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Université Lyon 2

Regional Master Studies

CULTURAL POLICY AND MANAGEMENT

**CONTRIBUTION OF THE CIVIL SOCIETY ORGANIZATIONS TO
THE CULTURAL POLICY DEVELOPMENT**

**LA CONTRIBUTION DES ORGANISATIONS
NON-GOUVERNAMENTALES AU DÉVELOPPEMENT DES
POLITIQUES CULTURELLES**

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ABSTRACT

This work examines the contribution of the civil society organizations to the cultural policy development in Serbia, across the '90s, after the changes in October 2000 and up to the present.

The **main objective** is to examine, analyze and evaluate current situation in Serbia regarding the position, role and level of influence of cultural civil organizations on redefinition of cultural policies.

The introduction part provides the short overview on the evolution and frameworks of civil society organizations in Serbia and in Europe. The methodological consideration is followed by the contextual background and overview of emerging of the civil sector in the '90, after 2000 and up today, in Serbia. Further, the work emphasizes in more details the civil sector in culture, reflecting on the legal context in which the independent cultural scene has arisen and in which it is now operating.

The presentation of two case studies, “Open Highway E761” and “Reopening a Gold Mine” mid-term collaborative projects, both at conceptual and practical level are undertaken with the aim to understand how those practices were designed and implemented, and to make an assessment of tools used, in order to translate them into cultural policy instruments and recommendations. Through the case studies and research undertaken, the work questions the relevant factors that have influenced, at a general level, the orientation of the cultural field towards networking and its joint efforts in the struggle for participation in creating and implementing of cultural and other public policies.

As the research is based on **general hypothesis** that there is no significant impact of the cultural civil organization on cultural policies in Serbia due to the absence of functional legal frameworks and other relevant mechanisms which in coordinated and systematic way support a continual dialogue and exchange between policy makers and the civil sector representatives. The recommendations aim to offer potential routes, mechanisms and operational instruments useful for a great number of stakeholders for establishment of the partnership and dialogue between public (decision makers) and civil sector.

The straightforward recommendations are made to ensure clarity and coherence; there is still a tension between ensuring quality and focused contributions on one hand and opening up the legislative process as a strategic goal on the other.

The adequate policy recommendation is formulated for both executive and legislative policy making bodies at national and sub-national levels and for civil sector as well, in order to improve their performances in positioning and acting as interlocutors in the processes leading to the cultural policy redefinition

RESUMÉ

1. SOCIÉTÉ CIVILE ET ORGANIZATIONS NON-GOUVERNAMENTALES - DÉVELOPEMENT ET DÉFINITIONS

Les organisations non gouvernementales sont considérées en générale comme “groupes non état et non profitables qui sont promoteurs des intérêts publics” en excluant le secteur privé. L’importance de ces associations des citoyens focused sur la résolutions des problèmes privés de groupe et ceux sociaux; se trouve dans la création des réseaux qui fonctionnent indépendant de l’état et qui renforcent la société civile; increase la participation des citoyens et leurs responsabilité pour eux-mêmes et pour leur société.

1.1. L’emergence des ONGs en Serbie: évolution et cadres

La société civile en Serbie a une longue tradition qu’on peut tracer historiquement vers la fin du 19ème et début du 20ème siècle dans les formats traditionnels de la solidarité surtout dans les communautés rurales, à travers l’influence de l’Eglise serbe orthodoxe et ses traditions de la charité, aussi que dans les activités humanitaires, éducatives et autres existantes en Yougoslavie à partir du début du 20ème siècle jusqu’à la II guerre mondiale. (NGO Policy Group 2001:16; Paunović 1997).

A partir de 1945 jusq’à la fin des années 1980, comme indiqué par NGO Policy Group 2001, l’association libre des citoyens n’a pas été permis alors que toutes les organisations fonctionnaient dans les cadres strictement imposés par l’état et sous la controle du gouvernement.

En general, le régime communiste avait une influence profonde et à long terme sur le développement de la société civile en Serbie dont les effets sont toujours visibles aujourd’hui et

aussi très difficiles à overcome. Ce legacy se montre à travers la mentalité des citoyens qui ne sont pas habitués à s'organiser par eux-mêmes ou à prendre la responsabilité sociale; en croyant que ces problèmes soient la responsabilité de l'état.

1.2. Vers la société civile européenne

A l'époque Enlightenment, les philosophes de l'EN ont introduit le concept de la société civile dans le cadre d'une Europe prémoderne et comme une conséquence de l'humanisme et renaissance aussi que de la révolution scientifique.

Pendant que la société civile ait apparu largement du 18e au 20e siècle aux niveaux locaux, régionaux et nationaux en Europe, le développement de la société civile en deuxième moitié du 20e siècle comprenait les dimensions trans-nationales. La stabilisation et l'expansion de la société civile a contribué à une grande échelle à l'intégration et l'élargissement européens.

“Européanisation” à travers l'Union européenne est considérée comme un processus à long terme avec les racines profondes historiques et un futur ouvert, un sujet hétérogène et variable des conjonctures, interruptions et renversements possibles.

La société civile incluant l'espace public transnationale - a été reconnue comme le facteur décisif pour le futur de l'intégration européenne et les nouvelles formes de la gouvernance participative transnationale. Le processus de la mobilisation politique et sociale au-delà et à travers des frontières nationales accélère et, par conséquent, influence profondément le processus de faire la politique et ouvre des nouvelles problématiques légales où le dialogue civil devient évitable.

La société civile avec l'espace public transnationale a été reconnue la force décisive pour le futur de l'intégration européenne comme les nouvelles formes de la gouvernance participative transnationale. Le processus de la mobilisation politique et sociale au-delà et à travers des frontières nationales accélère ce qui influence profondément le processus de formuler les règles et ouvre nouvelles problématiques légales où le dialogue civil devient évitable.

1.4. La démocratie participative de l'EU et le dialogue civil

Après une série d'expériences dans les années 1990 l'Union européenne a commencé à reconnaître formellement le rôle de la société civile organisée dans le *policy-making* dans le document intitulé *White paper on European Governance* publiée en 2001 et continuait réflexion sur les modalités d'établir un dialogue constructif avec les acteurs de la société civile en 2002 avec *General principles and minimum standards for consultation of interested partners by the Commission* (COM, 2002:704). Mais, ces documents n'ont pas créé le cadre d'un dialogue structure, cohérent et compréhensible. C'est particulièrement à cause du fait que ils ne définissent pas le cadre de consultations mais certains principes clés liés aux processus de gouvernement dans lesquels la consultation est déjà impliquée. Ils ne constituent non plus l'attachement à élargir ou même définir le but du dialogue car ils sont concentrés sur leurs qualités. Et toujours aucun de ces documents n'a une force qui engage.

Le nouveau *Trait de Lisbonne* inclut, comme le *draft* du *Trait constitutionnel* avant, a un article sur le dialogue civil. Ce *Trait* dans son Article 11 reconnaît le dialogue avec la société civile comme le principe fondamental de la gouvernance de l'Union européenne. Il créera aussi une obligation légale pour trois institutions européennes principales (la Commission européenne, le Parlement et le Conseil) à consulter la société civile (jusqu'à maintenant le dialogue civil reste le concerné de la Commission).

Dans la sphère des politiques culturelles, de l'autre côté, les moyens d'un dialogue structuré est toujours dans ces débuts. Certains acteurs comme Culture Action Europe ont été déjà interlocuteurs des institutions depuis des années et ont participé dans une série de procès consultatifs officiels et non-officiels au niveau européen en structurant la représentation du secteur culturel qui est toujours le travail en progrès. Si un nombre de réseaux européens existe toujours, l'auto-organisation régionale et nationale doit être développée dans beaucoup de pays de l'Union européenne.

Le fait que le dialogue civil a été reconnu au niveau européen (aussi que par les représentants des pays membres) pourrait être employé comme un levier pour demander un dialogue plus intensif entre les autorités publiques et les acteurs culturels au niveau national et sous-national. Les politiques européennes n'ont sens que si comprises et traduites dans les contextes locaux; régionaux ou nationaux.

CONSIDÉRATION MÉTHODOLOGIQUES

2. RECHERCHE ET ANALYSE DES DONNÉES

Le but principal est d'examiner, analyser et évaluer la situation présente en Serbie par rapport à la position, le rôle et le niveau de l'influence des organisations civiles culturelles sélectionnées sur la rédefinition des politiques culturelles.

La recherche sera basée sur l'**hypothèse générale**: il n'y a pas d'influence importante des organisations civiles culturelles sur les politiques culturelles en Serbie à cause de la manqué des cadres législatifs fonctionnels aussi que d'autres **mechanisms rélevants** qui soutiennent, systématiquement et par une coordination, le dialogue et l'échange continués entre les *policy-makers* et les représentants du secteur civil culturel.

La recherche est réalisée aux niveaux divers et avec une approche interdisciplinaire.

La première partie de cette thèse explique le fond et le paysage du secteur civile serbe en mettant l'accent sur le secteur civil culturel et en considérant le contexte de la formation de la scène culturelle.

La présentation de deux études de cas, "Open Highway E761" et "Reopening a Gold Mine", deux mi-terme projets de collaboration, est donnée avec le but de faire comprendre comment ces pratiques ont été créées et réalisées, aussi que d'entretenir l'**assessment** des outils pour leur traduction en recommandations politiques. A travers ces études de cas et la recherche, cette thèse ouvre les questions des facteurs respectifs qui influencent, en general, l'orientations du domaine de la culture vers les réseaux et aussi que ces efforts vers la participation dans la création et l'implementations des politiques publiques et culturelles.

Les recommandations ont pour le but d'offrir les routes possibles, des mécanismes et des instruments opérationnels bénéfiques pour un large nombre de partenaires capables de développer le dialogue et partenariat entre le secteur publique (*decision-makers*) et celui civil.

Il est important de souligner que cette thèse concerne les politiques publiques dans le domaine culturel et, ce qui est plus important, les organismes qui décident dans la vie politique comme une partie du secteur publique (et non le secteur entier).

Les politiques publiques font un cadre large d'idées et de valeurs où les décisions se prennent et une action ou non-action est entreprise par les gouvernements en relation avec une certaine problématique (Brooks, 1989, p.16). La communauté politique est définie comme individus, groupes, départements de gouvernement, organisations et agences qui dominent le procès de *policy-making* dans un secteur spécifique (Pross, 1986). Le niveau local, régional ou national de la communauté politique en charge des politiques publiques en 4 domaines - droit, régulation, décisions et action, sont adressées pendant que les autres opérateurs dans les secteurs publiques ne sont pas pris en considération par cette thèse.

3. LA SOCIÉTÉ CIVILE EN SERBIE: ANNÉES '90 ET APRÈS L'AN 2000

“La Serbie se trouve parmi les pays où la société civile n'est pas développée” (Pavlović 1995: 255). Selon le même auteur, ce déficit a ses racines historiques et ses dimensions actuelles. Il est conclu que l'utilité du concept de la société civile est basé moins sur sa valeur théorique et explicative que sur sa valeur normative et son rôle mobilisateur (Pavlovic 2004).

Sauf une période courte et encourageante pendant le mandat du Premier ministre Djindjic (2000 – 2003), le développement général de la société, les procès législatifs et les autres conditions importantes n'ont pas contribué au progrès de la société civile en même arrêtant son développement, fonctionnalité et vitalité en Serbie.

Après le changement politique en 2000 les organisations civiles ont été invitées à la coopération dans l'implémentation des projets et stratégies variées. Quand même, certains experts considéraient que cette coopération n'est que déclarative en contribuant peu à l'établissement du partenariat fonctionnel entre l'état et la société civile.

Alors, la société civile en Serbie est toujours sous-estimée et bien qu'elle ne soit pas opprimée comme dans les années 1990, elle manque un rôle reconnu et ces influences sur le procès de gouvernance et sur les objectifs principaux politiques et sociaux est encore non-reconnu.

Les problèmes principaux du secteur civil par rapport au développement durable et à l'influence politique en Serbie sont: une manque des mécanismes d'implémentation des lois

et des cadres législatifs stimulants, de confiance publique, de savoir-faire du plaidoyer public et *lobbying*, aussi que de capacité des ressources humaines pour le management, des ressources financiers (surtout pendant “la deuxième transition” où les donateurs internationaux se postepeno povlace de la région et Serbie).

3.1. Le cadre législatif et autres cadres nécessaires pour l’action des organisations civiles dans le domaine culturel en Serbie

L’établissement et le travail des organisations civiles en Serbie était réglé par deux lois jusqu’à 2009:

- a) *La loi nationale sur associations des citoyens*, organisations sociales et politiques fondés dans la République socialiste fédérale de Yougoslavie de l’an 1990
- b) *La loi national sur organisaitons sociales et associations civiles* de 1982, modifiée la dernière fois en 1989.

Les deux lois ont été passés dans les deux contextes sociaux et politiques complètement différents. Elles protègent les valeurs qui n’existent plus, selon l’opinion de la majorité des acteurs informants.

C’est seulement en 2009 en acceptant la *Loi des associations des citoyens* que la Loi des associations de 1990 a été remplacée. La nouvelle Loi ne prévient pas le financement budgétaire du troisième secteur, mais le Ministère de l’administration publique et du gouvernement local q l’aire d’être prêt à changer le status du troisième en permettant aux associations civiles de gagner par leur propres activités lucratives. Mais il n’y a pas toujours de loi favorable pour les associations le soutien continue du travail des associations civiles.

La législation dans le domaine culturel a l’aire encore moins favorable. La dernière version de *la Loi de la culture* a été approuvée par le Parlement serbe en septembre 2009 en remplaçant la loi de culture de la RSF de Yougoslavie de 1990. Malheureusement dans cette loi il n’y a pas beaucoup de changements concernant le secteur civil, mais il y a assez d’éléments qui manquent. Par rapport au secteur civil dans le domaine culturel et à ses opérateurs, la nouvelle Loi ne prévient aucune allocation budgétaire comme soutien d’activités des acteurs civils – les fonds disponibles sont ceux communs où les institutions publiques aussi déposent leur dossiers pour leurs programmes; il n’y a non plus de soutien pour les projets de longue durée, pendant que contingency in the budget is planed with 25% et seulement sous la juridiction du Ministre, etc. Bien sûr, le budget n’est pas un document uniquement financier,

mais aussi politique car il est l'expression du choix politique et ainsi des priorités définies par les forces politiques dominantes dans une société.

Plus, la nouvelle Loi n'a pas clarifié de critères et paramètres du *monitoring* et de l'évaluation de performance, *decision-making* est toujours centralisé sur la scale de *arm's length* (qu'contraire de la décentralisation proclamée) et les représentants du secteur civil dans le Conseil national pour la culture ne sont pas prévus les directeurs des institutions publiques sont nommés par le fondateur etc.

Tous ces éléments manquants avec une application faible ou non-existante d'autres outils de *decision-making*, donnent à la production artistique et culturelle indépendante en Serbie une position moins favorable qu'à celle du secteur public avec ses institutions financées par les autorités locales, régionales ou nationales.

3.2. Le rôle de la communauté internationale et des donateurs dans le développement de la société civile dans le domaine culturel en Serbie

Le fait que beaucoup de donateurs et agences de développement internationales ont montré leur intérêt dans la Région pour soutenir les processus de la démocratisation, a influencé l'élargissement du secteur civil.

Quand même, les politiques de la communauté internationale pour la Serbie ont varié des politiques d'influence et de représentation surpassant la politique d'exclusion (embargo) jusqu'aux politiques d'inclusion (bien que, jusqu'ici, aux effets très limités).

Aujourd'hui ces politiques d'inclusion nous emmènent vers l'intégration européenne, mais beaucoup de programmes de l'Union européenne pour la culture restent non-accessibles. La relation entre l'UE et la Serbie dans ces programmes est basée sur le transfert du savoir-faire des Européens vers la Serbie. C'est pourquoi en Serbie il est souvent évalué comme un processus patronal qui plutôt met l'accent sur le marketing et le design que sur le contenu (Culture in the EU's External Relations: Bridging the Divide; Dragicevic-Sesic, 2010).

4. LES ÉTUDES DE CAS

Les deux cas d'étude sont les projets de coopération "Open Highway E761" et "Reopening a Gold Mine" sélectionnés pour présenter le niveau conceptuel aussi que les résultats des pratiques choisis. Le but de cette analyse est de définir les outils appliqués et de les transmettre dans les recommandations générales.

