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ADDENDUM

**to the ANALYTICAL BASE-LINE REPORT
ON THE CULTURE SECTOR AND CULTURAL POLICY OF
GEORGIA**

**Studies and Diagnostics on Cultural Policies
of the Eastern Partnership Countries**

The document is prepared by the Regional Monitoring and Capacity Building Unit of the Eastern Partnership Culture Programme

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PREFACE

This document complements the Analytical Base-line Report on the Culture Sector and Cultural Policy of Georgia prepared by the Regional Monitoring and Capacity Building Unit of the Eastern Partnership Culture Programme (RMCBU) in August 2012 and revised in January 2013. The report was published at the Programme's web-site (<http://www.euroeastculture.eu/en/database-of-materials/view-georgia-analytical-base-line-report-on-the-culture-sector-and-cultural-policy.html>).

The Addendum reflects the major changes that occurred in the country's cultural policy context since 2012. The content of this document is the sole responsibility of the RMCBU and reflects the opinion of contributing experts. It can in no way be taken to reflect the views of the European Commission. The document was prepared by Ms. Maka Dvalishvili and Ms. Manana Tevzadze, RMCBU Experts, with contributions by Mr. Luciano Gloor, RMCBU Team Leader and Ms. Tetiana Biletska, RMCBU Capacity Building Expert.

In early 2013 the RMCBU published the Regional Research Report on Cultural Policies and Trends of the Eastern Partnership Countries and six Analytical Base-line Reports on the Culture Sector and Cultural Policy of the EaP countries. The reports were intended for a broad range of audiences that includes all culture stakeholders in the countries of the Eastern Partnership and the European Union. The documents summarised results of the *Studies and Diagnostics on Cultural Policies of the Eastern Partnership Countries* carried out by the RMCBU from October 2011 to March 2012 in Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. The studies were focused on the national cultural policies of these countries and practically orientated to provide strategic guidance to the entire Eastern Partnership Culture Programme and to all activities of the RMCBU Project. A tailor-made system to analyse the current situation in the culture sector of the EaP countries was elaborated by the RMCBU. It was primarily based on conceptual comparative analysis of the countries' specific policies with applicable international standards exercised by the RMCBU in cooperation with six local experts and guided by an international expert. Preparation, publication and further promotion of the reports stimulated comments and contributions from the Programme's stakeholders and other interested parties, leading to debate on cultural policy matters for the EaP countries and beyond. No doubt, in the course of implementation of the Programme, the dialogue on cultural policy matters contributed to promoting better integration of culture into national, regional and local development policies of the Eastern Partnership countries.

Context

In the end of the year 2012 Georgia witnessed its first democratic transition of power. Having won the majority of votes in the Parliamentary election, the opposition coalition formed the new government. This change naturally also affected the Ministry of Culture and Monument Protection (MoCMP) in which the top management was completely replaced by new staff. Later, in 2014 there was another shift at the level of the minister and of its deputies. One of the major changes within the state governance of Georgia that was already introduced under the previous governing majority was a constitutional amendment that limited the rights and responsibilities of the president while increasing the ones of the prime minister.

Cultural Policies, elaborated or being in the process of elaboration

In 2013 the MoCMP commissioned a group of experts to draft a Cultural Policy Concept. A draft cultural concept paper was elaborated by seven local experts and was presented to the Ministry.¹ The document is the first of its kind in Georgia and while stating the cultural values, lays out propositions for the main directions for the development of culture in Georgia. The group of experts elaborated the concept based on questionnaires and roundtable consultation meetings with culture sector stakeholders, but as a cause of the replacement of the top management at the Ministry in early 2014 the continuity of the work on the Cultural Policy Concept has been interrupted and the draft document has neither been followed up nor has any governmental body adopted it officially. Under the new minister, a new initiative has been started for the elaboration of Georgia's Strategy on Culture. The draft concept from 2013 serves as one of the inputs to this process. The new initiative is planned as a participatory and inclusive strategy elaboration process that involves national and local authorities and entities as well as civil society, with the objective to produce a result that is adopted by the government and that at the same time is largely accepted within the culture sector. For this purpose meetings have been held with respective thematic NGOs and individual experts, with which the MoCMP has concluded memoranda of cooperation with regards to the elaboration of the Policy Document.² An EU cultural policy expert provided by the Regional Monitoring and Capacity Building Unit (RMCBU) under the Eastern Partnership Culture Programme supports and advises the ministry and the culture sector in this process. On 30 January 2015 the MoCMP will hold a public launching event of this national cultural strategy elaboration process with the attendance of the Prime Minister.

