

# REPUBLIC OF MOLDOVA<sup>1</sup>

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## 1. Historical perspective: cultural policies and instruments

Moldova as a country, territory or political entity has undergone great changes in the past few centuries and has a long history of foreign domination; indeed, questions of territory and cultural identity have been at the core of its development as an independent Republic.

At the dawn of the 19th century, Moldova was a province of Romania. In 1812, it was annexed by Tsarist Russia until 1917, when Moldova first declared itself a Democratic Republic. This political status was short lived as the parliament (Sfatul Țării, – the National Council) voted for unification with Romania just 4 months later – resulting in a

22-year period when the Moldovan language and culture became increasingly more Romanian and Western-oriented. In 1940, Soviet forces reoccupied the Region. Moldova remained part of the USSR until the collapse of Communism in the early 1990s.

The country was reoccupied by Soviet forces in 1940 and remained part of the USSR until the collapse of Communism

As in other USSR Republics or Eastern European countries, cultural policy was a propaganda tool of the Central Committee of the Communist Party of Moldova. The Ministry of Culture and several arts associations were, therefore, obliged to conform to the Party's ideology and to ensure that cultural policy and activities were carried out according to the Central Committee's instructions.

Writers, artists and the cultural elite were also engaged as propaganda agents. The Committee granted them certain benefits and privileges in return for their efforts to consolidate the ideology of the system in a "credible and accessible" manner (Lenin's slogan "art belongs to the people"). The totalitarian state controlled the process of creativity by valuing and rewarding works of "socialist realism" and rejecting a diversity of artistic approaches.

Arts associations were originally set up to monitor and promote artistic uniformity. As they became increasingly disparate and the composition of their membership was questioned, authorities set up three state Committees – for Publishing, Press and Radio-Television – to strictly monitor and censor the ideological content of literary and artistic works. They were

Disappearance of national culture in the new Soviet Moldova

also given the task of suppressing any expressions of affiliation to the Romanian language or culture. During the 47 years of Soviet occupation, Moldova was denied the right to their centuries-old common language, history and culture based on ancient, classical and contemporary Romanian traditions. The result was the disappearance of a distinct national culture during the period of Soviet Moldova. This fuelled a resistance and opposition to the ruling regime.

Independence achieved in 1991; cultural policy emphasis on promoting national identity

On 27 August 1991 the Republic of Moldova was declared an independent country. This historical event was precipitated by civil war. Public demands were made for official recognition of the Moldovan-Romanian linguistic identity, a return to the Latin alphabet, and the re-establishment of Romanian as the official language.

During the years 1991-2006, the main objectives of Moldovan cultural policy were:

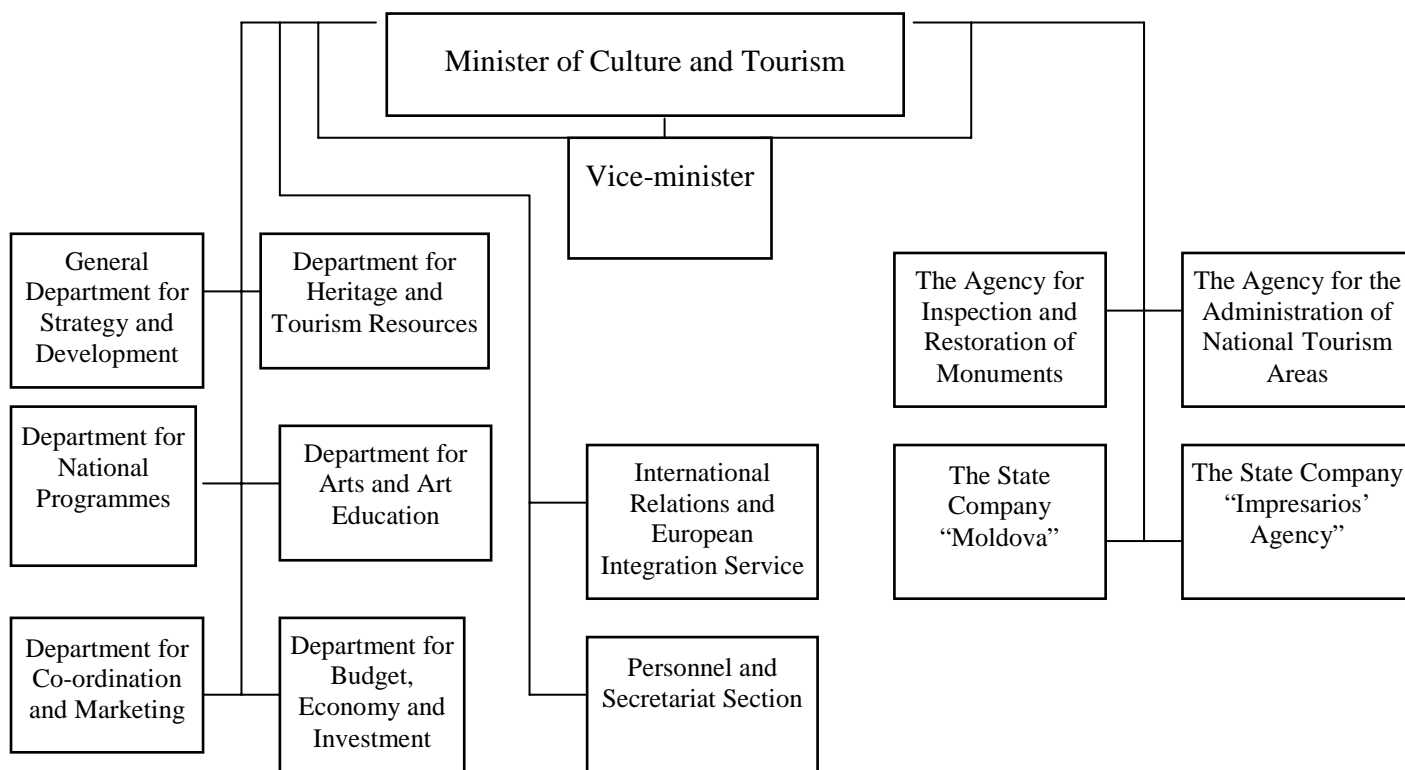
- to ensure conditions to promote creative works by preserving existing national institutions and revising procedures to remunerate artists for their work;
- to protect the cultural heritage by improving the copyright system, supporting the publishing sector and developing archives;
- to promote human potential through a reform of staff policy in the public cultural administration;

- to support diverse cultural processes by identifying priorities and attracting human and material resources to realise these priorities;
- to re-focus cultural management towards new models and mechanisms; and
- to promote culture through electronic media and to create an integrated information space in the cultural field.