4.1. Le projet de coopération - OPEN HIGHWAY E761

Les activités qui duraient 3 an ont eu comme le but l'établissement du réseau régional pour soutenir la création artisitique et pour influencer les politiques culturelles existantes et futures des 4 municipalités de la Serbie centrale - Uzice, Pozega, Cacak et Kraljevo, et de l'Etat. Le projet a regroupé pleurieurs organisations civiles du domaine artistique et culturel pour améliorer leurs capacités, pour soutenir la promotion des arts dans les communautés locales et pour produire, promouvoir et encourager les projets et les initiatives culturelles.

4.2. Recommendations

Le réseau *Open Highway E761* a été établi avec un objectif spécifique. L'idée générique a été de renforcer le secteur culturel indépendant (aussi que le secteur culturel en general) en développant un modèle qui créerait les capacités humaines à travers les programmes de formation intenses; en même temps, la collaboration entre les members du réseau et avec les autres structures permettrait la circulation des programmes et la visibilité auprès des publiques variées.

Mais, l'implémentation d'un tel modèle si ambitieu et complexe a demandé une analyse structurelle qui a indiqué les niveaux d'efficacité des organisations-membres. Dans cet analyse il y a eu deux suppositions qui se sont montrées injustes. La première est que la meilleure qualité et plus de projets artistiques, suivis par une plus grande publique et une diversification d'activités, emmenerait vers la stabilisation et le renforcement des capacités d'organisations. Mais, ce qui s'est passé en effet c'est que le développement individuel ou organisationnel n'a eu lieu que par les programmes qui avaient eu un extra soutien. Plus, on avait pressupposé que les organizations affectueraient l'impacte sur les décisions respectives

(locales et nationale) et qu'elles seraient plus capables d'utiliser cette influence pour améliorer leurs activités par l'expansion et la visibilité de leurs programmes. Mais cela n'était pas possible automatiquement. La connaissance de la part de la publique (surtout dans les communautés locales) a seulement consolidé le terrain solide pour les organisations de commencer les activités de la sensibilisation pour améliorer leur contexte local institutionnel. La réorganisation du système culturel devrait commencer par un programme pour le développement des capacités des opérateurs et des administrateurs culturels qui est planifié stratégiquement, bien coordonné et implémenté. Sans programmes continués de formation des cadres, surtout dans les champs du management, planification stratégique et marketing, qui facilitent une action et réflexion proactive, même les résultats déjà achevés ne seront pas reconnus et utilisés.

L'élément important de ce modèle est d'imposer la création des liaisons entre les entités divers qui seraient soutenus de plus par d'autres mécanismes politiques directes ou indirectes comme par exemple le système de financement, le *monitoring* et l'évaluation, les activités suivantes etc.

Les capacités humaines renforcées devraient emmener vers une plus grande qualité de performance concernant le planning aussi que la production dans le secteur de la culture.

Les instruments des politiques conséquents telles que les subventions, *start up grants*, les taxes encourageantes, aussi que la distribution des informations vers le secteur civil culturel - pourrait être développés pour assurer la stabilisation et la viabilité en respectant toujours l'indépendance et l'autonomie du secteur civil. C'est très important à cause des au moins deux raisons: sans fonds de soutien créés surtout pour eux, les opérateurs du secteur civil ne seront pas capables de stabiliser le secteur et de le maintenir dans les conditions transitoires en étant sans savoir faire en marketing et orientation profitable; deuxièmement, la qualité de leur production n'a pas atteint le niveau artistique désirable ce qui les qualifie comme les amateurs, volontaires....

5. UNE ÉTUDE DE CAS – *REOPENING A GOLD MINE*

5.1. La phase pilote de 'Reopening a Gold Mine I'

'Open HighwayE761' a montré le potentiel des organisations du secteur civil en Serbie d'Ouest, mais en même temps, il a souligné le besoin pour une convergence du but et des expectations des partenaires, l'accent sur les opérateurs du secteur publique, l'enlargissement des groupes ciblés et des partenariats.

En 2006 le Committée pour l'initiative civile (CIC) de la ville de Nis et les trois organisations non gouvernementales (Resource Centre Nis, Resource Centre Leskovac et NGO "ABC" de Vranje) ont crée le projet "Reopening a Gold Mine I" avec le but d'initier le procès de reanimation de la vie culturelle dans ces trois ville de la Serbie de sud (Nis, Leskovac, Vranje). Leur objectif a été de renforcer les capacités des acteurs politiques plus importants des trois villes / municipalités – leurs administrations culturelles, les institutions culturelles, les ONGs dans le domaine de la culture, les groupes artistiques informels et les journalists – pour affronter les problèmmes locaux.

Le succès des activités culturelles a été encourageants et le CIC a décidé à créer un projet plus ambitieux de trois ans, et sous le nom de '*Reopening a Gold Mine II*'.

5.2. "Reopening a Gold Mine II"

Le projet de coopération sous le nom "Reopening a Gold Mine II" fait une analyse sophistiquée d'un échec systemique de la politique culturelle serbe, en accentuant sa mise au point sur la préservation des institutions existantes sans considérer sérieusement les besoins ou les inêrets évoluants des citoyens.

'Reopening a Gold Mine II' aurait dû à promouvoir une série de changements dans les capacités individuelles et organisationelles, dans l'offerte culturelle et parmi le publique. Le 4 éléments qui constituent ce qu'on appelle "le cycle vicieux" sont:

- La capacité croissante des professionnels dans le domaine culturel pour le développement des politiques à une manière plus creative;
- L'adoption de l'approche stratégique vers la plannification des activités culturelles en 5 villes;

- L'établissement de la coopération entre les institutions publiques et les ONGs en et parmi les 5 villes;
- Le développement du publique pour la production artistique novatrice en 5 villes.

5.3. Les recommandations

Matarasso et Landry (1999; 7) ont suggéré que le “développement et le management des politiques culturelles sont... un des domaines plus complexes du gouvernement contemporain”. Cette complexité se montre dans les modèles et les plans des administrations publiques par rapport des politiques culturelles. Cependant, la complexité n'est pas seulement administrative, mais aussi conceptuelle. Comme Hugoson (1996) a indiqué, la culture est une construction abstraite, alors les politiques culturelles par conséquence ont des éléments très abstraits.

La tentative du projet “Reopening a Gold Mine” d'essayer les stratégies et les politiques proactives pour soutenir la diversité, le dynamisme et le développement culturel au lieu de continuer enforcer l'identité national à travers la tradition et le traditionalisme, pourrait être considéré comme réussie. Le projet avec ses plusieurs niveaux d'activités, sa structure et ses procédures pour achever les objectifs communs en employant les moyens divers, est différent des autres projets de coopération simples où deux ou trois entités essayent d'achever les objectifs spécifiques artistiques et culturels.

Le projet a une structure suffisante qui a contribué à la dissémination du savoir-faire des experts dans les politiques culturelles et planification stratégique vers les professionnels culturels. Avec le développement du projet, le défi serait à renforcer la circulation des idées pour que ce qui est maintenant le système pyramidale devienne plutôt le réseau. Autrement dit, le savoir-faire et les idées doivent être distingués dans le projet et renvoyer dehors du projet. Il y a beaucoup de façon pour le faire, mais le renforcement des capacités des partenaires pour une évaluation de leurs propres activités et pour la réflexion critique de ce que est fait n'est qu'une.

L'autre problème très intéressant est que sans une législation claire les coopérations culturelles horizontales et verticales ne seront pas durables. Le Ministère de la Culture a le

concours une fois par an qui ne reconnaît les coopérations (celles intersectoriels non plus) aussi que la coopération régional.

Pour pouvoir affectuer les changements, les subventions nationaux, régionales ou locales pour la culture devraient prendre en consideration les critères de la collaboration intersectorial = celle entre les secteurs publique et civile, mais aussi celle entre les deux secteurs et le secteur privé.

Alors, la creation et surtout la reconnaissance des bonnes pratiques qui sont capable d'enjamber l'écart entre le gouvernement et la communauté en facilitant l'échange d'informations et le dialogue, est essentielle pour le développement futur. La préservation des bonnes pratiques durables et les plateformes de coopération, qui pourraient fonctionner aussi comme les coalitions de sensibilisation, doit être la base pour les concepts innovatifs de la formulation des règles (policy making).

6. LES RECOMMANDATIONS GENERALES

Pour mettre en place le cadre qui fera possible la participation du secteur civil dans les procès relatifs aux politiques culturelles, il est nécessaire d'assurer la volonté politique au niveau supérieur d'établir et d'accepter une stratégie pour les organisations civiles. Les instruments opérationnels de la reconnaissance du secteur civil dans le domaine culturel est une précondition pour bénéficier des capacités développées, du savoir-faire et des experiences du secteur civil. La reconnaissance du secteur civil par la législative et à travers les lignes budgétaires particulières aussi que l'engagement des ministères respectifs, sont cruciaux pour le développement future des mécanisms de la politique de participation.

Plus, pour les politiques publiques qui ont l'influence, l'impact de la politique sociale est importante. On peut noter que le travail des ONGs dans ce domaine a été beaucoup plus grand que les résultats et les impacts. Si on regarde les raisons d'une influence si faible des ONGs dans la sphère des politiques sociales (et les influences des ONGs sur la société entière), on peut voir qu'il y manque de mécanisms pour faire les résultats visibles dans la sphère publique aussi que de mécanisms pour l'évaluation.

La décision d'employer le plaidoyer est le sujet fondamental pour ne pas accepter l'interferrance à travers des intérêts personnels ou solutions négociés huit-clos. Les problèmmes devraient être adressés dans le système lui même et entier pour que la demande

soit articulée dans sa totalité et fondé sur les besoins et sujets particuliers. Alors, toutes les pratiques du plaidoyer devraient se baser sur au moins deux éléments essentiels: une action multilatérale du réseau et un appel articulé pour la participation civile.

Le(s) leader(s) visionnaire(s) sont toujours, et surtout dans les groupes de plaidoyer, extrêmement important(s). Il est nécessaire de souligner que ces leaders doivent être choisis soigneusement pour qu'ils parlent au nom de l'entier secteur civil culturel.

En contexte où il n'y a pas de base institutionnelle clairement définie pour la participation des citoyens dans les procès décisionnels, les médias pourraient représenter le seul moyen de faire de l'effet sur les politiques publiques.

L'un des problèmes cruciaux est la continuité et la consistance. Les problèmes, les demandes mais aussi les solutions possibles qui sont mis en point, devraient rester dans les programmes politiques même si ils aient l'aire d'être ignorés – c'est probablement le plus provocant pour toutes les initiatives de faire de plaidoyer.

7. CONCLUSIONS

Il y a plusieurs indications que la société civile en Serbie est actuellement en pat: elle est incapable d'avancer à cause des contraintes provenant du contexte social et liées aux facteurs intérieurs restrictifs comme le découragement croissant de la majorité d'opérateurs venant de la société civile et étant fatigués de faire tout son possible et d'avoir toujours les résultats non reconnus; les autres facteurs sont les médias inaccessibles ou la manque de fonds confrontés par la majorité des ONGs.

Le grand part des ONGs sont fortement caractérisées par la dépendance des donateurs étrangers ce qui provoque la manque de continuité et de consistance. Les fonds limités ne peuvent pas avoir une influence significative positive sur la stabilité, la durabilité et le développement du secteur civil.

Par rapport aux ONGs dans le domaine culturel, les préoccupations majeures sont les cadres légaux insuffisants, les ressources de financement limitées et les problèmes d'infrastructure.

Les ressources humaines sont en même temps la force et la faiblesse principales pour la société civile en Serbie, y compris celles du domaine culturel. Le secteur entier est devenu plus faible quand le personnel plus qualifié et plus éduqué était avancé vers les secteurs plus stables financièrement. Alors, le renforcement et la consolidation futurs du secteur civil

dépendent considérablement des investissements dans les ressources humaines justes, les programmes bien faits pour le développement des capacités aussi que le système de soutien. La manque de priorités claires, de systèmes de monitoring et d'évaluation ne contribue pas à la stabilisation intérieure du secteur; par conséquent le secteur civil est toujours loin d'être un interlocuteur efficace et un gardien publique qui controle le gouvernement et le secteur des corporations. Le mode existant opérationel du secteur civil ne permet pas une évaluation pour garder la viabilité. Le secteur civil est toujours vu comme le secteur des amateurs, volontaires et passe-temps, et non celui des professionnels.

La société civil a besoin de relever un défi plus sérieusement par rapport au plaidoyer et aux activités promotionnelles pour arriver à un rôle reconnu dans la société qui se mobilise et se sensibilise.

1. INTRODUCTION

1.1. Civil society and civil society organizations – definitions and developments

There are myriad definitions of civil society in the post-modern sense. The London School of Economics Centre for Civil Society's defines civil society as „Civil society refers to the arena of uncovered collective action around shared interests, purposes and values.

In theory, its institutional forms are distinct from those of the state, family and market, though in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated. Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power“.

The civil society organizations (CSOs) are generally considered to be “non-state, non-profit orientated groups who pursue purposes of public interest”, excluding the private sector.

Those organizations varies from charities, development non-governmental organizations, community groups, women's organizations, faith-based organizations, professional associations, trade unions, self-help groups, social movements, coalitions and advocacy groups.

The importance of these citizens' associations focusing on private, group and social problem-solving, lies in the creation of social networks that operate independently from the state and strengthen the civil society, increase citizens' participation and their responsibility for themselves and the society they live in.

1.2. The emergence of civil society organizations in Serbia: evolution and frameworks

Civil society in Serbia has a long tradition that can be historically, “traced back to the late 19th and early 20th centuries to the traditional forms of solidarity, particularly in rural communities, the influence of the Eastern Orthodox church and its understanding of charity, and in the activities of numerous humanitarian, educational and other societies that operated

in Yugoslavia from the beginning of the 20th century until the Second World War” (NGO Policy Group 2001:16; Paunović 1997).

With the arrival of liberalism in the 1860s, a number of new NGOs was established, few of them in the cultural field.

The term nongovernmental organization was first used in the journal *Public Voice (Glas javnosti)*, published in 1874 and in 1881 the *Law on the Freedom of Associations* (1881) was enacted. In addition to the *term non-governmental organization*, the following terms were also in use: association, group, alliance and society.

Then as now, non-governmental organizations were required to have statutes and operating principles and to be registered. The statutes were submitted to the Administration of the City of Belgrade, and then notified in the Ministry of the Interior. However, there were some exceptions to this procedure, such as the Society for Support of Serbian Literature, whose statute was approved in 1881 by the Ministry of Finance.

The Guild Decree (Esnafski dekret) from 1847 regulated the legal status of craftsmen and their guilds, during the rule of King Aleksandar Karađorđević. The operating principles of the Workers’ Alliance were approved in 1903 by the Ministry of People’s Economy and in accordance with the Law on the Organization of the Ministry of People’s Economy. Although the numerous associations operated before this one, this was the first time that procedures were explicitly stated in the law.

However, the majority of these organizations were short-lived and some were banned by the state (NGO Policy Group 2001; Petrović 1999).

The civil society activities were more or less suppressed under the authoritarian regime established during and after World War II. The communist regime virtually erased freedom and the establishment of association was extremely restricted while all interest groups involving recreation, sports and culture became part of the state-controlled system. Furthermore, after 1945, all private organizations, endowments, legacies and funds were nationalized, their property confiscated and their operations restricted.

From 1945 until the end of the 1980s, as indicated in NGO Policy Group 2001, free association of citizens was not permitted and organizations could operate only within the strict limits imposed by the state and under government control.

Still, there were no obstacles to the registration of the organisations that did not deal with political issues; for instance sports, recreational, professional or hobby associations. The

organizations that did not have political aspirations and did not strive to create or inspire social change were even allowed to operate outside official state organizations.

Nevertheless, what distinguishes them from modern non-governmental organizations is the fact that they were not autonomous from, but rather controlled by the state. Therefore, this period is characterized by “*governmental*” *non-governmental organizations*, which, until 2000, numbered as many as 19,129. (NGO Policy Group 2001: 17).

In general, the communist regime had a profound and long-lasting impact on the development of civil society in Serbia, the effects of which can still be seen today, and will be difficult to overcome. This legacy manifests itself in the mentality of citizens who do not have the habits of self-organization or social responsibility, believing it is the responsibility of the state to solve their problems. In addition, the state still exhibits a paternalistic attitude towards citizens, and the members of certain political parties still have primary access to certain public services, particularly in the municipalities where their party is in power within local government. As a result, the public are highly distrustful of the state and of one another as well.

1.3. Towards a European civil society

In the Enlightenment period, as a natural consequence of Renaissance, Humanism, and the scientific revolution, the Enlightenment thinkers introduced the concept of civil society in its pre-modern classical republican understanding in Europe.