Another legal document commissioned by the state and still in the process is a World Heritage Law (2014) setting special regulations for World Heritage Management. Both this and the Law on Intangible Cultural Heritage (drafted in 2013) are under consideration at the MoCMP and the National Agency for Cultural Heritage Preservation.

Other examples of analytical documents drafted within this period are: Georgian Film Sector Mapping, executed by the Georgian National Film Centre (2012)³, Study of Heritage Crafts Sector in Georgia, implemented by Georgian Arts and Culture Center (2012)⁴, and *Towards the Future - National Policy of Cultural Heritage Sector of Georgia* drafted by ICOMOS Georgia (2014)⁵.

The new *Spatial Arrangement and Construction Code* prepared by the Ministry of Economics and Sustainable Development bans exceptions to submission/change of the city development urban framework plans. "Any changes in city development can be done only with broad community participation. Public hearings of the Code were attended by professionals. Provided that the final wording of the Code reflects professionals' comments as much as possible, as well as the position of the Ministry of Culture and Monument Protection is shared and the new Code is passed in timely fashion then it significantly will improve legal environment for natural, cultural and historic heritage protection" (2014)⁶.

¹ <http://www.culture.ge/01.pdf>

² <http://www.culture.gov.ge/topicdetals-11.12028.html>

³ [http://www.gnfc.ge/uploads/files/BOP_Mapping_\(En_Cor\).pdf](http://www.gnfc.ge/uploads/files/BOP_Mapping_(En_Cor).pdf)

⁴ <http://gaccgeorgia.org/Crafts/GACC%20Crafts%20Sector%20Study.pdf>

⁵ http://rcchd.icomos.org.ge/img/multimedia/pub_1417006877535314.pdf

⁶ http://rcchd.icomos.org.ge/img/multimedia/pub_1417006877535314.pdf

The publication of the Georgian version of the UNESCO/ICCROM teachers' manual "Protection of Cultural Heritage Sites and Historical Cities"⁷ in 2014 by ICOMOS Georgia can be considered as a step towards integrating heritage protection in the secondary school curriculum. The manuals are distributed to history teachers and museums in all regions of Georgia and are being piloted.

In September 2013 the international conference "Notion of Culture as a Source for Economic Development in South Caucasus Countries" was held by the Georgian Arts and Culture Center in the frames of its project under the EaP Culture Programme "Strengthening Creative Industries in Armenia, Azerbaijan, and Georgia: Heritage Crafts – Common Platform for Development". The conference discussed the role of the cultural economy and outlined main directions for the elaboration of cultural policies that foster the development of the Creative & Cultural Industries in the South Caucasus.

The new *Law on Professional Theatres* (2013) according to some experts "excessively strengthens the powers of the artistic director, which could result in management and staff problems in the future"⁸. It is to be seen, whether this law leads to positive or negative changes.

As for changes in international cooperation, in 2014 Georgia signed an Association Agreement with EU, which also provides for cooperation in the area of culture (Chapter 17). According to the Agreement, "Article 362 (...) Cooperation between the Parties will foster intercultural dialogue, including through the participation of the culture sector and civil society from the EU and Georgia". Article 363 states the fields of cooperation:

- (a) cultural cooperation and cultural exchanges;
- (b) mobility of art and artists and strengthening of the capacity of the cultural sector;
- (c) intercultural dialogue;
- (d) dialogue on cultural policy, and
- (e) cooperation in international fora such as UNESCO and the Council of Europe, inter alia, in order to foster cultural diversity, and preserve and valorise cultural and historical heritage.

