsible for culture ensure that they have in place effective and recognised consultation and modern advocacy mechanisms to be able to provide a strong contribution to such non-cultural legislation when it is at the formative, discussion and drafting stage?
- should the Ministry investigate the concept, role and models for advocacy in the cultural sector used in other European countries, including in relation to non-cultural legislation, to see if there is anything that might be usefully and practically applied in Ukraine?
- should the Ministry of Culture (ideally jointly with the Verkhovna Rada Committee on Culture) launch a serious and practical consultation process, including commissioning professional research, to identify the key areas and the main issues currently impacting negatively on culture and the cultural sector from existing and proposed future legislation of all types?

²³ In January 2006, recognising that culture was 'special', new legislation was introduced which gave tax-exemption to any companies or businesses that invested in national film-making production. Later in the same year this legislation was withdrawn because of tax-evasion problems.

9. Building on Strengths

Using European and local experience, one of the key tasks for the Ministry of Culture is going to be identifying clearly future needs and building its abilities to meet the new challenges. Certain key European principles in cultural policy have emerged in the past decade. The Council of Europe Report 'In from the Margins' (1997) suggested that most European countries have steered their cultural policies according to four key principles:

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- promoting cultural identity
- promoting cultural diversity
- promoting creativity
- promoting participation in cultural life

In their implementation of cultural policy today, the public authorities (national, regional and local) in Europe demonstrate a number of consistent tendencies:

- they support cultural activities for their intrinsic value
- they support culture as a means of achieving specific social and economic policy objectives including the development of civil society
- they recognise the impact of the cultural sector as an economic sector in its own right and the significant interaction between not-for-profit activities and the cultural and creative industries
- they encourage the development of self-governing institutions and networks
- they act with a range of partners in the public, private and independent sectors
- they identify public responsibilities at regional and local as well as national level in accordance with the principle of subsidiarity²⁴
- they balance a response to the on-going needs of cultural institutions with
- flexible programmes of project funding in order to encourage creative
- development, artist-led initiatives and new ways of working

The Ministry of Culture in European countries is not just the principal budget holder, it has the key responsibility for developing cultural policy and for marshalling new arguments (i.e. advocacy) in support of culture as the focus for sustainable social and economic investment and development. In order to achieve this, inter-ministry and inter-departmental cooperation is a core requirement and responsibility for this rests clearly with the Ministries of Culture whose inter-ministerial activities are normally extended to include specifically relations with the Ministries of Finance, Education, Science and Technology, Foreign Affairs, Social Affairs, Labour, Justice, Health, Youth and Family Affairs, Civil Service and Local Government amongst others.

²⁴ The principle of subsidiarity means that decisions should be taken as close as possible to the point at which services are delivered

If the trends and pattern of what has happened across Europe are relevant to a modernizing Ukraine, then what the Ministry of Culture of Ukraine faces today is nothing short of a completely new challenge which includes

- how to organise itself in such a way as to place the emphasis of its work on leadership and strategic thinking
- how to set a modernising agenda and instill a sense of purpose
- how to set national objectives and policy guidelines while encouraging subsidiarity
- how to provide professional advocacy, consultation, coordination and evaluation and how to harness the best - often out-sourced or commissioned resources
- how to work with a wider range of partners both centrally (other ministries and departments) and at regional and local level (municipalities, cultural institutions, NGOs and private sector organisations), as well as internationally

It follows that if pursued, this new role will need to be reflected in the organisation of the Ministry by adopting a horizontal as well as a vertical dimension in the development of cultural policy and in its work as a whole.

In its new role, key functions of the Ministry might include

- maintaining effective links with the other relevant Ministries and government departments whose work also impacts on culture
- monitoring and coordinating the Ministry's input to legislation affecting culture
- working with the Parliamentary Committee for Culture in order to monitor, influence or promote draft legislation
- maintaining effective links with the regional and local authorities
- monitoring the implementation of cultural policy and ensuring its regular review
- monitoring and coordinating training requirements
- developing and coordinating the collection, analysis and publication of cultural statistics
- identifying and promoting 'good practice' and new models
- identifying and developing the Ministry's own research needs

A clearer and crisper remit for the Ministry should go hand-in-hand with better management of external expectations. This should include stopping some activities in which it is currently engaged and playing down its role in others. It happens in all countries and Ukraine is no exception that the expectations of people in the cultural sector and amongst the public exceed what can be delivered by the state and government bodies responsible for culture. There is a need actively to manage expectations.

In arguing for change, one is doing so in a positive context. There is a lot to be proud of in terms of the past fifteen years of what has been achieved in the cultural sector in Ukraine. An obvious success story in terms of the state and the Ministry of Culture has been that against enormous odds, the cultural authorities have managed to preserve much of the infrastructure in the context of a very unhelpful economic and political climate. The point in arguing for change is not that past policies and structures have been wrong, it is that they may no longer reflect what is required for the future.

There is a certain degree of resignation and sometimes cynicism on the part of cultural practitioners, especially the new, younger generation, about the practical role of the official cultural bodies in delivering these practitioners' expectations or in shaping the culture and future of the young. Such perceptions are often unfair. Ironically and paradoxically they are sometimes part of the remaining 'Soviet legacy' mentioned earlier. There is a continuing and widespread expectation in Ukraine, including amongst some of the young (who, unlike their seniors, should not be atavistic!), that the state should provide everything, including culture. This derives from a situation where in the not yet dim, but already quite distant Soviet past everything defined as 'culture' (i.e. 'what the Ministry of Culture does') was fully funded by the state.

So while the base and the context have changed fundamentally in Ukraine, the expectations remain and the Ministry of Culture is often seen as a 'funding body' that should fund everything. The problem is that the truth is otherwise and the Ministry has relatively little money. What makes matters worse is that the Ministry's resources are almost all tied up in providing funding for historical budgets related to state cultural institutions, mainly buildings, and to heritage. The Ministry simply does not have serious money to give away or invest.²⁵

This leads to a most unsatisfactory situation for all concerned because the gap between the perceptions and unrealistic expectations of most of the cultural sector on the one hand and the realities and financial possibilities of the Ministry of Culture on the other, is unbridgeable. Even those who are financially benefiting most from the Ministry are often at best ungrateful and at worst resentful.

Should there not be a radical repositioning of the Ministry in order that expectations can become more realistic, where the Ministry makes itself less vulnerable and where it plays to its strengths not to its weaknesses? While such a repositioning will not be easy and the tradition of emphasising one's abilities to provide financial patronage will be difficult to abandon in a country and society where patronage relationships are deeply rooted, the nature of the new role will mean that there will be other and newer forms of power, patronage and relevance.

A Ministry of Culture need not just 'sell itself' as a 'funding body', it has experience, access, ideas, overview, contacts and political influence. No Ministry of Culture anywhere in Europe has sufficient funding to do all that it wants. Ukraine, especially in the next 5-10 years, is not going to be an exception to that. On the contrary the

²⁵ It is true that effective ministers can get budget increases. The current minister has provided such an example. But even in this case, relative to the challenges and needs, one-off budget increases do not solve structural problems. Indeed, it is often vice versa as the structural problems often have to be used to achieve increased funding e.g. a recent justified and laudable augmentation of theatre workers' wages was achieved only through the re-designation of certain theatres as 'Academic' thus allowing the application of different pay scales, rather than the underlying structural problem being removed. In 2001-2004, twenty-two creative collectives were given 'Academic' status bringing the total to 43 in all. The driver for this change was not artistic but to facilitate better funding.

Ministry of Culture is and will remain fairly seriously financially constrained however benevolent government policies towards culture may be. It therefore makes sense for the Ministry actively to cease presenting itself as a 'funding body' but to engage in a responsible public relations exercise to change perceptions of its function and simultaneously look at and develop what are its current strengths, future potential and what is needed to meet the challenges faced by a modernising state.

To summarise:

- what are the main functions that the Ministry should be fulfilling and publicly emphasising? Leading discussion and policy development related to the wider definition of culture? Consultation? Commissioning market and other forms of research? Promoting pilot projects and new models? Ensuring the flow of information relevant to the sector and to individual cultural and arts organisations and practitioners? Encouraging networking? Advocacy? Promoting private and other forms of sponsorship? Providing non-financial support, as defined by the users? Is this a crucial debate that needs to be had in Ukraine?
- is there the danger that continuing to be seen as the supplier of money, the micro-manager of today's detail and responsible for everyone's problems gets in the way of focussing on the important job of a modern European Ministry of Culture which is creating a positive environment for culture and developing tomorrow's development strategy?
- having defined what culture encompasses in a modern European state, should the Ministry of Culture readdress its role in relation to that definition of culture i.e. what exactly should be the main functions and activities of a Ministry of Culture in a 21st century European country which allow it (a) to be strategically relevant (b) to meet and manage new perceptions and expectations (c) to fulfil a role other than that of being a post-Soviet 'funding and patronage body'?
- whether or not the Ministry of Culture explores the redefining and repositioning of itself (which we believe to be extremely important), should it in the future at least avoid being seen as, or play down its role as, a 'funding body' because the harsh economic realities of transition will never give it the budgets to be able to satisfy expectations in this area?²⁶
- whether or not the Ministry chooses to explore a new remit which plays down its traditional/Soviet funding role, should it not in general seek to promise less but deliver totally on what it promises in order to secure the confidence of cultural practitioners which is sometimes missing?

²⁶ Research and experience suggests that no transition country has really been able through direct state funding to provide serious financial support to contemporary art and artists on a representative scale. Let us accept this unfortunate reality! This does not mean that the Ministry of Culture should reduce its remit further and not believe in itself in the area of contemporary and living arts but that it should explore other ways of providing support for contemporary creativity. This goes back directly to two key questions – what is culture and what is the relationship of the Ministry of Culture (and the other state and government culture bodies) to what is defined as culture?

10. Compacts and Relationships

It is impossible to understand Ukraine without some recognition of the regional and local diversity of the country and the impact it has on national and local policies and on political decision-making processes at all levels. Modern Ukrainian identity (however defined and it is sometimes differently defined) is now an established fact. It is widespread and growing but historical, cultural, linguistic, ethnic and political factors are an important part of the weft and woof of the weave of modern 'Ukrainianess'.

Recent research, reinforcing other earlier research findings, shows that in addition to seeing themselves as 'Ukrainian', most Ukrainians have a second, extremely strong local or regional identity.²⁷ This phenomenon, especially in the context of a huge country with on-going transport and communications infrastructure challenges, affects relationships, methods of communication, political and administrative reporting and ultimately loyalties.

In a positive sense this can often lead to intense regional loyalties and local pride, particularly valuable in the cultural sector where local resources and enthusiasm can often make good any lack of central cultural funding or stewardship. However in a negative sense it can lead to 'national' policy problems, including the problem of centrifugalism and not identifying with centrally-generated policy.

Against this background there is also a very strong tradition emanating from Soviet and Russian Empire times of highly hierarchical structures and relationships both in the centre and in the regions. This leads at a personal level to patron-client relationships at every level of society which affect day-to-day life and which in turn impinges on such matters as policy implementation and service provision.

An 'objective' encyclopaedia-like description of central, oblast (regional) and local government in Ukraine is not very helpful in understanding how things really work. To take one example, the system of Governors of oblasts (regions) carries within it ambiguity. They are not elected but supporters of this model would argue this is justified by the difference between the theoretical and 'objective' way in which things work at regional and local level in Ukraine and how things often work in reality. In the case of these 'regional' Governors they are in fact direct presidential appointments and in some respects represent in practice an attempt to address excesses of localism and centrifugalism.

While things are changing rapidly, it should be remembered that until the early 1990's the different regions of Ukraine, as elsewhere in the Soviet Union, were effectively and exclusively economic and political spokes of a huge wheel which had distant Moscow as its hub. It was this hub which for the most part made decisions and set standards. While in Soviet times from 1934, Kyiv²⁸ was the capital of the Union Republic of Ukraine, in practice power resided in Moscow. The links of the Ukrainian regions with Kyiv were weak, especially in the case of those regions which were home to industries or resources of Soviet 'All-Union' importance, where control from Moscow was especially direct and tight.

²⁷ Razumkov Ukrainian Centre for Economic and Political Studies, 'National Security and Defence' No. 7 (2006), pp 3-23.

²⁸ Until 1934 Kharkiv was the capital of Soviet Ukraine.

Even with the collapse of the Soviet Union, the advent of Ukrainian independence, and the disappearance of the foreign 'hub', the regions with formerly 'All-Union' strategic importance, for example regions in the east of Ukraine such as Donbass, found that their markets and communications were still to the north. The westward readjustment to Kyiv, the new and real capital of independent Ukraine and the new 'hub', has been a not surprisingly slow and complex process which is still ongoing.

For various reasons, including what is described above, local government reform is a major and complex issue in Ukraine and the announcement of changes in local government has long been promised but still has not materialised. As a result, in the context of this report it is impractical to make any substantial recommendations or observations specifically related to how central and local government should operate in the field of cultural policy and we certainly cannot make any specific recommendations related to detail (e.g. budgets, structures etc). Even to address key issues such as decentralisation would be to do so in a basically theoretical way until the future shape of local government reform in Ukraine is known. It should be noted however that in the cultural sector there is already a high degree of decentralisation to the regions (oblasts) in many spheres.

