

**V.**

**Supplement**

**Working study on national cultural policy  
from 2009-2014<sup>1</sup>**

---

<sup>1</sup> The material was developed at the Philosophical Faculty, Theory of culture in cooperation with the Ministry of Culture.

Introduction.....	4
1. Evaluation of the current state .....	5
1.1. Action scope of the National / Regional / Municipalities responsibilities .....	5
1.1.1. The Ministry of Culture .....	5
1.1.2. The Regions.....	5
1.1.3. The Municipalities .....	10
1.2. The position of the cultural sector in the framework of Czech economy.....	10
1.3. The position of the cultural sector in the labour market .....	12
2. Evaluation of the development tendencies .....	14
2.1. Tendencies of cultural development.....	14
2.1.1. Globalization as a threat and opportunity .....	14
2.1.2. Culture as economic phenomenon.....	15
2.2. Basic development tendencies in the Czech Republic after 2001 .....	18
2.3. SWOT analysis.....	20
Strong points .....	<b>Chyba! Záložka není definována.</b>
Weak points.....	<b>Chyba! Záložka není definována.</b>
Opportunities.....	<b>Chyba! Záložka není definována.</b>
Threats .....	<b>Chyba! Záložka není definována.</b>
3. Evaluation of existing programmes / concepts .....	24
Sustainable development strategy	
Economic growth strategy of the Czech Republic from 2005-2013	<b>Chyba! Záložka není definována.</b>
Regional development strategy of the Czech Republic .....	<b>Chyba! Záložka není definována.</b>
Strategy of effective state cultural support (Cultural policy).....	<b>Chyba! Záložka není definována.</b>
Concept of effective support of art from 2007-2013.....	28
Library development concept in the Czech Republic from 2004 to 2010.....	28
Concept of effective care for traditional folk culture .	<b>Chyba! Záložka není definována.</b>
Concept of development and research at the Ministry of Culture from 2004 - 2008	
.....	<b>Chyba! Záložka není definována.</b>
Concept of effective care for movable cultural heritage from 2003-2008	
(Concept of museum care) .....	<b>Chyba! Záložka není definována.</b>
Regional development programmes and programmes of regional cultural concepts	
.....	<b>Chyba! Záložka není definována.</b>
4. Documents and legislative authorities.....	30
UNESCO.....	30
World Intellectual Property Organization (WIPO) .....	32
World Trade Organization (WTO).....	34
European Union.....	<b>Chyba! Záložka není definována.</b>
Legislation of the Czech Republic .....	39
5. Financial sources .....	41

EU funds from 2007 - 2013 .....	41
Other sources of financial means .....	<b>Chyba! Záložka není definována.</b>
State funds.....	48
6. List of international documents relevant to the cultural sector.....	50
UNESCO.....	50
World Intellectual Property Organization (WIPO) .....	53
World Trade Organization(WTO).....	53
European Union.....	<b>Chyba! Záložka není definována.</b>
Council of Europe.....	<b>Chyba! Záložka není definována.</b>
7. List of legislation relevant to culture in the Czech Republic.....	56
8. Summary of cultural support in regional operational programmes.....	61
9. SWOT analysis groundwork.....	67
10. Actual list of grant programs of the Ministry of Culture and relevant subject matters.....	7

## **Introduction**

Culture is an important element of modern civic society that contributes in a major way to its integration as a whole. It supports intellectual, emotional and moral development of each citizen and therefore has an educational, socializing and cultivating potential in creative and value-forming processes. Culture is the means to transfer information between generations and creates the essential identity of an individual. It connects the Czech Republic with the outside world and at the same time it separates it and characterizes it in comparison to other nations.

Culture has not only an integration, educational and representative function but it is also an important economic area. Despite the fact it thrives on state budget finances and local municipality support, it directly contributes to their replenishing through tax revenues from the culture industry, and indirectly also by creating conditions for increasing income to the national and communal budgets via cultural tourism, the source of which is our cultural heritage. It is part of the active economic function of culture and provides opportunities for a number of citizens.

Culture fulfils an important social role, because it holds the key to understanding the social world. It contributes to self-awareness of the citizens as free individuals and to a feeling of solidarity with the society, their neighbourhood, region and nation. This role has a large motivational effect. Participating in culture creates meaningful leisure time and therefore is amongst others an important tool of prevention of drug addiction, gambling, criminality and other social pathologies that threaten young people.

In general, culture contributes to a better understanding between citizens of different ethnic and national origin and is a significant means of fighting xenophobia and racism.

Participation in cultural life helps people with physical handicaps integrate themselves in a community of healthy citizens and partially overcome their handicap; a similar activity can help the victims of violence. Culture, (that is participating in and sharing in it), also has a therapeutic function that is directly connected to its creative effects.

National cultural policy results from an analysis of the contemporary state of culture, from an evaluation of its development after 2000, an evaluation of attitudes of the European Union and international organizations (mainly UNESCO), and promotes an image of the desired state of culture and gives the objectives to reach it, points out the concrete owners of these objectives and formulates a basic schedule of the fulfilment process.

# **1. Evaluation of the current state**

## ***1.1. Action scope of the National / Regional / Municipalities responsibilities***

**1.1.1. The Ministry of Culture** is the central body of the state administration with respect to art, cultural and educational activity, cultural monuments, church and religious organizations, press matters including publishing non-periodical press and other media, radio and television broadcasting, unless stipulated otherwise by legal regulation; further the Ministry is responsible for carrying out the Act on copyrights and any production and trade in the field of culture. Within its sphere of action the Ministry of Culture fulfils obligations given by the law and other legally binding regulations and the tasks following from the membership of the Czech Republic in the European Union and other integration cooperation and organizations in case these obligations are mandatory. Its overall activity is governed primarily by the constitutional and other laws and regulations of the Czech government. The Ministry investigates the social problems within its sphere of action, analyses the obtained results and makes appropriate steps towards solutions of the actual issues. It elaborates the cultural policy that it then presents to the Czech government. It informs the public on the relevant and important matters. The Ministry of Culture submits the work studies necessary for elaboration of the state budget and other regulations with a wide extent. It forms opinions on other ministerial proposals submitted to the Czech government if those in some way relate to its sphere of action. The Ministry of Culture pursues an appropriate legal modification of matters in the sphere of action of the Czech Republic; it elaborates draft bills as well as other drafts that the Czech government put in its responsibility; it attends to keeping legitimacy in the sphere of action and takes appropriate steps towards repairment. The Ministry ensures tasks in connection with negotiating international contracts, the development of international relations and international cooperation, and the tasks following from the conventions the Czech Republic is a part of, and meets obligations following from the international organizations membership.

The Ministry of Culture, apart from the activities listed above, also supports art, cultural activities and cultural heritage preservation by providing donations and contributions according to the chapter 334 of the state budget and establishes 34 allowance organizations and one not-for-profit organization of a national or international character.

**1.1.2. The Regions** attend to overall development of the area and needs of their inhabitants. They support the cultural development from their budgets and fulfil objectives following from the special regulations. They establish regional libraries, museums and galleries, often also regional theatres and stages, orchestras and institutes of archaeological monumental care. Regions help creating financial, conceptual and legislative grounds for the development of regional culture and react at actual requirements in accordance with the Czech government concepts and recommendations of the Ministry of Culture (Strategy of effective state cultural support, Concept of effective preservation of movable cultural heritage, Concept of effective care for traditional folk culture, Concept of library development).

The development of leisure time activities was given a lot of attention with a stress on stimulation of an international cultural cooperation development. A union and common interest activity of inhabitants plays an irreplaceable role, which is regularly supported mainly by grant programs, by direct support of important cultural and social actions. Special support is granted to regional progress and national presentations in the area of non-professional art.

The regions are interested in supporting folk traditions, which is important for inhabitants' identification with the region and increasing the number of places of interest from the touristic perspective.

Libraries play a significant role contributing to cultural and educational activities.

Together with the regionally established museums and galleries there are also other museums and galleries that preserve and present cultural heritage, historical and folk traditions and current artistic movements. These are established by the municipalities, towns, civic societies, private initiative and legal entities.

An important partner especially in the area of cultural actions promotion and regional activities are the cultural and information centres.

#### Summary of attitudes of culture in regional development programs (hereafter RDP)

##### **South Bohemian region**

- § Culture is enlisted as one out of seven priorities together with tourism and natural heritage ;
- § Utilization of cultural heritage potential for tourism with regard to preservation of its specific values (economization and community life and regional solidarity)

##### **South Moravian region**

- § Culture is enlisted as one out of six priorities:
  - Enterprise, research, innovation – primarily economization (tourism enterprise);
  - Countryside development – traditional culture, country folk life;
  - Human resources and job market, infrastructure and cultural heritage, primarily maintenance of non-economic values, increasing quality of life, development of regional culture and traditions ;
  - Integrated area development - culture is considered as universally desired development area, wider context of a cultural region (also part of the environment priority and natural resources), and cultural value.
- § In the frame of the concept of preservation and cultivation of cultural monuments with aims at protection and ensuring the means for cultural monuments, stimulation of citizens relation towards heritage, their presentation, promotion and utilization.

##### **Karlovy Vary region**

- § Culture is enlisted as a priority called Quality of life (one out of four priorities), at two conception levels:

- Support coordination in culture primarily aimed at maintenance and economization of cultural heritage, eventually increasing the number of places of interest sites by supporting cultural life and material cultural heritage;
- Cultural education of inhabitants, traditional regional culture, cultural activities, non-material cultural heritage; economic factors are only a secondary issue.

### **Hradec Králové region**

- § Protection of cultural monuments (or infrastructure development) and their utilization for purposes of tourism (also in the frame of the country development);
- § Civic cultural development is an identifying factor of increasing the standard of life (note: not the quality of life), not specified in more detail.

### **Liberec region**

- § Cultural support (cultural facilities, leisure activities) and preservation of cultural heritage as means of establishing high quality and healthy society (for example strengthening a feeling of belonging, increasing cultural level and inhabitants education);
- § Within the context of other RDP a unique partial task of a strategic objective called “Dynamic and competitive economics“ is to minimize a conflict of interests between economic activities and protection of material and non-material cultural heritage;
- § Cultural monuments cultivation for tourism purposes, protection of cultural monuments is seen a fundamental responsibility in the frame of overall development potential of the society, spiritual values which cannot be expressed in economic terms;
- § Cultivation of cultural and traditional life values of minorities;
- § Support of information competence of inhabitants by means of modern equipped cultural facilities;
- § Cultural values in frame of a development of city and country areas;
- § Culture is included in all five strategic objectives;
- § Concept of culture:
  - Culture does not only represent an artistic activity and its presentation, but also expert cultural activity, interest and cultural educational activities;
  - Issues of monument cultivation or tourism are not dealt with here.

### **Moravia Silesia region**

- § Concept of culture – theatre, folk-lore, dancing, music, museums, galleries, libraries, cultural monuments, festivals and exhibitions, industrial tourism;
- § Cultural support (included in two out of five priorities):
  - Monuments protection;
  - Support of institutions, organizations and civic societies within the scope of action;
  - Development of services;
  - Young generation, traditional culture, culture of the national minorities;
  - Culture as a touristic attraction with marketing potential – this is the concept of culture, of how it is included in a partial strategic document (Tourism marketing strategy).
- § Strategic objective of cultural life development in the region and preservation and utilization of cultural heritage.

## **Olomouc region**

- § Understanding of culture is limited to utilization of cultural monuments in tourism and a support of cultural services in smaller towns and countries.
- § Culture is more widely supported in frame of cultural concept:
  - Creative cultural activities and presentation of their results;
  - Equal approach towards cultural values;
  - Cultural exchange;
  - Care of material cultural heritage;
  - Regional and local cultural tradition;
  - Cultural activities fulfil more functions at the same time as a means of human cultivation;
  - Coordination and efficiency of subjects active in a regional cultural area.
- § Protecting a country character and tourism and its marketing is connected to the cultural monuments protection (economic factors do not always take first place).
- § A brief draft of a future cultural concept understands culture as a reflection of inhabitants' life standard, as a carrier of social and educational function and economic sector.

## **Pardubice region**

- § Culture concept in two out of seven problem areas:
  - Regional cultural variety and a factor of strengthening inhabitants identification with the region in the frame of human resource development and quality of life, culture as a leisure time option, cultural traditions cultivation;
  - Economization of monuments in connection to tourism;
- § Concept of state support of the monument preservation – protection of material cultural heritage and raising public awareness.

## **Plzeň region**

- § Concept of culture – galleries, museums, libraries, theatre, cinema, film, music, festivals and exhibitions, cultural monuments, folk-lore, culture of minorities and various interest groups;
- § Culture is listed as part of human resources aiming at increasing education and cultural level of inhabitants for example by means of investments in higher computer literacy;
- § Investment to cultural monuments and non-material culture are mainly in connection with tourism or creating new job opportunities; nevertheless there is also a regulation regarding preventive protection of monuments or supporting relations towards the cultural heritage of the region;
- § Supporting culture, art and historical heritage preservation is one out of twenty-nine regulations (in the frame of one out of five problem areas);
- § Culture in the frame of monument preservation concept - monuments are considered a valuable and substantial part of life environment of the current and future society (principles: understanding, care, presentation – tourism)

## **Central Bohemia region**

- § Culture is understood to be a significant factor in the following connections:
  - Development of human resources linked to science and education, leisure time and country development; emphasising the positive influence of culture at inhabitants



identification with the region, the quality of life of handicapped groups and prevention of social pathologies.

- Tourism and cultural heritage – protection and its utilization (economization)

§ Support of the relevant cultural segment in two out of six program priorities;

§ Within the framework of the Concept of museums and galleries the aim is to open the real potential of the mentioned cultural institutions and maximization of their positive impacts on society

### **Ústí nad Labem region**

§ Understanding of culture is limited to the following:

- cultural institutions (libraries, museums, galleries, theatres, cinemas and others – cultural institutions and activities support and mainly in small towns)
- cultural monuments (Culture is the prerequisite of tourism development)

§ more complex understanding of cultural phenomenon in the framework of the Strategy of the development of culture and monument preservation:

- cultural values accessible to the wide public;
- Meeting foreign traditions and cultures;
- Culture at leisure time;
- Culture as the means of creating a harmonic society and cultivating spiritual life;
- Higher cultural values superior to culture's economic utilization.

### **Vysočina region**

§ Culture, cultural heritage and cultural traditions as a development element of spiritual life of a society (one out of eighteen partial objectives in the framework of one out of four strategic objectives);

§ Local specifics of manufacturing and services as part of regional cultural heritage; country tourism with cultural attractions as a source of income of agricultural areas.

### **Zlín region**

§ Culture as a significant indicator of the quality of life that is an area mainly supported by the human resource development;

§ Culture in connection to tourism, uniquely formulated two-way connection – not only economization of cultural heritage for tourism purposes but also positive influence of tourism on a cultural development in the region;

§ cultural support in the framework of two out of six functional areas;

§ Concept of the cultural development defines culture as social and economic factor, specifically as follows:

- Cultural heritage preservation;
- Sensitive utilization of the cultural heritage in purpose of a full-value life of citizens in the region as well as tourism development;
- Opening cultural environment to the positive external influences;
- Creating new cultural values and their presentation on both national and international levels.

### **Prague region**

§ Two main cultural concepts:

- Culture as a product: placing Prague on the „European town market“ viewed from the point of economics – tourism, enterprise activities;
- Culture as a spiritual city climate: aimed at reducing or even stopping the city centre commercialization, culture as a fully non-economized area unsubordinated to tourism, meeting and tolerating other cultures as means of increasing the quality of life, esthetical valued environment – a dialogue between historical heritage, cultural traditions and development plans, leisure time cultural support)

§ Culture is part of one out of seven priorities and other common programs;

§ Terminology of the Cultural policy concept:

- Art = process of creating and understanding aesthetic values, a form of social awareness;
- Culture = in relation to art, culture is a superior term; a summary of material and spiritual goods established by the human society throughout the history; a dynamic system of values and activities based on satisfying naturally inherited cultural and artistic needs of people; maintains and forms esthetical and ethical human values; it is an expression of creativity and diversity.
  - Inherent cultural areas: performing arts, cultural heritage , literature, visual arts;
  - Inherent cultural functions: carrier of town identity and the means of peoples´ identification with the town; quality environment of „public area“ for both the inhabitant and visitors; an economic factor; a mean of human resource development; a potential to overcome language, national, mental, geographic and other barriers; an essential part of education; prevention of social pathologic phenomena; a development of ethical values in accordance with the European and world cultural traditions; a quality indicator of the civic society and democracy; town-development factor; the town´s prestige abroad.

**1.1.3. The Municipalities** provide an overall development of the regional area and care for citizens needs; to fulfil the stated objectives and to protect the public interest is one of the main priorities. Municipality budgets support the cultural development, some of them also establish cultural institutions, mainly town and local libraries, galleries, local museums, theatres, orchestras and other specialized cultural institutions (for example the national cultural monument Vyšehrad). Many towns provide specialized selection procedures to support their cultural activities. Those that take part in the Regeneration program of country heritage preservations and regional preservation areas of the Ministry of Culture contribute from their budgets towards the owners of the cultural monuments by a given percentage quotient. Several cities, for example the town of Pilsner, drew up their own cultural policy.

## ***1.2. The position of the cultural sector in the framework of Czech economy***

In order to position the cultural sector in the framework of the Czech economy the following activities have been listed under the scope of the Ministry of Culture:

- § Art (creative activity);
- § Literary culture and libraries (including editorial and publishing activities);
- § Cultural heritage area;
- § Movable cultural heritage (museums and galleries);
- § News media and cinematography;

- § Churches and religious communities;
- § Copyright area;
- § Educational cultural activities.

A sector defined as part of national economy differs from the current concept and starting from January 1st 2008 also a future statistic definition of cultural activities sector.

One of the main sector issues is the particularity and rarity of the goods and services that the cultural sector produces. These are mainly the results of creative work, the value and price of which varies in time, such as for example the value of works of art, in both positive and negative directions. The benefits of other activities cannot in fact be quantified.