Major changes affecting the culture sector

In late 2012 the Georgian National Committee of the International Committee of the Blue Shield (ICBS) has been established. The purpose of ICBS is to promote the protection of cultural property (as defined in the *Hague Convention*⁹ <http://www.ancbs.org/cms/index.php/en/about-us/hague-convention>) against threats of all kinds and to intervene strategically with decision makers and relevant international organisations to prevent and to respond to natural and man made disasters. Accordingly, the objectives of the Georgian National Committee are: protecting cultural heritage against damages incurred by natural or manmade disasters, elaborating risk preparedness and risk response plans for cultural institutions, raising awareness on and facilitating the implementation of both protocols of the 1954 Hague Convention in Georgia, preparing the population of Georgia to respond to the threats to cultural heritage during natural or man-made disasters.

In 2013 Georgia also became member of the UNESCO Intergovernmental Committee for the Protection of Cultural Heritage in the Event of Armed Conflict. This membership (which will last for four years) and active participation in the work of the committee shall be a proof of the country's interest in implementing the UNESCO Hague Convention (1954) and its second protocol.

A hefty change to the context of cultural heritage management and administration has been the delegation of all rights and responsibilities in the sphere of cultural heritage from the MoCMP to the National Agency for the Preservation of Cultural Heritage. This makes the Agency responsible for most of the decisions in the sphere of heritage protection, such as: inventory of sites, planning of activities, management of state procurement, monitoring, research, world heritage management, international

⁷ http://www.rcchd.icomos.org.ge/img/multimedia/pub_1403596509723149.pdf

⁸ <http://www.culturalpolicies.net/web/profiles-news.php?cat=0&cid=1180>

⁹ Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention (The Hague, 14.05.1954),

http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html

relations, etc. In consequence, the duties and competences of the MoCMP related to heritage protection have become minimal and a restructuring of the heritage department at the MoCMP is planned.

The continuous pressure from the economic sector on cultural heritage has led to additional negative changes, for instance by the elaboration of an amendment to the Law on Cultural Heritage with regards to the rules for revocation of the status of a monument¹⁰. The proposed amendment implies to simplify the rules for delisting a heritage site of local importance in "extraordinary and special cases of state importance". The change was understood by civil society as posing a threat to the majority of listed sites and provoked a serious campaign against the amendment. As a result of this campaign the hearings of the law in the parliament have been deferred but the amendments' proposal to the law is still in the parliament.

Among other unfavourable changes in the administration and the management of cultural heritage is the abolishment of the experts' board to the Minister (consulting the minister on major issues such as granting and revoking the monument status, proposing a site for WHL nomination, etc.) and its replacement by an intergovernmental board not consisting of professionals from the field, but rather of representatives of the ministries of economy, finance, regional development, culture and the prime minister's office, etc. This change, which also became a subject of protest from the side of civil society organisations is directly contradicting the Law on Heritage (2007) which states that the "board shall consist of field experts and public figures."

In the past years several efforts have been made towards raising awareness on the economic potential of culture and the importance of its inclusion in the economic development agenda. The First Eastern Partnership Ministerial Conference on Culture on this topic held in Tbilisi in June 2013 and round table meetings with the participation of cultural actors and officials from the ministry of economy are just two additional examples to the conference "Notion of Culture as a Source for Economic Development" mentioned before.

Regardless of the above, integration of cultural policies in other policies and strategies is still an issue. Newly drafted documents, such as the Strategy for Socio-Economic Development 2020¹¹ (drafted in 2014) and the Strategic Directions for the Development of the System of Education and Science (2014)¹² have no mentioning of culture in the text at all.

A multitude of cultural activities, new initiatives and partnerships between cultural NGOs have been made possible through the projects funded under the EaP Culture Programme. 15 projects have been implemented in Georgia within the past two years in different fields of culture. Some of them resulted in various policy documents and studies while also creating a platform for cooperation and new synergies between the activities of various cultural NGOs, thus bringing them closer to each other and enabling more effective advocacy for culture.

