

# Structured dialogue EU – Cultural Sector

## ACCESS TO CULTURE



**A fundamental right of all citizens**

## POLICY GUIDELINES

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## Policy Guidelines

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# 1 POLICY GUIDELINES

## 1.1 BACKGROUND

In times of economic difficulties and the social problems that these bring, access to culture can function as an impressive and effective tool to bring Europe and Europeans back in the driving seat for sustainable development and to strengthen the sense of cohesiveness between citizens. **Access to culture is an essential right of all citizens** but becomes fundamental in the case of those with economic and social challenges such as young people and the elderly, people with disabilities and minority groups. Supranational institutions such as the European Union as well as its Member States have come a long way towards incorporating strong cultural normative practices and principles in their policy-making. However, there is a notable gap and a lack of political and public debate on and between principles and commitments, and everyday practices of fostering access to culture.

In June 2008 the European Commission set up **three platforms** with the aim of structuring its dialogue with the cultural sector and civil society regarding the *European Agenda for Culture* and its objectives. These platforms were designed to cover the following areas: **cultural and creative industries, intercultural dialogue and access to culture**. Although access to culture is mentioned in the European Agenda for Culture, no coherent policy vision has been devised by the EU on this issue yet, and setting up a Platform on Access to Culture reflects an interest by the Commission to develop this issue further in its working agenda. Strengthening access to culture – within education, cultural production and participation – should be indeed mainstreamed in public policies at all levels (European, national or sub-national) if other objectives such as cultural diversity, interculturality or creativity are to be pursued by all political and civil actors at European level.

The **Platform on Access to Culture** has a clear mandate to bring in the voice of civil society to provide recommendations for policies that can foster the access of all to cultural life in its different dimensions. The Platform also aims to represent the needs of the sector, identify suitable action in the different stages of policy formation and also to organise itself the way many other sectors have done previously. Access to culture is a new political theme within the European policy agenda and the structured dialogue with civil society is a new instrument for consultation at European level. Special attention should therefore be granted to the recommendations as they pioneer and open the way to new reflections and policy development at European, regional, national and local levels.

In order to cover as many aspects as possible, the Platform has chosen three areas of access that have been examined in respective working groups. The **working group on education and learning** explores the benefits of the interaction and synergy between education, learning and culture and the role that cultural participation plays in different educational settings. The **working group on creation and creativity** advocates for the best conditions for artistic creation, to ensure access to the creative process for all, and to explore the creativity of the arts sector within the wider field of 'creativity and innovation'. Finally, the **working group on audience participation** advocates the importance of taking audience participation seriously into account in all levels of policy making based on the broad spectrum of added value that a participative audience brings, not only to the cultural sector but to society as a whole, especially in terms of civic participation and citizenship.

This document is the synthesis of the outcome of the discussions held in the three working groups<sup>1</sup> and is endorsed by the Platform members. It is directed to the European Commission, Member States, local and regional authorities and cultural institutions. It contains general remarks on the concepts of culture and access, and provides a set of guidelines for policy measures in relation to access to culture.

Annexed to the document are:

- the legal instruments which frame access to culture and a list of legal instruments;
- the contributions by the three working groups;
- a collection of best practices identified throughout Europe, that underpin the recommendations and illustrate the existing contribution of arts and culture to the European project.

The Recommendations contained in this paper are directed to the **European Commission, the EU Member States as well as sub-national authorities**. As the national or sub-national levels remain indeed the main actors responsible for cultural policies in the EU in accordance with the subsidiarity principle, the Platform strongly recommends that the EU encourages and facilitates better coordination of cultural policies at all levels. Only then will actors across the EU be able to develop comprehensive and efficient policies that promote access to culture, as well as arts and culture, as a central building block of the European integration project.