A specific problem arises with and evaluation of external effects of the cultural sector activities, because culture is not only a producer but at the same time it is also a recipient of plenty of goods and services. In this sense a culture is a significant stimulant of other economic sectors because it enters into many interactions with other economic sectors by demanding goods and services. Satisfying the demand of cultural sectors creates around 73 thousand job vacancies in the relevant economic sectors. Considering the chaining of demands of the direct supply sector the previous calculation states the lower level of the actual impact.

The total production volume a gross added value in the sector amounted 38%, a consumption of inputs 62%. A volume of the consumption of inputs as well as the number of workers requested in the sector proves how closely the cultural sector is connected to other sectors of the Czech economy.

In 2005 a production volume of the cultural sector (stated in regular prices 119. 565 million CZK) reached 1,6% of the Czech total production. The following activities majorly contributed to the production volume: *Publishing activities* (29 %), *Social organizations activities including churches* (19,5%) and *Production and broadcasting of television and radio programs* (16,8%). In 2005 the volume of a gross added value (GAV) in a cultural sector (45.300 million CZK) established 1,7% of the total GAV volume of the Czech economy.

Relations to other economic sectors, meaning the supply of services and material goods to the cultural sector, significantly exceed in quality the outputs of the sector. In the total production volume GAV creates 38%, a consumption of inputs amounts to 62%. The cultural sector plays an important role also in development of other parts of the Czech economy.

According to evaluation in several sector fields there is an apparent differentiation; especially in the field of work productivity, which is strongly dominated by the *Production and broadcasting of television and radio programs*, where the program commercialization and advertisements broadcast cause a high work appreciation. A similar though less accentuated situation arises in the *Film production and broadcasting* field.

Significantly lower (below average) production level is in the fields of Concert, theatre, artistic creative activities and Activities of libraries, museums, galleries, zoos and botanical gardens. This fact should not be overrated because value indicators in these fields is strongly influenced by the fact that the sum effect of activities produced in this field is hard to quantify and so doubtfully expressed in terms of value and quantity.

While accessing a work productivity level and a growth of average wages it is essential to consider an absolute amount of production and the Czech average wage both expressed in thousands of CZK. Following from this evaluation, in 2005 an average wage in the field of *Libraries, museums, galleries, zoos and botanical gardens*, still taking in account a two-year growth by 7%, still was deeply (79%) below the average wage in the Czech Republic.

With an exception of the field *Social organizations including churches*, which does not adequately belong to the sector, it is possible to divide the cultural sector into two basic groups that vary in absolute amount and the dynamics of evaluated characteristics as well as variance from the sector average and the Czech average.

Uniquely specific is the group of fields with higher value amounts in most characteristics and higher development parameters. It consists of the following: *Publishing, Production and broadcasting of radio and television programs* and *News agency and service activities*. Basically these are activities that will in future be divided from the cultural sector and put into „*Information and communication activities*” according to a classification of economic activities (OKEČ) that came into force on January 1<sup>st</sup> 2008. It is also presumed that this section will include film production and distribution, a development of which in the evaluated years is characteristic as variable and unsteady.

The following fields significantly vary from the above listed: *Theatres, concerts, artistic creative activities* and *Libraries, archives, museums, zoos and botanical gardens*. Both fields are evaluated according to characteristics of absolute amounts normally lower than the sector average and their dynamics are also slower than the average. Their distance from the first group is increasing probably because the measurement of economic benefits of these fields is problematic. In order to judge the future development tendencies of the second group it is necessary to use indicators that do not fully access overall benefits in the given fields but immediately express demand factors. Apart from that it is necessary to consider the fact that some activities in these fields are not intended for mass consumption and an excessive commercialization caused for example by increasing entrance fees, can significantly reduce consumer's or visitor's interest. While considering a development potential of certain cultural fields and defining the cultural priorities of the state policy it is essential to also use other than economic points of view. Excessive focus on commercial activities and increase of incomes and decrease of expenses brings considerable risks. It can result in a decrease of attendance and reducing a number of workers many of which are field experts with specific skills that cannot be used in other economic sectors. It is fundamental to accept the fact that the main financing source of these activities should come from public budgets.

After the implementation of new classification of economic activities the indicators characteristic for cultural sector will change radically. The cultural sector will reduce its share in the number of workers, a production volume and GAV. The dynamics of work production will slow down as well as the absolute amount and speed of average wage growth. That will result in significant deterioration of a position of the culture within the Czech economy and all of its main characteristics. Participation of culture in the Czech economy will be reduced and the growth speed will slow down.

The current position of the culture in the Czech economy is namely enhanced by activities in relation to newspaper and magazine publishing, radio and television as well as the activities in relation to the production of radio and television programs of mass consumption. It will be necessary to divide them and analyze them further in the section „*Information and communication activities*“.

### ***1.3. The position of the cultural sector in the labour market***

Based on the statistic data on employment in the cultural sector and a sector's impact on employment in other fields of the Czech economy, the given result number of 3,2 % expresses the position of the cultural sector on the Czech labour market. Cultural sector contributes to a

total employment in the Czech Republic considerably in respect of the number of its employees and external contractors and also in respect of its own demand for goods and services that can be satisfied by utilization of more job positions in other fields.

The total number of the employees in the field of culture (76 268 people in 2005) amounted to almost 2% out of the total number of employees in the Czech Republic. Currently the sector uses external contractors (9 200 people recounted in 2005). These create about 1% out of the total number of self-employed. In 2005 the overall work potential in the cultural sector, about 85.500 people, added up to 1,72% of the overall country full employment potential. In the Czech labour market the general position of the cultural sector is made by first, the potential of the sector itself, that adds up to 1.7% to overall employment, and second by the employment that was caused across other sectors by the demand for goods and services, that adds up to another 1,5 %. The total work potential in relation with the activities of the cultural sector amounts to 3,2% of the overall Czech employment.

In 2005 the average monthly wage in the cultural sector increased by 4.660 CZK in comparison to the Czech average. The major influence was by the wages in the News agency and service, about 56% above the Czech average, and the Production and broadcasting of the radio and television programs, amounting to 24% above the sector average. In the field of “Activities of libraries, museums, galleries, zoos and botanical gardens“ the average wage was lower than the sector average and even significantly, by more than one fifth lower than the overall country average. In the other sector fields the average wage got round to the sector average.

## **2. Evaluation of the development tendencies**

### ***2.1. Tendencies of cultural development***

#### **2.1.1. Globalization as a threat and opportunity**

Globalization is the world-wide trend that influences local and national culture. The globalized world is extremely interconnected world of dynamics and mixing, contacts and relations with a constant interaction and exchange. The globalization process facilitated by the fast growth of information and communication technologies provides completely new conditions for more intense cultural exchange on one part. At the same time it can be a threat to cultural diversity. The more the world is economically and technologically connected the more urgent is the need prevent its cultural unification.

The globalization factors influencing the culture are mainly the following:

- § mass tourism boom;
- § natural migration;
- § forced migration;
- § development of information and communication technologies;
- § growing influence of capital economy and economic way of thinking;
- § development of cultural industry;
- § language globalization.

The listed tendencies are mainly responsible for the following:

- § mutual influence of national, regional and local culture;
- § increasing the speed of a cultural exchange;
- § change of traditional ways of promotion and presentation of cultural goods;
- § creation and existence of cultural goods and services of an unusual nature;
- § increase of the influence of media and cultural industry on the life style;
- § adopting economical thinking by artists and cultural managers;
- § accessing other cultures and influencing national languages.

During negotiations the countries of the UNESCO came to the conclusion that cultural diversity represents an undeniable value that in today's globalized world must be actively supported and developed further.

The main guarantees of the sustainable cultural plurality, the result of which is increasing variability of cultural manifestations, are mainly the following:

- § freedom of speech;
- § pluralism of media ownership;
- § existence of literary production in various languages;
- § equal approach of the public towards major cultures as well as artistic manifestations of cultural minorities;
- § facilitation of artist's movement;
- § development of local traditions;
- § large participation of individuals in cultural life;
- § preference of an active and creative approach to life style;
- § presentation of culture in an attractive and creative way.

All of the above listed are expressed in the main UNESCO activities which react to actual global tendencies in cultural development and are specifically the following:

- § Support of intercultural dialogue in purpose to ensure more intense and equal cultural exchange for the benefit of mutual cultural respect;
- § Support and promotion between the cultures (accepting and acknowledging cultural diversity as a natural state of cultural existence), that would develop mutual cultural interaction in a spirit of “building bridges” between the nations.

### **2.1.2. Culture as an economic phenomenon**

The cultural benefit for economic and social development has been marginalized not only in the Czech Republic, but also in the whole of the European Union<sup>2</sup>. The change is only recent thanks to several studies that shown the cultural potential in the right perspective. Culture is now starting to be considered an important field of the national and European economy.

An essential importance holds primarily the study “Cultural economy in Europe” that was elaborated for the European Commission in 2006<sup>3</sup>. The study involves culture that is defined as cultural and production fields including the following:

- § Cultural sectors
  - Non-industrial sectors producing irreproducible goods and services that are “consumed” on spot. The areas are: fine arts including painting, sculpture, crafts, photography; art and antique markets; scenic arts including opera, orchestra, theatre, dance, circus; a cultural heritage including museums, historical monuments, archaeological locations, libraries and archives.
  - Industrial sectors producing mass reproduction products, mass broadcast and export such as books, films or audio recording. Also film and video, videogames, broadcasting, music, book publishing and news print.
- § Production sectors
  - Here the culture becomes “creative” investment into production of “non-cultural” goods. It includes design (fashion, product and interior design), architecture and advertising.

The study shows the main measurable cultural benefits to economic and social development of Europe.

- § Turnover: In 2003 the cultural and production sector reached a turnover of more than 654 billion EUR, which is more than a turnover in the car industry (271 billion EUR in 2001) and ICT (541 billion EUR in 2003) in the countries of EU-15.
- § GDP: In 2003 the sector contributed to EU GDP by 2,6%, to compare in the same year the real estates market contributed to EU GDP by 2,1%, food and beverages by 1,9%, fashion industry 0,5% and chemicals, rubber and plastics by 2,3%.

---

<sup>2</sup> That is proven mainly by the marginalization of cultural development potential in the so called Lisbon strategy accepted and agreed on the summit of the European Council in Lisbon in March 2000 and revised in 2005. Its aim is to push the EU into the most competitive and the most dynamic economy by 2010 that is capable of sustainable development with more and higher quality work places and enhanced social solidarity.

<sup>3</sup> Study on the economy of culture in Europe. KEA European Affairs, 2006

- § Growth share: In the period 1999-2003 the total growth of added value in the sector amounted to 19,7%, which was by 12,3% more than the total economy growth.
- § Employment: In 2004 there were 5,8 million people working in the sector, which corresponds to 3,1% of the total volume of employees in the framework of the EU25. While total EU employment decreased in 2002-2004, the employment in the cultural sector increased by 1,85%. The employees are still highly qualified; 46,8 % of the workers have at least a university diploma in comparison to 25,7% out of the total employment rate, the share of contractors and freelancers was 28,8% is more than double compared to the share in the total employment of 14,1%; there are 17% of the sector workers with a definite period contract in comparison to 13,3% out of the total employment; a share of the part-time workers is higher amounting to one worker out of four in comparison to 17,6% out of the total employment.

The study also points out any indirect and immeasurable but still obvious benefits of the cultural and productive sector in order to fulfil the objective set by the Lisbon Treaty:

1. Interdependence between the cultural and the productive sector and ICT: Technologies and mainly the growing influence and availability of internet are the main driving force of growth of production media and internet industry. Lately the influence on the consumption of news media is huge and in future it will also represent the main factor. At the same time the creative content is the main driving force of ICT. The company Price Waterhouse Coopers estimates that by 2009 the expenses for ICT related content will amount to 12% out of the total growth in the global expenses in the field of media and entertainment. The development of new technologies depends mainly on the content attraction. The sale of DVDs, recording devices, MP3 players, home video systems, set-top boxes and flat screen televisions depends on availability of attractive content (games, films, music). Development of mobile phones and networks is based on the availability of attractive services with an added value that will include a creative content.

2. Creative centres, culture benefit and creative activities in the framework of the local development:

- a) Cultural goods are mainly aimed at the local public, its languages and cultures. Therefore the production of cultural goods and services has not moved to other continents yet. Europe is the main world producer of the goods and services and therefore it should maximize the utilization of its potential for the benefits of the European economy.
- b) Meanwhile there is a competitor's fight for talents and creators to certain environments supporting a concentration of creativity and innovation tools. That is the reason why Europe suffers from an out flux of talent in sectors such as videogames or films; people emigrate abroad seeking better conditions, primarily financial ones. Culture and innovation also play key roles helping the regions get their investments, creative talents and tourism. The towns and regions compete to get direct foreign investments and talent. In order to succeed they need to offer more: a diversified cultural offer, a quality of life and lifestyle. Culture becomes an important factor of local popularity and a key factor in enhancing the local and regional attractiveness.
- c) Culture is the main driving force of tourism which is one of the most successful European industries; it represents 5,5% GDP of the European Union and Europe itself owns a share of 55% in the global market. Europe is one of the most frequently visited continents of the world. In 2005 there were 443.9 million visitors from international flights.



Yet another important cultural and creative sector in the local social and economical context is a support of social and local solidarity. The culture is an effective supportive tool of regional and handicapped groups of citizens and underdeveloped quarters or regions. In this connection the desired cultural activities are the following:

- § Support of civic initiatives, that aim at social and socio-economical enhancement: social and cultural projects, cultural organizations, civic communities dealing with non-professional art, volunteers at festivals;
- § General projects initiated by the state administration and institutions such as local strategies aiming at local restoration suffering from negative impacts of economically, socially, culturally or ecologically insensitive interventions in the past.

Culture and creativity contribute towards sustainable development and are beneficial for the whole society. Cultural activities are also beneficial to economical environment because of the following:

- § strengthening social integration and unified Europe;
- § enhancing local solidarity;
- § contribution to development skills of individuals that can be transferred into other activity areas and therefore enhance their chances on the job market;
- § increasing self-confidence of individuals as well as communities;
- § expressing cultural diversity.

The study presents recommendations for using the potential of cultural and creative areas to fulfil the objectives of the Lisbon strategy:

- § Gathering information:
  - To create a substantial quantitative proof material for the political representatives who make the final decisions. Strategic approach to this field demands information; it is essential to develop appropriate statistic tools and indicators on a national and European level. Similarly to the tools elaborated to measure the level of innovation there should be an indicator to measure and monitor “creativity” (indicator of creativity score in the EU).
- § Lisbon agenda:
  - To implement the cultural and creative areas as part of the Lisbon agenda. Part of the objectives of the Lisbon agenda ought to be an increase and more quality investments into creativity, higher quality of production, distribution, promotion and an approach to cultural activities and goods.
  - To utilize and conduct a maximum of the current EU support programs. The Seventh Framework Programme, EU structural funds and i2010 initiative ought to be used to support creativity, small and medium size cultural institutions. The EU budget should aim at supporting production and innovation. To support digitization as a technological innovation aiming at its larger implementation.
  - To enhance the inner market with creative people, products and services. To support artist’s mobility, overcome tax and social obstacles, adjust and modify accounting regulations so that nonmaterial goods are properly valued. That includes the support of testing and development of business models adjusted to the limitations of the European market with its localized markets of various languages and cultures.
  - To support creativity and marketing education in schools and expert fields.
  - To support relations between the creators and technologies by gathering various participants around creative platforms.
  - To maximize utilization of financial tools EIB (European Investment Bank) and EIF (European Investment Fund), mainly for the risk investments in accordance with the i2010 initiative of the EIB.

- § To implement the cultural dimension into contracts of cooperation and business between the European Union and the third countries aiming at the development of cultural exchange and support of cultural diversity.
- § Structural reform
  - To enhance a coordination of activities and concepts that influence the cultural and creative fields in the European Commission and to develop deeper synergy („all at one place“). To support better relations with the cultural and creative fields, to maintain its sustainable development in Europe and to maximize its economic and social benefits for the European project.
  - To ensure general thorough fulfilment of the Article 151.4. of the Treaty establishing the European Community.

## ***2.2. The basic development tendencies in the Czech Republic after 2001***

In the monitored period the „disestablishment“ process, that started in 1990, was basically finished. Other key system legal regulations were adopted that set new rules and responsibilities for the public cultural support in the Czech Republic<sup>4</sup>.

In consequence of the public administration reform and the updated definition of a position of public administration bodies there was a major transfer of responsibilities in the area of public cultural services from the state towards the municipalities and regions including the connected infrastructure as of January 1<sup>st</sup> 2001, or if you like as of January 1<sup>st</sup> 2003. The move started with the Act No. 172/1991 Coll., on the Transfer of Certain Items from the Property of the Czech Republic into the Ownership of the Municipalities. The transfer of the state ownership into the hands of municipalities and regions as well as the transfer of the founder´s responsibility (the Ministry of Culture or district authorities) towards the original state allowance organizations continued further based on later law amendments<sup>5</sup>.

In connection with the public administration reform the tax revenues were reallocated. In 2001 the newly established regions were still fully financed by subsidies of the state budget, in 2002 the amendment of the Act on budgetary rules stated a revenue share of certain taxes. The municipalities obtained a larger tax spectrum where they can take a revenue share.

The public administration reform was accompanied by the aim to define the public cultural services and their standardization<sup>6</sup>, so that the quality of service is not depending on the provider. The process was finished by the adoption of a specific act – Act No. 203/2006 Coll.,

---

<sup>4</sup> Act No. 128/2000 Coll., on municipalities (municipal establishments), Act No. 129/2000 Coll., on the regions (regional establishments), Act No. 131/2000 Coll., on the Capital City of Prague, Act No. 218/2000 on Budgetary Rules and on amendments of some related acts ( budgetary rules), Act No. 219/2000 Coll., on the assets of the Czech Republic and their representation in legal relations, Act No. 250/2000 Coll., on Municipal Budgetary Rules.

<sup>5</sup> Act No. 157/2000 Coll., on Transfer of Certain Objects, Rights and Liabilities from the Property of the Czech Republic, and Act No. 290/2002 Coll., on Transfer of Certain Other Objects, Rights and Liabilities of the Czech Republic to Regions and Municipalities, Civic Associations Active in the Field of Physical Training and Sport and on Related Amendments.