While not being able to look at the detail of local government, it is entirely appropriate to look at centre, oblast and local relationships as part of the wider issue of relationship building in the cultural sector in Ukraine. In particular, it is important to address the issue of relationship-building in the context of how one meets the need for the 'objective' formulation and practical management of a national cultural policy in a country with so much diversity and such strong regional and local identities and loyalties.

How does one in practical terms build the kind of 'objective' relationships which are so vital to the functioning of a huge, modernising European country when it is peopled by a society that historically and instinctively tends to eschew the 'objective' and feels much more comfortable with the known, with kinship and with patronage relations? How does one build new and open relationships in a society where people do not naturally work with people outside of their circle and where working with someone who is 'наш' ('ours') is a predominantly important and sometimes exclusive factor in selection of partners or in the forming of teams?

Against this background, and as outsiders, what practical proposals and advice can a review such as this offer in an area where one is dealing with the basic fundamentals and the nuanced subtleties of how a country really functions beyond, and in spite of, the formal structures? Even on the basis of the one visit which was made outside of Kyiv within the framework of the review, we have no hesitation in underlining our conviction of the obvious need in Ukraine for there to be cooperation at all levels and for this cooperation to be given the potential to operate in new, perhaps more formalised ways which meet the needs of a modernising, democratising, open society.

What is perhaps needed are new, 'formalised' ways of partnership and working which build cooperation not competition and encourage complementarity, not duplication. Formalised relationships which meet contemporary needs are required which facilitate and guarantee responsibility, accountability and respect between the different levels and the different players in the cultural sphere and which ensure coherence and cohesion not only between the centre, the regions and the local authorities, but also between the various government sectors, the NGO sector and the private sector, drawing in much more extensively the untapped contributions and resources of the latter two sectors in particular.

In all those various combinations of relationships, partnerships and cooperation, the key to moving forward and to success is going to be accepting that there are strongly entrenched positive and negative relationship-forming patterns and partnership selection preferences in Ukraine. One has also to take account of the fact that in Ukrainian society generations of people have taken for granted a hierarchical, almost feudal, gap between themselves and those who hold public office. Therefore the very concept of having a framework for such a relationship is challenging and for some people threatening. There is a need to try to move beyond these ingrained attitudes and practices, sometimes by using them. The question one returns to is of course the practical one of how to build new forms of relationship, new coalitions and nurture trust in a conservative society which has been conditioned to be passive and often prefers to work 'incestuously' and on the basis of personal connection and affiliation rather than openly and 'objectively'?

There have recently been very interesting experiments and some impressive successes in the community development sphere in Ukraine in introducing the concept of 'Compacts'²⁹ to address some of these issues. The idea of 'Compacts' is to draw the various players – be it local, regional, central government, local community groups, NGOs and the private sector - together into agreed ways of working or for defining the roles of various parties in a project.

On the evidence available from these experiments, the concept of the 'Compact' seems to respond to a Ukrainian natural desire to have everything well-defined and to meet the practical need to have a fixed point of reference to which to go when there is dispute or disagreement or things are simply unclear. The 'Compact' spells out responsibilities as well as rights. This is particularly important and works particularly well in a country where

- the NGO sector is still quite weak
- there is not much experience of central, oblast and local government working together in a contemporary 'European' way
- central, regional and local government working in partnership with the 'third sector' is still new or untried
- transparent working and ethical cooperation between the private sector and central, regional and local government is still in its infancy
- 'social contracting' i.e. government at whatever level contracting NGOs or the voluntary sector to provide services, is a totally new concept
- suspicion is strong and social cohesion sometimes weak (e.g. between the centre and the regions, inter-regionally between west and east Ukraine and even locally, for example in regions such as Crimea)

²⁹ For example under the Democratising Ukraine Small Project Scheme which has been operating on a pilot basis in the Donetsk and Lviv oblasts helping local people, the local authorities and the private sector to work together. "Now, with the Compact we are able to achieve better understanding between the authorities and the community. The compact is about cooperation, partnership relations and coordinated actions of local self-governance bodies and citizens associations", the Mayor of Artemovsk in Donetsk oblast is quoted as saying. Similarly the Mayor of Chervonohrad in Lviv oblast is quoted as saying "The Compact gives the possibility to agree on key principles of cooperation between the City Council and local NGOs and make yet another step towards civil society building. With the Compact we can sit at the negotiation table as partners, not as competitors, to share experience, make an objective assessment of our work and plan the future – and all that based on goodwill and coordinated effort."

The 'Compact' model seems to address these issues and the 'Compact' approach looks particularly well-suited for application in the cultural sector in Ukraine to meet current and future needs of relationship building and mixed partnership. It could also be effective in identifying needs and harnessing local energies to address what was described to us as a crisis of cultural and social provision in rural areas. In such community environments there is a need, for example, to go deeper and beyond the standard procedures of funding by government to NGOs. Clear identification of real local needs and local ownership and pride is essential. Local authorities and NGOs need to demonstrate high governance and ethical standards which can be embedded in 'Compacts' and be part of their daily work and cooperation with the communities.

Apart from its potential obvious uses in the cultural sector between local authorities and community or special interest groups and between central and regional government, the 'Compact' approach could also be extended to engaging with private and corporate initiatives where the roles, rights and responsibilities need to be clearly spelt out. Lack of clarity and absence of a 'business-like' approach is often cited by the private sector as their reason for not engaging with and contributing more to culture and the arts, particularly in support of government cultural policy or within official cultural initiatives or projects. A standardised 'Compact' arrangement between the Ministry or other bodies and a private sector interests could well resolve this particular issue. Its attractions would not only be to the private sector partner but it would also help to regulate healthily and transparently the nature of any relationship between government and private sector partners, an area which should be of both interest and concern to all sections of the population.

The importance of effective and transparent harnessing of private and corporate interests and investments in culture in Ukraine within an overarching state policy framework cannot be exaggerated. Let us take one example, contemporary arts. In some areas of the contemporary arts, for example, contemporary visual arts, starting with George Soros and the creation of the Centre for Contemporary Arts in Kyiv some years ago and more recently, and spectacularly, with 'oligarch' Viktor Pinchuk and the Pinchuk Art Centre – it is private initiative that is driving things forward. In both cases their foundations have provided missing cultural infrastructure relevant to contemporary creativity and innovation and offered something highly attractive for the audiences of today. These two institutions have provided not only funding but also much of the vision for contemporary visual arts and inspiration for visual arts audiences in Kyiv. They have made a very tangible and positive contribution to the cultural life of the capital.

Put simply, it is not the state or the Ministry of Culture which is currently leading in terms of cutting-edge visual arts. In this area, and indeed in terms of gallery and museum practice generally, the yardsticks and standards are now being set by private/philanthropic initiative rather than by state policy, provision or intervention. Investment into contemporary arts by the private sector is something to welcome enthusiastically. So too should Ukraine welcome public-private partnerships related to any sphere of arts and culture if it is happening in the right context. That right context however is that such partnerships should be supporting broader public policy on culture and cultural provision and that any linkage or partnership with the public sector at central, regional or local government level should be clearly defined, transparent and regulated by agreement, for example through the 'Compact' approach.

It could be argued that in Ukraine in the absence of a wider definition of culture and with the public sector policy bodies having a narrow and possibly anachronistic 'post-Soviet' remit, awkward and undesirable vacuums are appearing related to cultural

policy which will be filled inappropriately if not addressed. To return to a specific example, while the Pinchuk Foundation Art Centre is in many respects providing admirably what any sensible public policy analyst would want in this particular area of cultural provision, by default there is also a danger of distortion. For example, through current arrangements, the Foundation is selecting and funding Ukrainian official representation at the Venice Biennale, in a relationship where the respective roles of the Foundation and the Ministry of Culture are not entirely clear, nor is the policy base.

It should be emphasised here that there is no suggestion that the Pinchuk Foundation will not be excellent and professional in their handling of official Ukrainian representation in Venice. It is also not suggested that the Ministry should not have either approached or accepted the offer of help from the Foundation. What it is at issue is something much wider, more abstract and more fundamental. First of all was the policy context of the relationship established from the outset? If it was and it would be easy to do, was the desirability of having some kind of competitive or open process considered in which the Foundation would have undoubtedly and deservedly won or been chosen but which would have silenced current sniping comments by critics? Should such arrangements and the relationship itself have been enshrined in a publicly accessible 'Compact' or similar agreement of the type discussed above? Is this perhaps a classic example of having the right answer but without first asking the right questions? In this particular case the genesis of a very positive public-private relationship with all the right ingredients has unnecessarily created unease in some quarters because there are not agreed policy frameworks and procedures (e.g. through a 'Compact') within which such relationships can be openly developed and negotiated.

The private sector has a very important role to play in Ukraine in the field of culture and is already becoming a significant player. In Donetsk oblast, we were given an impressive presentation by the oblast cultural department of its plans for the next five years or so in which private sector investment and sponsorship was going to contribute the majority share of the budget. These ambitious plans are laudable. The ability to create public-private partnerships is going to be crucial but unless such investments and sponsorship happen within the context of a clear policy, and a policy which is not just about 'chasing money', one can foresee potential problems. If such investments and sponsorship are not regulated through transparent, openly negotiated and clearly defined relationships guaranteed in some kind of 'Compact', there are obvious dangers and distortions. One danger is that instead of legitimate and highly desirable public-private partnerships contributing to public policy goals in the cultural field, such relationships can in extreme cases become distorted into de facto direct and indirect state subsidy of narrow private interests.

One issue which is rightly preoccupying the Ministry of Culture is cultural provision in rural areas. Throughout the communist countries of Europe, the Cultural Centre became a key unit of infrastructure provision, designed to meet local needs within the limitations of an ideologically prescriptive cultural policy. For today's policy makers 'Cultural Centres' represent a dilemma. On the one hand such Centres are generally well located in their communities and form part of a network of compatible performing facilities without which it would probably be impossible for any visiting cultural product to be received or local activities to be developed. They provide an important platform for local amateur performers and are also able in principle to show films and to display certain kinds of exhibitions. On the other hand the cost of maintaining the Centres and of keeping them open absorbs a high proportion of municipal cultural budgets even before any activity has taken place, while their architectural design

makes them difficult to adapt to changing needs, or to purposes other than a certain scale of conventional performance.

The role and development of Cultural Centres should be, and is, a particular issue of local cultural policy being addressed by the Ministry in partnership with the municipalities and the regional authorities (oblasts). The aim is to revive a viable network of cultural centres. It should be done of course with specific and defined purposes in mind. Where appropriate, and subject to the inevitable problem of funding, this should include the possibility of creating new and more flexible centres to replace existing buildings and of course take into account rapid new technology change and possibilities and changing patterns of cultural consumption.

The problems of the Cultural Centres have been faced by other countries and in this and other areas, Ukraine could probably benefit from drawing more actively on experience and approaches tried in other countries and how they have tackled wider issues of public and community participation in culture. The tradition and current transformation of the extensive Bulgarian 'Chitalishte' network of cultural and community centres for example provides an interesting and well-documented case study which could be relevant to Ukraine.

In the beginning of 1997 the Bulgarian Ministry of Culture and the United Nations Development Programme (UNDP) formulated a pilot project aimed at promoting community participation and development in the country through expanding the role and activities of the 'Chitalishte'. The project had two main objectives. These were to broaden the role of the 'Chitalishta' in order to contribute to the development of civil society in Bulgaria and enhance active civil participation at the local level and to provide the pilot 'Chitalishta' with an opportunity to create sustainable self-financing mechanisms as well as mobilise additional sources of funding. The project was based on the conviction that Bulgaria was in need of innovative mechanisms for encouraging people's participation in the social processes and that the network of Bulgarian 'Chitalishte' had the potential to contribute to the strengthening of community participation at a local level using new instruments.

A successful pilot project involving 42 selected 'Chitalishte' in both rural and urban areas over a period of three years has resulted in practical proposals for the reanimation of the entire network as a major element of cultural policy.

One main point underpinning this example is that the approach to achieving this rehabilitation of the cultural centres network was not in fact 'cultural' but seeing that culture could serve the community development agenda i.e. a culture and community development agenda with funding coming from community development funding.

To summarise:

- in the cultural sector of modernising European countries there are large numbers and different types of relationships including those between the state and the private sector, between the state and the 'third sector', between the different layers of government and at local level amongst many players. Is there a need in Ukraine to encourage new, formalised, transparent, standardised, mechanisms for such relationships? Should this be a key part of national cultural policy? Is the 'Compact' concept worth exploring in this context?
- There is a need to tap proactively and manage through clear policy and transparent relationships the enormous potential of private money and sponsorship especially in the east of Ukraine and in Kyiv. Is there a need to

have an agreed methodology to stimulate private investment and sponsorship but without it leading to distortion of projects or policy which is a potential danger in places like Donetsk oblast where 55-60% of the budget for programmes and major projects is reliant on private money?

- is the key to tackling the crisis of cultural provision in rural areas a question of 'repositioning' the problem from being a 'cultural' one to being one that should be on a community development agenda and budget? Is this an example where the adoption of the 'culture and....' approach to culture and cultural policy is directly relevant and where modern advocacy mentioned elsewhere in this report could be crucial?