## 1.2 MAIN OBJECTIVES OF THE DOCUMENT

The present document strives to achieve the following aims:

- To set a general frame to **improve access to culture** and have the issue included as a fundamental theme in the next generation of the EU programmes (2014-2020), and in the Culture Programme in particular.
- To draw attention to the **importance culture plays** in the lives of the peoples in Europe and the urgency of taking affirmative policy and legal action to make culture accessible for everyone, based on Article 27 of the Universal Declaration of Human Rights which recognises taking part in cultural life as a fundamental right.
- To draw attention to the **contribution** that an **active, vital, thriving cultural sector** brings to the development of society as a whole. Participation in cultural life, exposure to artistic creation, access to artistic skills and knowledge enriches individuals and communities, and strengthens the civic and social nets that compose the fabric of our European societies.
- To highlight the importance of supporting all steps of the **chain of processes related to creative expression, as well as their interaction**. These include: education/training, creation, production, dissemination, documentation/ preservation and media/art criticism.
- To pay special attention to improving **conditions for artistic creation** and artists; to facilitating conditions for a continued **capacity building process** of cultural, educational and creative professionals; to addressing imbalances in their social statutes. This includes legal financial

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<sup>1</sup> See working group reports.

and social protection, adequate funding possibilities, professional development opportunities - such as mobility and access to information – for artists. It also includes identifying new communication processes with the public in order to understand their cultural participation needs.

- To draw attention to the need for more **detailed, qualitative and impartial information** on the different forms of access and participation in cultural life from education to creation, interpretation and enjoyment of culture.

### 1.3 CONCEPTUAL FRAMEWORK

As regards the concept of culture, this document follows the approach of the European Commission. In its *European Agenda for Culture*<sup>2</sup>, the Commission emphasises the broad perception of culture (see the Introduction of the Communication) which is linked to the value of cultural diversity, as well as to a shared European cultural memory.

However, going beyond the broad perception of culture presented in the Agenda, this document focuses in particular on one of the fundamental aspects of cultural diversity and the European cultural memory: access to culture. Cultural diversity is impossible to achieve without universal access to cultural education, creation and participation. Only with **universal access** are a variety of cultural expressions available and thus options for people to freely choose from. Access has many aspects; in the present document the focus will be on education/learning, creativity/creation and audience participation, following the structure of the Platform.

The present document also places **access and participation within a human rights framework**. Participation in cultural life as such is a fundamental human right. In addition, most other human rights: equality and non-discrimination, freedom of expression, the right to information, freedom of assembly and the right to education, are strongly linked to access to culture. These are not only moral issues; they are legal obligations that should guide States in all of their policy planning, including the drafting of cultural policies. Cultural policies should not be seen as a “charity” or as derived from voluntarism; they are based on rights of citizens and the legal obligations of States.

Through international treaties, as well as national constitutions and national legislation, the EU and the Member States have developed a legal framework related to culture. The EU and Member States have also adopted cultural policies. However, the making of cultural policy is not always guided by the legal framework, and cultural policies are often set up on an ad hoc basis. What is needed is more **vision, long-term planning and innovation**. There is a need for critical evaluation and follow-up systems, and periodical checks with the sector on priorities, objectives and instruments.

Several studies support the idea that offering **means and channels for participation** in public life, including its cultural aspects, adds to the sense of social cohesion and the development of common values. A society that takes into account the rights of its citizens to access cultural experiences (services, creation and ways of life) has a higher chance of success than a society in

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2 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European agenda for culture in a globalizing world, Brussels, 10.5.2007, COM(2007) 242 final.

See <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0242:FIN:EN:PDF>

which the rights of citizens' participation have not been given a central role. **Creativity and cultural learning** offer contents and new meanings to peoples' lives, whereas access to qualified professional training ensures the diversity of options of cultural services. **Participation** by the public at large in the different dimensions of cultural expression and in its enjoyment is possible only when means of access have been secured and facilitated. Formal, non-formal and informal **education** – regardless of level or context – is one of the basic elements of accessing culture, as it provides tools for participating in and understanding culture and the arts - which in turn helps citizens to live richer lives. Similarly, culture can provide **access to education** by helping people to develop a variety of skills that supports their ability to function in a knowledge-based society. Culture can play an important role in the implementation of the “Key Competences for Lifelong Learning” as defined by the European Parliament in 2006<sup>3</sup>: participation in cultural activities can be a powerful tool to achieve several generic competences such as creativity, entrepreneurship and civic competences. Cultural experiences can also be an effective way for different groups of people with learning difficulties to achieve the key competences in ordinary educational processes. Access to culture thus also means equipping people for lifelong learning and, as a consequence, will have an impact on economic progress.