<sup>6</sup> Act No. 122/2000 Coll., on Preservation of Collections with Museum Nature and Change of Some Acts, Act No. 257/2001 Coll., on Libraries and Terms of Operating Public Library and Information Services (Library Act), Guideline of the Ministry of Culture to define a standard of public library and information services provided by the libreried and founded and/or run by municipalities and regions in the Czech Republic; governmental directove No. 88/2002 Sb., establishing the rules for granting subsidies to library support; Act no. 203/2006 on certain types of cultural subsidies and on changes to some relating acts.

on certain types of cultural subsidies and on changes to some relating acts, which also defined a status of the state allowance organizations established and run by the Ministry of Culture and it modified the following procedures.

According to cultural public's opinion the newly established responsibilities and budgets do not give long-term guarantees to the providers of public services, which impedes the effectiveness of preparation and planning of cultural projects, mainly the multi-annual ones.

In the field of monument preservation the objectives of the government concept<sup>7</sup> were fulfilled in the state administration area and a maximum decentralization was achieved by means of a transfer of state administration performance to municipalities with extended scope of activities also in the area of expert activities by creating the National Monument Institute. So far it sadly did not fulfil its potential providing standard expert services of the area of state monument preservation in the Czech territory although the structure creates a sufficient coverage for a focused and methodically unified promotion and marketing of the cultural monuments owned by the state. The advantage is an interconnection at all levels of public administration that is to respect and balance sometimes even antagonistic interests of the state and regional, as well as local administrations.

A positive fact is that despite an organizational severity and a certain unpredictability of the results the public administration reform did not cause any negative tendencies in the scope of provided public cultural services.

Following the identification and analysis of selected quantitative indicators it can be said that in the field of theatre in years 2000 to 2005 the number of statistically tracked facilities rose from 77 up to 178 as well as the number of visitors from 5 481 873 to 6 397 606, whereas in 2005 several institutions did not agree to publish their statistic data. On the contrary the number of orchestras remained the same (30), but the number of concert attendants rose from 401 694 to 464 103. The number of museums rose from 439 to 457 and the number of visitors slightly dropped from 9 349 719 to 9 132 390 with a major fall in 2002 to almost 5 million.

Traditionally the historical monuments show the highest attendance. In the traced period the number of monuments made available increased from 196 to 269 along with the number of attendants by almost half a million a year, from 9 089 742 in 2000 to 11 796 750 in 2005. While comparing the number of the monuments made available and the number of cultural actions held in these objects, there was a very interesting tendency; in the tracked period a number of the monuments made available increased almost one-and-a-half times, the number of the cultural actions held around these objects increased almost 26 times.<sup>8</sup> The Czech Republic has got one of the densest networks of libraries providing public services in the whole world. There are 6241 libraries annually visited by over 20 million visitors borrowing 73 million information carriers.

In the tracked period the Czech Republic became a member of the European Union, which was preceded by a large harmonization of legal regulations. In the cultural area the harmonization was limited to regulations regarding copyrights and rights in connection with copyrighted media, goods of cultural value and exercise of a profession such as restoration and archaeological research.

An important development tendency that could be a potential threat to sustainable cultural development appears to be the development of expense volume in the public budgets designated to cultural financing.

---

<sup>7</sup> Concept of more effective monumental care found in the Czech Republic by 2005

<sup>8</sup> Source: NIPOS

### *Public budget expenses in culture compared to GDP*<sup>9</sup>

	2000	2001	2002	2003	2004	2005	2006	2007
GDP	2 189,20	2 352,20	2 464,40	2 577,10	2 781,10	2 970,30	3 204,10	3 557,7
In culture	13,1	14,4	15,6	17,4	19,3	19,7	22,3	22,8
%	<b>0,59</b>	<b>0,61</b>	<b>0,63</b>	<b>0,67</b>	<b>0,69</b>	<b>0,66</b>	<b>0,69</b>	<b>0,64</b>

„ *Public budget expenses in the field of culture* are nominally growing, in reality they remain the same in proportion to total expenses of public budgets and GDP. In respect to wage classification of cultural employees the area is becoming completely economically unattractive for young graduates with expert qualifications. “<sup>10</sup>

While analyzing the basic development tendencies a partial problem remains the identification of cultural indicators. On one hand there is a wide offer of quantitative indicators, on the other hand the quality indicators or indicators of incidence are still missing. The absence of these kinds of data therefore dramatically limits understanding of the basic development trends and their description on a strategic level.

### **2.3. SWOT analysis**

The chapter is based on an internal SWOT analysis of the Ministry of Culture and a questionnaire research between the Czech regions and other subjects active in the field of culture conducted in August 2007.

#### **Strong points**

The strong points of the Czech cultural environment were listed as the **existing ways of financing and economic support** by means of subsidies of the Ministry of Culture, regions and the European union supporting the activities of organizations in the field of culture, professional and amateur activities, examples given were the restoration of cultural monuments and monumental care, the development of live culture, support of orchestras and theatres, libraries, dance, publication activities and literature and connection with tourism. The given subsidiary and grant titles were evaluated by some subjects as well structured, systematic and expertly elaborated. In this respect a positive evaluation was given to the interest of our top politicians to reach a quota of 1% of the state budget expenses to culture and a transfer of power from the Czech Ministry of Culture towards the region.

Also highly rated were the **current cultural activities and an improvement of the cultural organizations infrastructure** of a various character including non-governmental non-profit and private (libraries, theatres, orchestras, museums, film festivals and viewings etc.), their dense network, diversity of the offerings and a wide spectrum of activities and quality services that increase the availability of the culture itself.

---

<sup>9</sup> In: Financing of culture, PhDr. Alena Mockovčiaková, the Head of a specialized department REGIS / NIPOS. <http://www.nipos-mk.cz/text.asp?ID=824>

<sup>10</sup> ibidem

The subjects active in the field of Czech culture consider the cultural development in relation to **utilization of information and communication technologies** a strong point with regard to new possibilities in the area. These are closely connected to popularization of internet and digitization that increase availability of information to the wider public as well as expert public with their specific needs. They also offer new forms of research and unified information systems and databases in various areas. In this category we find the production and updating of various concept and development documents and strategies.

Further strong points of the Czech culture list the existing **cooperation** with other cultural and social organizations, municipalities, village communities, non-governmental non-profit organizations and business subjects at a regional, national and international level. The cooperation stimulates an exchange of experience, donating exhibits and offering a possibility of exposure of mainly young artists to the outside world.

Other points were the **existing educational institutions** and their educational, extra-curricular and leisure activities in different areas (art, libraries, information technologies etc.), also utilization of new cultural and educational programs and the growing interest in lifelong education leading to the increasing intelligence of the Czech population. A positive evaluation was given to an interconnecting and a cooperation of the different subjects working on various projects.

### **Weak points**

Despite the fact that the financing of economic supportive tools is considered the strong point, it also belongs amongst the most significant weak points of the Czech cultural environment. In this respect the general **lack of financial means** is most often mentioned in all respects and areas and at all levels. The prime issue is the dubiousness of the current state subsidiary grants with respect to a short period of duration (one year grants are received by only the most visible organizations and individuals) and the delay in their practical providing. The current grant system is marked as insufficient, unstable and often non-transparent. The interviewees stated that clear criteria are missing according to which the grants for cultural activities can be obtained (mainly the European funds), the definition of declarable expenses, concretely set objectives and criteria of their fulfilment. Further on the list there was an insufficient support of civic associations, an export of Czech culture and art abroad, support of local cultural centres and the absence of grant cooperation of the Ministry of Culture of the Czech republic and the Ministry of Education, Youth and Sports and the tax advantages for the business and public sector. On the other hand the interviewees agreed on the impossibility of defining single-valued criteria in a specific cultural area.

The cultural development in connection to utilization of information and communication technologies is also considered a weak point by subjects active in the field of the Czech culture. In this respect an **out-of-date technical equipment** is often mentioned together with slowly progressing **digitization** and **low level of modernization** that do not enable to fast reaction to new users' requirements. Another weak point is also a long-term absence of cultural policy and a support of the main priorities on both the state and regional levels and the missing evaluation system.

Other weak points largely perceived amongst the interviewees are the following: the insufficient **spectrum of cultural activities** in certain population segments and **unsatisfactory infrastructure** (for example the presence of barrier entrances in the public facilities), space backgrounds or its absence; an absence of accompanying services as part of the monumental care, an absence of a central informational system, coordination of cultural actions and others

(non-existence of the art market, little support of the current dance and related institutions, film archive issues etc.).

The Czech **cultural management** was also listed as one of the weak points. Mainly a fluctuation and insufficiency of experts at higher ranks was stressed as well as their financial undervaluation and a personal understaffing. On part of the Ministry of Culture its bureaucracy was a target of complaints along with little transparent organizational structure and incompetent approach to the utilization of EU structural funds and the non-existence of coordination of the state cultural policy and the regional cultural policies.

Generally **low interest in culture** and its awareness is naturally perceived as a weak point by the interviewees. A low awareness in different cultural areas such as modern music, literature, monumental care is in this respect put in connection with an overall population and also politicians and mass media (mainly regarding regional activities). There is also a feeling of a general low esteem of the spiritual ownership, of cultural needs of a human, the importance of culture as a social and economic pillar of a sustainable development and their role in prevention of social pathologic phenomena.

The **legislation** in the field of culture is completely absent or very rigid. The most often mentioned issues in relation to difficult law enforcement were copyright, Act on State monument care and an absence of legislative environment supporting donors' activities of non-governmental subjects. Another issue was the status of public benefit and the absence of a strict definition of the scope of activities of the non-governmental non-profit organizations and allowance organizations against the business subjects.

A threatening fact also is an absence of a legislative and technical background for a permanent preservation of the cultural and scientific heritage as well as making it publicly available. The heritage is created and presented merely in a digital form.

## **Opportunities**

A role of the cultural capital, which was the most often mentioned opportunity for Czech culture, is first connected to **human resources** (presence of high schools, respected artists, cultivation of live culture and traditions for example in areas of films, literature, public media), and secondly it is connected to a high concentration of **historical monuments**, that form natural cultural centres with their unique genius loci.

The interviewees from near the borders find the **geographical location** an opportunity mainly in respect of the neighbouring European regions offering cooperation. The interviewees that live in Prague or those who can easily commute there, appreciate the chance to participate at the activities provided by the capital that belongs to the most attractive destination and is visited by the largest number of tourists in the Czech Republic.

Another opportunities in the cultural field were mentioned the **infrastructure and cultural activities** of other subjects (towns and villages, various associations, non-governmental organizations) on regional, national and European level that enlarge the current offer of a cultural self-realization and a spending a leisure time (examples given were a cultivation of traditions and live culture or an existing spectrum of shows and festivals).

**The Czech cultural heritage** was pointed out as the richest treasury of a material, movable and non-movable cultural potential in various areas of human activities (variety of the National gallery collections, artistic monuments or a long tradition of the Czech theatre with its political-civic dimension etc.). In this respect by now rarely used economic potential of the Czech art and culture was mentioned.

A certain level of maturity of the Czech population, patriotism and respect for example for the Czech films, cultural heritage and a positive attitude of certain municipalities to cultural support) was commonly mentioned as a **cultural awareness and interest**.

The cultural **financing and economic supportive tools** were mentioned a threat as well as an **opportunity**. In this respect two existing grant programs of the Ministry of Culture were mentioned, grant policy of certain towns and municipalities and also an arrival of the new investors bringing a foreign capital (for example scholarships for literary translators).

**Cooperation** opportunities with other subjects were mentioned in connection with opening the Czech borders and the country's accession to the EU. Here the following opportunities were pointed out: the development of cooperation with the partner's cities, cross-border cooperation and other contacts in a worldwide perspective.

### **Threats**

In respect of financing and economic cultural support tools the obvious threat for the Czech culture is marked as a **lack of funding**, or **lack of state grant programs** or a total **lack of financial means** for live culture and the cultural heritage regarding the increasing costs (for example an increase of fine art prizes, realization of cultural actions, collection cultivation and others). A necessity of pre-financing of a certain projects was pointed out along with an overcomplicated administration or state interventions into the regional administration. Interviewees listed as threats the following: church restitutions (still an unsolved issue) and future church financing, a lack of experience with connection culture and economic activities (the methods), high fees to OSA and DILIA or tax incentives to invest into Czech Cinema. Yet it was clearly stated that it remains impossible to create a cultural model that would suit all subjects active in the area and more than just the objective criteria have to be applied at evaluation of their project budgets.

The Czech cultural environment is threatened by **incorrect set up of the system of state monument preservation and the monument preservation** (its rigidity and non-transparency), or a complete absence of a long term plan and a data providing research. Another negative aspect is the deteriorating state of the material cultural heritage (mainly of a sacral character), its evidence, an absence of expert committees and conditions for the cultivation of the cultural preservation areas.

The category of cultural interest and awareness is also mentioned as a threat to the Czech cultural environment and it is defined by the current **value orientation of inhabitants**, where culture in general, the cultural heritage or the language culture are not the priority interest areas. Specifically mentioned were the insufficient relation to culture of the Czech political representation across the whole spectrum, which also applies to managers, media and the young generation (for example the decline of interest in classical music). The area is also connected with the general trend of population aging the results of which are primarily the necessary modification of information and library service offers. Another negative aspect is the undervaluation of culture as an economic factor.

The **Globalization** process and gradual loss of national identity are connected to the commercialization of the Czech cultural environment and consumerism, which according to the interviewees is to a significant degree caused by the mass news media. Media are oriented at commercial production that can lead to undesired unification of a general taste. The limitations of the Czech market and its ability to compete against the foreign competition and also an increase of land prices in the historical parts of towns and its negative impacts were mentioned.

### **3. Evaluation of existing programmes / concepts**

At the moment there are eleven departments at the Ministry of Culture which in total operate 46 subsidy and grant programs in order to finance projects in the total amount of more than 1 billion CZK in compliance with the ministerial competences. Past experience shows that about 20% of applicants' requests can be actually satisfied. Programs are determined by the governmental decision or ministerial decisions. Thanks to a long-term program existence and their establishment the Chapter 334 of the Ministry of Culture is largely considered by experts as one of the most transparent chapters of the state budget. The ministry publishes an annual report that provides information to the public on the results of the grant procedures but also the names of experts active in the specific expert boards. The ministry complies with the principle set in the last cultural policy stating that the „artists (as well as librarians, monument owners, museum keepers and others) decide about themselves“. There are statistical reports of the results of supported projects (number of listeners, publications, translations etc.). The measurement of outputs, results and impacts of individual projects has not yet been conducted and neither has been the measurement of their efficiency. A shift in understanding culture as an economic area and a potential source of economic and social development of the society became obvious in the key development documents on both the national and regional levels.

#### **Sustainable development strategy**

The document establishes the priority to minimize the conflicts of interests between the economic activities and environmental protection and both the material and non-material cultural heritage; to ensure a growth of educational level within the society including cultural education and thus aid the competition strength of the Czech society; to develop ethical values in accordance with the European cultural traditions; to keep the appropriate forms of cultural variance, country lifestyle and town agglomerations. Further it is necessary to ensure cultural and lifestyle diversity, equality of the communities; to make culture available to all people especially with regard to the fact that culture is an essential part of the society based on knowledge and its development factor.

The strategy points out a constant economic undervaluation of the culture as a development factor; a misevaluation of the importance of investments into preservation of cultural heritage and a misevaluation of so called cultural industry and the necessity of its further development.

#### **Economic growth strategy of the Czech Republic from 2005-2013**

In the strategy of economic growth of the Czech Republic from 2005-2013 culture is pointed out in the framework of the cultural heritage protection together with the nature and environmental protection in relation to sustainable development strategy. Economization of the cultural heritage is recognised as an important factor of economic growth support primarily in relation to tourism. The strategy states the support of regional development by means of building cultural infrastructure, improving investment conditions and providing services in the area of cultural industry.

Cultural infrastructure is a premise of economic urban and regional development, the cultural tourism growth as well as the creative and cultural industry growth, a stimulant of influx of long term foreign investments, an opportunity for better quality leisure time, social meetings,



prevention of negative social phenomena and an appropriate field of cooperation of a public and private sectors.

The cultural (creative) industry has huge economic potential, including design, fashion, advertising, multimedia, graphic design and others, but mainly the audio visual industry. The advantage of the cultural industry is its highly qualified manpower and minimum negative effects on the environment.

Another important area that brings a substantial economic income is the cultural tourism that utilizes the cultural heritage, treasury and architecture.

The cultural heritage along with the nature and environment contains basic national and social values. It is important for tourism development and citizens' cultural awareness. Nevertheless it suffers from a permanent lack of both state and private finances for its maintenance.

According to the strategy it is desirable to support new business activities in the area of care and preservation of the cultural heritage, cooperation between the cultural institutions and schools, implementation of the educational programs, utilization of the modern information technologies and current artistic production.

### **Regional development strategy of the Czech Republic**

Regional development strategy suggests a utilization of the natural and cultural potential as a source of economic income mainly but not only for tourism. It aspires to support the unique cultural variability in regions and the country development by the protection of natural and cultural values. It draws attention to the regions away from the main development axis (for example border regions) or the regions with a high unemployment rate always with the stress at the possibilities of economization of the given cultural potential.

Culture is a single priority axis of the strategic part and it contains the following priorities:

- § P.7.1 Organization and management of cultural activities: the support of production and updating of the concept documents in the cultural area on a regional level including systems of regional culture financing; the support of development of marketing management of cultural institutions and actions; the development of further professional education of cultural workers; the support of cooperation between subjects active in the field of culture and on the regional and municipal level.
- § P.7.2 Development of cultural infrastructure and services: support of projects in the area of economic utilization of regional cultural potential; support of cultural events of local, regional and national importance; support of cultural institutions providing basic cultural services; finishing construction of an infrastructure for cultural purposes mainly in the regions that are lacking it.
- § P.7.3 Maintenance and utilization of cultural monuments: support of projects aiming at a reconstruction of the heritage fund. Support of projects increasing the number of places of interest and recovery of historical monuments, concentration of the aim at integrated projects.
- § P.7.4 Education and awareness: support of implementation of educational models in the field of culture in all kinds of schools; support of educational and awareness increasing projects aimed at local and regional culture; support of information projects in the area of digitization of movable and immovable heritage fund.