The most visible signs of change during this transition period were the freedom of speech, elimination of ideological censorship and development of legislation which has been modified to correspond with the rest of Europe. There are a large number of "good intentioned laws" in the Republic of Moldova, which have not yet been implemented or made viable on a practical level. Shallow reforms (too often understood as a simple reduction of funding) and the lack of a comprehensive cultural policy have also suspended the full implementation of cultural policy objectives.

## 2. Competence, decision-making and administration

### 2.1 Organisational structure (organigram)



### 2.2 Overall description of the system

The Parliament passes legislation drafted by the Ministry of Culture and Tourism in co-ordination with the Parliamentary Committee on Culture, Science, Education and Public Information.

The Parliament ultimately approves the budget on culture following the submission of a bill prepared by the Ministry of Culture and Tourism and in co-operation with an inter-ministerial body. Proposals for the budget can be submitted to the Ministry of Culture by national culture and arts institutions. Key pieces of legislation must be approved by Presidential advisory bodies, and occasionally by the President him / herself.

The Ministry of Culture is the central body responsible for state cultural policy

The Ministry of Culture and Tourism is the central administrative body responsible for cultural policy in the Republic of Moldova. Its main aims are:

- to promote national and universal human values through art and culture;
- to provide the best possible conditions for preserving, enhancing and promoting national cultural heritage;
- to develop a publishing policy;
- to develop the optimum legislative and regulatory framework for the dissemination of national culture;
- to ensure conditions which allow for the artistic freedom;
- to appreciate artists' contribution to the development of national culture;
- to present indigenous art works and productions at home and abroad;

- to develop cultural tourism by promoting the cultural and natural heritage of the Republic of Moldova; preserve natural environment and landscapes, urban and rural architectural complexes and reservations, archaeological complexes and sites, other monuments and places that have a national or international value from the historical, artistic or scientific point of view; and
- to promote cultural tourism as an integral part of the government's programmes of social and economic development.

The Department for Inter-Ethnic Relations is the only state body that plays an important co-ordinating role within the cultural policy-making processes. The Department's Directorates (for "Inter-Ethnic Relations and Minorities" and for "Foreign Relations and Diaspora") are specialised in policies regarding multicultural inter-ethnic relations and supporting individuals of Moldovan origin living in other countries.

After the territorial-administrative reform in 2003, 32 District Offices, the municipal Department of Culture Chisinau and the municipal Directorate of Culture Balti were set up to manage all local cultural institutions. Their main goals are:

- to ensure conditions necessary for the development of folk art and traditional handicrafts, as well as for entertainment and other cultural activities;
- to carry out programmes on conservation and promotion of culture and art in the districts / municipalities by organizing various cultural events: festivals, competitions, activities aimed at conserving and promoting folk art, reviews of amateur groups, fine arts and handicraft exhibitions; and
- to submit to the Ministry of Culture and Tourism and the district / municipal Council an annual report on its activity and on the operation of the institutions under their control.

The local cultural institutions network includes 1 227 Houses of Culture, 1 380 public libraries, 110 schools (of art, fine art and music) and 80 museums.

## **2.3 Inter-ministerial or intergovernmental co-operation**

The Ministry of Culture and Tourism co-operates with the Ministries of the Economy, Finance, Foreign Affairs, Education, Youth and Sport, Labour and Justice along with the Department of Ethnic Relations, via inter-ministerial joint committees. It is responsible for raising cultural issues in committees whose activities are of an economic or commercial nature.

The Ministry of Culture and Tourism also provides support for committees, which undertake cultural co-operation with other countries such as Italy or France.

Recently, a Board was created with representatives of ethnic minority associations, within the Department of Inter-Ethnic Relations, with the role of debating the most important issues of this institution, including those concerning intercultural dialogue.

## **2.4 International cultural co-operation**

### **2.4.1 Overview of main structures and trends**

During the last 5 years, international cultural co-operation has been entrusted to the Directorate of International Relations and European Harmonisation of the Ministry of Culture and Tourism, which has focused its activity on three main areas: bilateral co-operation, multilateral projects and the promotion of the country's cultural image. After the

Ministry's reorganisation in September 2006, these activities were transferred to 2 new structures: the Ministry's Service for International Relations and European Integration and the State Agency for promoting Moldova's Cultural Image, which is associated to the Ministry.

Moldova has ratified important international treaties and conventions related to culture. It joined UNESCO in 1993 and became part to the European Cultural Convention in 1994. It is also a full member of l'Agence de la Francophonie.

The main priorities in the field of international co-operation, in recent years, have been:

- developing Moldovan involvement in international projects, initiated by the Council of Europe, European Union and UNESCO;
- promoting the cultural image of the country through participation of artistic groups at cultural events abroad; and
- promoting the national cultural tourism at international level.

#### **2.4.2 Public actors and cultural diplomacy**

The main instruments of international co-operation are bi-lateral and multi-lateral agreements and cultural co-operation programmes. However, the Ministry concludes more detailed protocols with some countries, e.g. the annual protocol of co-operation with the Ministry of Culture and Religious Affairs of Romania.

To date, the Republic of Moldova has concluded agreements and detailed programmes on cultural co-operation and cultural tourism development with 35 countries.