Access and participation are also constantly **changing form**, in particular through the internet and through new ways of collaboration and the networking of both amateurs and professionals. Urban subcultures are emerging that result in a multi-disciplinary mix of traditional and new artistic forms and contents. While classic institutions hold a special importance for accessing cultural services, there is a need for recognition and support to these new ways of entering cultural experience, planting seeds of curiosity, analysis and demystification that could be the beginning of long-term relationships with culture. The sector needs more synergies between these classic institutions and the independent artists/creators who are the voice of our time and of the future. Larger arts institutions need to open their doors to experimental artists and non-conventional arts initiatives. They attract audiences through innovative forms of communication which audiences can relate to and build upon. Incubator units, residencies and other innovative initiatives that offer young artists space and time to research, experiment and exchange form an essential part of these creative hubs and should be supported, not only in towns but also in rural areas.

Finally special attention should be given to the issues of accessibility offered by **new media and online services**. Many forms of cultural participation are excluded from official cultural policies when in fact they may represent a variety of forms by which people access culture.

## 1.4 POLICY RECOMMENDATIONS ON ACCESS TO CULTURE

The following are the **main recommendations** identified. They are **directed to the European Commission, the EU Member States as well as all levels of sub-national authorities**. Some of the actions will have to be taken up directly by the European Commission (mainly through its funding programmes) but, as the national and/or sub-national levels remain the main actors responsible for cultural policies in the EU, Member States and relevant sub-national authorities are also directly responsible for advancing ‘access to culture’ in their own territories and policies. A large majority of recommendations should therefore be implemented simultaneously, or in a complementary manner, at the different levels of European cultural policymaking.

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3 The “Key Competences of Lifelong Learning” are: 1. communication in the mother tongue; 2. communication in foreign languages; 3. mathematical competences and basic competences in science and technology; 4. digital competence; 5. learning to learn; 6. social and civic competences; 7. sense of initiative and entrepreneurship; 8. cultural awareness and expression. See doc. 2006/962/EC of 18 December 2006.

### [ Understanding the needs of all publics

Data collection, research and consultations - to improve policymaking in the field of access to culture.

### [ Overcoming linguistic barriers

Language education and support to translation - to remove linguistic obstacles to access to culture.

### [ Supporting highly qualified professionalism

Social protection, education and training programmes - to ensure professional development and growth and, in turn, broaden the diversity of the cultural offer.

### [ Improving funding and procedures

More diverse and flexible funding opportunities, easier access to information - to facilitate access to funding to a larger group of artists and cultural professionals.

### [ Advancing mobility and exchange

Mobility funding, spaces for encounters and exchange, support to diffusion of artistic processes and products – to increase mobility, and integrate cultural stakeholders in foreign actions.

### [ Promoting the cultural use of new technologies

Increased access to new technologies to public and cultural actors, while insuring appropriate protection of creators' and interpreters' rights – to increase the cultural potential of new technologies.

### [ Stimulating learning through culture

Recognition of the synergies between education and culture and support to such projects in all appropriate funding instruments – to increase the access to culture through education and the access to education through culture.

### [ Positioning access to culture upstream and transversally in all cultural policy-making

Participatory policymaking, interdisciplinary policy working groups – to improve specific and general policies promoting access to culture.

### [ Raising awareness of the legal frameworks on access to culture

Information, ratification and implementation of all legal instruments on access to culture – to translate international commitments on access to culture into genuine policies.

## Understanding the needs of all publics

**Objective: Widen the scope of data collection and analysis on audiences and participation to cultural activities, to reach beyond usual focus groups and thereby improve the forms of access for all.**

Data and expertise are dramatically lacking in areas such as: access to culture by specific and often discriminated groups, the cultural practices of the general public, the conditions of cultural professionals, or the impact of arts education, cultural learning and participation in cultural life in society at large. Such data and expertise are however indispensable to the development of efficient policies in the field of access to culture.

### **Actions:**

- Studies and consultations on participation, using different methods beyond exclusively quantitative ones.
- Consultations with different stakeholders and focus groups.
- Channels and tools to facilitate access to information on participation to professionals in the cultural sector.
- Better use of data and documents of other intergovernmental organisations and NGOs.

**Result: Policies that take into account, in greater depth and complexity, the needs of both the general public and vulnerable groups.**

## Overcoming linguistic barriers

**Objective: To facilitate access to cultural contents, resources and expressions beyond linguistic barriers.**

The European human landscape consists of a multicultural population that increasingly lives in diverse linguistic environments. Language is at the heart of culture. Respect for linguistic diversity and prohibition of discrimination due to language is required in EU law. Cross-cutting policies should be embedded in future EU programmes, including the Culture programme, to place the promotion of linguistic diversity, especially lesser-used and regional languages, as key criteria in the decision-making process.