The Czech Republic similarly to most European countries has a long tradition of intense state participation in influencing the conditions of citizen's cultural life. That is proclaimed in

formulation of the cultural policy, concepts and strategies, supportive programs and wide legislative or institutional structure financed from the public budgets.

### **Strategy of effective cultural support (Cultural policy)**

After 1989 the documents of cultural-politic nature were formed by almost every elected minister. Some of them were formulated as basic principles and program thesis, other were formed into a medium-term plan of cultural support. Under the influence and inspiration of the cultural policies of the stabilized Western European democracies the content of the documents are more oriented to principles and goals stated in the UNESCO documents. In this sense the most consistent document was the „Strategy of more effective state cultural support (Cultural policy)“ of 1999 updated by the governmental decree in 2001 until 2005.

The undeniable positives of the document are the fact it actually reacts to progressive trends of the European cultural policies, that is the base creates a concept of the cultural rights and the cultural diversity. It prefers protection of the cultural heritage and its adequate utilization in the cultural life of a society and effective economic evaluation. It promotes the conditions of maintaining and in several areas even enlarging the offer of cultural opportunities and services while consecutively weakening the commecionalization tendencies in the areas bordering the clear and regulated markets with the cultural goods and services. It support maintaining economic and space availability of the majority of cultural services. It assumes a support of artistic production and a promotion of public participation in cultural life. Mainly in comparison with several other post-communistic countries, the concept attitude apparently facilitated a relatively successful disestablishment of the cultural institutions, creating space for both the business and non-governmental non-profit sector in the cultural sphere and decentralization of cultural administration in connection with the public administration reform.

Along with the positives some of which are listed above there are of course problems that can be classified into three basic groups. The first one is the issues closely related to the program itself, the second one is the issues in relation to non-governmental non-profit organization and business sector. The third group is created by the issues in relation to inconsistent or unsuccessful program performance.

Despite considerable efforts the problems resulting from a departmental distribution of public administration competence remained. This distribution has to remain to serve its purpose but also continuously overcome by enlarging cooperation with other departments.

In this respect it can be stated that one of the basic program goals of the cultural policy, that is to create conditions for the public participation in the cultural life, is being successfully fulfilled and a part of grant programs is aimed at creativity support (the support of an offer prevails over the support of public participation in cultural life). One of the actual objectives of the cultural policy is an increase of an active creative cooperation of a large part of the public in cultural life that is pushed forward by the UNESCO and several European countries.

A certain weak point of the program is an absence of evaluation criteria of individual program objectives performance (indicators, criteria, partial goal of actual phase and others). In specific cases the repairment of the lack will be very difficult but it definitely strengthens its mission and power. The solution of the insufficiency might lie in amending the basic strategic document with a time-limited program containing concrete objectives and tasks.

The last difficult but solvable issue is the volume of the document itself. That is to a certain extent influenced by its departmental classification. Because plenty of departments share the

same objectives that are only modified by their specific activity, some paragraphs are repeated (for example public participation in the service supply).

The knowledge of the Czech cultural policy as covered by the cultural journalists and public discussion is not very deep at all. The best awareness of the program is amongst the state and regional administration employees, which is in a logical relation to the fact that they are obliged to its practical implementation. The cultural institution specialists and non-governmental non-profit organization activists are a lot less informed. Most often they are well acquainted with those parts regarding their scope of activities. The proof of their limited knowledge is a frequent asserting the requests that are already firmly established in the program. To the certain extent that confirms the program and its practical implementation reflect on the essential interests and desires of the expert public.

The program control is measurable by the extent of its implementation. The success is then closely related to the objectives and measurability of the final results. With respect to the nature of the issue, general objectives are of a considerable importance. Yet a part of them can be measured with high reliability and confidence.

For the purpose of a successful formulation and development of the cultural policy it is essential to fulfil those objectives that most influence culture on a practical level. Although these are long term objectives it can be already pointed out that the largest failures are the following:

- The volume of cultural expenses did not reach 1% of the state budget so that it would come near the standard of the EU countries.
- Despite a positive development there are still problems implementing cooperative and multi-annual grant financing, especially on a regional and municipal level.
- Granting systems often prove to be insufficiently interconnected with the program objectives, which creates doubts regarding the purposefulness of utilization of limited resources and complicates the decision making process.
- A complete and still increasing lack of financial means creates doubts regarding the program objective of a public support of professional artistic production that is facing serious existential problems in connection to the growth of all input prices and an implementation of a new remuneration scheme.
- A support of cultural and aesthetic education including the national cultural heritage is still insufficient. A comprehensive system that works well in Scandinavian countries, for example in Sweden, is missing. The system facilitates a contact of not only young people with culture and works of art and artistic performance, but it also creates work opportunities to artists and establishes users' and visitors' habits.
- A difficult economic situation of collection institutions and libraries limits their acquisition activities and limits the performance of their fundamental mission.
- Despite all efforts to get the wide public involved in cultural and artistic activities, the situation remains more or less the same. Although there are now a lot more sufficient conditions for non-governmental non-profit organizations approaching the state budget means, their share is still below the average number in the stabilized democratic countries. That is not the result of legal obstacles but more of the remaining prejudice and a lack of management skills of some non-governmental organizations
- Only a partial result has been achieved in the respect of maintaining lower VAT rate for certain cultural goods and services.
- The law on public organizations in cultural sphere has not been agreed and enforced.
- There are problems regarding a continual obtaining of statistic data on culture, cultural industry and infrastructure.

In parallel with this program several departmental documents of a concept nature were produced. The validity horizon of some partially overlaps the period of newly drawn up cultural policy. Their objectives and principles should be taken in account.

### **Concept of effective support of art from 2007-2013**

The most recent material is the „Concept of effective support of art from 2007-2013“, which was agreed by the governmental decree in 2006 and defines the role of art and its social function, stresses its importance for economic development especially with respect to its potential in cultural and creative industries and its multiplying effects in relation to provision of cultural services. Its main aim is to enforce a balance between the protection of the cultural heritage and the living art as an assumption of more quality utilization of the cultural potential and its multiplication. It is an example of a concept that uses a whole scale of cultural and political documents that regard social and economic development of the Czech Republic in an innovative way.

### **Library development concept in the Czech Republic from 2004 to 2010**

It was agreed by the governmental decree in 2004 (and amended in 2007). It clarifies the objectives and ways of provision of library and information services (hereafter VKIS) embodied in the Act on Libraries (257/2001Sb.), and reacts to information technology development. The concept aims at a support of library development so that any Czech citizen has an equal access to quality VKIS. It states the direction of library development in the next five years and its main fundamental part describes almost thirty partial objectives and tasks towards their fulfilment. Its essential part is a calculation of necessary financial costs. The document was elaborated in accordance with the basic program objectives of the European Union (hereafter EU) and UNESCO objectives regarding the priorities especially in the area of equal access, preservation, protection and availability of the cultural heritage and the human resource development.

One of the concept objectives is optimization of the utilization of limited resources of the public budgets in purpose of VKIS support and reaching a synergy effect by means of the priorities defined not only with respect to the current state of VKIS, but also a purposeful utilization of the EU funds to support the public services.

### **Concept of effective care for traditional folk culture**

It was agreed by the governmental decree No. 571 of June 11<sup>th</sup> 2003. The concept follows from the UNESCO document. It defines the importance of the traditional folk culture as part of the cultural heritage, as the basis of cultural identity, the source of cultural diversity and education, a factor of economic development used mainly in the touristic industry. In some areas it is directly linked to the production activity of small size businesses. The role of the state is to maintain and preserve the development of literary, dance, music, custom and other expressions of the traditional folk culture including the technologies of folk craftwork, folk fine art and other specific parts of the folk culture that belong to the treasury. The concept will be updated after the final evaluation by December 31<sup>st</sup>, 2008.

## **Concept of development and research at the Ministry of Culture from 2004 – 2008**

On a general level it follows from the thematic priorities for the social sciences amongst which undoubtedly belongs a historical reflexion of the Czech nation, culture and state instead of the Czech society and the Czech state in the globalization process and the European integration and the state and premises of cultivation and human potential realization. The strategic goal – sense – and a social mission of the basic and applicable importance is the research of the Czech and specific traditions of the ethnicity in the territory itself that will be of a crucial importance for understanding the benefits and the position of the national culture in respect of the world culture (importance of the cultural heritage for an individual and the society, development tendencies, common features and specifics of the Czech cultural heritage in the European context, the importance of the cultural heritage for a sustainable economic and social development economics etc.), for the development of knowledge in general and especially in respect of the national history and the development of aesthetic norms and creativity. The research and development in the field of culture creates social prerequisites for maintenance, preservation, conservation and presentation of the cultural heritage in a broader sense.

## **Concept of effective care for movable cultural heritage from 2003-2008 (Concept of museum care)**

It was acknowledged by the governmental resolution No. 87 of 22 January, 2003. It states the basic objectives of the state a fulfilment of which creates stable conditions for the care of the movable cultural heritage in the Czech Republic in a given period. The concept proposes a solution of strategic objectives, which are a more effective preventive protection of museum collections mainly in cases of vis major, reinforcement of legal security of the collection owners, development of acquisition activities, solving museum space problems, museum participation in educational process and information networks, promotion of the Czech Republic by means of exhibition projects abroad and the presentation support of the Czech modern history. It also analyses the state of the movable cultural heritage and museum keeping with the stress on the development after 1989. The concept will be updated every two years and the final evaluation done by December 31<sup>st</sup>, 2008.

## **Regional development programmes and programmes of regional cultural concepts**

Regional development programs are elaborated as mid-term documents in all regions. Recently these programs were updated amongst others also for purposes of raising funds from EU funds by means of regional operational programs. In all programs culture remains an important factor as well as an area of regional development support.

Different aspects and connections of culture are explicitly stated in the documents. Their incidence and precise formulation varies in individual regions, yet still three common features of culture concept can be identified in the regional development programs:

- A universal feature is a stress on economic utilization of the cultural heritage, and almost exclusively for tourism;
- Cultural services support as well as cultural infrastructure support are common in country areas;
- there are different other cultural aspects in individual documents (more on a declarative level) for example minority and traditional culture or subculture (for example youth), places of interest and environment, identification of inhabitants with the region, quality

of life, human resource development, intellectual capital of a society and a cultural climate.

There is a comprehensive concept of a cultural development elaborated and published by five regions out of fourteen (Olomouc, Liberec, Zlín, Ústí and the capital of Prague). Region Vysočina prepared and published a general draft. There is a partial concept in partial relation to culture by six regions (Morava and Silesia – Marketing strategy of tourism; Pilsner – monument heritage concept; Middle Bohemia – Concept of museums and galleries; South Moravia - Concept of preservation and cultivation of cultural monuments and Strategy of human resource development; Pardubice – Concept of state monumental care support; Hradec Králové region – Concept of tourism).

## **4. Documents and legislative authorities**

### **UNESCO**

The character of the resources and inspirations for the cultural policy contained in the UNESCO documents is majorly influenced by the position and character of this international organization. They are elaborated in a highly general way, aim at solving basic common issues and respect a full sovereignty of individual member states at implementation of agreed principles, objectives and regulations in the territory. They respect political plurality of the member states and cultural universality expressed in a diversity of individual culture forms.

According to the UNESCO nomenclature the documents are divided into three categories, which are the following: treaties (multilateral agreements and conventions of the member states regarding fundamental issues in a relatively concrete and mutually binding way), recommendations (documents, in which the UNESCO General Conference decided by the qualified majority and mostly forms norms and principles for international regulation of a certain issue and encourages the member states to adopt legal implementation regulations according to their constitutional rules), and declarations and charts (multilateral legally non-binding documents of an essential and often political character but of a highly general form). According to the procedure analysis of accepting these documents there is an apparent tendency “from declaration towards treaty“, which means that a certain issue is at first considered on a level of a declaration and after some time comes a recommendation and finally there might be a treaty.

Most of the documents that were subjects of the background research benefited in order to define the basics (culture, cultural heritage, cultural goods etc.) in a way that stands on the border of a scientific definition and definition of an acceptable in the world of politics and economy.

The content of all the documents is consistent and the basic resources, thoughts and objectives are found in almost all the documents accepted in connection with the solution of the actual problems, in some cases with a relatively considerable forethought.

The fundamental issues of most of the researched documents are as follows:

- § Protection of the cultural heritage in all its forms with the accent on protection of the parts that are mostly endangered (for example the non-material cultural heritage ) or the parts importance of which is so far not majorly acknowledged (digitally fixed works of art) or specific cases of exposure (for example the protection at times of militant conflicts);
- § On one hand the protection of the cultural heritage is understood as an obligation in respect of the values of the heritage itself and on the other hand it is an essential prerequisite and a source of development and creativity;
- § Transition from the declaration of the cultural rights towards an implementation and realization of all provisions that might contribute to its practical fulfilments in a daily life of a society;
- § Promotion of culture as an essential factor of social and economic development of a society and its equal participation into the development strategies and programs;
- § Harmonization of cultural heritage protection with a stress on its participation in a current cultural life and its economic utilization;
- § Promotion of the principle stating that the services and creations in the cultural sphere entering the market are in respect of their functions (for example a carrier of identity, values and sense of existence) goods of a specific nature;
- § Preservation and support of cultural diversity as a treasury, as a natural state of culture and a prerequisite of social development as well and the development of the culture itself;
- § Support of cultural plurality as a democratic way of realization of cultural diversity;
- § Support and facilitation of a cultural exchange in all its forms and an improvement of the positions of cultural minorities in the process;
- § Protection of intellectual property rights and their correspondence with ensuring the right of public access to the cultural heritage;
- § Support of participation in culture life, and mainly improving digital literacy as a prerequisite to democratic participation in culture;
- § Consolidation of the cultural industry in the development and transforming countries;
- § Increase of investment into cultural development.

The Czech Republic as UNESCO member state is a party to most conventions and treaties and respects all the obligations under them and also implements the resulting recommendations of a non-binding character. The question is whether all the inspiration will be used in a predictive way.

Comparing the UNESCO documents with the Czech Republic cultural policy confirms a high compliance rate that is gradually deepening. The cultural policy of the Czech Republic should continue this trend and adopt regulations even more consistent and more concrete application of the principles and rules in respect of the program as well as a common practices.

For the practical activity of the organization the above listed normative documents and their implementation is of a crucial importance to the medium-term strategy the last valid version of which was discussed in autumn 2007 for the period 2008-2013. For the respective period the basic strategic objective was stated the support of cultural diversity and dialogue between cultures. The support of cultural diversity and respective dialogue is understood the driving force of the development, not only an economic development but also a tool to reach a more satisfying intellectual, emotional and intellectual life. The idea is contained in all seven cultural conventions that are listed below.

UNESCO intends to reach the main objective by means of three program strategic objectives:

- § The first of them is to reinforce the share of culture in sustainable development. To make this strategy successful UNESCO plays an important role presenting and defending this area and to reach more politic decision power and to use the local, national and international social participants in order to implement the principles of cultural diversity in overall politics. The objective of the strategy is to embed culture into all development politics, especially those in connection with education, science, communication, health policy, environment and tourism, and to support the development of cultural sector through creative industry sectors and also to create an encouraging environment reacting positively to the needs of legislative, education and natural resources areas.
- § Another program strategic objective is to prove the importance of cultural exchange and dialogue for purpose of social coherence, consolation and peace. UNESCO intends to define new issues and obstacles that impede a permanent dialogue between nations ,and further to elaborate and adjust the methodology, procedures and networks contributing to the intercultural dialog – drawn up as an important part of a quality education – into the school curriculum and didactic materials. Promotion of cultural diversity and dialogue will continue amongst others also by preserving language diversity mainly through intellectual, literary and poetic heritage of humankind; through formulating national language policies that stress the significance of education through the mother tongue and its connection into formal and non-formal educational systems; language support as the means of transfer of local and indigenous knowledge; using various languages and spreading local knowledge in cyberspace.
- § The third program objective is permanent protection and appraisal of the cultural heritage. The objective is a specific example of applying the UNESCO global strategy regarding cultural diversity and related dialog. Today, the cultural heritage „area“ is better understood in all its diversity (natural and cultural; movable and non-movable) and it is „cared for “ by tools that should protect all this heritage. The necessity to develop an integrated approach to the heritage in all its forms and functions as a development vector and as a conciliation vector. UNESCO therefore intends to promote participation policies and regulations that involve requirements of heritage preservation as well as further development requirements and contribute to the social coherence and innovations.

The mid-term strategy approved by the UNESCO member states is consecutively realized through three two-year realization programs and budgets. The mid-term strategy is built as an open one, which involves a regular clarification (in two year intervals).

## **World Intellectual Property Organization (WIPO)**

World Intellectual Property Organization (World Intellectual Property Organization, hereafter „WIPO“) was founded in 1970 and in 1974 it became a specialized agency of the United Nations Organization. Its task is to contribute to the intellectual heritage protection worldwide and especially to promote development of international intellectual rights system (mainly copyright and related rights and industrial rights). There were 184 WIPO members by April 13, 2007. The Czech Republic joined on January 1<sup>st</sup>, 1993 (CSSR was a member since December 22<sup>nd</sup>, 1970).

WIPO administers 24 international conventions, six of which regard copyright and related rights. Their list is included in the Chapter 6.



In 2000, at the very start of the new millennium, WIPO adopted the World declaration of intellectual heritage, which amongst others states the following:

In relation to intellectual property value:

- § Intellectual property is an essential element of the human development viewed from a historical as well as current point of view;
- § Starting from the oldest pre-historical rituals, over to the beginnings of music and dancing, burial rituals, cave paintings, written word, folk literature and dramatic expression, after as much as utilization of modern technologies such as sound recording, film, wireless broadcasting, computers, computer programming and digital recording, the humankind identified and defined itself by means of cultural production and their expressions in form of works of art and performances, that can be summed as the intellectual ownership.
- § Generally and especially in relation to the development the intellectual property influences providing education to all, mainly with respect to the unique opportunity for human resources education such as the internet.
- § Intellectual property can play a useful role providing sufficient financial stimulus to scientists and research organizations including universities and also contribute to production of an effective circle of gaining and sharing the knowledge.

In relation to the value of intellectual rights it states the following:

- § Rights to intellectual property are the stimulus for originators and ensure that the users have an equal access to creativity benefits;
- § Rights to intellectual property are essential and integral part of all legal frameworks that aim at regulation of civilized behaviour of the originators and users equally and therefore provide universal rights protection.