Another EU instrument, a Twinning Project, supports the institutional development of the Georgian National Agency for Cultural Heritage Protection. Through this project it is expected to improve the coordination between the church and the state with regards to the safeguarding of ecclesiastical cultural heritage. A step towards this has been the signing of a memorandum between the Church and the Agency. It is furthermore expected that as a result of this project state procurement for restoration works will improve and lead to quality based selection within tender procedures.

A positive development within the last couple of years has been the strengthening of civil society organisations in the cultural sector. For instance, the "Sakdrisi Case" led to a large mobilisation of civil society that had some impact on the case. It is the case of a pre-historic gold mine which had been listed as a heritage monument since 2006 and is considered by some experts as the oldest known gold mine on the planet. Other experts dispute the value of the site and in 2012 it has been stripped of its monument status under the pressure of a gold mining company that wanted to resume mining on the ancient site. Several cases around the protection of the Sakdrisi site as a heritage object have been brought to court. The court cases still pending, by the end of 2014 the government issued a permission to the mining

¹⁰ <http://www.culture.gov.ge/topicdetails-11.9190.html>

¹¹ http://www.economy.ge/uploads/news/giorgi_kvirkashvili/Strategy2020.pdf

¹² <https://drive.google.com/file/d/0B5HrVlfwNkFpTDhYTI1ScTdwZ0E/view?pli=1>

company allowing industrial works on the Sakdrisi site and the company in the following days blasted parts of the site. In the context of the case, other issues are disputed publicly, such as the lack of transparency regarding the transfer of ownership at the moment of privatisation, the identity of the natural persons behind the actual company, environmental issues of the mining process in the Sakdrisi region adopted by the company, the extension of the mining license by the government to the mining company without imposing monitorable measures in case the company does not fulfill its obligations.

The developments around this ancient site consolidated small and big, new and old cultural and legal CSOs. Several new movements and initiatives have emerged that act as watchdogs and organise small but meaningful protest rallies against disputed decisions of the government, which the culture sector sometimes even considers as contradicting the law. The "Sakdrisi Case" may well turn out to be the litmus test for the actual government, illustrating to what extent its declared intentions for participatory and inclusive policy elaboration and transparent governance are confirmed by its actions.

Another case that illustrates the conflict between economic development and heritage protection is a huge construction project called "Panorama Tbilisi". It is planned in the historical district of Tbilisi and leads to the construction of three business centres, among them two in the historic district and one in the recreational zone on Sololaki slope above the historic district that will be connected by cable cars. NGO's and community groups related to heritage protection and environmental protection evaluated this project negatively. Despite their protests and their plea addressed to the Tbilisi self-government, the decision on removing the recreational status of the Sololaki slope was made by the city council in a hasty manner on 30 December 2014.

The Sakdrisi case and the Panorama Tbilisi project position cultural heritage preservation and protection in direct opposition to economic growth instead of creating synergies of the one for the other, as proposed by international standards. Underlined by public statements of high government representatives, this shows a lack of understanding and awareness of the (long term) economic development potential of cultural heritage resources. Furthermore this kind of policy is in contradiction with international conventions on heritage protection signed by Georgia, that oblige the state to ensure protection of heritage objects, encourage integrating culture into national development policies and do not allow to question or even reject obligations related to the protection of cultural heritage by economic reasonings¹³.

¹³ Please, see the following conventions for details:

- Convention concerning the Protection of the World Cultural and Natural Heritage (Paris, 16.11.1972; entry into force for Georgia on 04.02.1993), chapter II "National Protection and International Protection of the Cultural and Natural Heritage", article 4, <http://whc.unesco.org/archive/convention-en.pdf>
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions (Paris, 20.10.2005; entry into force for Georgia on 01.10.2008), article 13 "Integration of culture in sustainable development", <http://www.unesco.org/new/en/culture/themes/cultural-diversity/diversity-of-cultural-expressions/the-convention/convention-text/>
- Framework Convention on the Value of Cultural Heritage for Society (Council of Europe, Faro, 27.10.2005; entry into force for Georgia on 01.06.2011), article 10 "Cultural heritage and economic activity", <http://conventions.coe.int/Treaty/EN/Treaties/Html/199.htm>