### **Actions:**

- Appropriate financial and policy means to increase language education at all levels (individual as well as institutional) and access to lesser-used and regional languages.
- Translation facilities and translations of different works.

**Result: Increase in numbers of people who benefit from cultural learning and knowledge of other cultures, as well as a contribution to the implementation of the “Key Competences of Lifelong Learning”.**

## Supporting highly qualified professionalism

**Objective: To ensure professional development and growth through educational and training programmes, and guaranteeing the best possible conditions for artists and cultural professionals.**

### Actions:

- Improvement, both through the regulatory environment and social awareness, of the social protection (such as pension and social security schemes) of all types of professionals in the cultural sector.
- Support to continuing professional development courses for professionals in the cultural sector, with the aim to constantly update knowledge and skills in the area of their expertise, as well as in practical and conceptual issues (legislation, human rights, documentation, etc).
- Interdisciplinary and international programmes for the mobility of individuals and the exchange of expertise on educational and training needs, as well as on artistic ideas, processes, artists, professionals and audiences.
- Support mechanisms for art criticism and the media that encourages the forming of an educated and active public who can feedback to cultural professionals.
- New support programmes built on shared responsibility from Ministries responsible for culture and education for innovative socio-educational projects in the area of culture and arts and more flexible pathways to include cultural activities in the education programmes (e.g. easier access for classes to visit cultural institutions and take part in artistic activities).
- Recognition of qualifications through the use of the European Qualifications Framework (EQF) to support the employability in countries other than their own of professionals in the cultural sector.

**Result: Qualified professionals who assure a variety of cultural expressions and offer audiences the possibility to access a diversity of cultural and artistic processes and products. The actions will add to the existing programmes and structures such as the Grundtvig<sup>4</sup>, European assistantship and other programmes.**

## Improving funding and procedures

**Objective: To facilitate access to funding to a variety of cultural operators including networks, non formal and civic groups, and to establish improved information channels on funding procedures and requirements.**

Cultural operators often have difficulties in knowing about the existence of funding opportunities, locating them and understanding their procedures. Furthermore, for many professionals and organisations, the requirements of macro programmes make obtaining funding very difficult. There is a need to adapt existing and create new funding opportunities and programmes, both large and small, to the needs and capacities of smaller structures which often represent innovative practice.

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4 The Grundtvig programme focuses on the teaching and study needs of those in adult education and alternative education streams, as well as the institutions and organisations delivering these services. Supporting lifelong learning and mobility in this way also tackles Europe's ageing population problem.

**Actions:**

- Variety of funding opportunities, in size and procedures, jointly funded and managed at local, national or international levels.
- Larger offer of training for professionals on funding procedures.
- Support and investment in each step of the chain of creative processes (education and training, production, dissemination and distribution, documentation and preservation, media and arts criticism) and adequate connection programmes that link these steps.
- Funding programmes to enhance the research and development aspects of the cultural sector.
- Incentives for private initiatives and foundations funding.

**Result: Funding is made more democratic and available for a larger group of people and organisations.**

## Advancing mobility and exchange

**Objective: To increase the mobility of professionals of the cultural and educational sectors, as well as the role of culture and culture professionals in external and development actions.**

Mobility and exchange contribute significantly to the professional quality of cultural operators and to the education (in its broader sense) of audiences. It is fundamental to be able to learn from others and widen professional perspectives not only in one's own sector but also in a context of intersectorial cooperation. Professionals from the cultural sector should benefit from external contacts and learning opportunities.

**Actions:**

- Increase, in number and diversity, of mobility funds and programmes.
- Support to network meetings and interdisciplinary workshops
- Integration of cultural professionals in foreign relations (external action and development) working groups on the levels of policy development, implementation, and monitoring.
- New support programmes for the diffusion of artistic activities on local, sub-national and national levels that can include support for tours, translation and media coverage.