In respect of the managing rules it states the following:

- § In reference to the Article 29 of the Universal Declaration of Human Rights that states each and every individual's responsibility towards the society he/she lives in, the intellectual property rights ought to be developed in order to reach an adequate balance between the protection of originators and the interests of the users of intellectual property.
- § Intellectual property rights apply equally to all originators and users of intellectual property without any difference or discrimination of any kind or to holders of rights for any racial, sexual, language, religion reasons or other status.

Regarding to recommended activities it states the following:

- § It is essential to support anyone who originates or wants to become an originator.

- § It is necessary to strengthen efforts regarding provision of appropriate intellectual property rights to all originators worldwide.
- § By use of all potential of modern information technologies it is necessary to ensure that all originators and users worldwide are aware of their rights, trying to raise public awareness on intellectual property rights and discussing the issues related to intellectual property.
- § By use of modern information technologies it is necessary to promote and raise public awareness on intellectual property and its rights in purpose to support interest in artistic goods.
- § It is crucial to understand the impact of world economies integration and fast development of information technologies in respect of intellectual property and adopt the necessary regulations.
- § It is necessary to elaborate a development concept of intellectual property market in order to raise the affectivity of their utilization.

In respect of the international cooperation it states the following:

- § It is essential to aspire after the harmonization of national policies regarding intellectual property rights aiming at global protection.
- § International cooperation in respect of intellectual property issues can significantly contribute to the international development program and therefore it ought to be supported by any available means.
- § The governments have to be appealed to cooperate in a worldwide protection and utilization of intellectual property in the traditional and new areas.
- § It is essential to support cooperation between national and international organizations active in the sphere of intellectual property including United Nations Agencies, state administration and non-governmental organizations as well as cooperation with civic societies in purpose to deepen the intellectual property rights worldwide and to come to general understanding of these rights and their functions.

### **World Trade Organization (WTO)**

By signing the Marrakesh Agreement Establishing the World Trade Organization of April 15 1994 a multiyear aspiration to complete and transform the General Agreement on Tariffs and Trade (GATT) were finalized and the international organization founded on January 1, 1995. The Czech Republic became one of the original member states of the WTO. The members are not always only the states but also unified tariff areas (tariff unions or whole territories).

The basic WTO objectives and functions are to increase the standard of living, to reach full employment and higher and still increasing level of actual pension and an effective demand for goods and trade with goods and services, which would allow an optimum utilization of the world resources in accordance with the objective of sustainable development. To accomplish an agreement in multilateral binding regulations of the international trade, its liberalization (removing obstacles), ensuring transparency and stability of trade amongst the WTO members.

The organization is the place to negotiate trade, solve any disagreements regarding the trade and conflict of interests within the organization.

The legal documents following from the 4<sup>th</sup> Ministerial Conference held in Doha established the bases of multilateral negotiations on so called "Doha Development Agenda" (DDA). The negotiations include a whole range of negotiation areas and should connect the issues of improving the market accessibility (market liberalization) and specify or agree the new multilateral trade rules.

In the area of cultural goods and services market and the area of cultural industry the Czech Republic needs to coordinate its approach with other EU member states and the European Commission so that its obligations in WTO are not affected and the cultural goods and services are treated as the goods of a specific nature. The Czech Republic chooses equally coordinated approach with the EU countries in case of fulfilling obligations following from the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

## **European Union**

The basic resources and postulates of a cultural policy orientation in the EU documents are similar to the UNESCO documents, which is given by the same character of the international organizations that gather their member states based on free will and mutual benefits. Therefore similarly as in UNESCO a full responsibility for culture and cultural policy lies with individual member states to such an extent that a harmonization of legal and administrative documents (with an exemption of copyrights and audio vision) is not well accepted. The essential procedures and objectives of the cultural policy postulated in the EU documents are formulated from the viewpoint of the Union and a whole and the benefits of individual member states and their realization and fulfilment are assumed obvious, therefore the cultural policy usually does not have a form of a recommendation. There are apparent expectations regarding political, economic and cultural character of the member states at the moment of their EU accession.

The purpose of the issues contained in the documents is to undated and to remind of a part the culture plays in fulfilling the sense of the union membership:

- § To enhance cultural prime of the EU member states while respecting their national and regional diversity and stressing the common cultural heritage;
- § To support maintaining cultural diversity and cultural awareness;
- § To enhance the knowledge of cultures and European history as well as cultural cooperation with the countries outside the EU
- § To maintain and preserve the cultural heritage of the European significance;
- § To support dialog between cultures;
- § To support a cultural exchange of especially non-commercial nature;
- § To support mobility of artists and experts in the field of culture;
- § To support artistic production in all areas per se or as an economic development factor in connection with creative and cultural industry and employment strategy;
- § To support activities for a maximum utilization of cultural economic potential of small and middle size companies and to utilize more effectively the Cohesion Fund, Structural funds and specialized communitarian programs.

Significant EU documents in the area of culture:

## **Section XII Treaty of Nice of February 26, 2001**

Article 151 on cultural cooperation

1. The Community contributes to cultural prosperity of the member states and still respects their national and regional diversity and points out the common cultural heritage.
2. Communitarian activity is aimed at a support of cooperation amongst member states and if needed at a support and supplementation of their activity in the following areas:
  - § Understanding and promotion of culture and history of the European nations;
  - § Maintenance and protection of the cultural heritage of European importance;
  - § Non-commercial cultural exchange;
  - § Artistic and literary production, including audiovisual production.
3. The Community and its member states cooperate to support in the cultural area of the third countries and respective international organizations especially with the Council of the European Union and the Council of Europe.
4. According to other provisions of the agreement the Community in its activity paying attention to cultural aspects especially to respect and to support its cultural variability.
5. To reach the stated objectives the Council:
  - § In accordance with the Article 251 and after consulting with the Regional Committee the Council accepts supportive measures according to paragraph 251 without harming other legislation and member state legal regulations. In this case the Council decides unanimously;
  - § Following from Committee's draft it issues unanimous recommendations.

## **Committee's announcement to the European Parliament, Council, European Economic and Social Committee and the Regional Committee for the European program for culture in the globalized world of May 10, 2007**

EU does not represent only an economic process and business power but it is also widely perceived as a successful and unique social and cultural project. EU is and focuses on becoming a more typical example of a „soft power“ based on norms and values such as human dignity, solidarity, tolerance, freedom of speech, respect towards diversity and intercultural dialog, which can all be an inspiration to the future world.

EU labelled the year 2008 as the European year of intercultural dialogue aiming at a support and application of established procedures in the intercultural dialogue with objective on a sustainable strategy after 2008. A special attention will be paid to a multilanguage aspect of the dialogue.

### **Objectives of the European cultural program:**

- § To support cultural diversity and the dialogue between cultures;
- § To support mobility of artists and specialists in the cultural area and circulation of all artistic expressions beyond national borders;

- § To mobilize private and public sources for the benefit of the mobility of artists and cultural employees in the EU framework;
- § To support mobility of the works of arts and other artistic expressions;
- § To enhance European coordination in respect of cultural employees mobility within the EU with the objective to prioritize the needs following from short-term and frequent mobility between the member states;
- a) To support and enhance the cultural potential and dialogue between cultures, mainly the development of „cultural consciousness and expressions“, „social and civic skills“ and „communication in foreign languages” as part of key prerequisites of the lifelong education that the European Parliament and the Council agreed in 2006.
- b) To support culture that is a creativity catalyst in the framework of the Lisbon strategy for growth and employment:
  - § To support creativity in education so that the cultural potential is used as a concrete asset for a lifelong education and culture and art will contribute to formal and informal education (including any language training);
  - § To support capacity development in the cultural area and an education of cultural employees in respect of their manager’s skills, enterprise and knowledge of European dimension / activities in the market of innovation financial resources development including sponsoring and by an enhanced access to these resources to further develop creative partnership between cultural area and other areas (information and communication technologies, research, tourism, social partnership etc.) with an objective to strengthen social and economic impact of culture and creativity investment mainly with respect to growth and employment support and the development of regional and town attractively.
- c) Cultural support as an essential element of international relations of the Union:
  - § To further develop political dialogue with all countries and regions in the cultural area and to support cultural goods exchange between EU and the other countries and regions;
  - § To support access to cultural goods and development countries products in the European market and other markets by means of focused activities and also through agreements that enable preferential treatment or regulation of business aid;
  - § To use its external and development policies to protect and support cultural diversity through technical and financial support on one hand to protect cultural heritage and its accessibility and on the other hand to actively enliven and support cultural activities worldwide;
  - § To ensure all programs and projects cooperation, during their creation and implementation, paid attention and contributed to wide public access to culture and its expressions. Education deserves a special importance including participation of culture in the curriculum at all educational levels in the development countries;
  - § To support an active EU participation in the international organizations regarding culture and the United Nations’ process called „Alliance of Civilizations“.

In the framework of the European Union the copyrights are partly harmonized in any areas where the differences of the national copyright regulations might create obstacles to internal EU market development. The legal instrument of the harmonization is primarily eight binding directives that were applied in the Czech legislative in form of the Copyright Act in 2000 and its amendment in 2006. The issues regarding copyright protection are parts of many EC initiatives. Lately we can mention for example the European digital libraries project, that in connection to digitization and public disclosure of artistic works has to deal with the issue of so called “orphaned” works (any work of art whose author cannot be located or identified) or

any works of art that are no more available on the market. Also the initiative regarding improvement of conditions for promotion of creative content by means of internet (Creative Content Online) attaches major attention to copyright protection.

## **Strategy for the creative Europe. The main recommendations to realize the Lisbon creative potential**

Gathering information	To create a quantitative proof material for decision making officials
The Lisbon agenda	To use and conduct most of the current supportive EU programs  To enhance internal market with creative people, products and services;  To support creativity and business education from the basic school to expert level;  To support relations between creators and technologies of gathering of these various competence at creative platforms;  To maximize utilization of financial EIB and EIF tools, mainly for risk investments in accordance with the i2010 EIB initiatives;  To integrate the cultural dimension into cooperation and enterprise agreements between the European Union and the third countries in purpose to enhance cultural exchange and cultural diversity;
Structural reform	To enhance coordination of activities and concepts that influence cultural and creative areas in the European Commission („all in one place“)

### **Czech Republic legislation**

During the monitored period the legislation in the cultural sector underwent an overall updating that in most cases manifested itself in form of replacement of the old regulation by its amendment.

With regard to the areas of art, literary culture and libraries a new Act on libraries and implementing regulations have been adopted. A major metamorphosis happened in the area of preservation of movable cultural heritage, museums and galleries, where a new act on museum collections protection and implementing regulations, on repatriation of illegally exported cultural goods, Act on export of some cultural goods from the tariff territory of the European community and an essential change, an amendment to an Act on sale and export of cultural values goods. In the area of monument preservation the Act on state monument preservation was amended (in connection to the reform of public administration and legal harmonization), a governmental draft on new Act on cultural heritage was submitted to the parliament in 2002 that did not pass. A collection on national cultural monuments and town historical preserved

areas was amended by legislative regulations. In the area of mass media and cinematography the following new laws were adopted: a new Act on radio and television broadcasting, Act on radio and television fees and a new Press Act. An Act on the Czech television and Czech radio were amended. In the area of copyright realization a new Copyright Act and following implementation regulation were adopted. A new Act on cultural support that deals with a more general issues and a governmental regulation on cultural awarding brought an important motivation element into the sector.

The only sector left without a new legal regulation after 1989 is the state monumental care.

A new Act on cinematography that regulates the Czech Republic State Fund for Support and Development of Cinematography, as an institution that fosters the Czech film industry, and also to amend the financing of the Czech cinematography including the state support.



## **5. Financial sources**

### **EU funds from 2007 – 2013**

Efficiency of the financial means of the EU funds is generally stated in the **Community strategic guidelines on cohesion**<sup>11</sup>. The cultural sector is mentioned mainly in two connections; as part of the general provisions 1.1 Attractive Europe and its regions for investors and workers, 1.1.2 Enhancing cooperation between environmental protection and growth aimed at more attractive conditions for companies and their highly qualified employees by means of local planning support that slows down city spreading and by renewal of physical surroundings including the development of natural and cultural heritage. In the framework of part 2 Local extent of policy of cohesion, 2.1 City contribution to growth and employment aimed at gaining highly qualified professionals and ensure their employment continuance through regulations regarding accessibility and provision of cultural services and also to preserve the development of historical and cultural heritage with a possible positive influence at the development of tourism aimed at building of cities more attractive for people to live in.

Concrete direction and conditions for obtaining finances from the structural EU funds (European social fund and European fund for regional development) for cultural area state mainly general<sup>12</sup> and specific<sup>13</sup> regulations of these funds. The Directive regarding the European fund for regional development states in the general provisions, Article 4, that in the framework of the „Convergence „objective the European fund for regional development intends to concentrate on supporting sustainable integrated regional and local economic development and employment by mobilization and enhancement of internal capacities in operational programs aimed at modernization and diversifying of regional and local economic structures and creation and protection of sustainable jobs, amongst others by means of priority 7) investment into culture, including protection, promotion and preservation of cultural heritage, development of cultural infrastructure to support social and economic development, sustainable tourism and increasing regional attractiveness and support aimed at improvement of cultural services offer through new services with higher added value.

Article 6 on European regional cooperation defines that the European fund for regional development supports the development of cross-boarder, social and environmental friendly related activities by means of common strategies for sustainable regional development, mainly (amongst others) the development of cooperation, capacity and common utilization of infrastructure in culture related areas. Article 8 Sustainable urban development states that the European fund for regional development can in case of regulations regarding sustainable town development support the development participating, integrated and sustainable strategies in purpose to solve high concentration of economic, environmental and social problems, including such activities as protection and development of natural and cultural heritage and providing services for inhabitants. Article 10 on geographically and naturally disadvantaged

---

<sup>11</sup> 2006/702/EC: Council Decision of 6 October 2006 on Community strategic guidelines on cohesion

<sup>12</sup> Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999

<sup>13</sup> Commission Regulation (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund

areas states any of those disadvantaged areas can raise finances from the European fund for regional development for their investments in order to support economic activities related to cultural and natural heritage.

The basic document that defines ways of obtaining EU funding is the **National Strategic Reference Framework of the Czech Republic**<sup>14</sup>. It defines two areas for cultural sector can in connection with following two strategic objectives of the program:

- Strategic objective „Competitive Czech economy“, priority C „Sustainable development of tourism and utilization of cultural heritage potential“. Here the activities bring direct growth economic and social effects (jobs, GDP) and indirect effects (regional social cohesion, increasing regional attractiveness for its inhabitants and visitors); restoration and utilization of movable and non-movable cultural heritage; infrastructure development for cultural services and larger offer of cultural services.
- Strategic objective „Balanced regional development“, priority B „Development of urban areas“ and priority C „Development of country areas“. Here are activities for towns with more than 50 000 inhabitants (increase of offer and availability of cultural services) and country areas (development of social infrastructure, including cultural activities).

Concrete identification of the supported activities, their receivers and other conditions of fundraising are specified in individual operational programs. According to cultural development importance these are the most important operational programs:

**Integrated operational programme**<sup>15</sup> is one out of eight thematic operational programs of the Czech Republic for fundraising EU funds from 2007-2013. The program contains six priority axes. For the cultural support the key axis is the Priority 5 „National support of regional development“, part of which is the intervention area 5.1 „National support of utilization of cultural heritage potential“. For this intervention area an amount of 250 308 778 EUR was allocated for the whole period including co-financing in amount of 15% paid from the state budget. The controlling body of IOP is the Ministry for regional development. The Ministry of Culture plays a role of a mediating subject for OI 5.1. That means it is the primary contact site for the applicants and receivers of subsidies and it is responsible for selection, realization and monitoring of individual projects.

In the intervention framework the projects aimed at utilization of the current objects providing cultural services with higher added value are supported, which are the following:

- Specific services of monuments owners, investors and entrepreneurs in the area of monuments, cultural services and cultural industry (especially in form of methodical support and consulting);
- Professional public services (expert activities, organization of national and international conferences and workshops, presentation of knowledge, courses and trainings etc.);
- Non-professional public services (modern forms of presentation of non-movable and non-material cultural heritage, cultural services such as theatre and dancing performance, concerts, social meetings etc., educational actions for schools and other target groups).

In the intervention framework 5.1 the following three types of activities are supported:

---

14 Source: [http://www.strukturalni-fondy.cz/uploads/documents/NOK/NSRR\\_final\\_1.pdf](http://www.strukturalni-fondy.cz/uploads/documents/NOK/NSRR_final_1.pdf)

15 Source: dokument vision of November 15, 2007

- a) Creating and increasing affectivity of national methodical centres for the selected segments of the cultural heritage.
- b) Realization of exemplary projects of renewal and utilization of the most significant parts of non-movable Czech monumental heritage (Projects of renewal and utilization of historical monuments or collections on the world cultural and natural heritage UNESCO list and the list of candidates waiting for a registry into the list or candidates listed in the Central list of cultural monuments as a national cultural heritage and the projects of renewal and utilization integrated collections of cultural monuments located in the territory of most NUTS II, that is essential to realize centrally for the purpose of coordination and ensuring synergetic effect.
- c) Improving infrastructure for modern cultural services with higher added value (building or modernization of national centres providing technological bases and consultation support and assistance at distribution and promotion of products and services in the area of library funds and literary production and distribution, films, music, current fine art, art crafts, theatre, dance and multimedia production and creating national networks of modern equipped multifunctional centres providing cultural services in the modern art and librarian areas ensured by non-governmental organizations on national level).

In the framework of the support area 5.1 investment projects in amount of 100 million CZK will be supported. The subsidies beneficiaries can be the organization state bodies and allowance organizations, municipalities and organizations founded by them, communal unions, NGOs and interest groups of legal entities.

Also other areas of IOP intervention offer a feasibility to raise funds for project financing in the cultural area. In the framework of priority axes 1a – Modernization of public administration (Convergence objective) and 1b – Modernization of public administration (Competitive strength objective), intervention area 1.1 „Development of information society in public administration (1.1 and 1.1b)“ will support implementation, development and promotion of service providing in electronic public administration with stress on safe, transparent, fast and easy access to services provided by public administration bodies, amongst others also electronization of public administration services (e-Culture) and digitization of selected data sources, their availability (including protection and access to published digital documents), long-term storing including an equipment of National digital libraries, National data storage and regional data storages that are interconnected. The subsidy beneficiaries are the organizational state bodies and allowance organizations founded by them.