The three institutions most involved in this process are the Ministry of Foreign Affairs, the Ministry of Culture and Tourism and the Ministry of Education and Youth. The Ministry of Foreign Affairs co-ordinates and negotiates all the agreements on international cultural co-operation and has a key role in international cultural affairs that may have wider political implications. The Ministry of Culture and Tourism usually drafts the international inter-ministerial agreements and cultural co-operation programmes and is responsible for its administration.

The Ministry of Education and Youth is responsible for cross-border co-operation in education and science, and for exchanges in the field of art, music and literature with countries such as Italy, France, Russia and Romania. One example in this field is the co-operation protocols between the Moldovan and Romanian Ministries of Education, whereby over 1 000 Moldovans study in different institutions in Romania each year, including art universities and research cultural centres. These programmes are carried out and funded by the Romanian Government.

More sporadically, similar programmes (training, language courses, and research grants) are implemented and partially financed by such organisations as the Goethe-Institut, the British Council, and the Alliance Francaise.

Special articles of the concluded agreements regulate financial conditions for participation at international cultural events listed in co-operation programmes, as well as guarantees for international exhibitions. The Ministry of Culture and Tourism funds, partially, the most important international events (festivals, fairs, exhibitions) organised in Moldova. Other international cultural activities and travel expenses for participation at events abroad are funded from other sources (local budgets, sponsorship, grants etc).

### **2.4.3 European / international actors and programmes**

In recent years, Moldova has participated in projects run by several international organisations, such as the Council of Europe, the Central European Initiative, the European Union (RAPHAEL and PHARE projects as a non-member state), and UNESCO. Moldova was the most active participant in the Council of Europe's MOSAIC project. Within this framework, Moldovan cultural policy-makers and administrators took part in multilateral seminars on the funding and sponsorship of culture, working conditions for artists and cultural diversity. As a result of these activities, the National Report on Cultural Policy in the Republic of Moldova was prepared. In September 2001, in Chisinau, National Debates were organised relating to this document, with the participation of the Culture Committee of the Council of Europe.

The Ministry of Culture and Tourism has also co-operated with international organisations that have representations in Moldova: UNDP, TACIS, Latin Union, and the Alliance Française. For example, in 2000, the National Strategy on cultural tourism was elaborated by UNDP in collaboration with the Ministry of Culture.

Since 2002, Moldova participates in the Community of Independent States' (CIS) cultural programme - Delphi's Games for Youth, a contest for young artists organised each year in different countries of the CIS. In 2005, this cultural event took place in Moldova.

The Republic of Moldova has ratified all UNESCO Conventions on cultural issues. The agencies charged with implementing and monitoring the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions are the Moldovan National Commission for UNESCO, the Ministry of Culture and Tourism, the Ministry of Education and Youth and the State Department for Inter-Ethnic Relations.

### **2.4.4 Direct professional co-operation**

Due to the centuries-old common language, history and cultural traditions, Moldova has close cultural links with Romania, developed at both institutional and individual levels. The festivals of Romance and folk Music, theatre festivals, individual exhibitions, film and theatre co-productions, training courses and workshops on different cultural sectors are only a few examples of direct professional co-operation between these two countries.

The Moldovan Opera and Ballet Theatre and the National Philharmonic co-operate directly with western musical impresario agencies and have regular tours in Europe (e.g. the United Kingdom).

The "Eugene Ionesco" Theatre co-operates with theatrical companies (including co-productions) from Romania, Russia, Italy, France and Japan. It is also the initiator and organiser of the Biennial International Festival, which includes organised public debates and workshops on the most important issues in the theatre sector.

### **2.4.5 Cross-border intercultural dialogue and co-operation**

To date, there are no government programmes to support trans-national intercultural dialogue in Moldova.

Until 2001, the former Ministry of Culture supported artistic productions (literature, artistic performances and poetry recitals) in the Ukrainian regions of Odessa and Cernauti, which are mainly populated by Romanian speakers. It has also offered assistance to cultural associations of Moldovans in the Russian Federation.

There are no funds and programmes available for specific trans-national activities for young people in the Republic of Moldova. On the other hand, there are many non-

governmental organisations, foundations and associations which have specialised programmes contributing to the development of young people, including artists: the Centre for Contemporary Art, "Contact" Centre (with branches in Balti, Cahul, Comrat and Soroca), Soros Foundation, Centre for Youth Development, NGO Junior Achievement, International Centre of Modern Languages, and the Euro-Moldova-Art Association etc.

The Centre for Contemporary Art (Chisinau), in collaboration with the Swedish Institute in Stockholm and the Fine Art College "Al. Plamadeala", organised the exhibition "From Tradition to the Future – Swedish Graphic Art 1980-2005". The exhibition included more than 70 works that represented practically all graphic techniques, from woodcuts to modern video installations.

The Soros Foundation has supported a large number of trans-national projects in theatre, visual arts, contemporary music, dance and choreography, and literature (e.g. the International Festival of Young Poetry "Poetry without frontiers").

#### **2.4.6 Other relevant issues**

Each year, the Ministry of Culture and Tourism supports two large international cultural events: the International Festival of Music "Martisor" ("martisor" is a little red-and-white amulet that epitomises the beginning of the spring in many Balkan countries) and the International Opera Festival "Maria Bieshu Invites" (a famous Opera singer, known internationally). These events are an exceptional opportunity for local audiences to experience some of the best performers in Europe.

### 3. General objectives and principles of the cultural policy

#### 3.1 Main elements of the current cultural policy model

The Moldovan cultural policy model is mostly centred on activities of the government and the Ministry of Culture and Tourism as the central body which promotes state policy in the arts and culture. The government elaborates and provides funds for the state programmes on the protection and development of culture and sets directions, forms and means to implement them.