11. Managing the New – Policy Challenges of the Knowledge Economy, Creative Industries and Innovation

It has been mentioned several times above that in most European countries in terms of public policy there has been a move away from narrow and traditional definitions of arts and culture to a recognition of their role in society and their crucial importance directly and indirectly to modern national economies. In general, at a European level, the need for competitiveness in a rapidly changing world has led to a focus on and investment in the new and emerging areas of modern economies. The knowledge economy, the harnessing of innovation, the nurturing of creative industries, the creation and protection of intellectual property are central to this, important at a continental as well as at a national level.

The degree to which the social and economic productivity of talent found in a country can be harnessed and enhanced is very much influenced by policy and creation of the right social, economic and creative climates for that talent to emerge and flourish. While creativity and innovation is of course not only found in the cultural sector, it is the life-blood of it even in traditional areas.

The importance of the knowledge economy is being recognized within Ukraine, for example through presidential pronouncements, but this is currently happening at primarily a generalized political level. There is a need for it also to be addressed at a policy and practical level. More specifically, the creative industries are talked about in Ukraine but primarily in their traditional and historical forms e.g. publishing and cinema. The latter have been a focus for policy, or rather policies, as they are seen as separate areas rather than as a holistic part of a creative or cultural economy. What seems to be missing in Ukraine is possibly an overarching policy view of creativity and innovation either covering the cultural sector or more widely (e.g. to include science). Whether dealt with in policy terms within the cultural sector or more widely, the knowledge economy, creativity and innovation are a cross-cutting issue of huge future significance for Ukraine.

Focusing on the knowledge economy, innovation and the traditional, new and emerging creative industries is important for both positive and negative reasons. The positive reasons are that although in many areas the creative industries are either currently struggling (e.g. cinema) or only slowly emerging (e.g. digital arts), Ukraine is extremely fortunate in having large numbers of well-educated, talented and adaptable people whose skills, potential and creative energies need to be harnessed³⁰. The negative reasons are that with increasing mobility within Europe there is a danger that this talent will move to environments which are more politically, socially, economically and legislatively conducive to creativity and innovation. The problems of 'brain-drain' as opposed to managed mobility already exist and could become much worse as travel within Europe and beyond becomes less complicated for Ukrainians.

This is an area which needs to be discussed beyond the limited remit of this report but it is legitimate and appropriate to draw attention to it here. A few basic questions arose during the short visits to Ukraine to which the answers were not immediately evident to us. Who is driving policy and thinking in this area? Is it being driven or is it just happening? Is there an overall strategic plan for the nurturing of creative

³⁰ Computer programming and fashion are two obvious examples where Ukrainian talent is flourishing and having international impact.

industries in addition to the separate policies in existence for cinema and publishing for example? Finally, at a policy level, is this a significant example of where the Ministry of Culture ignores contemporary creativity and the wider definition of culture, at its, and the country's, peril?

To summarise:

- Europe's global competitiveness depends on its ability to develop the knowledge economy, harness innovation, nurture creative industries and create and protect intellectual property. Where is Ukraine positioned in relation to this?
- is there a coherent national Ukrainian policy in this area? If not, who should be driving it forward and what role should the state organisations responsible for culture play?

12. Engaging in Europe

The 'Introduction' to this report states "However defined, Ukraine is unambiguously a European country." This chapter is therefore not about Ukraine engaging *with* Europe because it *is* Europe, it is about Ukraine's role in Europe in the 21st century and, given the parameters of this report, its particular engagement in the cultural sphere.

There can be little dispute that although the biggest European country geographically, Ukraine is little known or understood by the rest of Europe. While disappointing to many, this is not entirely surprising when seen in historical and political perspective. The extent of this lack of knowledge or understanding of Ukraine even affects Ukrainians, many of whom still know only a small part of their history and identity. Many are in fact in the process of discovering, or rather rediscovering, themselves. Contemporary Ukraine has emerged from two empires, the Austrian-Habsburg and the Russian/Soviet empires, both of which historically and in competition, tried to restrain, suppress or deny Ukrainian identity and annex that identity into narrow imperial interests. As a result, active Ukrainian engagement in Europe and Ukraine's contemporary identity are inextricably intertwined.

Many Ukrainians would argue that Ukrainian culture has never really had a historical tradition of state support and promotion but has been more in a situation of self-preservation and survival. It is therefore interesting in cultural policy terms that there is now a need to move from a psychology of cultural survival to one of normal, healthy, confident and open national cultural development and diversity. The need for enhanced international engagement as an equal, not as an addendum to someone else's culture, is now a major priority.

Ukraine is currently less plugged in than almost any other European country to European professional networks, debates and systems at the cultural level, yet this 'soft' cultural area is where it should be easiest to engage. The reasons for this lack of engagement are prosaic – money, visas³¹, the legacy of past Soviet isolationism, traditional bureaucratic approaches to, and control of, professional-to-professional contacts at the international level, a certain amount of parochialism (the legacy of rural and colonial influences) and, not least, the rest of Europe's ignorance of its huge neighbour.

In September 2005, the Kyiv Initiative of the Council of Europe was announced. This cultural policy and cultural and natural heritage project developed and widened an existing initiative involving the South Caucasus countries (known as STAGE) to include Ukraine and Moldova. STAGE had been supported politically and morally by the Russian Federation, Ukraine and Turkey and had special support from Greece, Switzerland and Austria and others. In 2007, hosted by Romania, the Kyiv Initiative was officially launched. Intentionally general in its detail, strategically it is a project which aims to help the countries involved cooperate with the Council of Europe collectively in a specific programme but essentially to assist those countries which all, to a greater or lesser extent, need to widen their access to European networks, contacts, initiatives and practice.

³¹ Ukraine has for two years now generously and wisely waived visa requirements for Europeans and certain other categories of people visiting Ukraine while still being subject to the costly, bureaucratic and often humiliating visa procedures of other European countries.

As a follow-up to this cultural policy review, a key issue is going to be identifying the value-added contribution the Council of Europe-Ukraine relationship can add to local needs and the wider European process. This should start pragmatically - both in terms of recognition of resource issues but also in terms of “quick wins” i.e. immediate practical actions which produce information, contacts or results that address Ukraine’s domestic agendas and the Ukraine-Council of Europe relationship.

This challenge needs additional discussion outside of this report but it seems there are three areas where concrete action is needed:

- in the context of the EU’s Neighbourhood Policy³² where there is a potentially important Council of Europe facilitating role in the cultural sector³³
- in further development of Council of Europe-Ukraine cooperation, particularly through the development of the Kyiv Initiative
- proactively using this Council of Europe cultural policy exercise with Ukraine to attract European bilateral interest and attention in cooperation with Ukraine in the cultural sector, and for this to happen in the state/governmental, independent/NGO, private and local spheres³⁴

There is in short quite a lot of important, basic work that can and should be done building on this Council of Europe review process. The first comment to be made is that there is a lot of different and rich experience in Europe which the various parts of the Ukrainian cultural sector could draw on. This includes for example different types of policy development and different approaches to cultural policy in other European countries. This also includes, very importantly, the value of drawing on the learning, and already learnt experiences, of European countries that are going through, or have gone through, ‘transition’. A specific example is given in this report as to how Bulgaria tackled the problem it had with its rural and provincial cultural provision and the crisis of the ‘cultural centres’. Some of the legislative issues faced by Ukraine clearly echo some of Croatia’s past experience as one of our team members perspicaciously observed.

The tradition of ‘delegations’ and ‘study-tours’, familiar in Soviet times, did not have a glorious reputation in Europe where their professional, as opposed to their long-term political or broader humanitarian benefits, were often treated sceptically. We live in different times and there would seem to be strong benefit in encouraging study tours and research visits from Ukraine. There would be benefit from these consisting of mixed teams and in some cases of their being commissioned by the Ministry and state authorities to address very specific and practical issues and how they are tackled in other countries. This report alludes to some areas where immediate benefits might become evident, for example how parliaments and legislatures work with ministries and government in relation to cultural and non-cultural legislation. In this particular case, a mixed team of Ministry, Verkhovna Rada and practitioner (or even specialised cultural journalists or researchers) might be the right mix to pursue

³² It should be mentioned here that many Ukrainian politicians, and not only politicians, feel uncomfortable about being pigeon-holed into a European ‘neighbourhood’ that includes non-European countries (e.g. countries of the eastern and southern Mediterranean).

³³ Attention should be paid to the European Neighbourhood and Partnership Instrument – Ukraine: National Indicative Programme 2007-2010. Under paragraph 4.1 is included “Specific action promoting European initiatives and culture in Ukraine (and vice versa) should also be eligible for assistance.

³⁴ This is not to say that bilateral support of the type that is needed is totally absent, the author of this report, subjectively, would draw attention in particular to the bilateral initiatives in Ukraine of the Netherlands, Switzerland, Sweden and Austria amongst others.

this particular avenue under Council of Europe, European Commission, international donor or bilateral aegis.

A main challenge is however going to be one of ensuring that there is a common language. A language of goodwill exists but there are still key areas where conceptually official Ukraine is speaking a language of culture and cultural policy which does not translate easily into modern Europe. Again we come back to the role of culture in Europe and issues such as the knowledge economy, creative industries and innovation. Put undiplomatically, while the celebration of birthdays of national heroes and poets are extremely interesting and important, this is not seen as a main or even direct function of Ministries in many countries while European competitiveness and investment in the areas of creativity, innovation, the development of the knowledge economy and creating a positive environment for culture is.

With wider and deeper Ukrainian participation in European cultural networks, developments and debates a shared language will begin to emerge but it is important that on both sides there is a recognition of conceptual and comprehension barriers and honesty in dealing with them. On the Ukrainian side this requires a maturity and confidence that allows people not to feel insecure or 'un-European' if something is not truly understood while on the part of interlocutors it is important to understand the very complex historical, political and cultural context from which today's Ukraine has emerged and which has shaped thinking, policy and practice.

In contemporary Europe, culture and cultural policy is no longer seen as 'events' but as an on-going and key part of the social and economic fabric of society. Increasingly state support for culture is not seen, nor given, as a form of traditional subsidy or patronage but as an astute or practical investment of tax-payers' money. It is at this level that much European discussion of culture and cultural policy takes place. Events, even the major ones, are increasingly what the independent, NGO and private sectors do, within a supportive environment nurtured by the state and official bodies. The issue for Europe in general is not about managing 'culture' at micro-level, nor even about spending on culture per se in a narrow sense, but about investing in the development of culture within a wider national (and European) social and economic sustainable development strategy.

There is a need for rapidly increased interaction of Ukraine in Europe in the cultural sphere. The time is propitious for this as the new EU 'Neighbourhood Policy' emerges and new opportunities come on stream. Similarly Ukraine's contacts with both the Russian Federation and its Black Sea neighbours should wherever possible be intensified. This is a time for Ukraine to open out, explore and start to fulfil some of its huge potential as a European player. It can however only begin to do this significantly with outside assistance and in this context one hopes that individual countries, bilateral and multilateral agencies, the Council of Europe and the European Commission (the latter two working together), can all in a strategic and practical way, once and for all, remove the legacy of relative and unwanted isolation that has been a feature of the cultural sector in Ukraine in the Soviet and post-Soviet periods.

At a practical level and using this Council of Europe review process as a starting point, European countries and partners at a multilateral and bilateral level should consider making available resources for greater engagement of Ukraine in European networks, debates, policy development and experience-sharing. On the Ukrainian side encouragement of new programmes of engagement, especially for younger professionals and practitioners, should be explored exploiting if possible mixed

funding opportunities to overcome the constraints of the Ministry's budget. Similarly, European cultural organisations and networks should be encouraged to locate, when appropriate, meetings or gatherings in Ukraine as this is another practical way of increasing contact and bringing Ukraine into the mainstream.

To summarise:

- Ukraine is less plugged-in to European cultural networks, debates, policy development and experience-sharing than it should be. Knowledge and awareness of Ukraine in the rest of Europe is still at a relatively low level. Is enough being done to maximise opportunity and to increase the level of professional contact?
- in the context of the EU's new Neighbourhood Policy there is potential for cooperation and contacts in the area of promotion of culture. In relation to Ukraine, is there a Council of Europe facilitating role related to this through direct cooperation with the European Commission?
- further Council of Europe-Ukraine cooperation, particularly through the development of the Kyiv Initiative, needs to be followed up. In practical terms, how will this be taken forward?
- this Council of Europe cultural policy review should be exploited fully. Could it be proactively used to attract more European bilateral interest and attention in cooperation with Ukraine in the cultural sector? Can this be encouraged to happen not just in a limited official way but by encouraging wider participation in the state/governmental, independent/NGO, private and local spheres?
- there is much useful experience in many countries in Europe directly relevant to some of the challenges with which Ukraine is engaging. Are targeted, problem-oriented research visits and study tours by relevant Ukrainians an appropriate and effective tool which should be encouraged?
- in terms of European cooperation, a language of goodwill exists. Does Ukraine's post-Soviet official cultural policy frame of reference mean however that engagement requires special attention, effort and understanding in particular at the conceptual level where there are currently differences between a focus on strategic cultural development (common in much of Europe) as opposed to concentration on the management of state or official culture (the tradition hitherto in Ukraine)?
- Ukraine has a big and important role to play in Europe. Is sufficient attention being paid to developing and maximizing contacts and opportunity for engagement with the Black Sea neighbours and the Russian Federation as well as with other parts of Europe?