Priority axis 4a – National tourism support (Convergence objective) and 4b - National tourism support (Competitive strength objective), Activity d) presentation and promotion of cultural and natural heritage, cultural industry and services with use in tourism on national level. In this framework an integrated presentation and promotion of national cultural and historical heritage will be supported (for example national cultural monuments, UNESCO protected monuments, city monumental preserved areas, folk architecture, strongholds and castles, technical and church monuments) and natural heritage (for example national parks, geo-parks, regional natural preserves) utilized for tourism purposes. Also the projects that consider a given area as a complex (for example themed collections of monuments) and those of national or even international character will be supported. The subsidy beneficiaries are the state organizational bodies and state allowance organizations founded by them; NGOs and interest groups of legal entities active in tourism area at a national level.

**Program Czech country development from 2007 – 2013** supports cultural development in framework of Axe III - Quality of life and economic diversification in the country areas,

regulation group III.2 – regulation for improving quality of life in the country areas. In framework of regulation III.2.2 Restoration and development of country cultural heritage the following activities are supported:

- New development, building restoration (reconstruction, modernization, static security) of buildings and areas for civic equipment in cultural area;
- Elaboration of renovation studies and utilization of monuments, programs of regeneration of monumental significant areas, list and maps of monuments in the country, maintenance plans, geodetic works;
- Building restoration (reconstruction, modernization, static security) of historical monuments and preserved areas;
- Revitalization of historical parks, gardens and alleys;
- Purchase of buildings, engines, facilities, equipment, hardware, software, investments for realization of exhibitions, museums with local cultural offer and historical attractions.

The subsidy beneficiaries are the municipalities, communities and non-governmental organizations with legal subjectivity including churches and their organizations, interest groups of legal entities. The minimum of total expenses for a project are in amount of 50 000 CZK. The maximum amount of eligible subsidies is 90% of eligible expenses, based on which the subsidy is calculated. The maximum amount of subsidies per a beneficiary in each three year period is 200 000 EUR in 2007 - 2013. The support is provided in the framework of de minimis regime, meaning that the total amount of de minimis support provided to a subject cannot exceed the amount of 200 000 EUR in each period (the limit applies without regard to the form of support or the objective it pursues). The projects have to be realized in the countries with a maximum of 500 inhabitants.

In the selected regions there is a possibility to raise funds from **cross-border cooperation programs**<sup>16</sup>. These are four: ČR – Bavaria, ČR – Poland, ČR – Austria, ČR – Saxony and ČR – Slovenia. The priority axis and potential beneficiaries of subsidies differ in individual programs. These programs can provide finances for common cooperation programs of partner countries or regions and our neighbouring regions that aim at supporting social economic development in respect of culture mainly in connection to tourism. The subsidy beneficiaries are defined in various ways; they usually include local municipalities and non-governmental organizations.

On a regional level the fund raising options in cultural area are defined in **regional operational programmes** for single regions of cohesion NUTS2 (except the capital of Prague). Again, the definition of cultural support differs in individual regional operational programs. Cultural support as a specific area of intervention appears only in regional operational program Southwest (OI 3.2 Revitalization of monuments and utilization of cultural heritage in tourism development), nevertheless the regional operational programs identify two basic directions of cultural support:

- As part of tourism development (revitalization of monuments for tourism, development of cultural infrastructure for tourism, modification of historical preserved areas and

---

<sup>16</sup> Source: <http://www.strukturalni-fondy.cz/uzemni-spoluprace>

premises, building of information and orientation systems in relation to cultural heritage.);

- As part of stabilization and development centres, cities and country areas (regeneration of monuments, development, reconstruction and equipment of civic facilities for culture and leisure time).

### **Other financial sources**

The communitarian programs are the European Union tool for further cooperation and solution of common problems of EU countries in the area of certain EU policies. These programs always run for three years and are financed from the EU budget. They represent an option to raise finances for education, research and technological development, enterprise, production, environmental protection, development of traffic and energy infrastructure, culture, information society support, consumer protection activities, human rights protection, safety etc. The responsibility for realization of communitarian programs lays in most cases upon the European Commission. Only in selected programs (programs with central control or time shared control) part of responsibility is transferred to internal state administration bodies. For the period of 2007 – 2013 the Ministry of Culture agreed the following communitarian programs: Culture and Media.

### **Program Culture**

The main task is to enhance the cultural area that all Europeans share based on common cultural space through common cultural cooperation between the creators, players and cultural institutions in the countries participating in the program aimed at origination of European citizenship.

Following from Article 151 Treaty of Nice the program stipulates that the European community will contribute towards cultural prosperity of the member states, respect its national and regional diversity and also promotes the common cultural heritage.

Specific objectives:

- Promotion of cross-boarder cultural mobility of participants
- Support of cross-border mobility of works of art and cultural products
- Support of intercultural dialogue

General and specific objectives are fulfilled through program action lines:

- Line 1 – support of cultural projects (1.1 Projects of multi-year cooperation – long-term projects, 1.2.1 cooperation – short-term projects, 1.2.2 literary translations and 1.3 special actions studies)
- Line 2 – support of subjects active in the cultural area at European level;
- Line 3 – support of studies, analysis, collection and promotion of information in the cultural cooperation area and European cultural policy; support of national offices.

Note: Program sources increased in absolute numbers from 236.5 million EUR in years 2000–2006 (program Culture 2000) to 400 million EUR in period 2007–2013; it is necessary

to take in account the inflation, increase of participant countries, change of program lines etc. Following a budget analyse the conclusion is that the amount of support from European Commission remains the same as the support of program Culture 2000.

## **Program Media**

The program mission is to support activities connected with pre-requisites of creation of audiovisual works of art (education, development) and their realization in cultural life (distribution, promotion). The main program objectives are the following:

- Preservation and enhancement of European cultural and language diversity, cinematographic and audio-visual heritage, ensuring its public accessibility and support of inter-cultural dialogue;
- Enlargement of distribution and tracking European audiovisual art works inside and outside the European Union;
- Enhance competitive power of the European audiovisual sector in an open and competitive European market.

Objective provisions of MEDIA program are the following:

- To make provisions for the importance of creative process in European audio-visual sector and cultural value of European cinematographic and audio-visual heritage;
- To enhance production skills of small enterprise aimed at strengthening competitive power of European audio-visual market, which means to contribute to wider promotion of company culture and facilitate private investments;
- To decrease the imbalance between the high production capacity countries and low production capacity countries or limited language areas. This priority reflects the need to preserve and strengthen cultural variability and dialogue between European cultures.

Program budget from 2007-2013 are 755 millions EUR.

Another financial resource is the **International fond for cultural support** that aims at four areas:

- Diversity support of all forms of current cultural expression through supporting different cultures (the values that they represent and expression means that ensure their authenticity and identity) while respecting autonomy and free artistic expression;
- Improving activities and correct management of national and regional (in an international sense) artistic and cultural institutions and other structures and facilities with cultural mission amongst others through education of specialists in development and cultural activities (planning, administration, management, expert services);
- Research in the area of current cultural praxis (including the importance of cultural development, production and cultural promotion etc.);
- Cultural support for new audience and public especially through organizing exchange and network development.

The fund is administered by the board of directors managed by the UNESCO General conference.

By the act of the Czech Republic accession to EU in 2004 and by signing the Agreement on the participation of the Czech Republic in the European Economic Area on October 14, 2003 the Czech Republic can now raise funds from the **Financial mechanism (FM) of the European Economic Area (EEA)** and **Norwegian financial mechanism**. The financial means are provided by three states of the European Free Trade Association (EFTA) - Iceland, Lichtenstein and Norway. For the period of 2004 - 2009 the Czech Republic is due the total of 110.91 million EUR, participation of EHP 48.54 million EUR and the Norwegian financial mechanism 62.37 million EUR. The financial means are to assist economically less strong EEA countries in agreed priority areas, with the priority area 1 Preservation of European cultural heritage including the following issues:

- 1.1 Protection and restoration of non-movable cultural heritage
- 1.2 Improving care and protection of movable cultural heritage
- 1.3 Restoration of historical city areas and historical areas within the regions
- 1.4 Restoration of historical and cultural heritage in the regions
- 1.5 Removal of old ecological burdens at the areas of smaller extent in towns and villages (brown field)

In 2006 the **Memorandum of European Commission and Switzerland** on Switzerland aid to ten new EU member states. After signing the bilateral agreement the Czech Republic ought to get the total of 109.78 million Swiss francs over the next five years. There are no detailed specifications of the utilizations conditions of the aid. Presumably the aid will focus on four main priorities, the cultural area being one of them.

**International Visegrad Fund (IVF)** is an international organization founded on June 9, 2000 in Bratislava by the governments of the Visegrád Treaty (CR, SR, Hungary and Poland). The purpose of the fund is to support the development of further cooperation between the member states by means of cultural, scientific and educational projects, youth exchanges, cross-border cooperation and the touristic development.

IVF offers grant programs, student and artistic internships. The subsidy beneficiaries are mainly non-governmental organizations, municipal organizations, private companies, universities, schools, individual artists and students.

#### Small grants:

International Visegrád Fund supports the projects based on cultural cooperation, scientific exchange, education, youth exchanges, international and cross-subject cooperation and tourism support. The maximum of finances in the framework of small grants is 4000 EUR. IVF support cannot exceed 50% of the total amount. A certain project can last a maximum of six months and can be extended based on an official request. The total budget for small grants amounts to 512 000 EUR. Project deadlines are always these specific dates: March 1<sup>st</sup>, June 1<sup>st</sup>, September 1<sup>st</sup> and December 1<sup>st</sup>.

#### Standard grants:

Support areas are identical to the small grants areas. Nevertheless an amount can exceed 4000 EUR and a project can last a year. The grant finances a maximum of 50 % of the requested amount for the whole project. The total volume of earmarked finances is 2 200 000 EUR.

### Visegrád strategic programs:

The program objective is to support long-term projects of a strategic character aimed at all four Visegrád countries. A project has to regard at least one priority of the Ministerial conference for the given year. Previous priorities are followed by those formulated by the „Presidency of the Visegrád group“. The maximum length of project duration is three years and the amount cannot exceed 50%. The deadlines are February 15<sup>th</sup> and May 15<sup>th</sup>. The budget is 400 000 EUR. There is no maximum limit. An average grant amount is 50 000 EUR.

### **State funds**

#### **State cultural funds of the Czech Republic<sup>17</sup>**

The scope of fund activity is specified in the Act No. 239/1992 Coll.: on providing financial means of the Fund in form of purposeful subsidies, loans or reimbursable financial aid for the following:

- a) Support of creation, realization and promotion of works of artistic value;
- b) Editorial activities in the area of non-periodical and periodical publications;
- c) Obtaining, restoration and preservation of cultural and collection works;
- d) Exhibition and presentation activity;
- e) Promotion of the Czech culture abroad;
- f) Organization of cultural festivals, exhibitions and similar cultural activities;
- g) Support of cultural projects for preservation and development of culture of national minorities in the CR;
- h) Support of highly valued non-professional artistic activities;
- i) Protection, preservation and updating librarian fund.

The fund gets the income from renting real estates and from fees according to the Copyright Act so called „bona vacantia“ and bank account interests.

#### **Czech Republic State Fund for Support and Development of Cinematography**

The scope of fund activity is specified in the paragraph § 9 of the Fund Act: providing financial means of the Fund sources in form of purposeful subsidies, loans and reimbursable financial aid for the following:

- a) Production of Czech cinematography;
- b) Distribution of valued cinematography;
- c) Promotion of Czech cinematography;
- d) Technical development and modernization of Czech cinematography;
- e) Production, distribution and promotion of cinematographic works of art of national and ethnic minorities living in the Czech Republic territory.

According to the Czech governmental decision of January 17, 1996 No. 73 the Fund is the

---

<sup>17</sup> On July 9, 2008 the governmental decision No. 839 agreed to discontinue the Fund effective from January 1, 2009.



body responsible for processing coproduction requests regarding the European convention on film coproduction under the Act No. 26/2000 Coll. In 2006 a preclusive coproduction status was given to twelve projects and a definitive coproduction status after their finish to three projects.

The main resources of the Fund's income are the finances from business utilization of cinematographic works of art the Fund is the owner of copyrights to. Another significant income is based upon payments for the additional charge to the price of cinema tickets. Apart from that the Fund has also extra income from bulk management of copyrights according to the Copyright Act that creates an income share of formerly supported artworks, interests on finances of current and time deposits, repayments of returnable financial aids formerly provided to applicants and other insignificant income.

## 6. List of the culture relevant international documents

### UNESCO

#### A. Agreements and Conventions

1. *Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character*  
Beirut, 10 December 1948, No. 101/1998 Coll.

2. *Agreement on the Importation of Educational, Scientific and Cultural Materials with Annexes A to E and Protocol annexed*  
Florence, June 17, 1950 and Nairobi, November 26, 1976, No. 102/1998 Coll. and 103/1998 Coll.

3. *Universal Copyright Convention*  
Genève, September 6, 1952 and Paris, July 24, 1971, No. 2/1960, 16/1960, 134/1980 Coll.

4. *Convention for the Protection of Cultural Property in the Event of Armed Conflict*  
Haag, May 14, 1954; Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, Haag, March 26, 1999 No. 94/1958 Coll., No. 71/2007 Coll.

5. *Convention concerning the International Exchange of Publications*  
Paris, December 3, 1958, No. 12/1965 Coll.

6. *Convention concerning the Exchange of Official Publications and Government Documents between States*  
Paris, December 3, 1958, No. 12/1965 Coll.

7. *International Convention for the Protection of Performers, Originators of sound recording and Broadcasting Organizations*  
Rome, October 26, 1961, No. 192/1964 Coll.

8. *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Cultural Property*  
Paris, November 14, 1970, No. 15/1980 Coll.

9. *Convention for the Protection of Originators of sound recording against Unauthorized Duplication of their sound recordings.*  
Genève, October 29, 1971, No. 32/1985 Coll.

10. *Convention concerning the Protection of the World Cultural and Natural Heritage*  
Paris, November 16, 1972, No. 159/1991 Coll.

11. *Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties*  
Madrid, December 13, 1979

12. *Convention relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite*<sup>18</sup>

Brussels, May 21, 1974

13. *Convention on the Protection of the Underwater Cultural Heritage*<sup>19</sup>

Paris, October 17, 2003

14. *Convention for the Safeguarding of the Intangible Cultural Heritage*<sup>20</sup>

Paris, October 17, 2003

15. *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*<sup>21</sup>

Paris, October 20, 2005

16. *European Convention on the Protection of the Archaeological Heritage*

Valletta, January 16, 1992

17. *Convention for the Protection of the Architectural Heritage of Europe*

Granada, October 3, 1985

## **B. Recommendations**<sup>22</sup>

16. *Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace.*

Paris, October 15, 2003.

17. *Recommendation on the Safeguarding of Traditional Culture and Folklore.*

Paris, November 15, 1989.

18. *Revised Recommendation concerning the International Standardization of Statistics on the Production and Distribution of Books, Newspapers and Periodicals.*

Sofia, November 1, 1985.

18. *Recommendation concerning the Status of the Artist.*

Belgrade, October 27, 1980.

19. *Recommendation for the Safeguarding and Preservation of Moving Images.*

Belgrade, October 27, 1980.

20. *Recommendation concerning the International Standardization of Statistics on the Public Financing of Cultural Activities.*

Belgrade, October 27, 1980.

---

<sup>18</sup> The Czech Republic is not yet part to the Agreement.

<sup>19</sup> The Czech Republic is not yet part to the Agreement.

<sup>20</sup> The Czech Republic is not yet part to the Agreement.

<sup>21</sup> The Czech Republic is not yet part to the Agreement.

<sup>22</sup> Only the recommendations that were not amended or substituted by following intergovernmental UNESCO documents.

21. *Revised Recommendation concerning the International Standardization of Educational Statistics.*

Paris, November 27, 1978.

22. *Recommendation for the Protection of Movable Cultural Property.*

Paris, November 28, 1978.

23. *Recommendation on the Legal Protection of Translators and Translations and the Practical Means to improve the Status of Translators.*

Nairobi, November 22, 1976.

24. *Recommendation concerning the International Standardization of Statistics on Radio and Television*

Nairobi, November 22, 1976.

25. *Recommendation concerning the International Exchange of Cultural Property*

Nairobi, November 26, 1976.

26. *Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas*

Nairobi, November 26, 1976.

27. *Recommendation concerning the Protection, at National Level, of the Cultural and Natural Heritage*

Paris, November 16, 1972.

28. *Recommendation concerning the International Standardization of Library Statistics*

Paris, November 13, 1970.

29. *Recommendation concerning the Preservation of Cultural Property Endangered by Public or Private works*

Paris, November 19, 1968.

30. *Recommendation concerning the Safeguarding of Beauty and Character of Landscapes and Sites*

Paris, December 11, 1962

31. *Recommendation concerning the Most Effective Means of Rendering Museums Accessible to Everyone*

Paris, December 14, 1960.

32. *Recommendation on International Principles Applicable to Archaeological Excavations*

Paris, December 5, 1956.