Cultural policy in the Republic of Moldova primarily focuses on preserving cultural values under threat in response to the effects caused by the difficult and dramatic circumstances prior to the transition period. The identity crisis, characteristic of all post-Communist states, is a key cultural issue to be addressed generally by the executive of the Republic of Moldova and specifically in the difficult process of developing a sustained and appropriate cultural policy.

Cultural policy in the Republic of Moldova is focused on preserving cultural values under threat

The cultural history of Moldova has, in many respects, been different from that of other countries with similar histories. Having been deprived of the natural interaction between national and universal values, Moldova is engaged in an ongoing process of overcoming its past, which has tended to polarise outlooks and to act as a barrier for advancing specific initiatives. The Republic of Moldova is a young country struggling for its identity and is attempting to create its own economic, political and cultural future. These areas tend, however, to be self-contained: it is unclear how exactly they will be integrated.

In theory, the process of decentralisation began in 1991. In practice, the management of both funds and cultural activities has changed very little, the main reason being the lack of knowledge and experience among local authorities to set up their own budgets – a situation which still persists today.

The process of decentralisation in Moldova – as in many other post-socialist countries - is still hampered by managerial and financial problems. Cultural managers at all levels lack the experience required to redistribute functions and responsibilities among the various administrative bodies. Decentralisation and redistribution of financial and administrative responsibilities are the most difficult and complex problems that cultural policy in the Republic of Moldova is facing at present. The past decade has proven that the cultural funding system based on the former centralised model has become outdated and inadequate.

Decentralisation has been hampered by managerial and financial problems over the past decade

After the territorial-administrative reform in 2003, the local cultural institutions network in 32 districts was re-incorporated into a more centralised system, thus becoming more exposed to the interventionist policy of both central and district authorities.

Local authorities can submit requests for funding from the state budget to the Ministry of Culture for projects presenting at least some interest at national level. The Collegiate Board of the Ministry of Culture then decides whether or not to approve the partial funding of such activities.

### 3.2 National definition of culture

The *Law on Culture* (1999) defines the term as "all forms of thinking, feeling and action in the material and spiritual spheres of society and enhancement thereof".

The national programme on the "Development and Protection of Culture and the Arts" defines culture as an "ethical framework of the democratic state based on law" and as a "system of values that form the national identity".

### 3.3 Cultural policy objectives

The main objective of national cultural policy has been to preserve and protect the Moldovan cultural heritage while maintaining an institutional framework for cultural development.

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Promoting national cultural policy has, however, not been as effective as anticipated due to the lack of specific, well-designed and realistic programmes. There is a need for measures that take into account the importance of various projects, available funds, deadlines and responsibilities.

According to the national programme on the "Development and Protection of Culture and the Arts" the national cultural strategy aims to:

- preserve cultural heritage as an ethical-moral cohesive factor in society;
- provide support for different forms and styles of artistic creation and cultural action;
- ensure unrestricted access to national and international cultural values;
- support citizens' self-organisation and cultural initiatives;
- maintain an accurate inventory of the most valuable cultural heritage assets;
- consolidate technical and material resources of the main cultural institutions;
- support state and independent cultural institutions;
- facilitate concerted action and co-operation between decision-makers, artists' unions and associations by creating joint cultural assistance and development programmes;
- establish the legal and organisational framework for cultural heritage protection;
- ensure the appropriate operation of artistic and cultural institutions;
- provide a high media profile for Moldovan culture abroad through increased international collaboration; and
- promote new technologies.

The "*Long-term Strategy for Economic Development and Poverty Alleviation*", launched by the government in September 2003, includes several provisions concerning cultural tourism as an important part of the national economy. Over the next 15 years, the state policy in the field of cultural tourism will focus on new issues.

The main directions are:

- to adjust the frameworks and legal provisions concerning cultural tourism to European standards;
- to improve staff education and training in tourism institutions and develop high-level tourism management programmes; and
- to develop the cultural tourism sector as a part of national economic programmes.

Finances from the state and other sources need to be assured to build a comprehensive system of support in order to create conditions for the development and promotion of Moldovan culture during its current transition period.

The principles of the Council of Europe are reflected, by and large, in the rights and freedoms set out in the Constitution of the Republic of Moldova. They are reproduced in the *Law on Culture*, passed on May 27 1999, and in the national programme on the "Development and Protection of Culture and the Arts in the Republic of Moldova, 1997-1998" (extended to 2000-2005).

The Republic of Moldova is currently taking steps to set up the appropriate mechanisms and means for implementing a system to promote and uphold human rights based on international conventions. Respect for human rights was one of the commitments entered into, by the Republic, upon accession to the Council of Europe.

## 4. Current issues in cultural policy development and debate

### 4.1 Main cultural policy issues and priorities

Cultural policy priorities are outlined in the national programme: "Development and Protection of Culture and the Arts in the Republic of Moldova, 1997-1998" (extended to 2000-2005). Among the programme's short-term and long-term goals are:

- to develop an ethical framework for the rule of law which respects freedom of creation and thought, promoting a sense of citizenship and patriotism;
- to ensure appropriate conditions for the development and perpetuation of the creative potential in society; and
- to preserve national and ethnic cultural traditions.

Until 2001, former governments adopted a "short-term solution" strategy when implementing state policy in the field of culture. Thus, the main strategy of the Ministry of Culture during this period was to avoid any arbitrary reductions in activity and to protect the cultural institutions and networks from the worsening effects of the economic crisis and the consequent severity of cuts in state expenditure.

After the 2001 elections, there has been a marked increase in the number of socio-cultural and general cultural activities which can probably be attributed to the progress made on implementing the objectives listed above (even though some may wonder how cultural activities such as Wine or Beer Festivals would contribute to the development of an ethical framework or to support the development of creative potential).

In April 2004, the Moldovan government excluded a very important cultural chapter from the new "Long-term Strategy for Economic Development and Poverty Alleviation", which could have provided new, more adequate policies and models for the revitalisation and promotion of national arts and culture. Culture (exempting cultural tourism) seems, therefore, out of the government's overall economic strategy.