In the eighteenth and nineteenth century, when most social theorists focused on the state and market systems, liberal democracy fostered the emergence of the third realm of activity. Philosophers such as Adam Ferguson, Alexis de Tocqueville, and G. W. F. Hegel viewed civil society as an essential realm composed of all kinds of independent nongovernmental interest groups and associations that acted sometimes on their own, sometimes in coalitions, but always mediated between state and society at large.

However, civil society was also considered to be a weaker realm than the state or the market. And while theorists treated the state and the market as systems, this generally was not the case with civil society. It was not regarded as a unique form of organization equivalent to the hierarchical institution or the competitive market.

During the fundamental challenges and crises in the 19th and 20th century it continued to be one of the most fundamental principles for future developments in Europe and elsewhere, contributed to further strengthening of the third sector. Civil society stands for an ambitious project of restructuring society, polity and culture in a way that allows equal chances, democratic participation, individual freedom and societal self-organization under conditions of peace, limited government, social welfare and basic civility.

While in the period from the 18th to the 20th century civil society largely emerged in local, regional and national frameworks, in the second half of the 20th century the development of civil society increasingly assumed transnational dimensions. The stabilization and expansion of civil society significantly contributed to the European integration and enlargement. “Europeanization” through strengthening of the European Union was seen as a long-term process with deep historical roots and an open future, heterogeneous and variable subject to conjunctures, interruptions and even possible reversals.

The civil society with transnational public space included – was recognized as decisive for the future of the European integration as new forms of transnational participatory governance. The process of political and social mobilisation beyond and across national boundaries accelerates, deeply affecting the policy-making process and raising new legal issues, and within that the civil dialogue becomes avoidable.

1.4. Participatory Democracy of the EU and the Civil Dialogue

The second half of the 1970s, and of the 1980s in general, was a period overlooked, nevertheless it was crucial for deep inner structural crisis affecting national cultural policies in Europe. The crisis arose from the need to redefine, first and foremost, the role of public and institutional culture; at the same time there were demands for strengthening local regional development (A bottom-up approach to cultural policy-making, 2008:34, Dragojevic, S. 2008).

The emergence of participatory democracy and civil dialogue appears as a direct consequence of the challenges raised by traditional forms of participation in liberal democracy, i.e. by representative democracy. This is particularly the case in the European Union, an “unidentified political object” in which democratic representation is based on a mixed approach.

Representative democracy is often designed as the main source of legitimacy of the EU. Dialogue and consultation processes are subsequently developing in rather uneven forms in the different EU areas.

The commonly accepted features of participatory democracy cover the following aspects:

- Participatory democracy involves **non-state actors**, mainly individual citizens and civil society organisations;
- It seeks to **extend the concept of citizenship** beyond the conventional political sphere;
- It is based on the principle of **policy-makers' permanent accountability** between elections;
- It acknowledges citizens' right to **participate in public life through alternative channels**, to tackle the shortcomings of representative democracy;
- It allows citizens to take **direct responsibility in public life**;
- It covers **some practices of direct democracy**. However, participatory democracy also emphasizes the role of civil society organisations as important mediators in debates;
- It is based on the principle of integration and **empowerment of civil society**.

However, rather than on one type of democratic representation, the European Union is based on an ad hoc approach, a mixture of different models, which all find their roots in specific types of representation and ways of linking to the citizens, reflected in the nature of its 'institutional triangle':

- Technocracy is rooted in a preference for technical knowledge and planning over perceived short-term political interests and is one of the founding principles of the European Commission.
- Intergovernmentalism is based on governments' interests through the democratically elected members of the Council of Ministers and the European Council.
- Parliamentarism builds upon direct representation of the European people through the European Parliament.

The balance between these mechanisms has considerably evolved over time, which makes it particularly difficult to define the essence of the 'EU democracy.' Notably, while the High Authority (predecessor of the European Commission) was the cornerstone of the European

Coal and Steel Community created in 1952, it was progressively replaced by the Council of Ministers as the key actor of the EU policy process.

The traditional EU policy-making process has also been progressively completed by other mechanisms such as social dialogue.

Contrary to the mechanisms of the institutional triangle, social dialogue stems from a more corporatist approach, based on negotiations with those that are directly affected by a decision. It is commonly referred that the civil society organizations have a strong role of intermediary actors between citizens and public authorities. Nevertheless, it is important to note that it cannot be considered a general governance framework for the EU.

Following a number of experiments in the 1990's, the European Union began to formally recognize the role of organized civil society in policy-making in the *White paper on European Governance* published in 2001, and continued reflecting upon the way to establish a constructive dialogue with civil society actors in 2002 with the *General principles and minimum standards for consultation of interested parties by the Commission*" (COM, 2002:704). However, they did not set the framework of a structured, coherent and comprehensive dialogue. This is particularly due to the fact that they do not define the framework of consultation, but rather some key principles bound to govern processes in which consultation already applies. Neither do they constitute any commitment to extend or even define the scope of dialogue, since they focus on its quality. And still, none of those documents have a binding force.

The new *Treaty of Lisbon* includes, as did the draft Constitutional treaty before, an article on civil dialogue. This Treaty in its Article 11 will recognize dialogue with civil society as a fundamental principal of the European Union's governance. It will also create a legal obligation for the three main European institutions (the European Commission, Parliament and Council) to consult civil society (up till now civil dialogue has mainly been a Commission concern).

Lisbon Treaty Article 11

"Article 11(1) of the TEU - Horizontal Civil Dialogue: *"The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action."*

Article 11(2) of the TEU - Vertical civil dialogue: *"The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society."*

Article 11(3) of the TEU - Consultations by the European Commission: *"The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent."*

Article 11(4) of the TEU - The European Citizens' Initiative: *"Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties."*

In the cultural policy field on the other hand, structured dialogue tools are still in their infancy. Some actors, such as Culture Action Europe, have already been interlocutors of the institutions for many years, and participated in a number of formal and informal consultation processes up to this day. At European level, structuring the representation of the cultural sector is still a work in progress. Although a number of European platforms already exist, regional and national self-organisation still has to be developed in many EU countries.

The fact that civil dialogue has been recognized at European level (and so by the representatives of the Member States) could be used as a lever to ask for more dialogue between public authorities and cultural stakeholders at national and sub-national levels. European policies only make sense if understood and translated in local, regional or national contexts.

2. METHODOLOGICAL CONSIDERATION

2.1. Research design and data analyses

The **main objective** is to examine, analyze and evaluate current situation in Serbia regarding the position, role and level of influence of cultural civil organizations on the redefinition of cultural policy.

Specific aims are:

- To evaluate current legal frameworks (cultural policies, strategies and specific documents) and identify operational instruments of recognition, formal and informal at disposal, in order to gain legitimacy and contribution of the civil sector in the processes of cultural policy redefinition
- To analyze initiatives and practices which have been designed and realized based on participatory policy making model and translate them into general recommendations for cultural policy documents
- To examine needs of cultural civil sector organizations in order to propose measures for improving their performances and sustainability
- To suggest models for further professional development and capacity building, both for public and civil sector actors in order to gain new skills and know-how
- To suggest new types of channels and forms of communication between public sector (decision makers) and civil sector in culture
- To propose interactive instruments which could raise awareness of necessity for collaborative work and exchange between public and civil sector in cultural policy redefinition.

The research would be based on **general hypothesis**: there is no significant impact of the cultural civil organization on cultural policies in Serbia due to the absence of functional legal frameworks and other relevant mechanisms which in coordinated and systematic way support a continual dialogue and exchange between policy makers and the civil sector representatives.

The **specific hypotheses** are:

- cultural policy documents do not clearly regulate the position of the civil sector in culture, and the legitimization of inputs and lessons learned from the cultural civil sector is not foreseen
- there are no strategically planned and structured relationships between the civil sector, the executive and the legislative bodies in the policy-making; and the processes of participative policy-making in the field of culture is not encouraged
- the empowerment of human resources in culture by creating and supporting of continuing professional development programs and trainings are sporadic, random and not coordinated, so the effects are weak.
- the existing funding systems of culture in Serbia are not transparent and stable enough, so civil organizations follow the trends, donor driven policies, and that is hardly sustainable on long term basis
- mechanisms which are flexible to support transversal practices, interdisciplinary and intersectorial collaborations, as well as a regional cooperation, mostly practiced by civil sector do not exist.
- monitoring, evaluation and follow up processes are not taken into consideration as enabling processes to translate successful bottom-up approaches of civil sector into top-bottom recommendations.

The research is conducted at several levels with interdisciplinary approach. The research methods that are implemented in order to confirm or reject the above settled hypothesis are qualitative and quantitative.

The first part of the work provides a background and general overview on the civil sector in Serbia, with emphasis on the civil sector in culture and the context in which the independent cultural scene has arisen and in which it is now operating by pointing out the relevant factors that have influenced, at a general level, the orientation of the cultural field towards networking and its joint efforts in the struggle for participation in the creation and implementation of cultural and other public policies.

Desk research of online and off-line resources (such as portals, directories, existing project databases, academic texts and publications relevant to above mentioned topic) was used to collect information.

In order to deepen the research on data relevant to rejection or approval of settled hypothesis in the second part of the work the primary data collection is done through in-depth analyses of two case studies that act as reference sources. The presentation of case studies, both at conceptual and practical level are undertaken with the aim to understand how those practices were designed and implemented, and to make an assessment of tools used. The analyses should identify potential routes, mechanisms and operational instruments useful for a large number of stakeholders for establishment of the partnership and dialogue between public (decision makers) and civil sector.

The following initiatives are examined as case studies: “Open Highway E761” and “Re-opening a Gold Mine”. The relevant stakeholders were one-to-one interviewed. The selected case studies were also closely observed from the very beginning – from projects design to evaluation, by being a person in charge of the Swiss Cultural Programme, the main donor of both projects.

The data were collected by analyses of the specific documentation acquired (such as stockholder’s annual reports, reports of various commissioned committees, initiative catalogues and project web pages).

The analyses of the selected case study aim to identify obstacles in the achievement of the legal preconditions - general principles and minimum standards for consultation of civil sector in policy making processes; recognition of civil sector as interlocutors in the redefinition of cultural policies; key considerations regarding structurally built dialogue and partnerships between public and civil sector.

It is important to point out that this work deals with the public policy in culture and more precisely with decision making bodies of the policy community – as one part of the public sector, and not the public sector as a whole.

Where the public policy is the broad framework of ideas and values within which decisions are taken and action, or inaction, is pursued by governments in relation to some issue or problem (Brooks, 1989, p.16) and the policy community is understood as individuals, groups, government departments, organizations and agencies that dominate decision making in a specific policy field (Pross, 1986). The local, regional or state levels of policy community in

charge of public policies in four domains: laws, regulations, decisions, and actions will be addressed, while the other operators in public sector will not be treated within this work.

After the collection and analyses of all findings the adequate policy recommendation is formulated for executive and legislative policy making bodies at national and sub-national levels. The recommendation for civil sector is also drafted in order to improve their performances in positioning and acting as interlocutors in the processes leading to redefinition of cultural policies.

3. THE CIVIL SOCIETY OF SERBIA: '90s AND AFTER TWOTHOUSAND

Ralph Darendorf says that while political change of post communist countries can be achieved in six months, economical change in six years, cultural change needs 60 years to be achieved. This is because cultural change implies change in the scale of values.

Related to the processes in the EU, the idea of partnership between the public and the civil cultural sector was introduced via the Council of Europe policy guidelines and gained a place at the end of the '90s in the emerging South Eastern European democracies. This lapse of time was also necessary for developing the national cultural CSOs in Serbia.

“Serbia belongs to those countries, in which civil society is not developed” (Pavlović 1995: 255).

According to the same author this deficit has its *historical* and *actual* dimensions. The *historical dimension* is summarized in the claims that “in Serbia traditionally only this type of political culture dominates, which views the strong/powerful state as the sole problem solver”. The *actual dimension* comprises several main issues: “(a) real-socialism strangulated civil society, (b) the negative impact of the dissolution of the Former Yugoslavia, (c) massive impoverishment of society especially among the middle class, the urban population and the young generation, together with the erosion of the material base of culture, education, art and spiritual life in general as the main preconditions for civil life and civic culture, (d) the cumulative effects of nationalistic politics and war that led the process of social deterioration all helped to create an environment hostile to the development of civil society, (e) almost total isolation of Serbia from the international community, which created a “ghetto type of society”, in which the multiplication of external and internal blockades disabled the positive impact of international civil society on internal democratization processes ”(Vukašin Pavlović 1995: 257), *Potisnuto civilno društvo (The suppressed civil society)*, EKO Centar, Beograd 1995, p. 257)

From this perception of civil society as undeveloped, it could be concluded that the usefulness of the concept of civil society lies less in its theoretical and explanatory value than in its normative power and mobilizing role. (Pavlović 2004).

The early 1990s witnessed the legalization of pluralism and free association of citizens and the subsequent mushrooming and diversification of CSOs. This period was characterized by the breakup of the Socialist Federative Republic of Yugoslavia, armed conflict, a consequent influx of refugees, and increasing numbers of citizen groups and associations formed to oppose the language of hatred, to prevent and then to end war and violence, to assist its victims, to protect elementary human rights, etc.

Serbia, under the name of Yugoslavia, was suspended from the UN, UNESCO, and Council of Europe and, thereby excluded from all European integration processes. Also, Serbia was excluded from all cultural forums where before it had been one of the rare representatives of the non-democratic and Slavic world (in *Culture in the EU's External Relations: Bridging the Divide*, Dragicevic-Sesic, 2010).

Only independent artists and CSOs participated in international co-operations positioning themselves as agents against nationalist public policies. Their work was supported by the Fund for an Open Society, KulturKontakt Austria and various embassies through small grants projects (Ćurguz 2001).

In comparison with the '90s, today's civil sector in Serbia in regard to the number of registered organizations is nineteen times bigger. According to the data base of the Centre for Development of Non-Profit Sector, 1935 CSOs are active today in Serbia. Out of this number 239 CSOs are registered as the organizations primarily working in the field of culture (Directory of Centre for Development of Non-Profit Sector, 2005).

Still, understanding and discussion of the civil society concept was and is mostly limited to a narrow circle of educated members of society and among younger generations. The research conducted by the Centre for Free Elections and Democracy (CeSID) in 2005 showed that 65% of respondents did not know what the term "civil society" meant while 78% did not know anything about non-governmental organizations. According to the same survey, slightly more than one third (36%) of the citizens trusted non-governmental organizations, while only 6% of them had complete trust.

With the exception of the short and encouraging period during the mandate of the Prime Minister Đinđić (2000 – 2003), the general society development, legislative processes and other relevant conditions did not contribute to further progress and even bounded the development, functionality and vitality of the civil sector in Serbia.

After the political change in 2000 the CSOs were frequently invited to cooperate in the implementation of various projects, strategies. However, a number of the experts consulted considered this cooperation to be no more than declarative, contributing little to the establishment of the successful partnership between the state and civil society.

The failure to engage CSOs as constant partners indicates that the Government does not see the need to cooperate with civil society in policy formulation and implementation except when it is made a condition by international donor organizations. Even though it is a priority of the Serbian government to establish social dialogue and reach consensus on macro social and economic policy and although social dialogue is one of the pillars of democracy and a key to many problems typical of the countries in transition – progress in this direction is still hardly discernable.

Relations between the state and civil society are made considerably more difficult by the absence of the political will to recognize the role of civil society and to establish constructive dialogue with its actors. Civil society, on the other hand, with its large number of actors, still has not developed sufficient awareness of the character and political importance of its role in the wider community.

Therefore, civil society in Serbia is still undervalued and, even though it is not suppressed as in the 1990s, it still lacks a recognized role and its impact on governance processes and on key political and social issues goes largely unacknowledged. Nowadays, CSOs are operating in a blurred institutional framework and on a case by case basis, which has the implications on both their impact, which is still very modest, and on contribution to general change of value system and development of democratic society in Serbia.

The principal problems of civil sector regarding the sustainable development and policy impact in Serbia remain to be: lack of the law implementation and deficiency of stimulating legal frameworks, lack of public trust, insufficient know-how considering public advocacy and lobbying, under-capacity with regard to staff and managerial skills, lack of financial

resources (especially at the time of the “second transition” when the international donors withdrawing step by step from the region including Serbia).

In the '90s the Council of Europe imposed participation of the civil sector in the process of writing (not only debating) cultural legislations, which the international community considers crucial for the development of democratic institutions.

However, the key problem is still the legitimacy of civil sector in general, and what is even more specific for the cultural field it is the lack of the recognition and support for civil sector using new models of production and collaboration. Due to the lacking credibility, the members of the civil sector are seen as amateurs, philanthropist, voluntary and hobby-oriented. The system in its current forms follows the logic services and cannot respond to transformative needs, primarily geared to meet the ongoing and unmitigating social and infrastructural needs of the public cultural institutions.