### **C. Selected declarations<sup>23</sup>**

33. UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage. Paris 2003.

34. Charter on preservation of digital heritage. Paris 2003.

35. UNESCO Universal Declaration on Cultural Diversity. Paris 2001.

36. Action Plan on Cultural Policies for Development. Stockholm 1998.

37. Mexico City Declaration on Cultural Policies. Mexico City 1982.

---

<sup>23</sup> Only recently agreed declarations or those with a special impact in respect of modern cultural policy

### 38. IFLA/UNESCO Public Library Manifesto 1994

#### **World Intellectual Property Organization (WIPO)**

Berne Convention for the Protection of Literary and Artistic Works of 8 September, 1886 (revised at Paris on July 24, 1971); the Czech Republic signed on 1 January 1993 (former Czechoslovakia on February 22, 1921)

Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations agreed in Rome on October 26, 1961; The Czech Republic signed on January 1, 1993 (former Czechoslovakia on August 14, 1964)

Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms of October 29, 1971; The Czech Republic signed on January 1, 1993 (former Czechoslovakia on January 15, 1985)

Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite agreed in Brussels on May 21, 1974; The Czech Republic is not part to the convention

WIPO Copyright Treaty (WCT) adopted by the Diplomatic Conference on December 20, 1996 in Geneva; The Czech Republic signed on March 6, 2002

#### **World Trade Organization (WTO)**

The TRIPS Agreement is the Annex 1C of the Marrakesh Agreement Establishing the World Trade Organization, signed in Marrakesh, Morocco on 15 April 1994; The Czech Republic signed on 1 January 1996

#### **European Union**

**2004/654/EC:** Council Decision of 27 May 2004 on the European Capital of Culture event for the year 2007

**2004/659/EC:** Council Decision of 27 May 2004 on the European Capital of Culture event for the year 2008

Decision **No 2239/2004/EC** of the European Parliament and of the Council of 17 November 2004 amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory

Council Decision **No 2006/234/EC** of 27 February 2006 concerning the conclusion of an agreement between the Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the 'MEDIA plus' and 'MEDIA training' Community programmes, and a final act

Council Decision **No. 2006/515/EC** of 18 May 2006 on the conclusion of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions

Council Decision **No. 2006/796/EC** on the European Capital of Culture event for the year 2010 of 13 November 2006

Decision of the European Parliament and the Council **No. 1622/2006/EC** of 24 October 2006 establishing a Community action for the European Capital of Culture event for the years 2007 to 2019

Decision **No. 1718/2006/EC** of the European Parliament and of the Council of 15 November 2006 concerning the implementation of a programme of support for the European audiovisual sector (MEDIA 2007)

Decision **No. 1855/2006/EC** of the European Parliament and of the Council of 12 December 2006 establishing the Culture Programme (2007 to 2013)

Decision **No. 1983/2006/EC** of the European Parliament and the Council of 18 December 2006 concerning the European Year of Intercultural Dialogue (2008)

Council Decision **No. 2007/324/EC** of 7 May 2007 on the practical and procedural arrangements with a view to the nomination by the Council of the two members of the selection panel and the monitoring and advisory panel for the 'European Capital of Culture' Community action

Council Decision **No. 2007/745/EC** of 28 September 2007 concerning the signature and provisional application of an Agreement between the European Community and the Swiss Confederation in the audio-visual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007, and a Final Act

Council Directive **91/250/EEC** of 14 May 1991 on the legal protection of computer programs

Council Directive **92/100/EEC** of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property

Council Directive **93/83/EEC** of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission

Council Directive **93/98/EEC** of 29 October 1993 harmonizing the term of protection of copyright and certain related rights

Directive **96/9/ES** of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases

Directive **2001/29/ES** of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society

Directive **2001/84/EC** of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art

Directive **2004/48/ES** of the European Parliament and of the Council of 29 April 2001 on the enforcement of intellectual property rights

Directive **2007/65/EC** of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities

### **Council of Europe**

*European Cultural Convention (ETS No 018)*

Strasbourg, December 19, 1954. The Czech Republic became a part to the Convention on 1 January, 1993 (ČSFR ratified the Convention on May 19, 1990).

*European Convention on Cinematographic Co-Production (ETS No 147)*

Strasbourg, February 24, 1997; No. 26/1997 Coll.

*European Convention on Transfrontier Television (ETS No 132)*

Strasbourg , May 5, 1989

*Protocol amending the European Convention on Transfrontier Television*

Strasbourg, October 1, 1998; No. 57/2004 Coll.

*Convention for the Protection of the Architectural Heritage of Europe (ETS No 121)*

Granada, October 3, 1985; No. 73/2000 Coll.

*Convention on the Protection of the Archaeological Heritage (revised, ETS No 143)*

La Valetta, January 16, 1992; No. 99/2000 Coll.

## **7. List of legislation relevant to culture in the Czech Republic**

Act on the status of the cultural funds and amending the Act No. 35/1965 Coll. On literary, scientific and artistic works (Copyright Act) as amended by the Act No. 89/1990 Coll. and Act No. 486/1991 Coll. <b>No. 318/1993 Coll.</b>
Presidential decree No.129 Coll. Of the Czechoslovakia of October 22, 1945, on State Philharmonic Orchestra <b>No. 129/1945 Coll.</b>
Act on libraries and the conditions of running public librarian and information services (Library Act) as amended by the Act No. 1/2005 Coll. , Act No. 216/2006 Coll. and Act No. 341/2006 Coll. <b>No. 257/2001 Coll.</b>
Act on non-periodical publications as amended by the Act No. 320/2002 Coll. <b>No. 37/1995 Coll.</b>
Regulation of the Ministry of Culture executing certain statements of the Act No. 37/1995 Coll. , on non-periodical publications as amended by the Act No. 156/2003 Coll. <b>No. 252/1995 Coll.</b>
Act on libraries and the conditions of running public librarian and information services (Library Act) as amended by the Act No. 1/2005 Coll. <b>No. 257/2001 Coll.</b>
Regulation of the Ministry of Culture for realization of the Act No. 257/2001 Coll. on libraries and the conditions of running public librarian and information services (Library Act) as <b>No. 88/2002 Coll.</b>
Governmental decree stating the rules of granting funds to support libraries, as amended by the Governmental regulation No. 235/2005 Coll. <b>No. 288/2002 Coll.</b>
Act of the Czech National Council on state monument preserve , as amended by the Act of the Czech National Council No. 425/1990 Coll., Act Czech National Council No. 242/1992 Coll., Act No. 361/1999 Coll., Act No. 122/2000 Coll., Act No. 132/2000 Coll., Act No. 146/2001 Coll., Act No. 320/2002 Coll., Act No. 18/2004 Coll., Act No. 186/2004 Coll., Act No. 1/2005 Coll., Act No. 3/2005 Coll., and Constitutional Court decision No. 240/2005 Coll., Act No. 186/2006 Coll. and Act No. 203/2006 Coll. <b>No. 20/1987 Coll.</b>
Parliamentary Act of the Czech Republic <b>No. 59/1996 Coll.</b>
Governmental regulation of the Czech Republic on preserved area of the Prague castle <b>No. 55/1954 Coll.</b>
Governmental regulation of the Czechoslovakia on state heritage preserve in the territory of the capital of Prague <b>No. 66/1971 Coll.</b>
Governmental regulation Czechoslovakia on establishing the historical areas of the towns of Kolín, Plzeň, Brno and Lipník nad Bečvou as monumental preserve s <b>No. 54/1989 Coll.</b>
Governmental regulation of the Czech Republic on establishing certain cultural monuments national cultural monuments, as amended by the governmental regulation of the Czech Republic No. 112/1991 Coll. , the governmental regulation of the Czech Republic No. 262/1995 Coll. And the governmental regulation No. 171/1998 Coll.



<b>No. 55/1989 Coll.</b>
Governmental regulation of the Czech Republic on establishing the cloister of Břevnov the national cultural monument, as amended by the governmental regulation No. 171/1998 Coll.
<b>No. 111/1991 Coll.</b>
Governmental regulation of the Czech Republic on abolition of establishment of certain cultural monuments the national cultural monuments
<b>No. 112/1991 Coll.</b>
Governmental regulation of the Czech Republic on changing the establishment of certain cultural monuments the national cultural monuments, as amended by the Governmental regulation No. 171/1998 Coll.
<b>No. 404/1992 Coll.</b>
Governmental regulation of the Czech Republic on establishment the historical area of the town of Františkovy Lázně and the fortress of Terezín the historical monumental preserve
<b>No. 443/1992 Coll.</b>
Governmental regulation on establishment of whole areas of selected towns and municipalities with preserved collections of folk architecture the historical monumental preserve
<b>No. 127/1995 Coll.</b>
Governmental regulation on establishment and abolition of establishment of certain cultural monuments the national cultural monuments, as amended by the governmental regulation No. 171/1998 Coll. a governmental regulation No. 336/2002 Coll. , a governmental regulation No. 422/2005 Coll.
<b>No. 262/1995 Coll.</b>
Governmental regulation on terms and conditions of protection of the national cultural monument of the Czech Republic parliamentary seat
<b>No. 182/1996 Coll.</b>
Governmental regulation o definition of certain cultural monuments and the change and addition of certain legal regulations
<b>No. 171/1998 Coll.</b>
Governmental regulation on establishment and abolition of establishment of certain cultural monuments the national cultural monuments
<b>No. 147/1999 Coll.</b>
Regulation Ministry of Culture of the Czechoslovakia executing the Act of the Czech National Council No. 20/1987 Coll. , on state monumental care, as amended by the regulation Ministry of Culture No. 139/1999 Coll. , regulation No. 538/2002 Coll.
<b>No. 66/1988 Coll.</b>
Regulation Ministry of Culture of the Czech Republic on establishment of the Slavkov battlefield area as a historical zone
<b>No. 475/1992 Coll.</b>
Regulation Ministry of Culture of the Czech Republic on establishment of the historical area of selected towns as historical zones, as amended by the regulation Ministry of Culture No. 251/1995 Coll.
<b>No. 476/1992 Coll.</b>
Regulation Ministry of Culture on establishment the historical area of selected towns and municipalities and their parts as historical zones
<b>No. 249/1995 Coll.</b>
Regulation Ministry of Culture on establishment of the historical area of selected towns as historical zones

<b>No. 250/1995 Coll.</b>
Regulation Ministry of Culture on establishment of selected parts of regions as historical zones, as amended by the regulation No. 158/2002 Coll.
<b>No. 208/1996 Coll.</b>
Governmental regulation o establishment and abolition of establishment of certain cultural monuments the national cultural monuments
<b>No. 132/2001 Coll.</b>
Regulation Ministry of Culture on establishment of the selected regional parts as historical zones.
<b>No. 157/2002 Coll.</b>
Governmental regulation on establishment and abolition of establishment of certain cultural monuments the national cultural monuments, as amended by the Governmental regulation No. 422/2005 Coll.
<b>No. 337/2002 Coll.</b>
Regulation on establishment of historical areas in selected towns and municipalities as historical zones and definition of preservation condition
<b>No. 108/2003 Coll.</b>
Regulation on establishment of historical areas in selected municipalities as historical zones and definition of preservation condition
<b>No. 413/2004 Coll.</b>
Governmental regulation on establishment Horský Hotel and the television transmitter Ještěd near Liberec and certain other movable cultural monuments as national cultural monuments and on change of other legislation
<b>No. 422/2005 Coll.</b>
Regulation Ministry of Culture of the Czech Republic on establishment of Lednice-Valtice area in the Southern Moravia a historical zone
<b>No. 484/1992 Coll.</b>
Act on National Gallery in Prague
<b>No. 148/1949 Coll.</b>
Act on protection of museum collection and change of certain other legislation, as amended by the Act No. 186/2004 Coll., Act No. 483/2004 Coll. And Act No. 203/2006 Coll.
<b>No. 122/2000 Coll.</b>
Regulation Ministry of Culture executing Act No. 122/2000 Coll. , on protection of museum collection and change of certain other legislation
<b>No. 275/2000 Coll.</b>
Act on sale and export of good of cultural value, as amended by the Act No. 122/2000 Coll. and Act No. 80/2004 Coll.
<b>No. 71/1994 Coll.</b>
Act on repatriation of illegally exported cultural goods, as amended by the Act No. 180/2003 Coll.
<b>No. 101/2001 Coll.</b>
Act on export of certain cultural goods from the tariff territory of the European Communities
<b>No. 214/2002 Coll.</b>
Act on radio and television broadcasting and change of other legislative, as amended by the Act No. 309/2002 Coll. , Act No. 274/2003 Coll. , Act No. 341/2004 Coll. , Act No. 501/2004 Coll. , Act No. 626/2004 Coll. , Act No. 82/2005 Coll. , Act No. 127/2005 Coll., Act No. 348/2005 Coll. , Act No. 235/2006 Coll. and Act No. 304/2007 Coll.
<b>No. 231/2001 Coll.</b>

Regulation Ministry of Culture issuing a list of significant social activities <b>No. 233/2001 Coll.</b>
Act of the Czech National Council on the Czech television, as amended by the Act of the Czech National Council No. 36/1993 Coll. , Act No. 253/1994 Coll. , Act No. 301/1995 Coll. , Act No. 39/2001 Coll. , Act No. 231/2001 Coll. , Act No. 82/2005 Coll. , Act No. 127/2005 Coll. and No. 304/2007 Coll. <b>No. 483/1991 Coll.</b>
Act of the Czech National Council on the Czech radio, as amended by the Act of the Czech National Council No. 36/1993 Coll. , Act No. 253/1994 Coll. , Act No. 301/1995 Coll. , Act No. 135/1997 Coll. , Act No. 192/2002 Coll. , Act No. 127/2005 Coll. a Act No. 304/2007 Coll. <b>No. 484/1991 Coll.</b>
Act of the Czech National Council on the Czech Press Office <b>No. 517/1992 Coll.</b>
Act on abolition of the Czechoslovakian radio, the Czechoslovakian television and Czechoslovakian Press Office <b>No. 597/1992 Coll.</b>
Act of the Czech National Council on certain regulations in the area of radio and television broadcasting <b>No. 36/1993 Coll.</b>
Act on radio and television charges and amendment of certain regulations, as amended by the Act No. 235/2006 Coll. and Act No. 112/2006 Coll. <b>No. 348/2005 Coll.</b>
Regulation Ministry of Culture on broadcasting competence regarding 35 mm films <b>No. 121/1954 Ú. l.</b>
Act on certain terms of production, promotion and archiving of audio-visual artworks, on amendment and addition of certain legal regulations, as amended by the Act No. 40/1995 Coll. , Act No. 121/2000 Coll. , Act No. 132/2000 Coll. , Act No. 499/2004 Coll., Act No. 249/2006 Coll., Act No. 235/2006 Coll. and Act No. 112/2006 Coll. <b>No. 273/1993 Coll.</b>
Act on rights and responsibilities of publishing periodical press and amendment of certain other regulations (Press law), as amended by the Act No. 302/2000 Coll. and Act No. 320/2002 Coll. <b>No. 46/2000 Coll.</b>
Act on copyright and related rights and change of certain regulations (Copyright Act), as amended by the Act No. 81/2005 Coll. , Act No. 61/2006 Coll. , Act No. 186/2006 Coll. , Act No. 216/2006 Coll. and Act No. 168/2008 Coll. <b>No. 121/2000 Coll.</b>
Act on mass administration of copyright and related rights and amendment and addition of certain other regulations, as amended by the Act No. 121/2000 Coll. <b>No. 237/1995 Coll.</b>
Regulation abolishing certain regulations of the Ministry of Culture <b>No. 386/2000 Coll.</b>
Regulation establishing types of copy production devices, the types of blank records and the amount of lump fees. <b>No. 488/2006 Coll.</b>
Act of the Czech National Council on State cultural fund of the Czech Republic, as amended by the Act No. 482/2004 Coll. and Act No. 342/2006 Coll. <b>No. 239/1992 Coll.</b>
Act of the Czech National Council on the State Fund for the Support and Development of

the Czech Cinematography, as amended by the Act No. 273/1993 Coll. a Act No. 482/2004 Coll. and Act No. 342/2006 Coll. <b>No. 241/1992 Coll.</b>
Act of the Czech National Council on establishing the Ministries and other Central Administration Bodies of the Czechoslovakia, as amended <b>No. 2/1969 Coll.</b>
Act on certain kinds of cultural support and amendment of related regulations <b>No. 203/2006 Coll.</b>
Act of the Czech National Council abolishing certain legislation in the cultural area <b>No. 165/1992 Coll.</b>
Governmental regulation on awards in the cultural area presented by the Ministry of Culture, as amended by the Governmental regulation No. 98/2006 Coll. <b>No. 5/2003 Coll.</b>
Act <b>No. 106/1999 Coll.</b> , concerning free access to information
Governmental regulation <b>No. 364/1999 Coll.</b> , regulating cooperation of the state administration bodies with municipalities at ensuring the responsibilities according to the Act No. <b>106/1999 Coll.</b> , concerning free access to information
Governmental decree <b>No. 875/2000</b> of September 6, 2000 on Methodical regulation regarding harmonization of public administration bodies procedures while ensuring the rights of physical and legal bodies concerning free access to information according to the Act No. <b>106/1999 Coll.</b>
Governmental decree <b>No. 571</b> of June 11, 2003 on the Concept of effective care for traditional folk culture
Act <b>No. 365/2000 Coll.</b> , on information systems of the public administration and amendment of other regulations
Information of the Ministry of Foreign Affairs <b>No. 26/2000 Coll.</b> On adopting the European Convention on Film Production

## **8. Summary of cultural support in regional operational programmes (ROPs)**

<b>Name of ROP</b>	<b>Priority axis</b>	<b>Intervention area</b>	<b>Activity</b>	<b>Support beneficiaries</b>
<b>Southwest</b>	2: Stabilization and urban and country development	2.1: Integrated projects of development centres	Development, reconstruction and equipment of civic amenities, cultural and leisure time objects	Plzeň, České Budějovice, regions, region-founded organizations, NGO, commercial companies, physical entities, churches, schools, educational institutions and others
		2.2: Development projects of local centres	Development, reconstruction and equipment of civic amenities, cultural and leisure time objects, community life and public sector	Municipalities, organizations founded by municipalities, voluntary communal associations
		2.3: Revitalization of town and municipal quarters	Development, reconstruction and equipment of civic amenities, cultural and leisure time objects, community life and public sector	Municipalities, organizations founded by municipalities, voluntary communal associations
	3: Development of tourism	3.1: Development of tourism infrastructure	Development and reconstruction of cultural facilities for the purposes of tourism	Region, municipalities, voluntary communal associations, region-founded and managed organizations, NGO, commercial companies, physical entities, interest groups of legal entities
		3.2: Revitalization of monuments and utilization of cultural heritage to support tourism	Building reconstruction of cultural, historical and technical monuments; complex infrastructure renovation or changes of public areas in the historical conservation areas; building of accompanying information systems and marking historical preservation areas and objects; restoration of movable cultural monuments; equipping and supporting new utilization of preserved historical objects	Regions, municipalities, voluntary communal associations, region-founded and managed organizations, NGO, commercial companies, physical entities, interest groups of legal entities
<b>Northwest</b>	1: Regeneration and urban development	1.2: Support of revitalization and regeneration of the middle and small size cities	Development, reconstruction and equipment of civic facilities, cultural and leisure time objects, community life and public sector	Regions, region-founded organizations, municipalities, municipality-founded and managed organizations, voluntary communal associations, NGO, schools and other educational institutions
	2: Integrated support of local development	2.1: Creating capacity for local development, providing information and raising awareness of the wider public	Providing information and communication materials and media for local public as well as the foreigners in relation to culture.	Regions, municipalities, municipality-founded and managed organizations, voluntary communal associations, NGO, schools and other educational institutions