On 25 March 2005, the government approved the *National Strategy on the Information Society E-Moldova, 2005-2015*. It includes a chapter on "e-culture", dealing with new forms of promoting culture through electronic media in different sectors of national culture.

In November 2005, the *Programme on the government's activities for 2005-2009*, named "Modernisation of the country – welfare of the people", was initiated. Among the programme's directions in the field of culture are:

- supporting the diversity of form and genres of artistic creation and cultural activities;
- developing the art education sector;
- supporting the state cultural institutions and non-governmental organisations; and
- promoting Moldovan arts and culture abroad, within the framework of programmes on exchange and co-operation with other countries.

The new state *Programme on the development of the regions, 2005-2015* entitled "Moldovan Village" includes tasks such as: protection of the local cultural heritage; promotion of cultural policies on Youth; restoration and development of the regional Houses of Culture, libraries and museums; and implementation of some European models of development of rural localities.

## 4.2 Recent policy issues and debates

### 4.2.1 Cultural minorities, groups and communities

According to the 2004 census, Moldovans represent 78.2% of the total of population of 3.39 million. The census indicates a dramatic decrease of population numbers in Moldova - from 4.5 million in 1989 to 3.39 million in 2004. This is mainly due to the fact that the separatist region of Transnistria did not participate in the latest census. Furthermore, official statistics show that over 600 000 citizens left the country to seek employment abroad.

There are 18 minority groups in the country. The four largest are Ukrainians, Russians, Bulgarians and Gagauz.

**Table 1: Largest minority groups in Moldova, 1989 and 2004 census figures**

Groups	Number of persons		% share of total population	
	1989	2004	1989	2004
Ukrainians	600 000	283 367	13.8	8.4
Russians	562 000	198 144	13.0	5.8
Gagauz	157 500	147 661	3.5	4.4
Bulgarians	90 000	65 072	2.0	1.9
Other	121 500	44 350	2.7	1.3

Source: National Office for Statistic, 2006

Note: The category "other" comprises Jews, Belarussians, Poles, Germans, Roma, Greeks, Lithuanians, Armenians, Azerbaijanis, Tatars, Chuvash, Italians, Koreans, Uzbeks and Georgians. They have a variety of institutions operating as communities (11), societies (14), unions (2), centres (4), associations (4) and foundations (4).

There are 78 ethnical-cultural groups in the regions and towns of Chisinau, Soroca, Bălți, Orhei, Cahul, Comrat, Bender, Ceadir Lunga, Vulcanesti, Ocnita, Taraclia and Tiraspol which play a part in preserving and developing national traditions as well as the mother tongue and cultural traditions of their respective minority communities. In recent years, representatives of Ukrainians, Russians, Bulgarians, Belarussians, Germans, Azerbaijanis, Armenians and Georgians have set up national communities, representing organisations of a social, cultural and humanitarian nature. These communities do not limit themselves to purely cultural activities. They protect the civil, economic, social and religious rights of their members. They also play a co-ordinating role, among all the public organisations, for their respective minorities and have been empowered to speak on their behalf and represent their interests. The status of these communities allows them to raise money to fund their statutory activities, and offer financial support to their members.

In accordance with the principle of equality and universality enshrined in legislation, ethnic minorities are able to pursue their own culture and practice traditional arts.

In the 1990s, a sub-system of cultural institutions for ethnic minorities was set up, based in the state library, museum and theatre network. In Chisinau (the capital city of Moldova), there are 6 libraries for ethnic minorities and also the Russian State Theatre Company "A. P. Cehov". The first Gagauz theatre company was created in Comrat and the first Bulgarian theatre company now operates in Taraclia.

In Moldova, there are special training programmes for teachers in schools and kindergartens in the languages spoken by ethnic minorities. During the last decade, the Comrat State University and the Comrat Pedagogical College, the Pedagogical College in Taraclia and the Subsidiary of the Music College "Stefan Neaga" in Tvardita were established. In addition to the large network of schools with teaching in Russian, Ukrainian

is taught in 71 schools, Gagauz in 49 schools and Bulgarian in 27 schools. Belorussian, Lithuanian, Greek, Georgian, Armenian, and German children learn their mother tongue and culture in Sunday schools set up by ethno-cultural societies.

Within the "Teleradio-Moldova" company, two special departments were set up to broadcast in minority languages - "Comunitate" and "Radio-Moldova International". Their programmes make up about 40% of all programmes (24.9% in Russian; 14.8% in Ukrainian, Bulgarian, Gagauz, Polish, Yiddish, and Romaic). In Balti, Edinet, Ceadir Lunga, Vulcanesti, Ocnita, Briceni, Soroca and Comrat, TV and radio stations regularly broadcast programmes in Gagauz, Bulgarian and Ukrainian.

Almost half of the total production (according to 2005 statistics – 44.7%) of the publishing sector in Moldova - books, newspapers, magazines – is in Russian.

The main instruments regulating the status of ethnic minorities are:

- the *Constitution of the Republic of Moldova*, adopted on 29 July 1994;
- the *Declaration of Independence of the Republic of Moldova* of 27 August 1991;
- the *Law of the Republic of Moldova* on the functioning of the languages spoken in the Moldovan Soviet Socialist Republic of the 31 August 1989;
- the *Decisions of the Parliament of the Republic of Moldova* on application of the language legislation (1 September 1989);
- the *Declaration of the Parliament of the Republic of Moldova* on the legal status of individuals belonging to ethnic, linguistic and religious minorities, in the context of the armed conflict in Transnistria (26 May 1992);
- the *Law on Citizenship* modified by the *Law on Dual Citizenship* on June 2003;
- the *Law on Religions* of 24 March 1992;
- the series of *Laws and Decisions on the Legal Status of the Autonomous Territorial Unit of Gagauzia*;
- the *Law on Education* of 9 March 1995;
- the *Concept of Educational Development in the Republic of Moldova* (February 1996);
- the *Law on Public Associations* of 10 January 1997; and
- the *Law on the Territorial Organisation of the Republic of Moldova*, No. 191-XIV of 12 November 1998 (Official Gazette of the Republic of Moldova, 1998, No. 116-118, Article 705). In May 2003 10 counties that were set up in application of this law were changed with the same 32 former districts.