13. Conclusions and Recommendations

Constraints of time and opportunity meant that there were important parts of the cultural sector in Ukraine which we did not examine. There were other areas which we did look at and which, in the end, have not featured significantly in the body of this report. Examples of the latter would be cinema, tourism, heritage and cultural management training which are of a complexity that warrant separate study to do them justice. The comments that follow should be seen in that context.

Cinema has become a key policy area in Ukraine. All aspects of the development of national cinema are being given very serious attention and additional resources. We were impressed by the professional work that is being done by the Ministry of Culture in this area, the consultative and constructive approach being taken and the ability to learn from past mistakes. There are specific issues related to 'national film-making' in Ukraine – cultural, linguistic and audience access in particular – which make this a particularly challenging area. Foreign films currently dominate almost totally the market and measures are being taken to give priority to availability of prints of national product and their better distribution, as well as improved screening facilities including in the provinces and in rural areas. The dubbing of foreign films into Ukrainian, covered by legislation, is still an issue and some foreign distributors are still not doing what is required. Dubbing has been the subject of interesting popular and political debate.³⁵

Even in this area where local expertise is being very effectively marshalled, European support and assistance and the facilitating of access to the experience and legislation in other countries would be enormously helpful. We believe also that it would be welcomed and appreciated from the Ukrainian side and hope that some European countries in the context of their normal bilateral cultural relations will engage with Ukraine in this important policy field.

In the case of tourism, we were reticent about making pronouncements on the basis of our limited knowledge of what is happening in reality. It was our superficial impression, however, that culture and tourism have been put together in one ministry but with no real conceptual or policy base underpinning it. Assumptions that Ukraine's culture will pull in tourists is correct but also naïve if account is not taken of infrastructure needs and wider issues related to the economics of tourism. Our perhaps wrong impression was that there is as yet no real linkage between tourism and culture in policy terms and that within the Ministry there is an external, surface relationship between these two parts of the Ministry rather than a shared agenda or any mutually-beneficial symbiotic relationship.

Heritage management is obviously an extremely important area and a major concern of the Ministry of Culture. It is such a vast subject that it is more appropriate for this to be covered by future cooperation between the Ministry and the Council of Europe that can be specifically focussed on this area. We were impressed by much of what we saw but there do seem to be underlying technical issues which still need addressing notwithstanding reforms and new legislation since independence. Perhaps illustrative of this, and not only of this, is the fact that there are 130,000

³⁵ A campaign related to this grew out of an interesting example of new democracy in Ukraine when someone used the website www.pledgebank.org to call for a boycott of films dubbed into Russian (instead of into Ukrainian).

protected monuments in Ukraine of which 7,000, or almost 6% of the total, are apparently statues of Lenin.

In the case of cultural management training we are aware of the current state of development and of a number of new initiatives at higher education level that are emerging, but feel that this process is still at an early stage. Beyond recommending that the new initiatives should be given encouragement and support and that cultural management training is an area of important need in Ukraine, we feel this is a field which also deserves separate attention.

The main issue in terms of national cultural policy in Ukraine is the inheritance of models, infrastructure, practices and a definition of culture which have undergone some reform and change since independence to allow a move from the past but which are sometimes no longer 'fit for purpose' in a modernizing Ukraine which is a part of 21st century Europe. This is not to belittle the many real achievements secured by the Ministry and the cultural departments at oblast and local level since independence. These achievements include the maintaining of an important infrastructure in the most difficult circumstances and the successful nurturing of Ukrainian culture and a modern Ukrainian identity in a complex political, economic and social environment. It is also certainly not judging what has been done in the past as being wrong. What is being said is simply that the time is now ripe for moving to a new basis and completing what is described in the report as 'semi-reforms'.

At an early stage we were told that a key issue for the Ukrainian authorities is putting culture back at the centre of Ukrainian life and identity and for this to be done in the context of sustainable development and the achieving of European 'norms and standards'. Against that background our recommendations are as follows:

1. Our first, main and overarching recommendation is that the Ministry of Culture with the other bodies officially responsible for culture should launch an open, structured and forward-looking consultation campaign and process. This should involve not only all cultural professionals but also representative samples of the public (i.e. the consumers) and should set to identify the key questions that are of critical and practical importance to cultural development in Ukraine in the next ten years or so. Follow-up to this Council of Europe policy review exercise could provide the right catalyst for this as well as facilitate an objective, non-political contextual framework for such a national consultation campaign and process.
2. There may be a strong and unhelpful (in policy terms) Soviet legacy related to the definition of culture (i.e. what it encompasses) which is incompatible with the needs of a modernising Ukraine. One of the key questions and fundamental starting-points for any new cultural policy development might be whether the Ministry of Culture, the Parliamentary Committee on Culture, the President's Office, in other words the official bodies directly responsible for cultural policy, consider that the current de facto definition of culture i.e. what it covers, what they are responsible for in policy terms, and what they do, is appropriate to a large modernizing European country in the 21st century given current European trends and practice. We recommend that this issue is examined and widely and publicly debated.
3. The current remit of the Ministry of Culture, especially if one looks at current practice in many other European countries, looks too narrow. We feel there is a need to re-examine the strategic purpose and remit of the Ministry of Culture and the other state and government bodies responsible for culture. It

is our view that their strategic purpose and remit need to be debated widely and changed if the Ministry and the other official bodies are to have appropriate future relevance and influence in a modernising Ukraine particularly amongst the younger generations of cultural practitioners and professionals.

4. Flowing from the two recommendations above and following certain European trends, we believe there is a need for the Ministry of Culture and other state and government bodies responsible for culture to focus their responsibilities on the environment for culture in its wider definition rather than manage directly 'culture' in its narrow definition. This would complete a half-finished process of 'deconstruction' of Soviet-style official state culture. Such a change of strategic purpose can be succinctly expressed in English as a move from being a Ministry **of** Culture to being a Ministry **for** Culture i.e. the function of the Ministry is creating the climate, environment and conditions in which culture can survive and flourish, not directly creating or managing culture or cultural activities as such.
5. If it is felt that the current definition of culture, and by extension the remit of the official bodies responsible for culture, is appropriate to Ukraine now and for the foreseeable future, are those official cultural bodies confident that some part of the state apparatus or managed area of the economy is facilitating and nurturing new forms of social, creative and economic activity which have a cultural base or cultural dimension such as the newer creative industries? Is the climate actively being created for culture, creativity, innovation and entrepreneurial initiative to flourish and for the knowledge economy to emerge?
6. If it is decided to re-examine the remit and strategic purpose of the Ministry, there will then need to be serious and wide detailed discussion and debate on the main everyday functions the Ministry should fulfil and be publicly emphasising. We suggest these should include leading discussion and policy development related to the wider definition of culture; consultation; commissioning market and other forms of research; promoting pilot projects and new models; ensuring the flow of information relevant to the sector and to individual cultural and arts organisations and practitioners; encouraging networking; advocacy; promoting private and other forms of sponsorship and participation; providing non-financial support, as defined and demanded by the users and so on. The Ministry should position itself so as not to be seen as the supplier of money, the micro-manager of today's detail and responsible for everyone's problems as this gets in the way of it focussing on the important job of a modern European Ministry of Culture which is creating a positive environment for culture and orchestrating tomorrow's development strategy. The Ministry of Culture in order to fulfil its role in a 21st century European country needs (a) to be strategically relevant (b) to meet and manage new perceptions and expectations (c) to fulfil a role other than that of being a post-Soviet 'funding and patronage body'. The Ministry of Culture should avoid being seen as, or at least play down its role as, a 'funding body' because the harsh economic realities of transition will never give it the budgets to be able to satisfy expectations in this area.
7. There is limited familiarity and understanding in Ukraine of the current concepts and language shaping cultural policy at European level and in

individual European countries³⁶. It was rare for us to hear mentioned in Ukraine concepts and words like 'audience development', 'cultural markets', 'public-private partnerships', 'performance indicators', 'human resources development', 'participation', 'cultural consumption', 'investment', 'social contracting', 'market research', 'pilot projects', 'empowerment' and so on. In terms of policy-making and strategic cultural management there is a need to develop a new generation of cultural managers who conceptually and practically can provide future leadership.

8. There is a need to strengthen the analytical environment in the cultural sector as it appears to be relatively undeveloped in terms of policy formulation and cultural practice. There is also a need to knit together more vigorously national policies for culture with the existing and decentralized regional and local cultural strategies.
9. Cultural provision and policy based on acceptance of cultural diversity is essential. There is a need to recognise that the strength of modern Ukrainian identity itself will very much depend on acceptance of cultural diversity as Ukraine becomes a place where individual choice and preference and the phenomenon of 'multiple identities' (particularly amongst the urbanized young) will increasingly become a fact of life.
10. New approaches to the funding of culture, in particular pluralistic approaches and new mechanisms, need to be facilitated in pragmatic ways and at an official and national level.
11. The creation of an environment in which private sector support and sponsorship can be harnessed effectively is essential. There is a need to tap proactively and manage through clear policy and transparent relationships the enormous positive potential of private money and sponsorship especially in the east of Ukraine and in Kyiv. There is a need for the establishment of formalized arrangements to ensure that such funding is transparent, benign and supportive to policy with an agreed methodology and set of procedures both to stimulate private investment and sponsorship and to regulate how it is received so that it does not lead to distortion of projects or of policy. This is a potential danger in places like Donetsk oblast where 55-60% of the budget for programmes and major projects is reliant on private money.
12. In the cultural sector of modernising European countries there are large numbers and different types of relationships including those between the state and the private sector, between the state and the 'third sector', between the different layers of government and at local level amongst many players. There is a need in Ukraine to encourage new, formalised, transparent, standardised, mechanisms for such relationships. This should be a key part of national cultural policy. We believe the 'Compact' concept may be worth exploring in Ukraine in this context.
13. Whether or not the recommendation that the 'Compact' concept is explored and if it is, whether or not it proves relevant, there is a need to 'modernise' relationships in the cultural sector through a range of measures including the

³⁶ It is the personal view of the writer of this report that Kyiv's failed bid last year in the 'European Capital of Culture 2010' competition was directly attributable to this. It was not Kyiv's cultural strengths and capacities that lost the day but that they were not presented sufficiently strongly or conceptually in contemporary European cultural policy terms.

introduction of real performance measures and indicators (i.e. not simply old Soviet-style state accounting practices) and making resource allocation, tendering processes and other forms of state and local government support fairer, more accountable, more flexible and more transparent. This is another area where an examination of practices elsewhere in Europe could be usefully and practically researched to see if any could be appropriate and helpful in a future Ukrainian context.

14. A big gap exists between 'official' culture and independent culture. The importance of the development of the latter needs to be recognized and supported while continuing deconstruction and redefinition of the former is still needed.
15. There has been lack of political commitment to, and ambiguity about, NGOs. At present their role in national cultural policy is unclear. The NGO sector in Ukraine is still weak and there are problems associated with this but the trend in Europe is for the 'third sector' increasingly to deliver what was previously delivered directly by government and the state. No structure of partnership with the NGO sector has been created in Ukraine and direct financing of NGOs by the state has not happened because of rigid regulations as much as because of lack of funding.
16. Consultation of all types needs to be strengthened whether in terms of audience and market development and similar research or encouraging inclusive debate and open communication. There needs to be a radical move from supply-driven, top-down policy and management to policy development based on proper research of demand and a culture of consultation. This should be combined with leadership which can defend and stimulate creativity and innovation, quality and appropriateness, promote longer-term agendas and protect when appropriate long-term interests.
17. As part of a wider transition process, Ukraine is in general currently suffering from a syndrome of 'semi-reforms' and 'half-changes'. These 'semi-reforms' and 'half-changes' may have served the country well for moving from the past. In the cultural sector, they are now serious obstacles to addressing current and future needs and need to be tackled systematically and nationally. At a more detailed level, past practices and ways of working relevant to a 'command economy' often still remain and dominate yet the context and needs of Ukraine have changed radically. There is evidence that the 'worst of the old' is getting in the way of the 'best of the new' with as a consequence unmeasured opportunity costs and mounting professional frustration especially on the part of the younger generations (i.e. those born in the 1970s and subsequently). Again the time is now ripe to tackle such issues systematically.
18. On their side, the cultural sector i.e. cultural practitioners from the state, independent and private streams, especially the younger generation practitioners, need to engage proactively in a new relationship or 'compact' with the Ministry of Culture and other state bodies to address systematically the problems of completing reforms and changes related to the cultural sector and 'clearing the shelves' of inappropriate, out-of-date practices.
19. A key missing element that has held back positive change and progress has probably been the lack of demonstrable and sponsored experiments, small-scale projects and models which could be used to develop modern practices

- appropriate to Ukraine's present and future needs. Such experiments, small-scale projects and models require active official support or recognition if they are going to be effectively promoted and eventually be absorbed by the 'system'.
20. Legislation is not an end in itself but a means to an end. There should be a more pragmatic approach in the cultural sector to avoid wasting time and raising expectations with legislation which cannot be implemented or will not be implemented.
 21. There is a need to establish a penetrative system of recognised information channels, regular briefings and in some cases training, for cultural practitioners and those implementing or affected by new legislation.
 22. At the very least, a comprehensive list of current cultural legislation should be posted on the Ministry website with a short summary of the key points and the practical implications of each of these laws.
 23. A mechanism should be set up whereby the Ministry of Culture and the Verkhovna Rada agree that where legislation is simply not working, for whatever reason, a list of priorities for action be negotiated. The Ministry should then be empowered politically and financially to identify and research the problems and produce recommendations and proposed solutions for the Verkhovna Rada Committee's consideration and action.
 24. The Ministry of Culture (ideally jointly with the Verkhovna Rada Committee on Culture) should launch a serious and practical consultation process, including commissioning professional research, to identify the key areas and the main issues currently impacting negatively on culture and the cultural sector from existing and proposed future legislation.
 25. Greater attention and priority should be given to the fact that legislation not specifically related to the cultural sector can have as big an impact on culture and the cultural sector as cultural legislation itself and can sometimes be unintentionally negative.
 26. In recognising the importance of this, the Ministry and the other state and government organs responsible for culture should ensure that they have in place effective and recognised consultation and modern advocacy mechanisms to be able to provide a strong contribution to such non-cultural legislation when it is at the formative discussion and drafting stage. To facilitate this, and more generally to improve its impact, the Ministry should promote the practice of advocacy, and should investigate the concept, role and models for advocacy in the cultural sector in other European countries to see if there is anything that might be usefully and practically applied in Ukraine.
 27. Given the shortage of funding available to the Ministry, the key to tackling the crisis of cultural provision in rural areas probably lies in redefining and 'repositioning' the problem from being a 'cultural' one to being one that should be on a social inclusion/community development agenda and draw on those budgets. In general the adoption of the 'culture and....' approach to culture and cultural policy is directly relevant here and also where modern advocacy methods could be crucial especially in attracting international investment or funding.