3.1. Legal frameworks and other frameworks relevant to the work of CSOs in culture in Serbia

The establishment and work of CSOs in Serbia until 2009 was legally governed by two laws:

a) the *State Law on Association of Citizens into Associations*, social organizations and political organizations founded in the Socialist Federal Republic of Yugoslavia, from 1990.

b) the *Republic Law on Social Organizations and Associations of Citizens*, from 1982, which was last amended in 1989.

Both these laws in force were passed in entirely different social and political contexts. They protect values that no longer exist, according to the opinion of most key informants.

Although they acknowledged that the legal regulations are outdated, representatives of the Government and umbrella organizations believed that the federal Law from 1990 was extremely liberal because, in their opinion, it did not provide discretion rights, which would restrict registration of associations. They argued that it would only restrict those organizations which threaten to overthrow the constitutionally established system by force; which jeopardize the territorial integrity and independence of the country; which violate the rights and freedoms of people and citizens guaranteed by the Constitution or which incite national, racial and religious hatred and intolerance.

In 2004 according to *USAID Sustainability Index 2004* civil society organizations in Serbia still operated within an unclear and inconsistent legal framework, because of which the legal framework had the index of 4.5 and had not significantly changed since the nineties.

**USAID Sustainability Index -
Legal framework:**

- 2004. = 4.5
- 2003. = 4.5
- 2002. = 4.5
- 2001. = 5.0
- 2000. = 5.0
- 1999. = 6.0
- 1998. = 5.0

* Based on the scale from 1 to 6, where 6 means inconsistent legal framework and 1 means consistent legal frameworks.

The legal environment for civil society and assessment to what extent it enables or disenables the civil society, according to CIVICUS Civil Society Index Report for Serbia, 2006:

A.1. CSO registration

Description: How supportive is the CSO registration process? Is the process (1) simple, (2) quick, (3) inexpensive, (4) following legal provisions and (5) consistently applied?

Table A.1.

The CSO registration process is not supportive at all. Four or five of the quality characteristics are absent.	Score 0
The CSO registration is not very supportive. Two or three quality characteristics are absent.	Score 1
The CSO registration process can be judged as relatively supportive. One quality characteristic is absent.	Score 2
The CSO registration process is supportive. None of the quality characteristics is absent.	Score 3

* This indicator combines a number of individual quality characteristics of the registration, namely whether the registration is (1) simple, (2) quick, (3) inexpensive, (4) fairly applied and (5) consistently applied. The process of using these five 'Yes/No' variables for the scoring of the CSO registration indicator by the NAG follows the process outlined for sub-dimension 3. The indicators scores are defined by how many of these five quality characteristics are existent/absent.

A.2. Freedom of CSOs to criticize the Government - allowable advocacy activities

Description: To what extent are CSOs free to engage in advocacy / criticize government?

Table A.2.

CSOs are not allowed to engage in advocacy or criticise the government.	Score 0
There are excessive and / or vaguely defined constraints on advocacy activities.	Score 1
Constraints on CSOs' advocacy activities are minimal and clearly defined, such as prohibitions on political campaigning.	Score 2
CSOs are permitted to freely engage in advocacy and criticism of government.	Score 3

A.3. Tax laws favorable to CSOs

Description: How favorable is the tax system to CSOs? How narrow/broad is the range of CSOs that are eligible for tax exemptions, if any? How significant are these exemptions?

Table A.3.

The tax system impedes CSOs. No tax exemption or preference of any kind is available for CSOs.	Score 0
The tax system is burdensome to CSOs. Tax exemptions or preferences are available only for a narrow range of CSOs (e.g. humanitarian organisations) or for limited sources of income (e.g. grants or donations).	Score 1
The tax system contains some incentives favouring CSOs. Only a narrow range of CSOs is excluded from tax exemptions, preferences and/or exemptions, or preferences are available from some taxes and some activities.	Score 2
The tax system provides favourable treatment for CSOs. Exemptions or preferences are available from a range of taxes and for a range of activities, limited only in appropriate circumstances.	Score 3

A.4. Tax benefits for philanthropy

Description: How broadly available are tax deductions or credits, or other tax benefits, to encourage individual and corporate giving?

Table A.4.

No tax benefits are available (to individuals or corporations) for charitable giving.	Score 0
Tax benefits are available for a very limited set of purposes or types of organisations.	Score 1
Tax benefits are available for a fairly broad set of purposes or types of organisations.	Score 2
Significant tax benefits are available for a broad set of purposes or types of organisations.	Score 3

Summarized indicators assessing the legal environment for the work of CSOs

Ref. Tab.	Indicators	Score
A.1.	CSO registration	2
A.2.	Freedom of CSO's to criticize the Government	2
A.3.	Tax law favorable to CSO's	1
A.4.	Tax benefit for philanthropy	1

Only in 2009, by approving the *Law on Association on Citizens*, the SFRY Law on Associations from 1990 was replaced. The frequency of consultations on the new Law on the Association of Citizens was very intensive at the time of Prime Minister Đinđić, when the Civil Society Advisory Committee, together with the Government worked on designing the Poverty Reduction Strategy Paper (PRSP) and on designing the Law. With the assassination of the Prime Minister and the establishment of the new Government, the communication between the State and CSOs regressed and the new version of the Law was done without a real dialogue with the civil sector representatives.

The new Law does not foresee the budgetary financing of the third sector, still there is noticeable readiness of the Ministry of State Administration and Local Self-Governance to change the status of the third sector to some extent by opening a space for the civil sector association to undertake activities which will generate income. That could provide stabilization and sustainability to civil sector operators on one side, and on the other it could place the civil sector to equal footstep with other sectors participating in socio-economic regeneration of the society; furthermore that could also implicate the influence on decision making processes in the future, too.

However, there is no tax law favorable for CSO and other relevant benefits which would provide a continuous support to CSO organizations and their work.

The legislation in the filed of culture looks even less favorable. The latest version of the *Law on Culture* was approved by the Serbian Parliament in September 2009, replacing the *Law on activities of General Interest in Culture* from 1992. Unfortunately in the new Law there were few changes introduced concerning the civil sector operators, but there are many lacking elements present. Concerning the civil sector operating in the filed of culture, the new Law does not foresee the special Call or budget allocation for the support of civil sector activities – the available funds are the common ones, where also the public institutions apply for programming costs; no defined support is foreseen for multi-annual projects, while the contingency in the budget is planed with 25% and that is solely under the jurisdiction of the Minster and so on. Of course, the regulation concerning the budget do not follow only a financial logic since the budget issue is also political question and document, and it is an expression of political choice and thus the priority set by the governing political forces in a society.

Furthermore, the new Law does not clarify the criteria and parameters for monitoring and evaluation of the performance – what would be crucial in order to start the feasible reforms of cultural system, first of all within the public sector; nevertheless the monitoring and evaluation is very important for all actors as it enables the follow up and development of corrective mechanisms; on the scale of arm's length continuum the decision making is still centralized (despite all the time prioritized and proclaimed decentralization! and some promising initiatives taken by the Ministry of Culture in 2007 when among others the *working group for decentralization of culture and monitoring of local development* was also formed and was in charge of analyzing, developing and proposing the possible decentralization models of culture in Serbia); delegation of civil sector representative in the

National Advisory Board for Culture is not foreseen; the directors of public institutions are named by the founder and so on.

The new Law defines the obligation to create the National Strategy for Development of Culture for a ten-year period, but so far no action has been undertaken to fulfill this obligation.

Two non-governmental organizations the Committee for Civic Initiative (CCI) from Niš and Remont from Belgrade took an initiative to conduct a survey aiming, on one hand, to examine the status, working conditions and capacities of civil organization operating in the field of culture, and on the other to examine the needs and potentials of non-institutional partakers in culture, in order to identify and propose measures that will contribute to better visibility, raise public awareness and improve their communication with decision makers (Non-institutional partakers of cultural policy in Serbia, Montenegro and Macedonia, Committee for Civic Initiative, 2010 *still unpublished).

The research was realized by the Committee for Civic Initiative (CCI) and was undertaken in the period October 2009 – February 2010 on the entire territory of Serbia.

This research was done through questioner and semi-structured interviews, and covered 71 representatives of non institutional cultural actors in total. The following criteria were used in order to frame the target group:

- they must be non-institutional cultural actors - those who operate outside the system of public cultural institutions and have not been established by the state;
- they have to define their own organizational structure, decision-making processes and management;
- they not depend on financing and programme of the State or of a third entity;
- their action is non-profit;
- they are primarily engaged in the field of contemporary art and cultural policy.

The semi-structured interviews with non-institutional operators were created around 14 themes, divided in 3 groups:

1. about the organization - mission and vision of the organization, working conditions, problems it is facing with, the development plans of the organization;

2. about existing cooperation and partnerships - with other actors of independent cultural scene, - with cultural institutions, - with decision makers at national and local level, - with business sector; international cooperation and membership in national and international cultural networks;
3. about independent cultural scene (the basic problems of the independent cultural scene and ways of solving these problems, the main development directions of the independent cultural scene at national and regional level; possibilities for networking at national and regional level.

While the questioner aimed to find answers on following measurable categories:

- human resources
- technical resources
- managerial resources
- social resources
- financial resources

There are the research results on non institutional cultural actors in Serbia:

Territorial distribution of non institutional actors working in the field of culture in Serbia

Table B.1.

Belgrade	21 (35,6%)
Vojvodina	16 (21,7%)
Central and Western Serbia	10 (16,9%)
South and East Serbia	12 (20,3%)
Total	59 (100%)

The CCI research results show that the presence of non-institutional actors working in the field of culture, with exception of Belgrade where the concentration is highest, is similar in other regions of Serbia.

It is not disputable that there are differences in geographical distribution as well as in a sense of “centre” and “periphery”. Furthermore, it is interesting to observe that South and East Serbia, which were a “cultural wasteland” concerning the civil sector organizations just few years ago (the analyses for Re-opening a Gold Mine was done in 2006), have managed to reach the level of Central and Western Serbia.

It implicates that the donor-driven longer-term and/or multi-annual support to activities in a certain region is the first to mobilize the civil sector actors for action. However, that is only a temporary state, not a sustainable model (as it could be seen from the results received in Central and Western Serbia where after ending the support the civil sector operators also stopped their activities) if there are no strategic changes to follow and support the whole process.

Size of organizations - number of members, employees, volunteers

Table B.2.

Up to 10 (small organizations)	33
Between 10 and 50 (mid size organizations)	22
More than 50 (big organizations)	3
Total	58

According to the CCI survey results in Serbia the total number of active members in cultural CSOs is 1409, number of engaged volunteers is 1423 and 60 persons are evidenced as employed. A very few cultural CSOs are ranked as big organizations with more that 50 members (including employees and volunteers) and usually those organizations were established before 2000 and has solid and continuous support from the international bodies.

Educational profile in CSOs

Table B.3.

Mostly with elementary school	0 (0%)
Mostly with secondary school	6 (11%)
Mostly with faculty / higher education	38 (72%)
MA and PhD	9 (17%)
Total	53 (100%)

The education profile in non institutional sector – in civil sector in general is high, what is confirmed by the research results. That is partly the consequence of the '90s, when the civil sector was the field of action for intellectuals with high formal and non-formal educations. It is also connected with the values promoted and practiced by the civil society in Serbia.

Field of action

Table B.4.

Production – contemporary arts	17
Organization of cultural happenings and events	37
Non formal education /research	5
Total	59

The results of filed of action gives an inside look at the dominant activity of non-institutional actors – the event management.

The production as main filed of action is only at the second place of the non-institutional actors, which might be the indicator for non-stabile financing system, lack of clear criteria of awarding grants, absence of multi-annual financing, lack of high quality productions. Unfortunately, the quality of the production of organizations and/or individuals outside the public productions failed to gain recognition as high quality production; therefore, the civil sector production is still regarded as amateur, hobbyist work.

Moreover, there are just a few think-tank non-institutional actors that carry out researches independently and that are enabled to address other relevant cultural policy issues continually; or to keep continuum in education in the filed of culture.

Number of organized programs in period 2007 – 2009

Table B.5.

In 2007	1504
In 2008	1342
In 2009	1810
Total	4656

Table B.5.1.

Organization according to yearly programs	2007	2008	2009
Up to 5 programs per year	22 (40,7%)	15 (26,3%)	19 (32,2%)
Between 6 and 10 programs per year	6 (11,1%)	13 (22,8%)	12 (20,3%)
Between 11 and 30 programs per year	15 (27,8%)	18 (31,6%)	16 (27,1%)
Between 31 and 100 programs per year	6 (11,1%)	7 (12,2%)	9 (15,3%)
Over 100 programs per year	5 (9,3%)	4 (7,1%)	3 (5,1%)
Total	54 (100%)	57 (100%)	59 (100%)

Although the previous table ranked the production to the second place, the number of produced and organized programs in the period 2007-2009 shows that the non institutional actors significantly contribute to cultural productions of the country.

The number of activities undertaken, not just at quantitative level, is significant and has a potential to enrich the cultural life of the country. The programs organized by non institutional actors also had a high level of financial efficiency: relatively small financial assets can yield quality and quantity of cultural product distributed in several places on a continuous basis.

On the other hand, the international and especially newly available European funds, such as Culture 2007-2013, or IPA Pre-accession funds for civil sector has the highest utilization by the non institutional actors due to the required project cycle and other relevant management knowledge.

Partnerships

Table B.6.

BH	9	Romania	1	France	3
Croatia	9	Albania	1	Austria	3
Slovenia	7	Bulgaria	1	Switzerland	3
Macedonia	7	Slovakia	2	Belgium	3
Kosovo	2			Holland	1
Montenegro	3			Italy	1
Total EX-YU	37	Total Eastern Europe	5	Total Western Europe	14

It may be concluded that the non-institutional operators in Serbia have recognized the importance of cooperation in the Balkans region, which is the first natural choice due to the common historical background (especially among the former ex-YU countries) and similarities of cultural space and transitional processes. Nevertheless, the cooperation is ad hoc and the number of coalitions even at the national level is modest, while at the regional level they are very rare.

The situation at international level seems to be very similar.

Budget

For almost two decades now, the international community has been investing a considerable amount of money in the development of the Serbian civil society sector. According to the OSCE data, the most important international donor organizations allocate 10 million euros of annual funding to Serbian civil society organizations. Some international donor organizations think that now their job is done. They will soon move on to other places. Still some of them seem to be in for the long haul.

The current government is also stepping up its cooperation efforts. In addition to that, the Instrument for Pre-Accession Assistance (IPA) of the European Commission is emerging as a new important source of funding for Serbian civic activists and their projects with a range of grant-making programs that are specifically aimed at CSOs or at least support them as implementation partners.

Table B.7.1.

Yearly budget of organizations	2007	2008	2009
Less than 10.000 EUR	20 (38,5%)	19 (33,9%)	25 (44,6%)
From 10.000 to 25.000 EUR	11 (21,2%)	10 (26,8%)	10 (17,9%)
From 25.000 to 50.000 EUR	10 (19,2%)	15 (17,9%)	6 (10,7%)
From 50.000 EUR to 100.000 EUR	4 (7,7%)	5 (8,9%)	8 (14,3%)
Over 100.000 EUR	7 (13,5%)	7 (12,5%)	7 (12,5%)
Total	52 (100%)	56 (100%)	56 (100%)

Table B.7.2.

Organization size according to budget	2007	2008	2009
Smaller than 10.000 EUR (small size)	20 (38,5%)	19 (33,9%)	25 (44,6%)
From 10.000 to 50.000 EUR (middle size)	21 (40,4%)	25 (44,6%)	16 (28,6%)
Over 50.000 EUR (big size)	11 (21,2%)	12 (21,4%)	15 (26,8%)
Total	52 (100%)	56 (100%)	56 (100%)

The oscillation of non institutional operators budget is obviously following the above described tendencies, that is the most visible in the case of small size budget (less than 10,000 EUR per year) and mid-size (25,000 – 50,000 EUR per year). In the case of small scale

budgets the increasing tendency is noticeable while in the mid-size the budget is decreasing in respective research period.

It can be concluded that the mid-size budget organizations are endangered by the withdrawal of the international funds from Serbia, and most probably they will slowly disappear.