		2.2: Investment to enhance physical infrastructure	Building, reconstruction and equipment of civil facilities, community cultural objects; reconstruction of historical and cultural monuments (without connection to tourism)	Regions, municipalities, municipality-founded and managed organizations, voluntary communal associations, NGO, schools and other educational institutions.
	4: Sustainable development of tourism	4.1: Construction and further development of attractive places and infrastructure in the Czech Republic	Revitalization of cultural, technical and industrial monuments for utilization in tourism (for example observatories, museums, expositions, galleries, information centres)	Regions, municipalities, region-founded or municipality-founded and managed organizations, voluntary communal associations, NGO, the Economic Chamber and its units, interest groups of legal entities, entrepreneurs.
<b>Southeast</b>	2: Sustainable development	2.1: Development of infrastructure for the whole of the republic	Development of infrastructure for cultural tourism, technical evaluation and making cultural monuments of historical importance accessible	Municipalities, communal unions, region, NGO, region-founded or municipality-founded organizations, legal entities with participation of local government, small and middle sized entrepreneurs.
		2.2: Development of tourism services	Cultural actions with a long-term importance and significant regional impact	Municipalities, communal unions, region, NGO, region-founded or municipality-founded organizations, legal entities with participation of local government, small and middle sized entrepreneurs.
	3: Sustainable development of city and urban areas	3.2: Development of regional centres	Development and technical evaluation of cultural objects	Třebíč, Znojmo, Hodonín, Břeclav, Havlíčkův Brod, Žďár nad Sázavou, Vyškov, Blansko and Pelhřimov: municipalities, municipality-founded organizations, NGO, educational institutions, small and middle sized entrepreneurs.
		3.3: Development and stabilization of countryside houses	Building infrastructure for cultural and leisure time activities	Municipalities of above 500 inhabitants, municipality-founded organizations, communal unions, NGO, educational institutions, small and middle sized entrepreneurs.
<b>Northeast</b>	2: Urban and country areas development	2.1: Development of regional centres	Regeneration and revitalization of registered historical, cultural and technical monuments	Regions, specified municipalities, municipality-founded or region-founded organizations, NGO, Economic Chamber and its units
		2.2: Urban development	Regeneration and revitalization of registered historical, cultural and technical monuments	Regions, specified municipalities, region-founded or municipality-founded organizations, NGO, Economic Chamber and its units, interest groups of legal entities

		2.3: Countryside development	Regeneration and revitalization of registered historical, cultural and technical monuments	Regions, municipalities 500 - 5 000 inhabitants, region-founded or municipality-founded organizations, NGO, Economic Chamber and its units, interest groups of legal entities
	3: Tourism	3.1: Development of basic infrastructure and accompanying activities in the Czech Republic	Revitalization of cultural, historical and technical monuments with an immediate relation to development of tourism in a region and other forms of their careful utilization	Regions, municipalities, region-founded or municipality-founded organizations, NGO, interest groups of legal entities, entrepreneurs
<b>Central Bohemia</b>	2: Tourism	2.1: Business infrastructure and tourism services	Building, reconstruction and revitalization of objects such as outdoor museums and others.	entrepreneurs
		2.2: Public infrastructure and tourism services	Reconstruction and revitalization of cultural monuments of regional significance in purpose to their utilization for tourism including the following infrastructure (for example museum, information centres, accommodation);	Regions, municipalities, region-founded or municipality-founded organizations, voluntary communal associations, NGO, interest groups of legal entities, Economic Chamber and its units, public research institutions
		2.3: Promotion and management of touristic destinations in the Central Bohemian region	Establishment and promotion of regular cultural actions of a regional character with a significant impact on the development in the CR	Regions, municipalities, region-founded or municipality-founded organizations, voluntary communal associations, NGO, interest groups of legal entities, Economic Chamber and its units, public research institutions
	3: Integrated regional development	3.1: Development of regional centres	Investment into facilities such as libraries, multi-purpose cultural halls, theatres, museums, cinemas, exhibition spaces etc.	Kladno, Mladá Boleslav and organizations founded by the cities, region-founded organizations, NGO, Economic Chamber and its units, entrepreneurs
		3.2: Urban development	Investment into facilities such as libraries, multi-purpose cultural halls, theatres, museums, cinemas, exhibition spaces etc.	Municipalities with extended sphere of authority, municipalities of above 5 000 inhabitants, municipality-founded organizations, region and region-founded organizations, NGO, Economic Chamber and its units, entrepreneurs, physical and legal entities
		3.3: Countryside development	Investment into facilities such as libraries, multi-purpose cultural halls, theatres, museums, cinemas, exhibition spaces etc.	Municipalities of 5 000 inhabitants, municipality-founded and managed organizations, region and region-founded and managed organizations, voluntary communal associations, NGO, Economic Chamber and its units, entrepreneurs

<b>Moravia and Silesia</b>	2: Regional prosperity support	2.2: Tourism development	Revitalization and development of cultural, technical attractions, industrial monuments and cultural heritage for their utilization as touristic attractions; targeted support of selected objects or locations during the formal procedure of requesting a listing in UNESCO; support of building or reconstruction of an appropriate infrastructure of the objects / places of interest	Region and region-founded organizations, municipalities, voluntary communal associations a organizations founded and managed by municipalities and voluntary communal unions, NGO, companies
	3: Urban development	3.1: Development regional poles, 3.2: Sub regional centres	Regeneration of historical monuments, especially in the city centres and other locations; active cultural policy; quality enhancement and enlargement of cultural and leisure time background and conditions supporting the inhabitants' coherence with the location	Municipalities, organizations founded and managed by municipalities, NGO, and regional-founded organizations
	4: Countryside development	4.1: Countryside development	Restoration, reconstruction, modernization and aesthetical enhancement of country cultural heritage, enhancement of places of interest (preservation of folk historical architecture, traditional crafts etc.), expanding cultural and leisure time facilities and activities – support of reconstruction or development of mainly multipurpose facilities and areas usable for inhabitant's cultural activities	Municipalities and towns of 500 to 10 000 inhabitants, voluntary communal associations, communal unions, municipality-founded and managed organizations, towns of 500 to 10 000 inhabitants, NGO, interest groups of legal entities
<b>Central Moravia</b>	2: Integrated development and regional restoration	2.1: Development of regional centres	Infrastructure for providing interest and leisure time activities including cultural and multifunctional facilities (modernization, renovation or development of cultural and multifunctional facilities in purpose of active utilization of leisure time)	Olomouc, Zlín
		2.2: Urban development	Infrastructure for providing interest and leisure time activities including cultural and multifunctional facilities (modernization, renovations or development of cultural and multifunctional facilities in purpose of active utilization of leisure time)	Regions, municipalities, voluntary communal associations, region-founded or municipality-founded organizations, NGO, historical monument owners



		2.3: Countryside development	Infrastructure for providing interest and leisure time activities including cultural and multifunctional facilities (modernization, renovations or development of cultural and multifunctional facilities in purpose of active utilization of leisure time)	Regions, municipalities (500 - 5 000 inhabitants), voluntary communal associations, region-founded or municipality-founded organizations, NGO, historical monument owners
3: Tourism		3.1: Integrated tourism development	Development and restoration of infrastructure for active and cultural exploration forms of tourism (cultural attractions or objects in connection to folk habits, folk-lore, crafts, infrastructure and facilities for important cultural-social happenings etc.), renovations of cultural or technical monuments or cultural attractions for tourism purposes including tie-in infrastructure (architecturally valuable objects traditional cultural monuments, folk architecture objects, castles, strongholds, ruins, forts, technical monuments, museums, outdoor museums, etc.) An example of future utilization: historical exhibitions with possible rental of part of the site for business purposes etc.	Regions, voluntary associations, interest groups of legal entities, the city of Olomouc and others
		3.2: Public infrastructure and services	Development and restoration of infrastructure for active and cultural exploration forms of tourism (cultural attractions or objects in connection to folk habits, folk-lore, crafts, infrastructure and facilities for important cultural-social happenings etc.), renovations of cultural or technical monuments or cultural attractions for tourism purposes including tie-in infrastructure (objects of architectural value traditional cultural monuments, folk architecture objects, castles, strongholds, ruins, forts, technical monuments, museums, outdoor museums, etc.) An example of future utilization: historical exhibitions with possible rental of part of the site for business purposes etc.	Regions, municipalities, voluntary communal associations, region-founded or municipality-founded organizations, NGO, interest groups of legal entities

		3.3: Business infrastructure and services	Renovation of cultural monuments, technical monuments or cultural attractions for tourism purposes including tie-in infrastructure (objects of architectural value, traditional cultural monuments, folk architecture objects, castles, strongholds, ruins, forts, technical monuments, museums, outdoor museums, etc.) An example of future utilization: historical exhibitions with possible rental of part of the site for business purposes etc.	entrepreneurs
--	--	---	--	---------------

## 9. SWOT analysis groundwork

In April 2007 the following questions were sent out to persons involved in the field of culture:

1) Which principal factors, **that you or your public office can influence directly** (for example by an order, regulation or public notice etc.) or indirectly (for example by an application of an educational programme, innovation technologies, work planning etc.) **currently positively effect** cultural development in your scope of action? *(Please state in bullet points)*

2) Which principal factors, **that you or your public office can influence directly** (for example by an order, regulation or public notice etc.) or indirectly (for example by an application of an educational programme, innovation technologies, work planning etc.) **currently negatively effect** cultural development in your scope of action? *(Please state in bullet points)*

3) Which principal factors, **that you or your public office can influence directly** (for example geographic factors, higher political influence at a level of state or international influence, migration, climatic conditions etc.) **currently positively effect** cultural development in your scope of action? *(Please state in bullet points)*

4) Which principal factors, **that you or your public office can influence directly** (for example geographic factors, higher political influence at a level of state or international influence, migration, climatic conditions etc.) **currently negatively effect** cultural development in your scope of action? *(Please state in bullet points)*

The replies were provided by the following institutions:

South Bohemian region
South Moravian region
Karlovy Vary region
Hradec Králové region
Liberec region
Moravia and Silesia region
Olomouc region
Pardubice region
Plzeň region
Prague region
Central Bohemia region
Ústí nad Labem region
Vysočina region
Zlín region

APA
Association of Music Artist and Scientist
Association of symphonic orchestras directors
Czech Dance Teacher Association
Centre for Contemporary Art
Czech Association of non-professional chamber and symphonic orchestras
Czech Musical Council
Czech Anti-Piracy Union
Theatre Institute
Philosophical Faculty, MU Brno
FOK
Museum and Archive of Popular Music
Faculty of Music, JAMU
National Gallery in Prague
Czech National Library
National Film Institute
National institute of Folk Culture
NIPOS
Translators' Guild
Prague Philharmonic Orchestra
PEN Club
Association of historical settlements of Bohemia, Moravia and Silesia
Library Association the Czech Republic
The North Czech Philharmonic Teplice
Czech Association of Local Authorities
East Bohemian Artists Association
Association of Library and Information Professionals of the Czech Republic
Tanec Praha
Tvar
UHSP
Czech Association of Art Historians

Czech Choir Union
Institute of Art History

At the beginning of October 2007 analytical research began to identify consensual (identical) factors, strong and weak points, opportunities and threats.

First all the replies were put in folders corresponding to individual factors. The second analytical step was to categorize them. To sum it up, the following categories were identified:

cultural capital
cultural interest and awareness
education
cultural activities, infrastructure
marketing, promotion
cooperation
legislative
restoration of heritage fund
financing, economic supportive tools
traffic infrastructure
culture and tourism
cultural development, ICT utilization
cultural management
economic situation/consumer buying power
geographical location
EU subsidies
private sector support, multiple source financing
globalization, loss of identity

Solitary replies were not included into any of the following categories. The next step was to conduct a frequency analysis.

### Strong points

Total replies	258	
	Abs.	%
financing, economical supportive tools:	56	21,71%
cultural activities, infrastructure:	44	17,05%

cultural development, ICT utilization:	35	13,57%
cooperation:	23	8,91%
education:	21	8,14%
restoration of heritage fund:	10	3,88%
cultural capital:	9	3,49%
cultural interest and awareness:	9	3,49%
marketing, promotion:	7	2,71%
cultural management:	7	2,71%
EU subsidies:	5	1,94%
legislative:	2	0,78%
globalization, loss of identity:	2	0,78%
culture and tourism:	1	0,39%
economic situation/consumer buying power:	1	0,39%
private sector support, multiple source financing:	1	0,39%
geographical location:	1	0,39%
cultural potential:	1	0,39%
subsidies EU:	1	0,39%
cultural activities:	1	0,39%
traffic infrastructure:	1	0,39%
other	19	7,36%

### Weak points

Total replies	394	
	Abs	%
financing, economic supportive tools:	111	28,17%
cultural development, ICT utilization:	39	9,90%
cultural activities, infrastructure:	28	7,11%
cultural management:	25	6,35%
cultural interest and awareness:	24	6,09%
legislative:	21	5,33%
marketing, promotion:	17	4,31%
education:	16	4,06%
private sector support, multiple source financing:	15	3,81%

restoration of heritage fund:	9	2,28%
cultural development, ICT utilization:	8	2,03%
cooperation:	7	1,78%
EU subsidies:	7	1,78%
education:	4	1,02%
culture and tourism:	4	1,02%
traffic infrastructure:	3	0,76%
globalization, loss of identity:	3	0,76%
subsidies EU:	3	0,76%
economic situation/consumer buying power:	2	0,51%
globalization, cultural diversity:	2	0,51%
private sector support, multiple source financing:	1	0,25%
private sector support, multiple source financing:	1	0,25%
quality of cultural management:	1	0,25%
cultural management:	1	0,25%
geographical location:	1	0,25%
cultural interest and awareness:	1	0,25%
traffic infrastructure:	1	0,25%
other	38	9,64%

### Opportunities

Total replies	137	
	Abs.	%
cultural capital:	35	25,55%
geographical location:	11	8,03%
cultural activities, infrastructure:	10	7,30%
cultural potential:	10	7,30%
cultural interest and awareness:	8	5,84%
financing, economic supportive tools:	8	5,84%
cooperation:	7	5,11%
cultural development, ICT utilization:	6	4,38%
restoration of heritage fund:	5	3,65%
education:	5	3,65%

culture and tourism:	4	2,92%
EU subsidies:	4	2,92%
economic situation/consumer buying power:	2	1,46%
private sector support, multiple source financing:	2	1,46%
globalization, loss of identity:	2	1,46%
globalization, cultural diversity:	2	1,46%
cultural management:	2	1,46%
traffic infrastructure:	1	0,73%
marketing, promotion:	1	0,73%
other	12	8,76%

### Threats

Total replies:	162	
	Abs.	%
financing, economic supportive tools:	25	15,43%
restoration of heritage fund:	14	8,64%
cultural interest and awareness:	11	6,79%
globalization, loss of identity:	10	6,17%
cultural activities, infrastructure:	8	4,94%
cultural management:	8	4,94%
globalization, loss of diversity:	7	4,32%
education:	6	3,70%
private sector support, multiple source financing:	5	3,09%
economic situation/consumer buying power:	5	3,09%
cultural capital:	4	2,47%
EU subsidies:	4	2,47%
legislative:	4	2,47%
culture and tourism:	3	1,85%
cultural development, ICT utilization:	3	1,85%
traffic infrastructure:	3	1,85%
geographical location:	2	1,23%
marketing, promotion:	2	1,23%
economic situation/consumer buying power:	2	1,23%



traffic infrastructure:	1	0,62%
other	35	21,60%

The following categories with the incidence above 5% were selected. Because these categories logically differ in significance in the individual factors the next step was to verbalize these categories according to their significance that they represent in the given factor. The results are included in the chapter 2.2.

## **10. Actual list of grant programs of the Ministry of Culture and relevant subject matters**

<b>Area</b>	<b>Subject matters, program</b>
<b><u>European cooperation</u></b>	Subsidies supporting project participants, who were given a grant of the EU Culture program (2007-2013)
<b><u>Literature and libraries</u></b>	Publishing Czech and translation literature (non-periodical publications) Publishing original illustrated literature for children and youth Publishing literary debuts Literary projects (literary periodicals and anthologies, lectures and seminars) Translations of Czech literature in abroad – grant program Public information library services 21 <sup>st</sup> century library Project “Czech library” (Czech library)
<b><u>Media and audio vision</u></b>	Selection granting procedure for the year 2008 in the area of cinematography and media Selection granting procedure in supportive program of distribution and receiving information in languages of national minorities
<b><u>Museums, galleries and movable heritage protection</u></b>	Projects aimed at activities of civic societies and organizations with an international element supporting cultural activities in areas of cultural heritage, museums and galleries Competition of cultural activities program to support projects aimed at providing standardized public services of museums and galleries
<b><u>Historical monuments</u></b>	Damage control program Regeneration program of country heritage preservations and regional preservation areas Preservation program of architectural heritage Restoration program of movable cultural monuments Regeneration program of town heritage preservations and town preservation areas
<b><u>Professional art</u></b>	State supportive program of professional theatres and symphonic orchestras and music choirs Theatre art Music art Dance, motion and non-verbal theatre Fine arts

**Regional a national culture**

Support of traditional folk culture

Support of interest cultural non-artistic activities

Support of cultural activities of persons with a physical handicap

Support of cultural activities of national minorities in the Czech Republic territory

Integration support of the Roma community

Integration support of foreigner living in the Czech Republic

Non-professional artistic activities support

Support of foreign contacts in the area of non-professional artistic activities support

Regional cultural tradition support

**Foreign cooperation**

Selection granting procedure to support cultural activities organized in cooperation with foreign partners in 2008