28. Europe's global competitiveness depends on its ability to develop the knowledge economy, harness innovation, nurture creative industries and create and protect intellectual property. In policy and practical terms, Ukraine needs to take action in order to be clearly positioned in relation to this. A coherent national Ukrainian policy in this area does not seem to be evident nor does the role the state organisations responsible for culture should play.
29. Ukraine is less plugged in to European cultural networks, debates, policy development and experience-sharing than it should be. Knowledge and awareness of Ukraine in the rest of Europe is still at a relatively low level. A fresh and more vigorous approach needs to be taken in Ukraine and in the rest of Europe to maximise opportunities and to increase the level of professional contact. Ukraine has a big and important role to play in Europe but to fulfill this potential it needs also to learn from 'old' Europe and from 'new' Europe (i.e. the transition countries). It also has an important regional role and similarly more attention should also be paid to developing and maximizing contacts and opportunities for engagement with the Black Sea neighbours and the Russian Federation.
30. In the context of the EU's new Neighbourhood Policy there is potential for new forms of cooperation and contacts in the area of promotion of culture. In relation to Ukraine, there could be a Council of Europe facilitating role related to this through direct cooperation with the European Commission and this should be explored.
31. Further Council of Europe-Ukraine cooperation, particularly through the development of the Kyiv Initiative, needs to be followed up.
32. This Council of Europe cultural policy review should be exploited fully and be proactively used to attract more European bilateral interest and attention in cooperation with Ukraine in the cultural sector. This should be encouraged to happen not just in a limited official way but by encouraging wider participation in the state/governmental, independent/NGO, private and local spheres.
33. The rest of Europe's engagement with Ukraine and Ukraine's engagement with the rest of Europe needs to be built on trust and patience. In terms of European cooperation, a language of goodwill exists. Ukraine's current cultural policy frame of reference means however that engagement requires special understanding on both sides particularly at the conceptual level where there are currently differences in particular between a focus on strategic development of culture (common in much of Europe) as opposed to concentration on the direct management of 'official' culture (the tradition hitherto in Ukraine).
34. Little mention has been made in this report about cultural infrastructure, a very important element of cultural development and change. There have been reasons for this. In the past fifteen years, often in 'survival mode', the main thrust of official cultural policy in Ukraine has been maintaining the cultural infrastructure in very adverse circumstances. The time is perhaps now right to begin to see cultural infrastructure in a different way. This will happen only after other changes, such as some of those suggested above, have taken place. If cultural policy is seen as part of wider modernization and culture itself is seen and treated as something dynamic, not simply as traditional and static, then a new approach to cultural infrastructure will evolve. Any new approach will need to take account of new technology and digitalization,

evolving patterns of cultural consumption and creation of the new not just the saving of the old.

35. There is much useful experience in many countries in Europe directly relevant to some of the challenges with which Ukraine is currently engaging or with which it should engage in the future. Targeted, problem-oriented research visits and study tours by relevant Ukrainians could be an appropriate and effective tool and should be encouraged.

Appendix 1 - People Met and Consulted

KYIV (16 JAN 2007)

1. BOHUTSKYI Yuriy (Minister of Culture and Tourism of Ukraine)
2. KOKHAN Tymofiy (Deputy Minister of Culture and Tourism of Ukraine)
3. PAVLYSH Svitlana (Chief Specialist, Department of International Relations, Ministry of Culture and Tourism)
4. BUTSENKO Oleksandr (Director, Center "Democracy through Culture")
5. GRYTSENKO Oleksandr (Director, Ukrainian Center of Cultural Researches)
6. SOLOVYANENKO Anatoliy (Opera and Ballet Theatre)

KYIV (17 JAN 2007)

7. PROSKURNIA Serhiy (Representative of National Council on Culture and Spirituality under the President of Ukraine)
8. CHMIL' Hanna (Head of the State Service of Cinematography, Ministry of Culture and Tourism of Ukraine)
9. OLIYNYK Borys (famous Ukrainian writer)
10. KUCHERUK Mykola (Head of the State Service on National Cultural Heritage, Ministry of Culture and Tourism of Ukraine)

SLOVYANSK, Lavra (18 JAN 2007)

11. HIERKO Tetyana (Deputy Head of City Council of Slovyansk city)
12. MATVIYENKO Nataliya (Specialist of the Division of Culture and Tourism, Svyatogorsk city authorities)
13. KIYASHKO Vitaliy (Chief Architect of the Slovyansk city)
14. Representatives of the ceramists association (names unknown) with their projects
15. SHAMRAY Anatoliy with project "Fortress TOR"

16. DIEDOV Volodymyr (Director of the Conservancy Area Svyato Uspenska Lavra)

DONETSK (19 JAN 2007)

Donetsk Regional State Administration

17. PTASHKA Mykola (Head of the Department of Culture and Tourism, Donetsk Regional State Administration)
18. ZHELIKOV Myhaylo (Head of the Division of Cultural and Recreative Activities, Department of Culture and Tourism, Donetsk Regional State Administration)
19. VITRIAYEVA Olena (Deputy Head of Donetsk Regional Council)

Donetsk Library (presentation of regional programmes):

20. SHYNKARENKO Nataliya (Deputy Head of the Department of Culture and Tourism, Donetsk Regional State Administration)
21. LUNIOV Serhiy (Deputy Head of the Department of Culture and Tourism, Donetsk Regional State Administration)
22. TUKOVA Tetyana (Professor of the S. Prokofiev State Musical Academy of Donetsk, Head of the "First Bach Ukrainian Association")
23. BASHUN Olena (Vice-Director of the Krupskaya Regional Universal Scientific Library of Donetsk)
24. LADYGINA Halyna (Director of Regional Scientific and Methodical Center)
25. KOROTYCH Ihor (Deputy Head of Regional Public Youth Organization "Young Deputies Association in Ukraine")
26. IZHBOLDINA Nadiya (Deputy Head of the Department of Culture and Tourism, Donetsk Regional State Administration)

Donetsk Museum of Arts

27. CHUMAK Halyna (Director, Museum of Arts)

Donetsk Academical Ukrainian Music and Drama Theatre

28. VOLKOVA Nataliya (Vice-Director of the Theater on Public Relations)
29. L'INYKH Sauliye (Center "Democracy through Culture")

Appendix 2 – Law of Ukraine on the Concept of State Policy in the Field of Culture for 2005-2007

(Vidomosti of the Verkhovna Rada of Ukraine, 2005, #16, page 264)

The Verkhovna Rada of Ukraine has resolved:

1. To approve the attached Concept of State Policy in the Field of Culture for 2005-2007.

2. To recommend the Cabinet of Ministers of Ukraine:

to develop and approve, before 1 July 2006, state social standards of rendering services to the population in the field of culture, guaranteed by the state (a list and scope of services, procedure of their providing, indicators of performance and quality of services), as well as the methodology for determining the amount of financial support of state social standards of rendering services to the population in the field of culture, guaranteed by the state, per capita;

to develop and submit for consideration of the Verkhovna Rada of Ukraine, before 1 January 2006, a nationwide program of restoration, preservation and development of folk art crafts in Ukraine.

3. This Law shall enter into force on the date of its publishing.

V. Yuschenko,
President of Ukraine

Kyiv, 3 March 2003

No 2460-IV

Approved by the Law of
Ukraine dated 3 March
2005

No 2460-IV

Concept of State Policy in the Field of Culture for 2005-2007

1. General provisions

The Concept of State Policy in the Field of Culture for 2005-2007, hereinafter referred to as the Concept, analyses the current state of culture in Ukraine, determines goals, priority tasks and principles of state policy in the field of culture for 2005-2007, as well as strategic directions, mechanisms of their implementation and expected results.

The main goal of the implementation of the Concept should be the establishment of cultural development among key factors of the socioeconomic development of Ukraine and its regions.

The implementation of state policy in the field of culture for 2005-2007 provides for approval of a long-term program of Ukraine's cultural development.

The long-term program of Ukraine's cultural development has to be closely tied with the context of world understanding of culture's role and mission in the 21st century, in particular, proceed from understanding that:

Sustainable development and development of culture are interconnected processes;

The main goal of humankind's development is the social and cultural self-realization of individual;

The access to cultural values and participation in cultural life are fundamental human rights.

2. Current state of culture in Ukraine

The current state of development of Ukrainian culture and spirituality is characterized by washing out and gradual marginalization of cultural and spiritual values in social life, destruction of an integral network of institutions, companies, organizations and establishments of culture, destruction of integral informational/cultural space, inefficient use of available cultural and creative resources.

During the last decade, culture in Ukraine not only lost its relevant position among the priorities of state policy, but also found itself on the outskirts of state interests. As a result, there is a growing gap between the so-called official culture, funded by the budget, and independent cultural activity oriented at modern needs; the problem of inadequate funding of the field of culture has become chronic; the economic structure of cultural expenditures of local budgets has worsened considerably; various cultural events have failed to compose a single program of consistent cultural development.

In order to overcome systematic negative phenomena in the field of culture, it is necessary to solve the following problems:

1. "the leftover principle" of attitudes towards culture of the society and state policy;
2. lack of single information/culture space and a network of partner ties at vertical and horizontal levels;
3. absence of mid- and long-term programs of cultural development;
4. absence of state social standards of rendering services to the population in the field of culture, guaranteed by the state;
5. inexperience of personnel in economic relations of market economy;
6. social vulnerability of culture workers;
7. insufficient participation of Ukraine in European and global cultural processes.

The current state of culture in Ukraine requires new policy approaches, programs and mechanisms of their implementation.

3. Goals and priority tasks of state policy in the field of culture

The Concept identifies the following goals and priority tasks of state policy in the field of culture for 2005-2007:

1. establishment of cultural development of Ukraine and its regions among priority areas of activity of public authorities and local self-governments;
2. development and approval of a long-term program of Ukraine's cultural development, as well as the promotion of development of mid-term regional programs of cultural development;
3. change of methods of management of culture, in particular, retargeting public authorities and local self-governments from performance of certain functions to achievement of set goals, and involvement of public to the processes of management and control in the field of culture.
4. creation of an efficient model of financial and logistical support of cultural development;
5. development, approval and introduction of state social standards of rendering services to the population in the field of culture, guaranteed by the state (a list and scope of services, procedure of their providing, indicators of performance and quality of services), as well as the methodology for determining the amount of financial support of state social standards of rendering services to the population in the field of culture, guaranteed by the state, per capita;
6. introduction of adjustment coefficients of financial norms of budget funding of spending of local budgets on culture and arts, calculated on the basis of number of cultural heritage sites and items of principal funds of museums protected using local budget funding;

7. implementation of a complex of educational, cultural/artistic programs and projects for kids and adults;
8. support and development of rural culture;
9. formation of an integral informational/cultural space of Ukraine, in particular, through stock-taking of cultural resources, creation of a map of cultural resources, creation of a relevant analytical databases, publishing of informational booklets, as well as the creation of Culture TV channel;
10. participation of Ukraine in international cultural projects, implementation of a complex of informational/cultural measures to bring Ukraine's cultural values to the attention of world community.

4. Principles of state policy in the field of culture

The implementation of the Concept should create preconditions for formation of a system of principles of state policy in the field of culture meeting global and European grounds of a modern cultural policy.