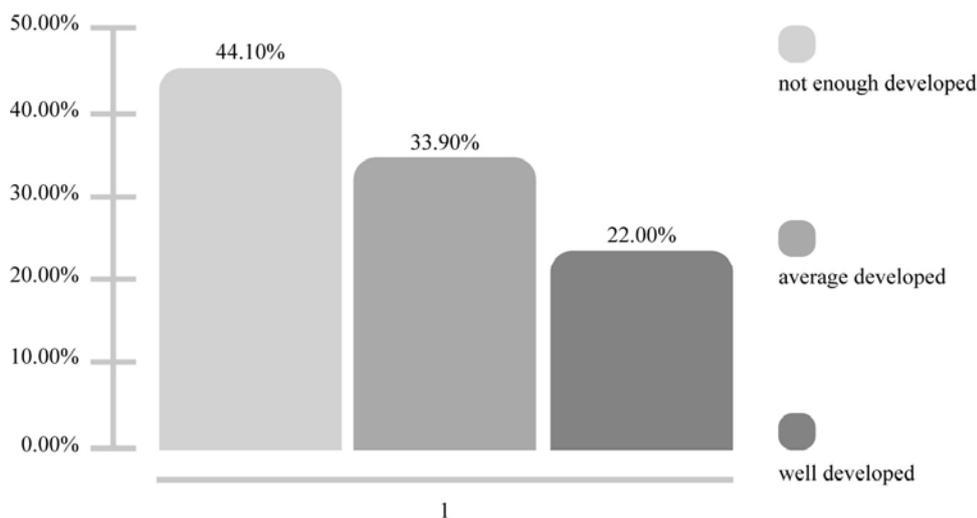
The possible reason for that is that the CSOs have failed to develop a resource strategy that provides them a sufficient and/or continuous influx of resources. The small- and big-size organizations will not face the same problem, as the first one act on temporary base (when there is budget they are active), while the other one has developed either a continuous influx of resources or managed to diversify the resources, so the changes in certain type of financial resources do not put them in danger.

The questioner measured the additional 4 categories of capacities of non institutional actors in Serbia:

- **Human resources**

Level of development of human resources (Serbia)

Graph C.1.



According to the results, the human resources in the non-institutional sector working in the field of culture are underdeveloped.

Despite the investment of foreign donors in various forms of capacity building in CSOs, human resources will remain undeveloped and not ready to answer the new upcoming

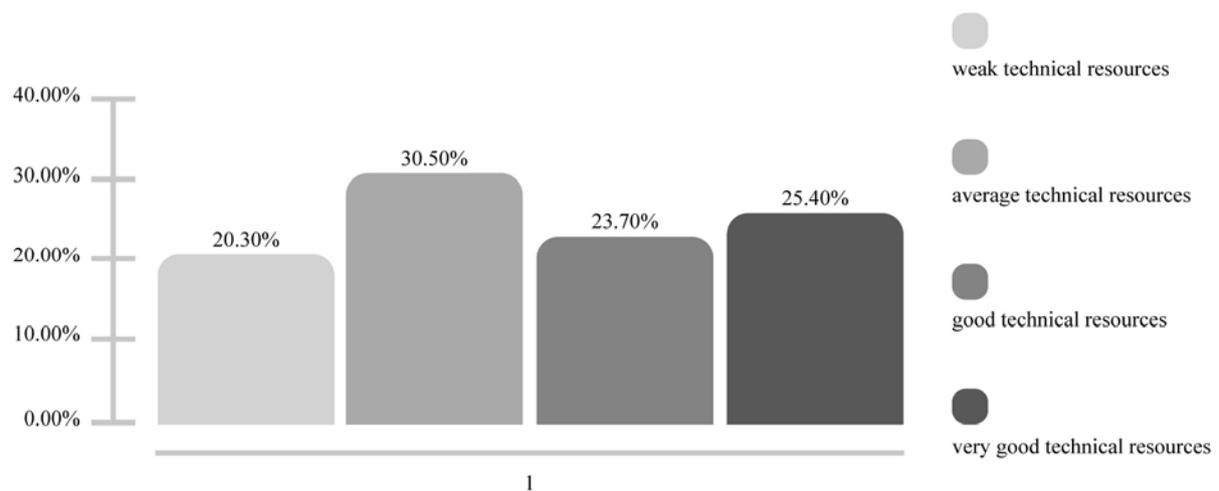
challenges if there is no systematic, long-lasting and overwhelming reform of education and training in culture.

Nevertheless, the specific know-how (such as a strategic planning, project management, know-how on various policy mechanisms, etc) that has been accumulated in civil sector is much more advanced than in a case of public sector, which should be taken as the considerable capital of the CSO in the future.

- **Technical resources**

Technical resources (Serbia)

Graph C.2.

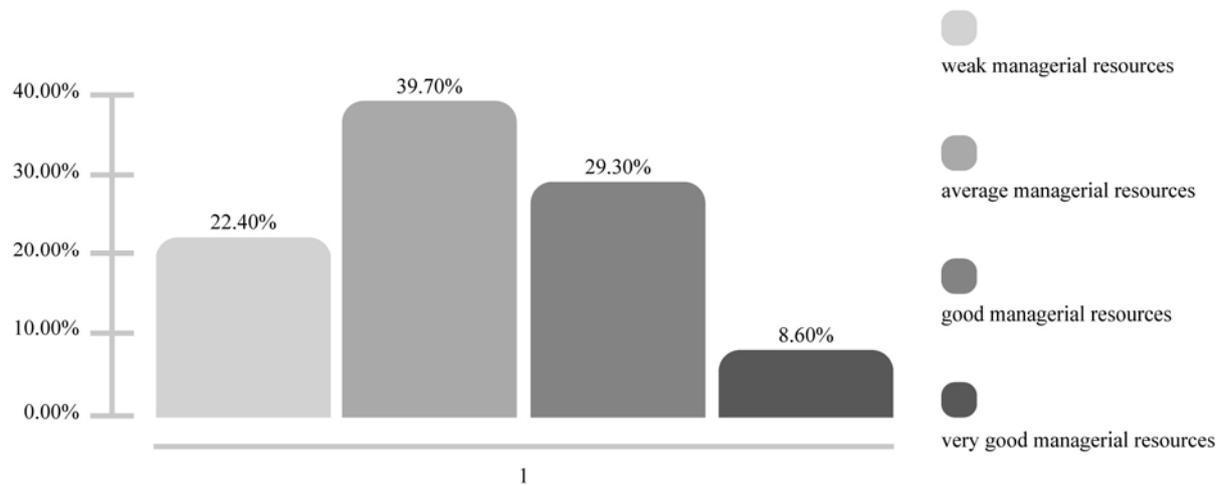


The technical resources and technical literacy with non-institutional actors are at the acceptable level, and combined with the infrastructure of the public sector they could provide satisfactory results. However, without clear public policies primarily regarding the space management, those results will be hardly achievable.

- **Managerial resources**

Managerial resources (Serbia)

Graph C.3.

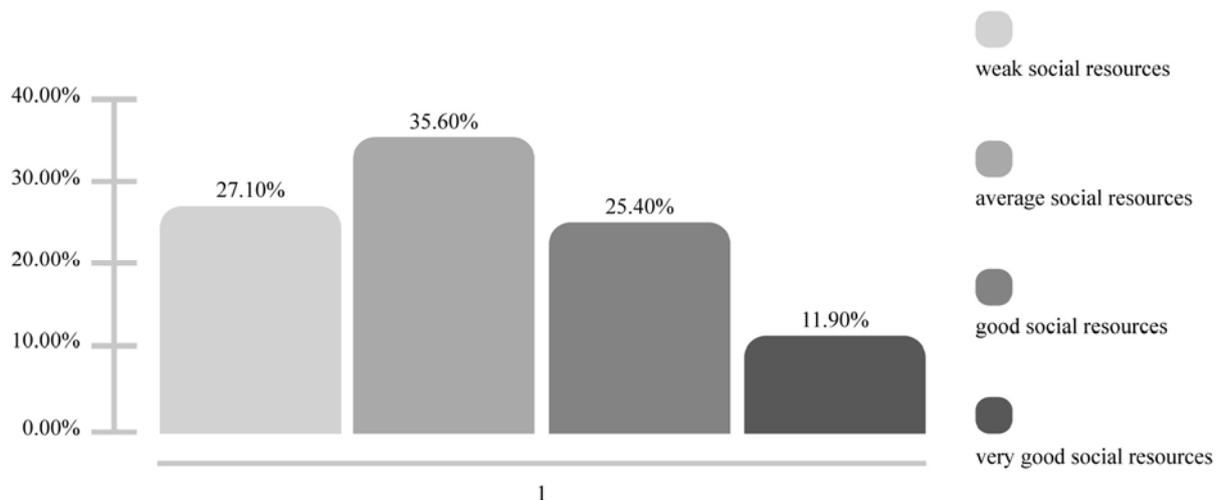


The managerial capacities are well-developed in non-institutional sector and mostly characterized by dynamism and flexibility, a direct community approach, and a readiness to react quickly with a mixture of professionalism, enthusiasm and voluntary work. They are also characterized by the activities developed in very diverse fields of culture and arts and by a mutually creative interaction, involving wider social consciousness and activist orientation. Those managers recognize and practice the inter-sectorial connections, and they are strongly oriented towards cooperation (at local, national, regional and international levels).

- **Social resources**

Social resources (Serbia)

Graph C.4.



The non-institutional actors produce new cultural and social capital and thus they could become a significant interlocutor in the larger cultural and social context where they operate. The important role of the increasing participation of citizens in decision making processes and some specific services delivery could also be delegated to CSOs. However, the CSOs need to gain legitimacy by improving their transparency and accountability. In order to achieve this, the timing and approach to the field of advocacy and assessment of the certain policies could not be either arbitrary or accidental. More specifically, the initiators of these actions have to capitalize on their previous experiences, and besides understanding how their own sector functions, they also have to invest in learning how to translate the specific capitals they have into other sectors and political agendas.

All the lacking elements, above mentioned, together with the weak or non-existent use of other decision-making tools, place independent cultural production in Serbia in a considerably less favorable position than the public cultural sector, represented by a group of institutions funded by local, regional or national state administration.

The other public policies, among these it is necessary to draw attention to the urban, space management and youth policies, which more or less directly affect the stability, growth and development of the independent cultural scene will not be discussed here in details.

Although the new laws have been recently introduced, the problems remain the same as in the nineties – there is no political will to recognize the role of the civil society and to establish constructive dialogue with its actors. The social dialogue is blocked politically, while the political is hampered by intolerance, but no longer by polarized ideologies, and the fight of political parties for better ratings. In general, it can be concluded that in the political realm the culture of dialogue is lacking and the concept of dialogue is poorly understood in the public discourse.

At present, the major barriers to civil society development are the problematic and half-hearted law implementation and the lack of conducive legislative, political and socio-cultural environments in which CSOs can operate. In addition, two fundamental political conditions are missing: political room for maneuver and political culture.

On the other hand, the civil society with its large number of actors has not yet developed sufficient awareness of the character and political importance of its role in the broader community.

Some attempt was made in 2006 when the independent scene operators in Belgrade gathered around the initiative entitled *Other Scene*. The Other Scene has been created as a platform gathering: formal and informal organizations and groups from the territory of the City of Belgrade, which were not founded by the City of Belgrade Assembly or the Ministry of Culture of the Republic of Serbia, and which are not subsidized regularly from the budget of the City or the Ministry. The members of the Other scene could be individuals who act as free lancers in the independent scene; who were active in the fields of contemporary art production, art and cultural theory and practice, or cultural activism; or who dealt with cultural policy issues.

The objectives of the members of Other Scene were:

1. Changes of the status of the Belgrade independent scene:

- Acknowledgement of the Other Scene and its results by the responsible institutions at the level of the City, Republic, and Municipalities, as a significant player in the overall artistic and cultural life, practices, and results that it achieves in the society;

- Participation of the Other Scene in negotiations with the responsible institutions, on issues of cultural policy, particularly in the segment concerning independent culture and art;

- Influence of the Other Scene upon decisions of the responsible institutions concerning allocation of the budget for culture, in accordance with the overall contribution of the Other Scene to diversity and quality of artistic and cultural practices and results in the society;

- Increase of media attention and visibility of the Other Scene in public

2. Repartition of public spaces:

- Allocation of physical spaces purposely intended for independent artistic and cultural activities;

- Utilization of the spaces which are under authority of the responsible institutions, for the activities of independent organizations, groups, and individuals;

- Change in understanding of a common notion of “public space”, i.e. of its function in the society and of the ownership over it

3. Transparent mechanisms and protocols of work of the responsible institutions:

- In the field of cultural policy;

- In the field of administration: planning and distributing the budget, infrastructure, and other resources; open calls for projects; operating of the committees in-charge; distributing the funds/grants.;

In the field of management of responsible authorities, as well as the institutions of culture Particular significance was given to the introduction and spreading of the idea of free access to the content in the field of art and culture and in (mutual) communication between institutions, authors, and users, through free licenses (copy left licenses) and protocols which are not privately owned.

In the period of the establishment this initiative managed to establish the fruitful communication with the City of Belgrade Assembly regarding the repartition of the public space, so the former warehouse was turned into new cultural centre “Magacin in Kraljevica Marka” in Belgrade. Unfortunately, the group lost its strength and felt apart in the negotiation processes to get a full fledged ownership and the management of the space, which deepened the various mistrusts (between the group and the public authorities, the group and the public institutions, as well as between the group members themselves); this had a strong impact on the future activities of this group that became dispersed and less and less active; nowadays it is almost invisible.

The latest initiative to influence the policy community and re-position the civil society operators working in the field was done within the framework of the project “Non-institutional partakers of cultural policy in Serbia, Montenegro and Macedonia”, supported by the European Cultural Foundation and initiated in 2010 by the Committee for Civic Initiative from Niš and independent artists’ association “Remont“ from Belgrade (Serbia).

Although these initiatives were able to awaken the attention of policy makers to a certain level (for example the conference organized by “Non-institutional partakers of cultural policy in Serbia, Montenegro and Macedonia” partners in Belgrade, in June 2010 was even opened by the Serbian Minister of Culture who even delivered the speech, but there were no executive operators from the Ministry who had competences to pick up issues and further process); to mobilize cultural operators - including some public structures and policy levels) and to achieve some of the settled objectives (Other Scene managed to get the public space-former warehouse was turned into new cultural centre “Magacin in Kraljevica Marka” in Belgrade; the CCI in Nis was invited by the City Assembly to work on the development of the City strategy plan for culture, and similar). However, those successes were not sustainable as they were very dependant on the support of the international funds and/or partners and they did not reflect the political will for systematic changes but the strategy or interest of

currently powerful individuals. Therefore, the changes achieved were not integrated into the relevant cultural policy mechanisms; neither did they influence cultural values.

3.2. Role of international community and donors in development of civil society working in the field of culture in Serbia

In 1999, the first assembly of artists and cultural operators of SEE was organized in Sarajevo, Bosnia and Herzegovina. As an outcome of the meeting, numerous networks and partnerships were created, including the Balkan Association of Publishers and the Balkan Art Network. The donors present at the conference were inspired by the discussions and started to develop operational (donor-driven) programs, such as the Kultura Nova program of the European Cultural Foundation and four Soros Foundation groups from the Balkans: Croatia, Macedonia, Montenegro, Serbia (Chenal and Dietachmair in: Dragićević and Dragojević, 2005: 11-13).

The fact that the numerous international donors and development agencies started to be interested in the region in order to support the democratization processes, significantly contributed to the growing number of civil sector operators.

The Soros Foundation was probably the most influential foreign donor that worked on strengthening the socio-political impact of the civil sector organizations working in the field of culture already in the early '90s. In 1994 the Soros Foundation of Slovenia and Serbia endorsed a project *Kontra Dibidon* of exchange between Serbian and Slovenian alternative scenes (Kontra Dibidon, catalogue, Belgrade, Fund for an Open Society 1995 // *Kontra dibidon: ili lepse je sa Ljubljanom // Republika*, god. 7, 1995 br. 114 (16-30.4): 10).

Afterwards, the same foundations organized training programs and meetings for the directors and curators of SCCA (Soros Centers for Contemporary Arts), as well as for coordinators of art and culture programmes, to meet and develop initiatives according to the interest and capacities of the respective communities, and to provide the support through various grant lines to those organizations and their activities.

With political changes in Serbia in October 2000, the network of SCCA established at the entire territory of former SFRY with its developed human capacities would become the significant resource for recruitment of the managerial staffs for contemporary art institutions; the network of Debate Clubs was also founded; the special so called "in house" action line

was established in the Soros Foundation in Belgrade which ran the program *Talents* – addressing the education of young and emerging artists; *Open Universities* and the network of *Alternative Educational Networks* also dealt with education in arts in culture.

Later this model of investing in civil sector operating in the field of culture was in a certain way continued by new comers in the late 90's such as the Swiss Cultural Programme in SEE and Ukraine, Robert Bosch Foundation and others.