**Result: Broader possibilities of exchange and mobility for a larger group of artists and cultural professionals**

## Promoting the cultural use of new technologies and e-learning

**Objective: To increase access to ICT services in/for/as cultural activities and to improve the use of their cultural content.**

Nothing replaces the experience of live performance, but internet and other new technologies today are important facilitators of cultural participation. ICT services should enhance rather than compete with direct access to cultural experiences and people-to-people exchange. What must be assured for the general public is participation in the cultural activities offered by the internet and other digital media, through increased access to technologies. This rapidly changing environment should however always insure appropriate protection of the legal rights of creators and interpreters.

**Actions:**

- Developing legal and policy frameworks and instruments that balance protection of intellectual property rights and access to culture.
- Increased access to technologies, for example through free WI-FI, technological spaces and equipment.
- Surveys and studies on the different ways in which digital technologies impact on the arts and culture, on future trends in Europe and beyond, and on how to bridge the gap between digital culture and other forms of access to culture.
- Studies and pilot programmes on the varied use of new technologies and their cultural content, especially to remove barriers for specific groups (disabled, elderly, etc.).
- Support to cultural institutions and organisations for posting information online in accessible formats.

**Result: Benefiting from the cultural potential of the internet for participation and access to information, creation and services.**

## Stimulating learning through culture

**Objective: To increase synergies between formal, non-formal, informal education and culture by giving culture an active role in relation to the Key Competences for Lifelong Learning.**

Cultural activities can be effective tools in formal, non-formal and/or informal learning to ensure that citizens acquire the Key Competences for Lifelong Learning such as creativity, entrepreneurship, and cultural expression and awareness.

**Actions:**

- Recognition in the future EU Cultural Programme of the importance of the educational dimension of cultural projects by giving priority to projects that include such a dimension, e.g. in a specific strand of this programme. This is particularly relevant for cultural projects active in informal and non-formal learning contexts that are often not eligible for support by the Lifelong Learning Programme.
- Mainstreaming of the synergy between education and culture in other EU programmes and initiatives (in particular in the fields of education and research) by making the role of culture a priority in formal, non-formal and/or informal learning for the future EU programmes in these areas.
- Investment in opportunities for young people to experience culture within and outside school, and ensure that this experience is of the highest standard and reflects the diversity in their countries and in Europe.
- Continued exchange of information on the role of culture in formal, non-formal and/or informal learning between the working group of the Open Method of Coordination on the 'synergies between culture and education' and the Access to Culture Platform.

**Result: Increase in number of people achieving Key Competences for Lifelong Learning.**

## Positioning access to culture upstream of all cultural policy-making and transversally in all relevant policy fields

**Objective: To approach cultural policies from a holistic and transversal perspective.**

The findings of several studies support the fact that culture is a fundamental factor in people's lives and access to cultural life is a major contributor to the well-being of people. However, this has not often been reflected in official policies, beyond specific policies for culture. In the same way, cultural policies are often limited to developing a creative and cultural agenda whereas cultural policies can reply to wider questions in society – without becoming new social policies. There is a need to build stronger synergies between different sectors, and to find ways to foster the role of culture beyond merely being a framework for operative actions.

### **Actions:**

- Include professionals from the cultural sector in policy planning especially in the context of educational and social policies.
- 'Culture-check' of existing policies.
- Interdisciplinary working groups for policy planning and monitoring.
- Public consultations on the effect, impact and desired contents of cultural policies.

**Result: More cohesive, ground-breaking and specific policies that take into account issues such as representation, diversity and cultural impact, as well as signalling new trends.**

## Awareness-raising of the legal frameworks on access to culture

**Objective: To increase the knowledge of different professional groups including policymakers, the judiciary and cultural professionals of the existing legal framework on access to culture.**

Many policymakers and professionals are not aware of the existence of legal instruments related to access to culture, nor of how these texts can be useful for drafting policies.

### **Actions:**

- Ratification of all relevant international and regional conventions on human rights, cultural diversity and cultural heritage and implementation of these treaties through legislation and policies.
- Coordination of actions at European, national and sub-national levels to implement the *UNESCO Convention on the protection and promotion of the diversity of cultural expressions*.
- Collection and, if necessary, translation of all relevant legal instruments.
- Information workshops on the legal framework for culture or integration of legal issues in existing gatherings.
- More information on relevant legislation and cultural policies in the periodic reports to international monitoring bodies.

**Result: Increased awareness of the existing legal framework on access to culture including knowledge on how it can feed cultural policies.**

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