State policy in the field of culture is based on the following principles:

1) principle of transparency and publicity:

state policy in the field of culture is conducted publicly; relevant decisions and draft decisions of public authorities and local self-governments are promulgated through mass media;

Ukrainian nationals, foreigners and stateless persons have the right to complete, timely and unbiased information on decisions and draft decisions of public authorities and local self-governments in the field of culture and arts;

2) principle of democracy:

participation, by all subjects of activity in the field of culture, in the development, implementation and control of state policy in the field of culture;

independent expert groups, upon initiative of civic associations, public authorities and local self-governments, using own funds or pro bono, may perform public expertise of decisions and draft decisions in the field of culture and arts. The conclusions of such experts may be taken into account by public authorities and local self-governments in the course of implementation of state policy in the field of culture;

3) principle of de-ideologization and tolerance:

state policy in the field of culture is formed on pluralistic ideological grounds, reflecting universal social values consolidated by the Constitution of Ukraine;

discrimination on the grounds of race, color of skin, political, religious and other beliefs, gender, ethnic and social origin, property status, residence, language or other grounds, is inadmissible;

conditions for free development of cultural traditions and values of all ethnic minorities are ensured in the territory of Ukraine;

4) principle of systemacity and efficiency:

state policy in the field of culture is an inalienable component of the universal state policy aimed at ensuring Ukraine's sustainable development;

state policy in the field of culture is based on the profound factor-analysis of problems of the sphere, and on the resource-based method of planning of a complex of such instruments, mechanisms, programs and measures, which enable timely and efficient settlement of certain problems in the sphere of culture and arts;

state support in the sphere of culture is aimed at the achievement of such a model of cultural development, which would enable self-replication and consistent development of culture in Ukraine;

5) principle of innovations:

subjects of implementation of state policy in the field of culture will facilitate the development, implementation and realization of new forms and methods of activity in the sphere of culture and arts;

cultural development is possible subject to formation of an integral consumer market of cultural/artistic services, providing for the creation of the institution of mediation between producers and consumers of cultural/artistic products.

5. Strategic directions and mechanisms of implementation of state policy in the field of culture for 2005-2007

The following directions should be used to achieve the goals and tasks of state policy in the field of culture set by the Concept:

1. management – implementation of program/goal method of management, and of principles of transparency, publicity, systemacity, efficiency and innovativeness of state policy in the field of culture;
2. legislation – structural/legal reorganization of grounds and conditions of activity in the sphere of culture and arts, creation of proper normative/legal base for the development of culture in Ukraine;
3. funding – creation of an efficient model of financial and logistical support of cultural development;
4. information – formation of an integral informational/cultural space of Ukraine, global positioning of Ukrainian culture.

The reforms of current system of management of culture provide for retargeting of public authorities and local self-governments from performance of certain functions to achievement of set goals.

The goals of state policy in the field of culture are determined by a long-term program of Ukraine's cultural development, as well as by mid-term regional programs of cultural development.

The forecasting and programming of state policy in the field of cultural development of Ukraine, approval of relevant decisions of public authorities and local self-governments, as well as control of their implementation, will be

performed with involvement of all subjects of activity in the field of culture, using public expertise of such projects, programs and decisions.

The implementation of state policy in the field of culture is based on the establishment of cultural development of Ukraine and its regions among priority areas of activity of public authorities and local self-governments, and its establishment as an inalienable component of Ukraine's sustainable development. Therefore, interagency coordination is necessary to achieve goals of state policy in the field of culture.

The management in the field of culture and arts is based on scientific approaches. This includes application of profound factor-analysis of problems of the field of culture, and resource-based method of planning of a complex of such instruments, mechanisms, programs and measures, which are capable of solving them timely and efficiently.

The improvement of Ukraine's legislation in the sphere of culture and arts provides for normative/legal support of:

1. obtaining and realizing of non-profitability status by institutions, companies organizations and establishments of culture, in particular, through the adoption of a law on non-profit organization and amending the Law of Ukraine on Taxation of Corporate Income;
2. providing charity assistance, patron and sponsor funding, in particular, through amending the Law of Ukraine on Charity and Charity Organizations, and approving a law of patronage and sponsorship;
3. mechanism of budget subsidies of performance certain cultural/artistic projects by institutions, companies organizations and establishments of culture that have obtained charity assistance, patron and sponsor funding for the realization of such projects;
4. attraction of investments to realize programs of culture development in Ukraine and its regions;
5. introduction of state social standards of rendering services to the population in the field of culture, guaranteed by the state, and their financial support per capita;
6. use of adjustment coefficients of financial norms of budget funding of spending of local budgets on culture and arts, calculated on the basis of number of cultural heritage sites and items of principal funds of museums protected using local budget funding;
7. creation of the institution of mediation between producers and consumers of cultural/artistic products.

The improvement of normative/legal support of the field of culture and arts will take place taking into account global experience of its legal regulation.

The creation of an efficient model of financial and logistical support of cultural development includes:

1. gradual increase of the share of expenditures of the state and local budgets on programs in the field of culture and arts;

2. transition to program/goal method of formation and performance of budget expenditures in the sphere of culture and arts;
3. state support to attract charity assistance, patron and sponsor funding, using tax, customs and other forms of regulation, and through the creation of a system of state recognition, distinction and awarding of almsgivers, patrons and sponsors;
4. motivation of institutions, companies organizations and establishments of culture to attract charity assistance, patron and sponsor funding, through introduction of a system of budget subsidies of performance certain cultural/artistic projects by institutions, companies organizations and establishments of culture that have obtained charity assistance, patron and sponsor funding for the realization of such projects;
5. development of a mechanism of attraction of investments to realize programs of culture development in Ukraine and its regions, in particular, attraction of investments into protection of Ukraine's cultural heritage in order to obtain a share of profits (incomes) from subsequent use of the cultural heritage as a tourism object;

The funding of the field of tourism is based on the amount of financial support of state social standards of rendering services to the population in the field of culture, guaranteed by the state, per capita. It forms the basis of culture expenses of the state and local budgets.

Development budgets of the field of culture, in terms of expenditures, comprise:

1. money for the implementation of innovative budget programs, performers of which will be determined on competitive basis only;
2. budget subsidies of performance certain cultural/artistic projects by institutions, companies organizations and establishments of culture that have obtained charity assistance, patron and sponsor funding for the realization of such projects;
3. local budget funding determined on the basis of adjustment coefficients of financial norms of budget funding of spending of local budgets on culture and arts, calculated on the basis of number of cultural heritage sites and items of principal funds of museums protected using local budget funding.

The state policy of realization of an integral Ukrainian-language informational/cultural space, and positioning of Ukrainian culture, provides for the following measures:

1. realization of educational/culturology and educational/tourism programs for kids and youth;
2. creation of Culture TV channel and a network of information/cultural centers, including those abroad;
3. realization of targeted state programs on preparation, production and dissemination of printed, electronic and audiovisual information on Ukraine's cultural values in Ukrainian and foreign languages;

4. Ukraine's participation in international cultural projects, activation of cultural/informational exchange with European and world countries.

6. Expected results

The implementation of the Concept aims at the following results:

increasing the role of culture in the context of sustainable development of Ukraine and its regions;

change of methods of management of culture, in particular, retargeting public authorities and local self-governments from performance of certain functions to achievement of set goals, and involvement of public to the processes of management and control in the field of culture;

creation of an efficient model of financial and logistical support of cultural development, using funding from the state and local budgets, charity assistance, sponsor and patron funding;

gradual formation of consumer market of cultural/artistic services;

creation of an integral informational/cultural space of Ukraine;

activation of Ukraine's participation in international cultural projects, and cultural/informational exchange with countries of Europe and the world.

Appendix 3 – Kyiv Initiative



Ministry of Culture and
Religious Affairs of Romania



12 September 2006
DGIV/CULT/KI(2006)2

MINISTERIAL CONFERENCE TO LAUNCH THE KYIV INITIATIVE REGIONAL PROGRAMME

CONFERINȚA MINISTERIALĂ DE LANSARE A PROGRAMULUI REGIONAL “INIȚIATIVA DE LA KIEV”

Bucharest, Romania
15 December 2006

București, România
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BACKGROUND PAPER

Document established by the Directorate of Culture
and Cultural and Natural Heritage

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1. From STAGE to the Kyiv Initiative: introductory notes

1.1. Genesis of the project

The Kyiv Initiative (KI) for democratic development through culture in Armenia, Azerbaijan, Georgia, Moldova and Ukraine was initiated in September 2005 during the 5th (enlarged) Ministerial Colloquy of the countries participating in the STAGE (Support for Transition in the Arts and Culture in Greater Europe) Project³⁷, as a means to assist countries in addressing the challenges of post-Soviet transition.

In response to this Initiative and the recommendations stemming from the STAGE project, the Secretariat of the Council of Europe has, jointly with participating countries, identified the objectives and defined the conditions for their realisation. An operational framework of the Kyiv Initiative has been elaborated as outlined in the Strategic Framework (reference KI(2006)3) which builds upon the methods and experiences of already implemented or ongoing regional co-operation programmes of the Council of Europe in the countries concerned, in particular the STAGE Project, the "Regional Programme for Cultural and Natural Heritage" for the South Caucasus region and the "Creating Cultural Capital" Project (see point 2.1.3).

1.2. Preliminary consultations and initial implementation in 2006

Following the GR-C meeting of 19 January 2006 and previous decisions by the Committee of Ministers related to the Kyiv Initiative and favorably welcoming its initiation, the first consultative meeting was held in Strasbourg on 30-31 January 2006 with representatives of the Steering Committees for Culture and Cultural Heritage (CDCULT and CDPAT) from the five participating countries. The meeting provided an opportunity for the countries to present their positions and expectations³⁸, to exchange views on recent developments and to define objectives, implementation methods and prepare an action plan for the Kyiv Initiative.

The Secretariat presented a draft road map at the GR-C meeting of 7 March 2006³⁹ outlining the general project objectives, key principles, preliminary working themes and a draft implementation plan completed by a list of activities that could already be carried out in 2006.

The conceptual and practical definition and framework of the KI were further discussed and refined at the GR-C meetings of 20 April and 4 May 2006⁴⁰ (during which a road map for immediate actions was proposed), as well as during the CDCULT and CDPAT Plenary Sessions (26-28 April and 10-12 May 2006 respectively), during which decisions for further action were adopted by the delegates⁴¹. Moreover, detailed proposals were received from Azerbaijan and Ukraine⁴².

³⁷ See reference 3 (Appendix).

³⁸ See references 7-11 (Appendix).

³⁹ See reference 14 (Appendix).

⁴⁰ See reference 16 (Appendix).

⁴¹ See references 15, 17, 19 (Appendix).

⁴² See references 11-12, 18 (Appendix).

Finally, at the GR-C meeting on 15 June 2006⁴³, all of the above was examined, and the Secretariat was requested to prepare for the GR-C meeting of 12 September a comprehensive document presenting the rationale, objectives, principles, implementation framework, and budget, as well as an action plan for 2006 – 2009. The consolidated documents were prepared during the summer. Furthermore, an exploratory field mission was organized to Armenia on 5-10 August 2006, and some are planned to the other participating countries. A consultative meeting with the representatives of the five countries was held on 31 August 2006 which helped to finalise the documents and decisions to be presented to the GR-C.

During this whole period, the strategic framework and the action plan of the Kyiv Initiative were progressively refined to present an innovative, dynamic, transversal regional co-operation project.

2. Council of Europe activities in the Kyiv Initiative region

The Kyiv Initiative reflects a modern understanding of culture, heritage, environment protection and urban planning as interconnected components of a comprehensive policy for sustainable community development. Such development requires adequate policy goals (many of which derive from Council of Europe conventions and other standards in the fields of heritage, environment and spatial planning) and public authorities capable of delivering such goals, but also support and participation by civil society at every step – from conception to implementation.

Such a multi-dimensional, participatory approach is essential for building a politically, economically, culturally and socially stable and cohesive society in this region, whose complex historical and cultural background must be taken into account. In addition, through its dimension of regional co-operation, the Kyiv Initiative is expected to contribute to a better understanding between the countries of the region.

2.1. DG IV activities in the region which are part of other programmes but contribute to the Kyiv Initiative

The Kyiv Initiative does not grow on an empty spot. It integrates on-going activities of the Council of Europe in the region and the results of already completed projects. The Kyiv Initiative will help to link together these different activities on the ground into a coherent strategy for the management of culture and heritage in modern society. The main components of the Kyiv Initiative which are part of other programmes are outlined below.

2.1.1. STAGE Project

The STAGE Project (2001-2005) addressed the three South Caucasus countries (**Armenia, Azerbaijan and Georgia**) in a context of reconciliation and democratic transition. It aimed to devise and implement cultural policies and legal reforms, to conduct studies on components of the cultural sector and to develop common cultural projects and exchanges.⁴⁴

⁴³ See references 20-21 (Appendix).

⁴⁴ The project was set up and implemented with the assistance of the following observer and donor countries: Austria, Germany, Greece, Russian Federation, Switzerland, Turkey and Ukraine.

The STAGE Project was a success in the development of new and dynamic cultural policies in the South Caucasus region, in its groundbreaking work in the development of new partnerships and mechanisms in culture and in the reinforcement of cultural exchanges between the South Caucasus countries among themselves and with other European countries, contributing thus to the principles of cultural diversity, intercultural dialogue and sustainable development, fostering a more prosperous, tolerant and democratically stable Europe.

In their final evaluation of the STAGE Project and a reflection on possible future priority areas for its follow-up⁴⁵, participating countries have stressed the importance of local regional planning, cultural tourism development, cultural industries sector development, the use of new technologies in the cultural sphere and targeted training of cultural sector workers. These areas have also been identified as priorities in the Kyiv Initiative.