Policies from the international community toward Serbia have varied from *policies of influencing and representation over policies of exclusion (embargo)*, to *policies of inclusion* (although, up to now, with limited effects).

Nowadays, these inclusive policies lead toward the European integration, though not all EU cultural programs and schemes are accessible. The relationship between the EU and Serbia within these programs is mostly based on the transfer of knowledge from the former to the latter. In Serbia, this is often seen as a patronizing process which, furthermore, rather focuses on marketing and design than on contents. Even policy debates defining cultural policy values (organized through the MOZAIC program of Council of Europe) have been discussed in an ambiguous way: while enthusiastically welcomed by some, they were criticized by the others for denying specific national values. (Culture in the EU's External Relations: Bridging the Divide; Dragicevic-Sesic, 2010).

3.2.1. Cultural Context Monitoring by Swiss Cultural Programme

The Swiss Culture Programme South East Europe and Ukraine planned to establish the office in Belgrade in the year 2000 in order to provide the support to cultural operators in Serbia and Montenegro.

In the preparatory phase the implementers had to assess carefully the complexity of the social situation, within the context of a dynamic and all encompassing dramatic process of social transformation. The artistic community was deeply politicized, the reconstruction process of the institutions dedicated to culture was at the very beginning, and the category of authentic expression was unwanted and under threat.

As the best approach it was decided to hold the conference in 2003 in Belgrade with all relevant cultural stakeholders in order to enable the establishment of a dialogue, get a

feedback and enable writing of the cultural context monitoring report, supposed to serve as a basic guiding document for the work of the new office in Belgrade.

The report was written by Prof. PhD Milena Dragicevic-Sesic (Dragicevic-Sesic, M.: cultural context monitoring report, 2003) as follows:

“Cultural situation in Serbia is marked by numerous and complex polarities between the inherited and the new (coming) cultural system and its values. The old institutional structures have to be reformed and de-etatized in order to take active public role, while the new cultural system is still in process of establishing itself within the civil sector. The artistic community is divided, by artistic criteria as well as by political and ethical reasons.

Government cultural policy in period 2001-2003 was ambitiously proclaimed regarding the new legislation and procedures. This would have provided modern relationships in cultural sector and, consequently, the ambience for cultural production adequate to social and political circumstances after turbulent period and democratic course of transition and Euro-integration process.

All the levels of cultural policy are still facing the proclaimed: to develop a new legislation, new institutional models, new network of institutions, but above all to change their own procedures and operational instruments and methods (of decision-making); to contribute to the establishment of the new ethical standards in culture, fighting xenophobia and nationalistic prejudices; to resume international cultural relations (re-entering UNESCO, signing conventions and preparing to enter the Council of Europe, making national report within the evaluation program of cultural policies of the Council of Europe).

Decentralization, although proclaimed as the main task of the ministries, still lacks instruments and strategies; agreements/contracts between ministries and municipalities are very rare. Discrepancy in cultural practice between the North and the South Serbia is still huge, and anywhere south of Belgrade it is hard to find a cultural institution of real national influence and international recognition neither in public nor in civil sector, while the private sector is nearly non-existent.

The participants in cultural life can be divided into several groups:

- Public cultural institutions – a sector that still enjoys the greatest attention of the cultural administration but maintains the old “institutional logic”, adjusting their activities and management routine to the normative of the founder-investors (the State, the Province of Vojvodina, the City, a Municipality). Due to the financial situation, the state institutions in Serbia, unlike those under the city responsibility, have to complement their income by their own market earnings;
- Cultural industries - semi-privatized sector: publishing houses, cinematography production etc; the “newcomers” such as private publishing houses (music and books) introduce new dynamism and new forms of marketing that helps their self-sustainability;
- Private non-profit sector - faces the most difficult situation, being seen as ‘commercial’, although it was founded with an idea to contribute at “cultural” level such as private galleries, chamber opera, auction houses and similar. Sustainability of this sector’s projects is directly proportional to the (economic) power of the market;
- Civil sector consists of the NGOs and the branch associations of artists and cultural workers.

The NGO sector has been the most active in the previous ten years, developing new managerial and marketing skills, new relations with neighbouring countries, new social programmes and actions linking ‘new audiences’ and targeting still ‘untouched’ social groups. The future sustainability of this sector will depend to a large extent on the development of social and socio-cultural programmes in the society, as they can serve as implementers of innovative approaches to various social programmes (social re-integration programs: prisons, hospitals; the disabled ; minorities; young people; tourism, festivities; etc).

Branch associations continue to perform two roles: of professional association – approving of a free-lancer status to artists; and of a trade union - defending presently existing system of social insurance/protection;

If we consider the contribution of all actors to the quality of the cultural offer, the predominance of public institutions is still evident; on the other hand, when it comes to

diversity, innovation and different forms of linking cultural sphere with education, social issues, ethnical issues, media, etc. – civil sector is absolutely more important.

Considering the international relations, where public institutions had lost their links during the embargo, the NGOs developed extremely close connections, entering many European networks and creating new regional and Balkan networks (BAN, BAP, SEECAN, etc.). NGO sector is more involved in partnership, co-productions, working outside borders etc. than the public sector, which is still more involved in classic forms of international cooperation, such as participation at big festivals, art biennials, etc.

The system of governance in culture is currently undergoing the process of re-structuring, although the directors of cultural institutions are still being appointed, according to the previous law, by the local i.e. city authorities and often in regard to their political affiliation. The cultural sector in provinces faces the gravest problems, due to the fact that neither municipalities nor the state are really offering frame of platforms for reforms, debates and cultural entrepreneurial ship.

The new Law on the Public Interest in Culture is still under preparation; the Law should define the key issues of cultural policy and management in all sectors and levels of culture, from public institutions to the status of free-lance artists.

At the policy making level a new model of governing is needed both in Serbia; an ‘arm’s length body’ Arts Council may guarantee better objectivity and transparency. A broad public debate about priorities and crucial projects may lead to the Strategic Development Plans.

At the level of culture financing, the situation is extremely limited (far worse than in the neighbouring countries which are eligible for EU funds). The projects are supported only by the state and city governments, or by regional government in Vojvodina, while municipalities are giving far more to festivities than to art production. Private foundations are rare, connected to very specific domains, while foreign foundations mostly support development of democracy and independent, critical media. Soros foundation and some other foundations are withdrawing from the region, so the main sources of financing independent art projects will disappear before we can say that art market has been established. The purchasing power of people is still

very low, not giving prospect to self sustainability of cultural institutions and NGOs in the near future.

As in the case of all previously socialist countries, the cultural infrastructure was extremely extensive in Serbia. Still, the quality of its real resources - technological, human and financial, was of mediocre or even of very low value.

Therefore, during the `90s this large network of institutions collapsed, unfortunately, the chance that this “rationalization” of network could be used to reinforce the remaining resources was missed.

So, the main **deficiencies** of the existing cultural system can be recognized as:

- lack of policy instruments regarding decentralization of cultural activities;
- lack of policy instruments regarding re-training of professionals;
- unequal territorial distribution of resources in civil and private sector;
- no tax stimulation for private investment in cultural industries / entrepreneurship and even sponsoring;
- no coherent intersectorial policies (linking education & culture; culture & tourism; culture & business, culture & employment, etc.);
- weak international links of institutions in public sector;
- influence of political & ideological divisions on cultural development.

On the other side, the main **strengths** and **potentials** of cultural sector are:

- existence of new types of cultural institutions and alternative cultural spaces (infrastructure) as the platforms for independent cultural initiatives (linking NGOs and sectors through projects 'Art for Social Change') *;
- innovative, interdisciplinary and risk-taking art projects*;
- regional collaboration and European network activities; NGO sector has developed a lot of programs of intercultural dialogue, partnership and coproductions;
- trainers/teachers of cultural professionals with know-how of art management – Strategic planning, Evaluation, Project management, Business plans for sustainability, Partnership cross/disciplinary, with tourism, agricultural, ecological initiatives);

- new generation of entrepreneurs in cultural industries/private sector which have already proven their sustainability*;
- development of a debate on controversial (policy) issues within the society, especially through numerous cultural reviews.”

*NB: * Projects and activities relying on foreign grants and subvention*

To fill in the gap between theoretical and practical analysis of contemporary artistic production, the Swiss Cultural Programme decided to hold a clearly articulated discourse aimed toward the deliberation, launching and opening of possibilities for new methodologies and discourses of contemporary cultural space.

Its goal was to stimulate:

- innovative cultural creation – meaning interdisciplinary, multilayered and transnational approach;
- contribution and development of the cultural debate;
- building professional capacities of artists and/or cultural organizations, especially emerging practitioners.

In this respect, the Swiss Cultural Programme Serbia and Montenegro developed two basic lines of project support: Small Actions and Cooperation Projects. The support of the Swiss Cultural Programme has been a solid, objective and recognizable part of the public scene; its transparent decision criteria no longer reflect a political reality. Instead, it has been based on the principles of artistic standards, quality, and innovation; on a recognized need for professional development within the framework of contemporary artistic production and the conquest of space for debates and presentation of cultural diversity in decentralized cultural space of targeted country.

In addition to the opening of new spaces for authentic artistic expression in an effort to contextualise a complex “symbolic” equity, the Programme at the same time has pointed out the significance of the processes in which solid and grounded cultural policies are formed. By its actions, the Programme has influenced the articulation of these issues, mapping the state

of contemporary productions, of existing models of financial support as well as the most significant state and international institutions dedicated to culture, thus accentuating the urge for synergy of all active agents on the cultural scene.

4. CASE STUDY: *OPEN HIGHWAY E761*

The case studies of two collaborative project “Open Highway E761” and “Reopening a Gold Mine” are done with the intention to present the conceptual level as well as the practical achievements of selected practices in order to make an assessment of tools used and translate them into general policy recommendations.

Collaborative project “OPEN HIGHWAY E761”

After almost a year of the project line preparation the Swiss Cultural Programme in South East Europe and Ukraine – SCP in Serbia and Montenegro decided to entrust the civil sector organizations gathered around the program entitled “Open Highway E761”.

A three-year strategy and activities were designed aiming at establishing regional network for fostering cultural practice and influencing current and future cultural policies, in the four municipalities in central Serbia - Uzice, Pozega, Cacak and Kraljevo, and the state. The project gathered several CSOs with artistic, cultural and public work background in order to improve their capacities and skills, to raise awareness of culture and arts in local communities and to produce, promote and maintain contemporary art projects and initiatives.

Partners

The organizations running the project “Open Highway E761” were: KVArt from Kraljevo, Civic Initiatives from Cacak, Foca from Pozega and Academica from Uzice. All four organizations were from civil sector, and none of them exclusively focused their work on the field of culture. KVArt was the youth oriented organization; Civic Initiative was predominantly active in the field of civil society and in charge of activities related to civil activism during the nineties; Forca also had an activist approach during the nineties but the team was also engaged in the event management (mostly in the field of music); Academica was probably most closest to culture as they were active in projects dedicated to cultural policies – Policies for Culture and Art for Social

Changes (ran by European Cultural Foundation), as well as in raising public awareness of youth issues and youth policies.

This diversified group of partners was a challenge from the very beginning of the program. The artistic/cultural sensibility, organizational structure, working methodology, organizational priorities as well as the absence of almost any previous contact and collaboration between selected organizations were one of the main tasks to overcome in the program design.

The target region: Uzice, Kraljevo, Pozega and Cacak

Four cities selected for the project are situated in the central-west Serbia, but they belong to two different sub-regions of Serbia: Uzice region and Kraljevo region (there are 16 sub-regions - counties in inner Serbia) once rich in cultural productions and cultural operators.



The inhabitants in 2004:

Uzice has 85 000 inhabitants (75 percent accounts for urban population);

Pozega: 32 000 inhabitants (35 percent accounts for urban population);

Cacak: 110 000 inhabitants (55 percent accounts for urban population);

Kraljevo: 125 000 inhabitants (60 percent accounts for urban population).

After the period of extensive self-management in the 70's and the beginning of the 80's, and the extreme centralization during the Milosevic's regime, at the local elections in 1996 all four cities voted for the democratic opposition and thus entered the association of "free cities". Through this association multiple programmes of capacity building for local governments and deputies were offered.

It was also the moment of flourishing of the CSO: the burning social problems were calling for an action and the state was unable to deal with them (refugees, citizenship, health, ecology), while the local governments, although supportive, lacked legal instruments and financial resources to solve the problems.

Instability of political situation and frequent political changes regarding the coalition within local governments did not favour the systemic development of governance and policy making.

The changes after 2000 gave another push for development of public administration and civil society, but, unfortunately, without strategic visions: none of the four municipalities implemented a strategic document in the field of culture. Moreover, Uzice had a policy paper developed through the project "Policies for Culture" supported by European Cultural Foundation (which was not considered by the local authorities at all). There was a lack of public debates and new initiatives.

The local elections in September 2004 brought back on the political stage traditional and conservative political parties, defeated at the elections in 2000.

The newly elected governing bodies restricted a support to culture; the public spaces were abruptly transformed to commercial arenas by privatizations which had not been officially started at that moment; the cultural heritage was completely neglected; no contemporary programs existed except those organized by CSOs themselves; there were no new job opportunities in the cultural sector; the drain of artists and intellectuals was an acute problem.

The civil sector - CSOs in these four towns have been mainly created with a goal to contribute to political changes, fighting against intolerance, ethnic hatred, xenophobia etc. Trying to find the best instruments of activism, CSOs very often came to an idea to use art and culture for raising the community awareness of those issues. Still, art and culture were not primary activities to most of them.

The CSOs lacked mission and program profile, the programs were diversified but not interconnected and coordinated, etc; in culture they acted *ad hoc*, on the basis of project demands, without wider awareness of the needs assessed, potentials and standards present in the field; all of this strongly diminished their effectiveness.

The effect/result of this insufficiently structured acting was a failure to produce significant impact even with well-realized activities: due to the lack of continuity and strategy (based on realistic assessment of cultural needs and researching local potentials on one hand, and artistic/cultural standards on the other, and finally on the specific managerial skills), no new cultural habits of the community were created that would eventually foster conditions for sustainable actions in arts and culture.

The identified potentials and risks were:

Potentials:

- Selected partners of Open Highway E761 were experienced in public activities, interested in socially engaged art, complementary skills, with respect and confidence in their local communities;
- Cooperative links among the cities within the area existed; as well as sporadic cooperation between certain partners in the region;
- Potential interest of other local players for cooperation with the OH E761 network;
- Public structure infrastructure with the need for innovative activities;
- Large number of creative youth ready to respond to interesting initiatives.

Risks:

- Lack of experience in the field of artistic production – mechanical transfer of the managerial models from the civic initiatives into the arts and culture field;
- Lack of critical awareness of their capacities in some NGOs;
- Rivalry of the cities and their respective organizations (striving to direct the program activities to the field of competencies of the respective organization / city);
- Lack of trust among different cultural actors;
- Reluctance or refusal of public authorities to cooperate.

Confronting the risk and potentials the **overall objectives of the project** were settled in order to:

1. establish the Open Highway E-761 Network through capacity building of its members (individuals and organisations) in cooperative cultural management;
2. create the platform for innovative art production in the region and support domestic artists;
3. produce and carry out cultural activities through know-how transfer and financial support;
4. raise public awareness and interest in the local communities for innovative art production and its potentials through audience-development;
5. stimulate inter-sector activities and cooperation as vivid practice contributing to wider participation of the communities and influencing development of cultural policies at local level.

Action lines for the achievement of the overall project objectives were:

- **Capacity building:** providing new forms of capacity building (learning by doing, presentation of good practice, mobility programmes, specialized courses, lectures, workshops and rehearsals) in order to enhance knowledge and skills of the network partners, mostly in cooperative cultural management.
- This was to include Project Team Building - setting-up the flexible or dynamic program structure, with strong democratic significance (inclusion and participation of target groups in team work from the design phase to the final implementation, through art clubs and local networks);
- **Raising public awareness:** continuation of the assessment of local needs in culture for target groups (emerging artists, youth) and initiating activities with the aim to create consistent local cultural policy accordingly (public advocacy level);
- **Networking:** identifying peer to peer partners (establishing network of the four local implementing partners and their co-operators in the four towns of the region Implementing regional projects and initiatives;

- **Art production:** implementing local relevant art production projects, based on the assessment of the target groups' needs and high quality team work, with sharp focus on establishing new forms of cooperation; seeking the sustainability and other follow-up logic of the implemented projects;
- Including promotion: presenting project, its specific strategy, goals and objectives as relevant cross-municipal initiative, as well as at local level (using more sophisticated instruments of programme promotion - role of media and policymakers as partners);

4.2. Results, outcomes and impact

The project achieved the following results in three main programme lines:

A) **Capacity Building:** in total 30 trainings, 37 workshops, 30 lectures and 22 presentations of the good practice in arts and culture were provided to the target beneficiaries.