The Moldovan Parliament ratified the Council of Europe Framework Convention on the Protection of National Minorities on 22 October 1996.

The State Department for Inter-Ethnic Relations (formerly State Department for National Relations and Linguistic Affairs), set up in 1990, performs a consultative and harmonising role with Moldova's minorities. The House of Nationalities is a methodological centre under the Department for Inter-Ethnic Relations that sustains and develops the ethnic cultures of all nationalities living in Moldova. It co-ordinates and organises national cultural and educational programmes.

#### 4.2.2 Language issues and policies

Romanian is the language spoken by the majority of the indigenous population, however this is not reflected clearly by its status as "official language". The status of the "official language" in the Republic of Moldova is critical to national cultural policy development.

Two years before the collapse of the USSR, the Supreme Soviet of the Moldovan Soviet Socialist Republic passed three language laws: *Law on the Official Language*, *Law on the Functioning of the Languages Spoken in the Republic*, and *Law on the Re-introduction of*

*the Latin Script*. These laws were followed by the government's State Programme Ensuring the Functioning of Languages Spoken in the MSSR, designed to open the way for the Romanian language to become the main means of communication in all areas of society.

The *Law on the Official Language* assigned the Romanian (state) language the same status as Russian. However, no less than 20 of the 32 sections of the law make reference to the Russian language. As a result, Russian has remained the language used in official documents in all structures of the central and local public administration. In addition, the mother tongue of the native population is not yet "a language of inter-ethnic communication".

The language laws introduced by the Soviet regime contained a non-scientific concept "the Moldovan language" (Moldovan is one of the numerous dialects of the Romanian language) that has not been corrected in the 1994 *Constitution of the Republic of Moldova*. Despite the amendments of the General Assembly of the Academy of Science and other linguistic local and international forums, the state authorities name the official language as "Moldovan", while the schools, universities, mass-media, intellectuals and public administration use the term "Romanian language".

All of these laws and state acts were adopted in 1989 when the Republic of Moldova was still part of the USSR and did not correspond to the radically changed circumstances in 1991, when Moldova declared its independence. However, in the past 15 years the laws have not been amended. In the absence of new state programmes and strategies, language policy in the Republic of Moldova may remain in a deadlock.

#### **4.2.3 Intercultural dialogue: actors, strategies, programmes**

There are no explicit cultural policies to promote inter-cultural dialogue in the Republic of Moldova.

The Department for Ethnic Relations is the only state body which performs a consultative and co-ordinate role between Moldova's ethnic groups. The Department co-operates with the Ministry of Culture and Tourism (on intercultural issues) and the Ministry of Education (on inter-linguistic activities). The House of Nationalities co-ordinates the organisation of different national inter-cultural events and programmes: exhibitions, contests, festivals. It reports to the Department's cultural and documentation centre for public inter-cultural organisations.

Over 60 inter-cultural NGOs that represent Moldova's ethnic groups are associated with the Department for Ethnic Relations. They make a significant contribution to the preservation, development and expression of their respective cultural, linguistic, religious and ethnic identity. These associations usually organize local (municipal) intercultural events.

In August 2005, Moldova started the national project entitled "Caravel of Culture" (2005-2009), initiated and organised by the Euro-Moldova-Art cultural association. The project is financed by the Ministry of Culture and Tourism and is developed under the patronage of the President of Moldova. "Caravel of Culture" is a large intercultural project, organised from artistic groups of different styles, genres, forms, languages and nationalities. Starting each time in Chisinau, the Caravel travels to local / regional audiences that have isolated, for a long time, from cultural activities of a high quality. For more information see: <http://www.caravela.md>.

Moldovan audiences enjoyed the concerts of the second edition of the Delphi Games for Youth, organised in Chisinau on September 25 – October 01, 2005. This multicultural event, co-ordinated by an inter-governmental committee and organised by the Ministry of Culture and Tourism, has gathered together over 700 young artists from the CIS countries.

In August 2003, Chisinau hosted the first Festival of Ethnic Minorities, organised by the Department for Inter-ethnic Relations, in collaboration with the Ministry of Culture and Tourism. The festival included 48 ethno-cultural organisations, 16 municipal organisations, the Folk Arts National Centre, the Craftsmen's Union and local "stars" from all of the Moldovan minorities.

#### **4.2.4 Social cohesion and cultural policies**

On December 19, 2003 the former Parliament approved the "Concept on National State Policy of the Republic of Moldova" that claims to be the fundamental document on the basis of which public authorities develop social-economic and cultural policies and consolidate these policies to the issue of social cohesion. In fact, the Concept imposes, in a very totalitarian manner, the ideology of the communist party on the most inflammable issues for the population. It is ignored by public cultural institutions.

Social cohesion is not a specific issue of cultural policies in Moldova, however it figures as a main goal in all social-economic state programmes and strategies launched during 2004 and 2005. On the other hand, the increasing number of socio-cultural and general cultural events, as well as the number and extension of their audiences and participation, shows that social cohesion has already become an issue of cultural policy.

Over the last 10 years, Moldova has accumulated a lot of experience in organizing special events around national, religious and other holidays. These events are attended by thousands of people from different nationalities, ages and social conditions and have a proven to be effective for promoting social cohesion and understanding. Many of them are organized and financed by different private companies.

#### **4.2.5 Media pluralism and content diversity**

Although the number of independent media companies is sufficiently large, only 20% of weeklies, daily newspapers, magazines and broadcastings are indeed independent. The rest (about 40%) belong to different individuals or groups of journalists who promote the policy of diverse parties, companies etc. In 2005, there were 147 journals and other similar publications, and 226 daily newspapers in Moldova.