2.1.2. Cultural policy

The main objective of the Council of Europe's work in the field of cultural policy is to improve management, policy analyses and strategic planning in the sphere of culture. In the framework of the **National Cultural Policy Review programme**, national reports were elaborated in Armenia, Azerbaijan, Georgia and Moldova. A Ukrainian national report is being prepared in this context. The results of the **Transversal Study on Cultural Policy and Cultural Diversity** should be taken into consideration.

Four countries of the KI region (Azerbaijan, Georgia, Moldova and Ukraine) are also participants to the **Compendium of cultural policies and trends in Europe**, and the latest edition (7th) of the Compendium contains these countries' profiles which constitute an important resource for the cultural policy development strand of the Kyiv Initiative. Armenia has recently expressed her wish to participate to the Compendium.

In the context of the STAGE Project, several field-specific reports were elaborated by international experts for the three South-Caucasus countries: on books and publishing, on the state of the libraries, on strategic development of museums, on cultural training provision and needs, on proposals and elements for a cultural strategy. These reports will be useful reference for the Kyiv Initiative.

2.1.3. Creating Cultural Capital (CCC) Project⁴⁶

The **CCC project** promotes and facilitates the participation of local cultural communities in the management of culture (including arts and heritage, cultural industries, cultural tourism, festivals and creative events) and promotes the development of cultural markets.

In 2004-2005, fifteen towns in **Ukraine** were engaged in various aspects of the Project activity and all have engaged in cultural mapping in readiness for the setting-up of cultural development agencies. The Project has the support of the NGO

⁴⁵ See reference 4 (Appendix).

⁴⁶ See reference 6 (Appendix).

“Democracy through Culture” (IAC) and of the Verkhovna Rada of Ukraine. Recently, new towns expressed their interest in the Project, and a lead Cultural Agency is planned to be initiated in Kyiv.

In 2006, **Azerbaijan** joined the CCC Project Group with the view to implementing the CCC Project structures on their territory and participating in the pan-European cultural co-operation activities in the framework of the project. In **Armenia**, the CCC project is under discussion.

2.1.4. Cultural Heritage policy⁴⁷

Three countries of the Kyiv Initiative region, Armenia, Azerbaijan and Georgia, are involved in the **Regional Programme for Cultural and Natural Heritage in South Caucasus / Institutional Capacity Building and Management of Historic Cities**. The preparatory phase of the Regional Programme was launched in 2003. Pilot Projects are designed to last until the end of 2006 as final deadline.

In Armenia, the project entitled **Rehabilitation of architectural and natural heritage in the urban development policy / Armenia** has been carried out according to the Terms of Reference signed in Yerevan on 5 September 2003. The 2005 Action Plan (continued in 2006) was implemented through the three pilot cities: Ashtarak, Goris and Gyumri. The overall objective of the project is to define a national policy for urban management of historic cities, together with the appropriate revised legal and administrative framework. Within the framework of this project, an international workshop will be held in Armenia in October 2006. Armenian authorities grant high importance to the setting up of a national strategy on urban development.

The Azerbaijani authorities have so far not confirmed their participation in the Regional Programme following the proposals of the Council of Europe experts formulated after their mission to Azerbaijan in June 2004.

The co-operation within the framework of the **Rehabilitation policy for the Tbilisi old town with a view to sustainable economic and social development based on protection and promotion of the cultural and natural heritage / Georgia** has been reactivated in 2006, after two years of suspension. The actions have two main objectives:

1. reinforce institutional capacity of the Ministry of Culture through assistance to the institutional, legal and managerial reforms being carried out;
2. establish up a methodology necessary for the implementation of the urban rehabilitation project (pilot project) in the historic centre of Tbilisi.

⁴⁷ See reference 5 (Appendix).

2.1.5. Spatial planning and Landscape

European Landscape Convention (ELC). Three KI countries, Armenia, Azerbaijan and Moldova, have so far signed the ELC. Armenia and Moldova have also ratified it. Adopted in Florence (Italy) on 20 October 2000, the European Landscape Convention is aimed at promoting the protection, management and planning of European landscapes and organising European co-operation on landscape issues. It applies to the entire territory of the Parties and relates to natural, urban and peri-urban areas, whether on land, water or sea. The member states of the Council of Europe signatory to the European Landscape Convention declared their concern to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment. The cultural dimension is also of fundamental importance.

CEMAT (European Conference of Ministers responsible for Regional Planning). All of the five KI countries are engaged in the work carried out at the Council of Europe within CEMAT which contributes to developing the Council's role in the "new European architecture" created by the enlargement of the European Union and the continuation of its integration process, and to intensifying the organisation's common foreign and security policy. It enables transfrontier co-operation to be developed by placing the emphasis on the routine problems of border regions and the extension of the best relevant practices. It also helps to promote a comprehensive and coherent perception of the "common European heritage" concept, by presenting the cultural and natural heritage as means of fostering spatial planning and social ties and improving citizens' living environment.

2.1.6. Natural Heritage

The five countries of the Kyiv Initiative are engaged in the programme of activities for the conservation and management of natural resources by participating in two processes of international co-operation:

- the Pan-European Biological and Landscape Diversity Strategy (**PEBLDS**)
- the Convention on the Conservation of European Wildlife and Natural Habitats (**Bern Convention**). Three countries have already signed and ratified the Bern Convention (Azerbaijan, Moldova and Ukraine). Armenia and Georgia have signed it.

In particular, the countries of the Kyiv Initiative are participating in the setting-up of two ecological networks promoted by the Council of Europe to combine human needs and environment protection:

- the Pan-European Ecological Network, developed within the PEBLDS
- the Emerald Network of Areas of Special Conservation Interest, developed within the Bern Convention's activities.

2.2. DG IV programmes which also contribute to sustainable community development but are not part of the Kyiv Initiative

2.2.1. Education

All five countries have recently acceded to the **Bologna process**, focusing on reforms of qualifications and degrees systems, quality assurance and recognition of qualifications. The ministers of Education of the five KI countries are invited to the 22e session of the Standing Conference of European Ministers of Education, on 4-5 May 2007.

Launched in March 2000, the **Tbilisi initiative** focuses on history teaching in all the countries of the Caucasus and covers Russia's Caucasian republics, along with Armenia, Azerbaijan and Georgia.

The project **Reform of history teaching in Ukraine and South Caucasus** has been carried out within the framework of Intercultural Dialogue promoted by the Council of Europe. The Council of Europe has also worked with the Ministry of Education of Moldova on history teaching.

Armenia, Azerbaijan and Georgia are involved in the **Framework Programme of Co-operation (FPC)** in the field of education. The first was implemented in 2002-2004. The second, adopted for the years 2005-2006, is under way. The objective is to co-ordinate and focus the support of the Council of Europe in reforming legislation, policy and practice in the field of education.

2.2.2. Youth and Sport

The KI countries are involved in a number of programmes promoted by the Directorate of Youth and involving all member countries. Several specific projects have also been designed for these countries, at bilateral and regional level:

- youth building peace and intercultural dialogue (2004-2006) in the South Caucasus;
- youth promoting human rights and social cohesion (2006) in Azerbaijan;
- long-term training course on the role of young people and youth organisations in promoting youth participation in society (2006) in Moldova;
- regional Training Course on Human Rights Education (2003, 2004) in Moldova and Ukraine;
- a report on national youth policy is being prepared by Armenia.

In the area of sport, the Council of Europe is carrying out two programmes of assistance in the region:

- **SPRINT** (Sports Reform, Innovation and Training) aimed at supporting legislative reforms in the new member states, democratising the sports movement, promoting sport for all, enabling sports associations and clubs to adapt to modern requirements and developing the role of local authorities;

- pilot project **Ballons Rouges** (2004-2007) dealing with children and young people living in camps or other post-emergency situations, and aimed at alleviating the consequences of humanitarian disaster through sport.

2.3. Other sectors

All of the five countries of the KI region demonstrate strong commitment to common standards and values promoted by the Council of Europe, through their involvement in the Organisation's overall activities and co-operation programmes at bilateral and regional level.

Human rights and the rule of law constitute the core of the Council of Europe's co-operation with the KI countries. They have signed and ratified major conventions and protocols in the field of human rights and fundamental freedoms. The **European Charter for Regional or Minority Languages** has been signed and ratified by Armenia and Ukraine, signed by Azerbaijan and Moldova. All five have signed and ratified the **Framework Convention for the Protection of National Minorities**. As for the **European Social Charter**, Ukraine has signed it and all the other KI countries have signed and ratified. A large number of activities in these fields are carried out in the framework of Joint Programmes (JP)⁴⁸. Others are being implemented through Council of Europe projects.

⁴⁸ **Joint programmes (JP)** of the European Commission and the Council of Europe concern all countries of the region: Ukraine (since 1995), Moldova (since 1997), and the three Caucasian countries (since January 1999). Four of them are involved in the JP **Promoting the democratic process in Ukraine and South Caucasus**. A special JP **Moldova 2004-2006** is being implemented under co-ordination of the Directorate of Strategic Planning. Armenia, Georgia, Moldova and Ukraine participate in the JP **Network of schools of political studies**.

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Ministry of Culture and
Religious Affairs of Romania



12 September 2006
DGIV/CULT/KI(2006)3

**MINISTERIAL CONFERENCE TO LAUNCH
THE KYIV INITIATIVE REGIONAL PROGRAMME**

**CONFERINȚA MINISTERIALĂ DE LANSARE A
PROGRAMULUI REGIONAL “INIȚIATIVA DE LA
KIEV”**

Bucharest, Romania
România
15 December 2006

București,
15 decembrie 2006

STRATEGIC FRAMEWORK

Document established by the Directorate of Culture
and Cultural and Natural Heritage

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DESCRIPTION

1.1 Title: The Kyiv Initiative fostering democratic development through culture

1.2 Location: Armenia, Azerbaijan, Georgia, Moldova, Ukraine

1.3 Summary

Duration of the action	2006-2009
Mission of the action	Promote a democratic and participative society in an area of peace and prosperity, through integrated policies based on Council of Europe values.
Objectives of the action	Contribute to sustainable cultural, social and economic development through multilateral co-operation and a trans-sectoral approach in the management of culture and cultural heritage.
Partners	Council of Europe member states, international organisations, national, regional and local authorities, NGOs.
Target groups	Ministries of Culture, Urban Development, Economic Development and Commerce, Environment, Tourism, Youth and Education, local and municipal authorities, private sector operators in the fields of culture and tourism, local residents, professionals, stakeholders, NGOs and civil society groups involved with cultural, heritage and tourism activity.
Final beneficiaries	Ministries, institutions, professionals, civil society, private sector, citizens and cultural groups.
Expected results	Subsequent reforms in the field of culture and heritage legislation and development of adequate culture and heritage policies, new forms of trans-national and regional cultural exchange and co-operation, enhanced cultural, heritage and tourism project networks, support for specific projects that foster intercultural dialogue and cultural diversity.
Main activities	Institutional and professional capacity building, creation of partnerships and structures to promote sustainability, improvement of legal frameworks, implementation of pilot field projects, public awareness and cultural co-operation operations.

1.4 Objectives

Overall objectives

- Promote sustainable cultural, social and economic development through a trans-regional and trans-sectoral approach.
- Improve good governance through inter-ministerial synergies and strengthening the role of civil society.
- Build trust and confidence between the different regional communities leading to partnerships, co-operation and exchange.
- Consolidate the shared understanding of common cultural and heritage values as contribution to the reinforcement of existing regional co-operation.

Specific objectives:

- Promote joint efforts in order to implement Council of Europe instruments and standards relating to the cultural and heritage sectors.
- Provide assistance to individual participating countries to adapt their institutions, policies and legislation to a changing society and cultural environment.
- Enhance co-ordination and synergies between public institutions in order to ensure the transversality and sustainability of state policies.
- Redefine the relationships and the sharing of competencies between the different institutional levels, the private sector/industry and civil society in each participating country as part of the implementation of decentralisation policies.
- Set up sustainable administrative practices in order to ensure stability of the reforms.
- Implement pilot projects and actions promoting access, participation, co-operation, partnerships and dialogue.
- Improve managerial skills of governmental/municipal officials as well as professionals in the cultural and heritage sectors, in order to face challenges of the market economy in a changing international environment.

1.5 Rationale

The Kyiv Initiative is the expression of the five countries' common will to act together in order to foster mutual understanding, joint working practices, intercultural dialogue and cultural, social and economic sustainable development through the promotion and enhancement of their cultures and cultural environment.

The institutions in the Kyiv Initiative countries often lack appropriate financial resources, expertise and administrative tools to implement policies that can respond effectively to political, social and economic challenges. Many of the actions by public institutions remain compartmentalised. There is lack of sufficient co-ordination and synergy between different stakeholders at national and local levels which inhibits the development and implementation of transversal approaches that are necessary for the delivery of integrated sustainable policies. Moreover, professions related to culture and heritage, and specialised groups and NGOs may not be sufficiently taken into

account in the discussion and development of policies and so often do not contribute sufficiently to the definition and implementation of projects. Reinforcement of managerial capacities and skills of the relevant different actors is also a necessity to ensure sustained and effective outcomes.