A peer-to-peer collaboration was practiced within established Art Clubs in four target cities. The Art Club models varied from city to city depending on the preferences of implementing partners: in Uzice that was a self-maintained creative group entitled Art Zone & Undergrad clan and Spur; in Pozega the Art Club functioned as an umbrella for film and music beneficiary groups; in Cacak the similar structure was established but oriented more toward video and multimedia groups and in Kraljevo a polyvalent art club was formed, which was involved in various cultural activities/art fields.

A mobility programme for emerging artists and youth, study tours, research sojourns contributed to learning and gaining experiences through practice (learning by doing); also the professional engagements and volunteering was additionally strengthened.

The capacities built and the established organisation models insisted on teamwork and also significantly strengthened the efficiency – increase in the performances of art initiatives; the peer-to-peer gathering around new initiatives and art poetics; supporting the bottom-up approach in youth programmes etc.

Certain corrections (based on the recognized sensibilities of local teams and organisations leading local networks or potentials of the community and spotted common interests during the project realization) were done, thus enabling each town to develop its own strategy and programmes. With this approach the collaborative platform represented a new form of emerging socio-cultural practice with two main purposes: expanding the definition of cultural action and developing new collaborative practices and models.

In such way, in **Uzice** the orientation consisted of support and affirmation of **creative economy and creative industries, development of creative clusters, performing arts, multidisciplinary and inter-sector projects.**

On the other hand, in **Pozega** there were recognized interests towards a further encouragement of **revival and development of the music scene** i.e. development of festival music production and creation of a main team aiming to encourage not only local initiatives in music, but also the creative **music industry** of the surrounding municipalities and in general the whole south-west Serbia on long-term basis.

In **Cacak** the support was given to the local cultural development, **promotion of local creative resource and service** for different forms of actions and engagements (in domain of new media such as web-portals, creative studio etc.). This orientation had a synergic role and acted as a platform for establishing the **networks of entrepreneurs.**

In **Kraljevo** the **youth activism** was recognized and further developed in order to establish the **youth cultural centre.**

Those art clubs became the creative hubs and meeting points predominantly for young people. The most important role of those clubs was in a domain of mobilization of youth, as well as in regeneration of local creative potentials through (youth) culture. It also filled in the gap in socio-cultural domain by enriching the cultural life of those cities, replacing the former cultural centre role which had been devastated and/or collapsed during the '90s.

The projects such as "Who is the artist? I am the artist!" realized by the art teacher from Kraljevo and toured in the project region; the comic book "Shupa almanac", "Silent Wall" and many others become the reference point in the region.

B) Raising public awareness

Raising public awareness of the E-761 Open Highway project was mostly done via promotions, presentations and PR activities by the project team as a whole, and by the city

network coordinators and project network partners at local and regional/national levels. More than 200 media reports on the E-761 program activities were published and/or broadcasted.

The Programme aimed to promote itself as a significant initiative in each of the towns and to mark the area of its work as well as to send a clear message about the aims it strived to achieve. The ambitious aim of the project was to refer to local culture policy topics - raising public awareness of cultural needs, systematic work on creating documents, instruments and measures of the local cultural development, creating permanent education and trainings and so on.

The projects such as “Cultural Menu Kraljevo” issued once a month, collected the cultural offer undertaken by cultural operators and public institutions in that city, “Street Art festival Kraljevo” aimed to promote all forms of street art, “Smart Graffiti” art intervention in public spaces; music festival “Bosa noga” in Pozega created on the model of EXIT music festival in Novi Sad, “Open Arc Theatre” Užice a site specific theatre festival dealing with socialist (intangible and tangible) heritage of the selected locality; the feasibility study on the city of Užice related to public arts in public space interventions; photo exhibition “Užice pro et contra” clearly stood out by implementing instruments of such a policy, even though they used the language of art production.

However, the applied methods had a low influence on decision makers, due to a very delicate political situation in local communities and public advocacy. The available instruments and gained know-how on advocacy and lobbying probably were not enough to achieve more significant influence. The same stands for the absence of vision in engagement in other public policies that were relevant to the field of actions undertaken (with the exception of *Academica* that was strongly engaged in the activities related to (re)creation of youth policies).

C) Art production

In 2005-2007 Open Highway E761 produced 211 different projects.

Twelve art / culture projects were directly granted under two public calls announced by the Open Highway E761. This model of project management and production was used in the first two project years, while in the last project year it was changed by defining the two basic approaches to the development of innovative cultural and art production. Those were:

a) Improving the existing cultural and art production, and initiatives (festivals, biennales etc.), its members and/or Network's partners' existing or planned production and their promotion through the E-761;

b) Creating new production and/or initiatives in culture (e.g. artists' colonies-workshops / artist in residencies, competitions/poetry evenings, inter-sector and/or inter-disciplinary art projects and programmes, new media, underground culture) without announcing the public calls but by competitive selection of project partner proposals.

The contemporary art production was represented by the major projects implemented through partnerships amongst the Programme members as well as through their collaboration with the local community.

This approach used in the last project year proved to be the best as the projects, which appeared to be supported in competitive selection by all project partners, became sustainable due to the developed feeling of ownership; and it really managed to show the entire creativity and strengthen capacity for project management of local stakeholders.

The project managed to affirm local creative potentials, to develop art programmes in the public space and to explore new and innovative forms of expressing creative potentials of local artists and creators. However, the importance of those activities outside the project region had a low visibility and impact. A partnership-based cooperation with public educational and cultural institutions had also the local significance, but it did not influence wider art or other communities.

Reasons for this should be sought in the lack of legitimacy of implementing organizations and only proclaimed but not really achieved and supported decentralization in culture.

4.3. Factors of success and difficulties

The main factors of success of the project Open Highway E761 were at the same time the main factors of difficulties:

- a) Charismatic individuals able to mobilize resources and impose changes in their local communities

Charisma and personal assets of main activity bearers are important during the stage of trust gaining in the local community and cultural circles, but later they can turn to be the obstacles. Cultural pattern in Serbia is strongly based on leaders and leadership and the need of the people to relate to that individual. The difficulties with this approach, proven also by the project, are the distribution of power and delegation of responsibilities due to the leader's fear of fragmentation on one hand, and partners' fear of assuming responsibility and risks on the other. Thus, when the leader has given up or moves on, the system/organization collapses.

In "Open Highway E761" the involved partner organizations (except the Civic Initiatives) were built exactly on that model of charismatic leader who led to a constant tension and competition, which is positive to a certain level, as it contributes to dynamism and mobilization of all kind of resources, but after reaching the pick it becomes counterproductive. This caused that the Civic Initiative withdrew from the program already after the first year; KVArt went into hibernation when the subsidy for cooperation programme ended; Academica was closed in Uzice, while the part of the team moved to Belgrade and re-started the organization as Academica group; only Forca remained to work under the conditions as they had been before the programme.

b) Bottom-up approach vs. top-bottom approach

The civil society actors cooperate among themselves inadequately and irregularly even on the issues of common interest, therefore the number of active networks and coalitions is modest, even among those who focus on the local level, while the networks and coalitions at regional and national level were/are rare. However it is important to gather partners with similar profile and to provide the challenging environment for work on both horizontal and vertical partnerships instead of unilateral one, which is generally the tendency of civil sector organizations in culture.

Only this kind of approach could encourage the participatory policy model; and in the context in which public cultural sector is dominating, the cultural production, rising and development out of the system will remain on the margins.

The partners with diversified profiles, as it was the case in "Open Highway E761", represent the potential to a certain level, as they can contribute to building up the program at different levels, reach various aims and bring dynamism in the whole process; but it can also be an obstacle due the to various interests, working models and approaches. The networks formed as donor driven, based on top-bottom approach, which request the constant interventions

(external monitoring or similar) are under a high risk of not being sustainable once when the financial support ends.

c) Diversified action lines and asymmetric programme platform

The direct interaction between social, technological and artistic levels helps to create the potential for culture, and to reassume its proactive, dynamic and critical function in society.

The narrow program perspective can cause the tunnel effect and be limited for individuals and/or organizations at more advanced level of development; at the same time the over-ambitious programming burns out both the involved individuals and the organizations behind them. The mobilization capacity and available human resources in the civil sector are limited due to the loss of trust and long transition period, so the complex and asymmetric structures require a huge investment from the programming and production of recognized and sustainable initiatives.

The visibility is also rising with diversification of actions and enlargement of the network, but at the same time there is the threat to weaken the profile and focused actions.

This, in fact, means that the network cannot exist without mutually realized programmes, which are carried out at a direct (“peer-to-peer”) level between organisations in accordance with a site specific structural model set in advance. Once when the stabilization and further development of existing collaborations is achieved, the model can support the expansion and establishment of new cooperative ventures, thus attracting greater number of participants, active in various fields and forms.

d) Monitoring and evaluation of achieved results and impact

A successfully built monitoring and coaching system can prevent crises and lead to more qualitative program development and usage of available resources. It is also a necessary tool that contributes to transparency and enables corrections during long-term and demanding projects. In horizontal networks, as the Open Highway E761 intended to be, the external monitoring is crucial. Even though the concrete results were not achieved and the topic was not overstated, it has a certain social and political relevance to the future activities.

Since the model is based on a highly participatory process of mutual decision-making in terms of strategy, programme and finance, the traditional principle of evaluation based on closed and outdated aesthetic and poetic criteria was avoided. On the contrary, the key evaluation criterion, a set of socio-cultural values that forms a part of a specific programme,

i.e. the potential for positive influence on the development of a socio-cultural capital, was the most functional.

The evaluation results provided the feedback relevant to the decision on the continuity of the initiative. In Kraljevo and Cacak the program ended when the support finished, but in Pozega and Uzice (despite the fact that Academica in existing form was dissolved) it continued to function. Various spin off activities led to the continuation of the collaboration between Forca and newly formed Academica group, and two years after the first subsidy was ended, the two partners initiated the regional collaborative project. The regional collaborative project was established alongside the same road E761 in Bosnia and Herzegovina, and included 3 partner organizations from Sarajevo, Travnik and Bihac.

4.4. Policy recommendations

The Open Highway E761 network was primarily established with one very specific goal. The driving idea was to strengthen the independent cultural sector (but also the cultural sector as a whole) by developing a model that would build the human capacities through the intensive trainings and learning by doing programs, while the collaboration between the network members and other structures interested in sharing the different content produced would contribute to visibility and raising public awareness.

However, the implementation of such an ambitious and demanding model led to a structural analysis that indicated several levels of efficiency in the organisations participating in the network. There were two assumptions that, in practice, proved to be wrong. The first was that the greater quantity and quality of cultural offer, along with diversification of activity, would also lead to an increased stabilization of the sector. But, what in effect happened was that only where the operators received extra support, the programme and project worked and the content led to the substantial development of the individual organisations. Furthermore, it was assumed that the organisations would achieve a greater impact on the relevant public (local and national) decision-making bodies and that they would be able to exert more easily the influence on the improvement of their own framework of activities through the expansion and visibility of their programmes. But again this did not happen automatically. The increase in public awareness (primarily in local communities) provided only a marginally solid

background for organisations to start advocacy activities in order to improve their (primary) local institutional frameworks.

The re-organization of cultural system should start from strategically planned, well coordinated and implemented capacity building programmes designed for cultural operators and administrators (including the public administrators). Without continuing training programmes that build capacities (first of all in the field of management, strategic planning and marketing) and generally develop human resources with adequate skills and capabilities for proactive thinking and acting, even the already achieved results will not be recognized and translatable.

Continuing professional development programmes should be imposed as top-bottom approach, otherwise the effectiveness will be weak and the effects will be negligible. The knowledge and capacities built in the civil sector should be utilized through establishment of structured partnerships between civil and public sector, where the civil sector with its know-how should have a significant role in transferring and coaching other relevant cultural operators.

The important element of this model is to impose the building of linkages between various entities which will be additionally supported with other direct and indirect policy mechanisms such as funding system, monitoring and evaluations, follow up activities.

As mentioned, the funding system should also recognize, support and award the capacity building programmes not only through the budget costs foreseen for continuing professional developmental programmes and tailor made trainings, but also for the exchange programs such as peer-to-peer, learning by doing activities, residencies, and similar.

Strengthening human capacities should lead to the increase in the quality of performance concerning both planning and production in cultural sector. The National Strategy for Development of Culture is a significant document that should clearly define priorities in culture but also delegate tasks regarding the decision making processes at regional and local levels. Practically, it means that the National Strategy should be followed by the strategies defining the development of the regions, cities and institutions and it should be harmonized with other public policies (urban planning, socio-economic development, youth policy). Coordinated and harmonized work of those levels as well as the inter-sectorial communication is crucial for the success.

With this model the civil sector, which is (predominantly) small and mid-size and diversified regarding the activities, could obtain a bigger space and take more active role in decisions making processes, as the practices recognized at local level will be translatable to regional or national level. Moreover, the special knowledge might be gained only in this way.

However, it is important to prevent the development of a (new) bureaucracy model that will control the system and ultimately impose acceptable models of relations and work. This model should promote efficiency and principle of participation practice.

Other policy instruments such as subsidy start up grants, incentives taxes, as well as information provisions to the civil sector in culture should be developed in order to insure the stabilization and sustainability, while respecting the independence and autonomy of the civil sector. This is important for at least two reasons: without specially created subsidy the civil sector operators will not be able to stabilize the sector and sustain within (still) transitional environment due to the lack of know-how on market orientation and marketing; secondly, the quality of their production still has not managed to achieve high artistic level, so they are seen as amateurs, volunteers.

5. CASE STUDY: *REOPENING A GOLD MINE*

5.1.1. The pilot phase of 'Reopening a Gold Mine I'

'Open Highway E761' showed the potential of cooperation of civil sector organizations in culture in the Western Serbia, but it also highlighted the need for a convergence of purposes and expectations between the partners; for focusing on public sector operators and public administrator in charge of culture at local level; for enlarging the target groups and partnerships as well as raising the impact and influencing changes.

Therefore the Swiss Cultural Programme decided to further explore these issues through piloting the project 'Reopening a Gold Mine I', proposed by the Committee for Civic Initiative (CCI) based in the southern city of Nis.

The CCI developed 'Reopening a Gold Mine', partly as a result of the preparatory workshop organized by the Swiss Cultural Programme to explore the ways of building the experience of cultural cooperation developed in the 'Open Highway E761' project and provide the transfer of know-how and lessons learnt from that initiative.

Partner

The Committee for Civic Initiative is non-governmental organization from Nis, Serbia, which through the instigation and coordination of civic initiatives, social research and education of citizens, representatives of organizations and institutions, aims to contribute to democratization and European future of Serbia and the region of the Western Balkans.

The Committee for Civic Initiative came into being during the three-month civic protests 1996/1997 caused by the attempt of the electoral fraud at local elections in 1996. Its original aim was to preserve at least part of the citizens' energy and enthusiasm and to contribute to the rise of civic consciousness.

The CCI mostly focuses on various aspects of informal education and social research, and it is organized in five sections:

- *Cultural policy section;*
- *Education for democracy section;*

- *Transitional justice section;*
- *European integrations section;*
- *Civic actions section.*

5.1.2. Background – context and reasons for the pilot project

The Committee for Civic Initiative (CCI) from Nis and three partner non-governmental organization (Resource Centre Nis, Resource Centre Leskovac and NGO “ABC” from Vranje) conceived a project “Reopening a Gold Mine I” aiming at initiating the process of re-animation of the cultural life of three towns of south Serbia (Nis, Leskovac, Vranje). The programme was piloted in the period July 2006 to February 2007 and involved three cities in South East Serbia - Nis, Leskovac and Vranje.

The goal of the project was to build capacities of key cultural policy actors of the three target cities/municipalities – city/municipal departments in charge of culture, city cultural institutions, non-governmental organizations active in the field of culture, informal art groups and journalists covering the domain of culture – so they could confront the problems at the local level, starting with the basic one - satisfying its fundamental cultural needs and exercising its basic cultural rights.

The project team approached the objectives with four groups of activities:

1. Organizing **open forums** in Nis, Leskovac, and Vranje respectively, where, with the participation of the representatives of key cultural policy stakeholders, the situation in each of the towns would be analyzed, strategic problems identified, strategic goals defined, and goals of the project presented

- 2.a. Giving **trainings** in target towns for the representatives of municipal agencies, cultural institutions, and culture-oriented CSOs whose purpose would be to familiarize these groups with models and instruments of cultural policy, instruct them into strategic planning, management, and marketing skills in the domain of culture, and give them a chance to master skills indispensable in market conditions

2.b. Carrying out **training for local media journalists** from Nis, Leskovac, and Vranje aimed at improving their ability to do research and report on cultural events in their towns and the whole country.