Due to pressures from the government and the Ministry of Finance, cultural reviews stopped receiving public funding as of 1995. As a result, two magazines ("Columna" and "Codru") folded. Another 8 have managed to survive thanks to sponsorship from different private companies, non-governmental organisations and foundations: the weekly "Literatura și Arta", the monthlies "Basarabia", "Contrafort", "Semn", "Atelier", "Viata Basarabiei", "Limba Română", and the quarterly "Sud-Est". The Romanian Cultural Institute and Romanian Cultural Foundation also provide assistance. Although these cultural reviews have all managed to maintain a steady level of readership, sporadic funding has led to infrequent publication and reduced print-runs.

8 weeklies and 12 daily newspapers occasionally carry articles on cultural issues.

There are 190 TV stations and 42 radio stations covering the entire territory of the Republic of Moldova. All these stations work on the basis of licences issued by the Audiovisual Co-ordination Board. According to the *Law on the Audiovisual Sector* and the guidelines issued by the Board, each channel should broadcast 65% of its programmes in the official language, the share of indigenous music should not be less than 20%, and over 30% of all broadcast programmes should deal with cultural and educational issues.

However, most of these stations are re-transmitting Russian, Ukrainian, Romanian and other TV and radio programmes, with their own cultural programmes added. This is the

reason why the statistical data on this issue refers only to the programmes broadcast by "Telradio-Moldova" Company - the share of cultural programmes within the company is: Radio-Moldova – 34.5%; TV-Moldova 1 – 23% in Romanian and 3% in the languages of ethnic minorities.

The share of domestic programmes (within the same company) is 91.4% and of foreign ones – 8.6%.

The Moldovan Union of Journalists, the non-governmental Independent Journalism Centre and several other Clubs in the field include, in their activities, debates on professional ethics and, on the other hand, support local media in denouncing pressure and censorship by public authorities and various business and political groups of interests.

#### **4.2.6 Culture industries: policies and programmes**

During the past three years, the culture industries, such as cinema, publishing, television and radio, were those most exposed to the political strategies of the ruling party. In 2005, the state subsidies for film production increased several times (from MDL 200 000 in 2002 to MDL 1 988 100 in 2005). However, all of this funding was directed to the production of films under state control. For political reasons, the broadcasting of the municipal independent television station Euro TV, and the independent radio Antena C, was stopped for one year. The independent magazines such as Timpul, Jurnal de Chisinau, Moldavskie Vedomosti, etc. have been sanctioned for expressing critical opinions; to the extreme amount of one million dollars, in order to cause their bankruptcy.

In 2003, the company "Moldcinema" was created, under the control of the Cinema Directorate of the Ministry of Culture and Tourism, to manage and fund the reconstruction of regional cinemas. Because the largest share belongs to the state, the company does not have the freedom to provide a flexible policy of development. For the first time in the last 12 years, the studio "Flux Film", in collaboration with "Moldova-film" studio, had made a full-length *feature* film, "Procrustean Bed".

There are 44 rural and 14 municipal cinemas and cinema installations in the Republic of Moldova with an annual audience of 5 000 and 26 000 persons respectively. Due to the high prices of tickets, resulting in low audience figures, 7 private cinemas in the towns of Chisinau and Balti have diversified their purpose and have provided space for additional, non-cinema activities e.g. marketing presentations, lotteries, etc.

In addition to the Telradio-Moldova and Euro TV companies, there are two private TV companies: NIT (New Informational Television) and the Moldovan-American Company, which owns a comprehensive cable and satellite system.

In 2005, the share of the state publishing houses, Cartea Moldovei and Lumina, in the overall publishing production market was 2.3%, the rest of the books being published by private publishing houses: Cartier, Litera and Prut International and the independent publishing house Arc, funded by the Soros Foundation of Moldova, which pursue their own market oriented policies.

There is a non-governmental organisation, OWH TV Studio, which organises workshops for young professionals in the cinema sector, international documentary film festivals, summer schools on film production etc. with the participation of international experts. It also has extensive experience in working with international organisations, such as UN agencies, the Alliance Francaise, USAID etc.

There is no explicit definition of Cultural Industries in the Republic of Moldova.

#### 4.2.7 Employment policies for the cultural sector

The number of employees working in cultural institutions has increased from 9 012 in 2004 to 12 504 in 2005 (the increase may be explain by fact that the statistics for 2005 includes employment from numerous agencies for tourism, sanatoriums, sport halls etc.), of which 4 709 are men and 7 795 are women. There are no statistics on self-employed workers in Moldova and also the notion of freelance writers and artists is missing from the classified list of occupations.

The average monthly salary in the field of culture, education and medicine amounts to about MDL 992.4. By comparison, the minimum wage in Moldova is MDL 766.1, the average monthly salary in the country is MDL 1 318.7 and the minimum consumption basket value is over MDL 1 700.

Apart from the efforts of the Ministry of Culture to acquire funds to buy books, publications, artistic works and to maintain the institutions responsible for cultural development, there are no special strategies to stimulate employment in the cultural sector.

#### 4.2.8 New technologies and cultural policies

Since 2003, the Department of New Information Technologies in Chisinau (recently re-organised and re-named the Ministry of Information Development) is responsible for state strategies on the "Information Society". However, the improvement of informatics began earlier due to the initiative of the Soros Foundation in Moldova. Specific support schemes in the cultural sector are also due to the work of this foundation. Thus, the National Library, the National Children's Library, the university and scientific libraries were equipped with hardware and software (Integrated Library System TINLIB). More recently, SFM has supported special databases at the Academy of Theatre, Music and Fine Arts.

On 25 March 2005, the government of Moldova approved a new national strategy on the information society called "*E-Moldova*", a document elaborated within a special government project and also supported by the United Nations Development Programme. It includes a chapter on "e-culture", dealing with new forms of promoting culture through electronic media in different sectors of national culture, e.g. publishing, libraries, heritage, archives, fine arts, music, theatres, cinema, arts education and arts associations.