The operational framework offered by the Council of Europe will help meet the countries' expectations in harmonising policies for alternative cultural and heritage development models. The approach is inspired by the considerable experience gained through previous bilateral and regional co-operations pursued and developed within an enlarged geographical area combined with more targeted pilot actions. The Kyiv Initiative, focusing on cultural and heritage development, gives concrete expression to the Council of Europe's international and national political objectives, and connects to its other ongoing programmes in associated fields (social cohesion, decentralisation and local government policies, education, youth etc.), in compliance with the Council of Europe's priorities.

The Council of Europe's contribution is implemented within a specific operational framework defined according to the Organisation's existing structures and mechanisms of cultural co-operation and the political commitment of the participating countries. The action is supported by political and professional networks constituted at local, regional, national and international levels.

1.6 Participants (target groups and final beneficiaries)

Governmental bodies are directly involved in the definition of activities and strategies for the implementation of the project objectives in each of the five countries of the region. Competent national, regional and local authorities propose themes and projects, which are discussed and evaluated.

As for the implementation of projects, a large spectrum of different cultural communities and local operators, including both private and public interests, is to be involved in accordance with their respective missions, responsibilities and available resources.

Involvement of civil society in different stages of project implementation is necessary, as citizens will be, together with the above actors, directly concerned by the outcomes of the implemented actions in terms of cultural, social and economic development, enhanced democratic participation and increased access to cultural exchange and mobility.

1.7 Structure of activities

A. Capacity building

- legal evaluation / reforms / assistance;
- administrative evaluation / reforms / assistance;
- governance / good practice development;
- management tools (inventories, documentation / information, co-ordination agencies / structures);

- professional training and development and enhanced educational opportunities;
- identification and promotion of good practice;
- professional exchanges (trans-national and international).

B. Pilot projects on transversal themes (such as cultural tourism, regional development, urban management/rehabilitation, arts practice) involving various actors of local communities throughout the process thus fostering democratic citizenship, dialogue and promotion of diversity.

C. Public awareness

- dissemination / awareness-raising activities / launches;
- festivals / exhibitions / public events;
- creation of internet sites / public campaigns;
- press and media activity.

Concrete projects within each component will be carried out throughout the three main phases of the programme implementation, depending on the results obtained at the end of each operational stage as assessed annually:

- April to October 2006: project definition, assessment of needs and official launching
- October 2006 to mid-2009: project implementation
- Second half of 2009: finalisation and assessment

1.8 Principles

The Council of Europe promotes a **multilateral co-operation**, as well as a **transversal and integrated approach** of sustainable development, especially at community level, which takes into account culture, cultural heritage, environment and nature conservation, regional planning, regional and local development, social policies and education and training. The working methods to be used in the co-operation schemes between decision-makers and professionals of the countries involved contribute to intercultural dialogue - together with a number of awareness-raising initiatives promoting the projects at international level.

The activities are **based on concrete actions**, and they are aimed at encouraging national authorities to commit themselves to **reinforcing national policies, improving institutional capacity and management tools, and developing partnerships**.

An essential requirement for the implementation of activities will be the existence of **dedicated structures** at the national, regional and local levels to ensure effective management and co-ordination.

A **rolling framework** of action (unilateral, bilateral and multilateral) will offer flexibility by taking into account changing contexts and specific demands of the participating countries. The balance of action may be evolving from uni/bi-lateral to multilateral knowledge transfer. The KI thus goes beyond traditional technical

assistance approaches with a focus on delivery in reply to individual assistance requests.

1.9 Methodology

Priorities of the action and intervention strategy are defined together with **national authorities**, with possible involvement of **non-governmental bodies and the private sector** for the implementation of each project.

In order to ensure a solid background for the implementation of the Council of Europe's integrated approach, activities will be focused at the earliest stages on reinforcing the relevant state bodies' action within their respective fields of competence and on setting up management and implementation structures. Progressively, synergies and converging activities might lead to development of national **inter-ministerial co-ordination mechanisms** enabling an integrated approach to objective setting, management, delivery and evaluation.

The structure of activities is based on **common themes of co-operation** which define the coherence of the whole process and respond to the project objectives. Actions are implemented bilaterally or multilaterally depending on cultural differences or specific needs of each country. They are complementary and can be activated simultaneously or consecutively by participating countries, according to the results evaluated after the completion of each stage of the process.

The innovative practices promoted, the testing of the institutional reforms proposed and of the applicability of the technical solutions identified, proceed through the implementation of **pilot projects**. They should trigger effects that encourage authorities and local partners to sustain the impact of the Action.

The detailed form and content of the programme's components will be presented and agreed within specific **Terms of Reference**. They include monitoring and evaluation mechanisms, which proceed through a year-based action plan and budget, as well as through reports by international experts and national networks at the end of each stage of the process. Progress Reports will be prepared by the National Programme Coordinators and Project Coordinators. The structure and responsibilities of the **management bodies** in charge of the project implementation in the KI countries will also be specified in the Terms of Reference.

2. EXPECTED RESULTS

2.1 Expected impact on target groups/beneficiaries

- Enhanced co-ordination between the national authorities of the participating countries ensuring the effectiveness and sustainability of regional co-operation.
- Effective co-ordination between the governmental bodies and other stakeholders (civil society organisations, private sector, professionals, and

cultural communities) within each country in the implementation of integrated policies aimed at sustainable social, cultural and economic development.

- Better definition of shared competencies in the field of culture and heritage between different levels of public institutions within each participating country.
- Implementation of specific training programmes aimed at improving the managerial skills of public decision-makers as well as professionals.
- Involvement of professionals and the local community in the definition and implementation of projects, in a spirit of active citizenship and democratic participation, access and transparency.

2.2 Concrete outputs

- Revised and completed legal framework of each country, respecting the Council of Europe standards and ensuring the effective implementation of public policies in the fields of culture and heritage.
- Sustainable co-ordination structures set up at national and local levels capable of ensuring the durability of transversal projects beyond the KI timeframe.
- Strategies defined for financing projects and cultural and heritage development.
- A methodology established for the identification and elaboration of cross-border pilot projects and their implementation in specific fields (for example, cultural tourism and cinema policy).
- New public, professional and cultural networks developed and existing ones reinforced.
- Manuals of good practices and teaching materials related to major topics of co-operation (tourism, cinema, museums) available.
- New cultural routes and tourism projects set up.
- Contribution to the training of professionals in different sectors of culture.

2.3 Multiplier effects

- Implementation of the experiences gained through the pilot projects on a larger scale (in terms of number of target groups and beneficiaries, geographical area, sectors concerned etc.).
- Enhanced effectiveness of public institutions' and other stakeholders' action by means of an integrated approach towards the objectives of sustainable development, fostering the synergies and coherence between different actors' involvement.

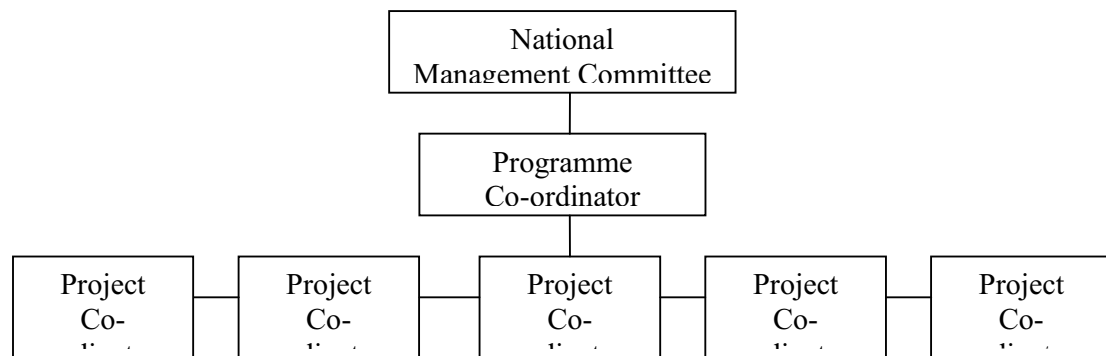
3. CONDITIONS OF IMPLEMENTATION

3.1 Management bodies in the participating countries

The implementation of integrated policies in the participating countries is based on an appropriate and flexible institutional framework, capable of ensuring the effective co-ordination and coherence between different stakeholders and their initiatives. Co-ordination and management bodies at national, regional and/or local levels (professional and political networks) should progressively be defined and

implemented through annual action plans. The networks should constitute the basic condition for implementation of action and re-ensure national and international partners on the feasibility and sustainability of the process. At an initial stage, to conduct necessary capacity-building action, the following structure (see Figure 1) may be implemented progressively taking into account the evolution of the KI process and the specific needs of each country. It will enable the setting-up of a multidisciplinary and cross-sectoral integrated approach for sustainable regional cultural and heritage development of the area.

- A **National Management Committee** (NMC): a governmental structure set up within the appropriate institution, to be identified by each country, to improve co-operation and synergy with the different government sectors to be involved in projects (This might include: Ministries of Culture, Tourism, Foreign Affairs, Regional Development, Urban Management, Industry, Economy, and nationally recognised institutions/agencies). This committee offers a forum for dialogue between the various partners involved and pays particular attention to compliance with national considerations, while providing an interface between local and national responsibilities. The IMC should act as a consultative body to adopt the annual work programme and its budget, monitor the implementation of the Strategic Framework and assess the outcomes of the programme. The NMC should appoint a Programme Co-ordinator to manage the KI activities.
- One **Programme Co-ordinator** in each participating country co-ordinates the KI activities. The national programme co-ordinator should have strong co-ordination and overall management skills. He/she:
 - appoints Project Co-ordinators in agreement with the IMC;
 - co-ordinates the implementation of different field projects in contact with the project co-ordinators;
 - acts as a liaison officer between national partners and between national and international partners as well as participating in consultation meetings with the Council of Europe Secretariat;
 - finds external resources and partners necessary for the implementation of the work programme;
 - prepares reports on the progress of activities for IMC and the Council of Europe.
- **Project co-ordinators** are appointed for every field project in relation to the adopted Plan of Action in each participating country. Each Project Co-ordinator should have project management and specialist skills appropriate to the project being managed. He/she:
 - assures the management and the implementation of the field project;
 - establishes contacts with local authorities, stakeholders, private sectors and NGOs;
 - finds external resources and partners necessary for the implementation of the project;
 - participates in meetings organised by the IMC and the Council of Europe;
 - prepares reports on the progress of activities for the Programme Co-ordinator.

Figure 1

3.2 Contribution of the Council of Europe

The operational framework proposed by the Council of Europe ensures the conditions necessary for the feasibility of projects for the three-year term with a view to achieving sustainable impact of the implemented co-operation.

The Council of Europe Secretariat co-ordinates the KI process. It ensures the coherence with its basic principles and with other existing Council of Europe initiatives. It prepares and adopts the Strategic Framework and the Action Plan in consultation with the KI countries. It contributes to building up synergies with other international organisations and partners, and supervises the external monitoring process. Its main contribution is to help develop appropriate political and operational international networks to meet the expectations that are agreed jointly by the participating countries, based on:

- international and national political recognition of the Council of Europe;
- co-operation experience in local and regional development projects and knowledge of the countries' needs and expectations with a view to promoting the Organisation's values, principles and standards;
- positive assessment by KI countries of its political role and operational capacity in supporting democratic institutions and rule of law in those countries;
- multilateral co-operation framework backed by intergovernmental structures/Steering Committees and permanent multilateral co-operation programme;
- capacity of mobilising donor countries/organisations in favour of the programme;
- all-European and high-level expert network ;
- extensive co-operation experience and promotion of a specific approach to local development;
- innovative capacity-building experience through pilot projects in various sectors;
- results of works related to the analyses of cultural policies and the COMPENDIUM, working instrument facilitating the dissemination of good practices and methods of good governance;

- setting up of a coherent monitoring mechanism for the Council of Europe conventions and recommendations related to the cultural heritage through the use of the HEREIN information system;
- examples provided for the setting up of cultural development agencies.

3.3 Financial Strategy

It is expected that participating countries of the Kyiv Initiative will contribute to activities by direct funding or by contributions in kind, according to joint priorities adopted as part of the annual action plans (organisation of seminars and conferences, meeting venue and facilities, staff secondments, etc.).

Moreover, participating countries should contribute to strengthening collaboration and synergy between stakeholders (private sector, local NGOs, civil society, etc.) and guarantee the coherence of the different national or international programmes in progress or planned in the same related fields of the Kyiv Initiative.

Depending on the annual priorities and action plans to be adopted, the global and annual budgets must be agreed by all the partners and adjusted according to the yearly priorities and action plan agreed and adopted on the basis of the progress reports.

The core funding of the Kyiv Initiative is provided by the Council of Europe through its annual Ordinary Budget as part of the resources available for technical inter-governmental co-operation activities, and contributions of the participating countries' state budgets. The budget will also include voluntary contributions given by Member States to the Special Account for the Kyiv Initiative.

The Kyiv Initiative partners should co-ordinate their efforts towards securing additional resources from donors with the idea of achieving the most complete implementation of the Kyiv Initiative. In this regard, the contribution of the Council of Europe, which would be predominant at the earliest stage of the programme implementation, will subsequently be supplemented by contributions from donors, in a way that they grow into a major source of financing the activities. Donors may include financial contributions by other countries, but also foundations, the private sector and other European and international institutions.