3. Establishing contacts with cultural institutions, relevant non-governmental organizations active in culture and informal art groups from other Serbian towns and - together with project participants - **organizing cultural events** in target towns, namely, 15 “Small cultural projects” were to be realized with the support from the budget of the program.

5.2. Results, outcome and impact

The pilot phase stimulated the interest within the cultural sector of the three cities, notably among the state cultural institutions.

1. A report on strategic problems and strategic goals in three target towns was produced;
2. 72 cultural policy stakeholders were trained - models and instruments of cultural policy, and mastered skills indispensable for survival in market conditions (strategic planning, cultural management and marketing, fundraising, project proposal writing, project management), and public relation skills were presented to training participants;
3. 27 journalists of the local media were trained for providing better information to the public on cultural events in the town and country;
4. 15 small cultural events were organized in project target cities;
5. new cooperation was established with the alternative cultural centre and non-governmental organization country wide.

During the realization of the pilot project there was a significant political change at both national and local level. The Serbian parliamentary elections were taken in 2007 and it seemed that the civil sector gained the partners in the new government.

The success of the cultural activities was also encouraged and the CCI decided to submit more ambitious three-year programme to various donors, under the title ***‘Reopening a Gold Mine II’***.

The strength of the CCI education team, the organizational capacities and the good reputation the CCI gained in the towns of south, supported by positive evaluation results resulted in

making the second phase of ‘Reopening a Gold Mine’ much more ambitious than the first one, both in increasing the number of cities involved from three to five (Piot and Zajecar, both further east, were added to the existing group) and in the impact that it intended to have on the cultural life of the places chosen.



5.3. “Reopening a Gold Mine II”

A three-year cooperation project proposal entitled “Reopening a Gold Mine II” made a sophisticated analysis of systemic failure within Serbian cultural policy, highlighting its focus on the preservation of existing institutions without serious consideration of citizens’ evolving needs or interests.

The strength of this analysis is underpinned by the CCI research in this field (Cvetičanin, P. 2007). The key points include:

- A cultural policy framework focused on preservation of state institutions at the expense of independent cultural action;
- Limited strategic thinking about culture within and between cities;
- Limited knowledge of strategic planning, project management and fundraising among both state and independent sector cultural professionals;

- Limited knowledge and cooperation between state institutions and NGOs in the cultural sector and between cultural actors in different towns;

In addition, the interests of local people were considered and the need to develop an audience for contemporary art practice was identified.

5.3.1. The proposed response

‘Reopening a Gold Mine II’ was intended to promote mutually supportive series of changes in individual and organizational capacity, in the cultural offer and in local audiences. The four elements of this, which can be envisaged as a kind of virtuous circle, are:

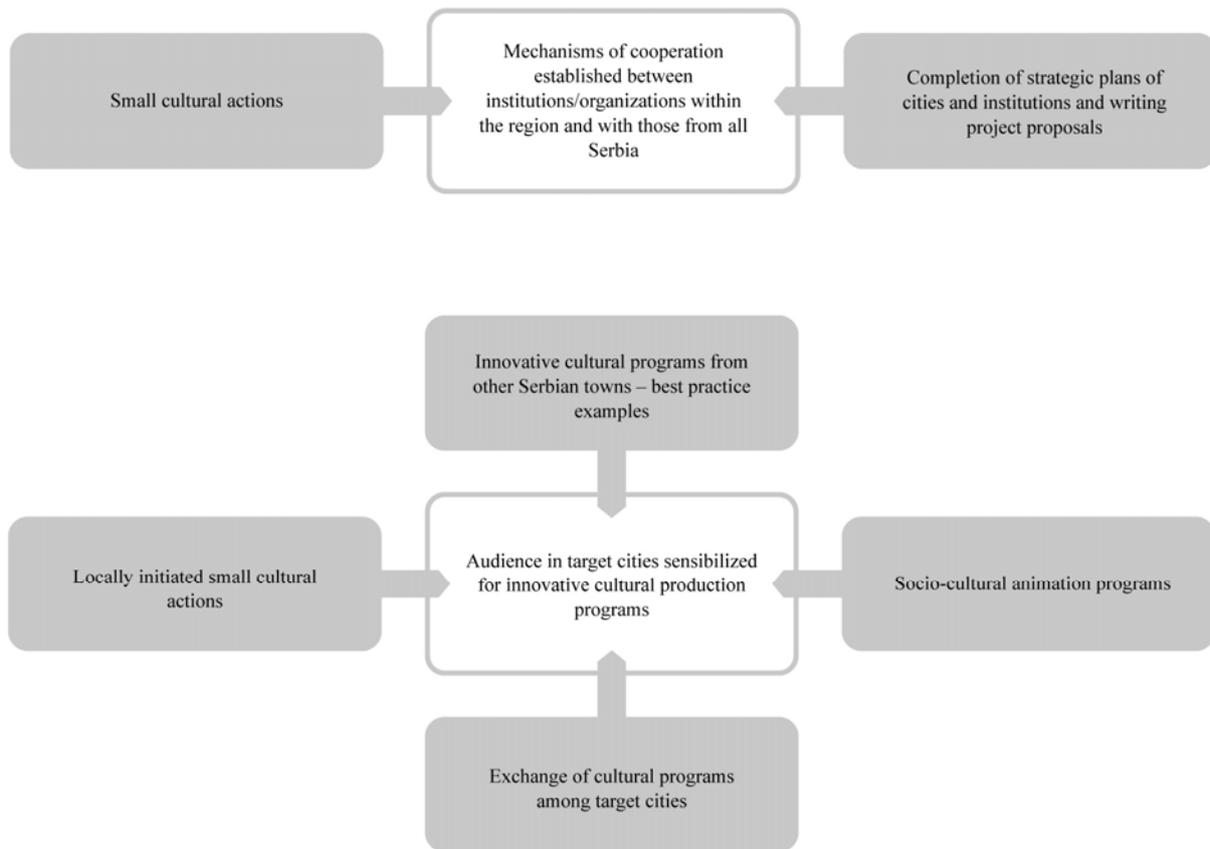
- Increasing cultural professionals’ ability to develop policy creatively;
- Adopting a strategic approach to cultural activity planning in the five cities;
- Establishing cooperation between state and CSO cultural policy stakeholders within and between the five cities, and with cities; and
- Developing an audience for innovative cultural productions in the five cities.

In the terms of specific activities, the new phase of the project planned a series of connected interventions:

1. **Capacity building of cultural managers for creative conduction of cultural policy** through **training programmes**, for cultural professionals at different levels in state institutions and CSOs on strategic planning, cultural management and project cycle management and **professional support** in developing city cultural strategies and plans, organisational planning and the development of project proposals;



2. **Subsidized small cultural actions** including presentation of innovative work not usually seen in the region, locally initiated arts work and cultural exchanges between the five towns;



3. **Research on cultural policy in SE Serbia** to understand better how cities operate in practice, as a precursor to assistance to the development of new approaches to cultural policy and planning.

In addition to these interventions, the proposal also expected the programme would have an impact in terms of the organizational development of the CCI itself and its recognition as an authoritative voice in regional cultural policy and planning.

Policy recommendations

Matarasso and Landry (1999; 7), suggest that ‘the development and management of cultural policy is...one of the most complex areas of modern government.’ Such complexity is mirrored in models and maps of government administrations of cultural policy.

However, the complexity is not just administrative, it is also conceptual. As Hugoson (1996) points out, culture is an abstract construct, and cultural policy consequently also has highly abstract elements.

The attempt of “Reopening a Gold Mine” project at stepping out towards proactive cultural strategies and policies, which could support diversity, dynamism and cultural development instead of continually reinforcing national identity through tradition and traditionalism, can be considered successful. The project with several levels of activity, structure and procedure that aimed at achieving common goals by different means has distinguished itself from simple cooperative projects where two or more entities try, through cooperation at production or some other level, to achieve particular artistic or cultural attainments.

Through the capacity building processes it was possible to involve the public institutions in communication and finally in collaborative processes with other active cultural operators in the field and to realize a significant number of small cultural actions in target towns. This is crucial as the public cultural sector, in spite of rapid and deep changes at political and economic levels as well as in everyday life, has not experienced a significant structural transition yet. Even today, it functions, more or less, in accordance with the outdated and inadequate principles inherited from a previous era.

“Reopening a Gold Mine” had a good structure for disseminating knowledge from experts in cultural policy and planning to practitioners and culture sector professionals. It is particularly notable that many of the workshop participants took steps to pass on their knowledge to other staff in their organisations. The project has effectively empowered the participants by building their knowledge, skills and confidence: this is one of the ways in which it offers a good model.

The challenge, as it moved into its later stages, was to strengthen the circulation of ideas so that what was currently a pyramid-like system became more of a network. In other words, the knowledge and ideas need to be drawn into the project and distributed outwards. There are different ways in which this could be done, but strengthening the capacity of project partners to evaluate their own activities and reflect critically on what they have done is one.

The other important issue is that without clear legislative frames neither the horizontal nor the vertical collaborations in the field of culture are sustainable. Once a year open Call of the Ministry of Culture does not recognize those collaborations (including intersectorial one) nor some kind of regional cooperation.

In order to make changes the cultural subsidies coming from national, regional and/or local level should include the criteria of cross-sector collaboration, meaning public-civil but also public-private-civil cooperation and partnerships.

The policy community needs to be more flexible and listen to grassroots initiated activities which are based on partnerships especially if those are intersectorial ones. There should be more dialogue with relevant stakeholders and access for issue-specific groups that can translate needs to functional policy instruments.

A tailored communication tools play a key role in ensuring further dialogue between the civil sector operators, public institutions and governance bodies/policy communities. The rings of the policy community diagram should be permeable, so that stakeholders outside the community may now, by choice, become part of it.

“Reopening a Gold Mine” has begun to have an influence on local government in the five cities, though the nature and extent of that influence naturally varies.

In Niš, where CCI is based and has been engaged in cultural policy for several years, the impact has been the strongest. The City Council has recently reviewed its cultural policy and it is now planning much more integrated approach in which the cultural offer and heritage of Nis is part of its broader goal to become a regional centre. A formal decision has been made to develop a new cultural strategy with the support of the CCI, with research and consultation planned for the autumn of 2010.

This is a major achievement that, and if it cannot be attributed solely to “Reopening a Gold Mine’ project, has certainly been facilitated by it.

A similar process has also been agreed with Vranje City Council. The other cities have not shown such significant developments yet, but that is expected to happen at this stage of the project.

In each case, the specific situation, including local politics and the relationships between the state cultural institutions and CSOs will determine how much progress can be made in the future. This has sometimes been characterized by a degree of challenge that ensures winning trust and building partnership.

Therefore, establishing, and even more important recognition of good practices, which are able to span the gap between government and community, facilitating information exchange and dialogue seem to be crucial for the future development. The preservation of sustainable good practices and collaborative platforms, which can also work as advocacy coalitions and also bring in other organizations, has to be the basis for innovative concepts of policy making.

6. GENERAL RECOMMENDATIONS

To put in place the enabling framework for the participation of civil sector in cultural policies related processes there has to be the political will at senior level to establish and adopt across all departments of government an enabling strategy for civil society organizations. The operational instruments of recognition of the civil sector operators in the field of culture is a precondition to benefit from the built capacities, know-how and experience of the CSO. The recognition of civil sector by legislative frameworks, through special budget lines of relevant ministries as well as their involvement in tasks and working groups is crucial for future development of participative policy mechanisms. Beside those mixed direct and indirect support mechanisms, there should be a transparent and non partisan distribution of public funds. There is also a need for specialized supporting agencies/services to support cultural operators including the CSO in the development of cross-sectorial partnerships, better coordination and services delivering.

The cases studied within this work show that beyond the immediate impact the added value is in a dialogue as a process. The investments into grassroots initiatives, even if they are limited in time and space, can reach diversified target groups and involve stakeholders, and bring changes in understanding of collaborative work. It is still needed to develop tailored made communication mechanisms in order to sustain the good practices. There should also be a focal point in the government to which the CSOs can relate, as the political will only is not enough in the transitional countries.

Furthermore, **the social policy impact** is important for **influencing public policy**. It can be noticed that the work and effort of CSOs in this area was much greater than the actual results/impact. When looking into the reasons of this low level of CSO influence in the sphere of social policies (and the influence of CSOs on the whole of society as well) it can be seen that there is a lack of **mechanisms for making results known to the public**, as well as the lack of developed mechanisms for evaluating effects.

To choose **public advocacy** over undercover lobbying is a fundamental issue in order not to accept interference through personal interest, still common in our society, or solutions negotiated behind closed doors in half secret meetings with individuals who are currently in power.

Problems should be addressed within the system as a whole which means that, based on a particular issue and need, a demand can be fully articulated then. This can be set out as a long-term, structured solution which, once implemented, will have a positive impact not only on particular organizations gathered in the coalition but on the whole sector. It is necessary to see broader social framework and to develop arguments which will attract the interest of the general public.

Thus, such a demand should be publicly articulated not only for the decision-makers (since we are referring to structural changes which cannot be solved by the simple intervention of one person regardless of their position of power), but also for larger number of players who would be affected by the solution of these demands, and thus win their more or less direct support. Therefore, all advocacy practices should be based on at least two essential elements: joint network action and a strong plea for citizen's participation.

A **visionary leader(s)** – They are always important, particularly in the case of advocacy groups. It is necessary to have someone (or perhaps a few people) who is able to articulate the vision that generates the group's actions, to identify and define the aims representing the majority of the group, and to motivate the members of the group to work together. In addition, it is important to have people who are able and willing to realize the group's ideas. In both study cases those leaders existed. It is important to emphasize that those leaders have to be carefully chosen in order to speak on behalf of whole CSOs in culture.

In a context in which there is no clear institutional basis to allow the participation of citizens in decision-making processes, the **media** can represent the sole means of impacting on public policies even to a small extent. The involvement of journalist (activity undertaken in the pilot phase of Reopening a Gold Mine project) in activities and programs realized by the CSOs could lead to the establishment of allies, which can significantly contribute to clear and visible position of the whole sector.

One of the crucial issues is **continuity and consistency**. The highlighted problems, requests but also the possible solutions should be kept on political agenda even if it seems that they

are ignored – that is probably the biggest challenge for any advocacy initiatives. Every topic, which is picked, has neither to be overstated nor forgotten, and still it has to carry the update social and political relevance.

7. CONCLUSION

There is no significant impact of the cultural civil organization on cultural policies in Serbia due to the absence of functional legal frameworks and other relevant mechanisms which in coordinated and systematic way support a continual dialogue and exchange between policy makers and the civil sector representatives.

There are several indications that civil society in Serbia is currently in a pat position: unable to move forward due to the contextual-environmental constrains and internal limiting factors such as increasing discouragement of the majority of civil society operators as a result of fatigue from long-term intensive endeavor on one hand and dissatisfaction with moderate impact and unrecognized efforts on the other; not to mention occasional mudslinging in the media and above all the lack of the sustainable financial resources that majority of CSOs is facing with.

Majority of NGOs is strongly characterized by foreign donor dependency, which makes the lack of continuum and consistency. The limited financing also cannot have a significant positive influence on stability, sustainability and long term development of the civil sector. The funding system is not transparent and stabile enough; therefore the sector is suffering from donor-driven and inadequate top-bottom approaches.

Mechanisms which are flexible to support transversal practices, interdisciplinary and intersectorial collaborations, as well as regional cooperation, do not exist.

The interest of local entrepreneurs and local government to cooperate with civil society initiatives is generally blocked by the lack of a conducive legislative and fiscal framework and by inverse (inherited) habits that favour informal connections over formalized cooperation.

Human resources appeared to be both a major strength and a major weakness for the civil society in Serbia, including the one working in the filed of culture. The whole civil sector is believed to become weaker as the best qualified and educated personnel move to more

financially stable sectors. Therefore the future strengthening of civil society depends considerably on further investment in appropriate human resources, well-built capacity building programs and professional support systems.

A lack of clearly defined priorities, monitoring and evaluation systems consequently do not contribute to inner stabilization of the sector, so within that the civil sector is far from becoming an effective interlocutor and public watchdog that holds government and the corporate sector accountable. The existing operational mode of the civil sector does not allow the sector to monitor the safeguard sustainability. The civil sector is still seen as amateur, voluntary and hobby oriented, and not as a professional one.

Civil society needs to take on the challenge more seriously in the term of advocacy and promotion activities in order to achieve a recognized role in sensitizing and mobilizing society.

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