The short-term (2005-2007) goals of the *Strategy* are:

- to adapt the cultural legal framework to the envisaged e-culture services;
- to establish e-culture sections in the public cultural administration to co-ordinate the implementation of the information technologies in cultural institutions at the national level;
- to create a digital centre of cultural heritage;
- to create multimedia centres in the main cultural institutions of the country;
- to create databases on movable and immovable cultural heritage assets; and
- to create a national digital library.

The mid-term (up to 2010) and long-term (after 2010) goals include:

- to create an integrated information space in the cultural field;
- to create an e-portal for all players in the cultural field;
- to create a mobile centre for the digitalisation of cultural heritage; and
- to ensure full access of the population to the e-culture services by integrating the national information systems of libraries, museums, archives, theatres, publishing houses and other cultural institutions and their integration into the European and World information systems.

#### 4.2.9 Heritage issues and policies

The Parliament draws up state policy on the protection of monuments, creates the legal framework to ensure efficient protection of cultural heritage, approves the register of state-protected monuments and state cultural programmes and funds such programmes.

The government compiles the register of state-protected monuments, implements the conservation, restoration and enhancement of such monuments and funds such programmes out of the state budget and with outside sources of funding.

Local authorities are responsible for maintaining the inventory of monuments of county and local significance and for funding activities relating to the protection of such monuments.

To prevent the deterioration of monuments, the state bodies responsible for their protection are required to designate protection zones to be included in the register, and any work carried out in such protected zones must comply with the regulations governing those zones.

The Directorates of Cultural Heritage and of the Arts are state-funded bodies whose main task within the Ministry of Culture is to manage Moldova's cultural heritage and to respond to problems related to registration, conservation and enhancement of the cultural heritage. They are also responsible for historical remains, architectural heritage, the protection of national movable and immovable cultural heritage, compliance with relevant legislation, and the maintenance of archives and registers relating to the protection of monuments. In addition, these Directorates put the finishing touches to state programmes on monument protection, co-ordinate studies on the impact of urban and regional development upon archaeological monuments, and supervise archaeological excavations. Specialists working in the Directorates provide advice and guidance on cultural heritage issues to officials

State funding priorities to support national cultural heritage have become impossible to fulfil due to the economic situation

of central and local governments, professionals, researchers, students, etc.

The Ministry of Culture has set up a fund to finance cultural heritage protection activities, to be supplemented with funds derived from related activities: leasing state-owned listed buildings and adjacent land, the use of photographs of and direct references to state-owned movable and immovable cultural assets, the sale of antiques, donations and sponsorship, and funds derived from technical assistance and international co-operation programmes. Such funds will be used only for priority activities in this field.

In the new structure of the Ministry of Culture and Tourism, the Directorate for Heritage and Tourist Resources and two Agencies (the Agency for Inspection and Restoration of Monuments and the Agency for the Administration of National Tourism Areas) will be responsible for the management of Moldova's cultural heritage.

#### 4.2.10 Gender equality and cultural policies

The Moldovan Forum of Women's Organisations includes over 220 organisations aiming at the improvement of women's social status. 18 out of these represent women of various ethnical groups. The National Women's Council and the National Women's Studies and Information Centre help women to adapt to the conditions of a free market economy, they support women to achieve decision-making positions and generally promote feminine values. The Soros Foundation, in co-operation with 18 other NGOs, carries out a programme on gender equality which includes a multitude of activities to address women's specific problems. Organisations like the Women Journalists' Club "Ten Plus", the Association of Estheticians, the Association of Virtuous Women, the Women's Politics Club 50/50, or the National Association of Women Inventors strive to support women's

professional activities in arts, science and technology. They also organise different cultural activities and encourage women to participate in the cultural, social and political life of the country.

While women traditionally hold the majority of memberships in cultural organisations, they occupy only about 5% of all key positions. In the Ministry of Culture and Tourism, the share of women in decision-making positions amounts to 10%.

### **4.3 Other relevant issues and debates**

In September 2003, the Association "Alternativa noua", in collaboration with the Centre for Cultural Policies, launched a two-year project called "Identifying and Implementing Efficient Funding Mechanisms for the Cultural Sector in the Republic of Moldova". The project has been supported by the "Policies for Culture" programme of the European Cultural Foundation, the ECUMEST Association, the Soros Foundation Moldova and the Council of Europe. Its goal was to analyse and compare mechanisms of cultural funding in different countries in order to come up with appropriate solutions for the reform of cultural funding in Moldova.

The research carried out by several working groups of local specialists in cultural management resulted in the elaboration of a set of principles suggested as the basis for the reform of cultural financing in Moldova. The experts proposed to start with the establishment of a Cultural Foundation of Moldova, an autonomous public body with the aim of supporting the arts through grants.

Three groups of national and international experts worked on the legal, organisational and financial aspects of the planned foundation. Their proposals have been discussed within the unions and artists' associations.

The most important issues and findings of the project were then discussed during an international conference called "Models of Cultural Institutions Financing", which took place in Chisinau on 16 October 2004. Experts from Estonia, Hungary and Romania presented the history, structure and activities of arm's length bodies in their countries, and the participants were familiarised with the "Policies for Culture" programme of the European Cultural Foundation.

The draft *Law on the Cultural Foundation of Moldova* has now been submitted to the Ministry of Culture and Tourism and to the Committee for Culture of the Parliament of Moldova.

## **5. Main legal provisions in the cultural field**

### **5.1 General legislation**

#### **5.1.1 Constitution**

According to section 1 of *Article 32* of the Constitution of the Republic of Moldova (1994) "all citizens are guaranteed the freedom of thought, opinion, as well as freedom of expression in public by words, images or any other possible way".

Section 3 of the *Article 33* states that "the state contributes to the keeping, developing and promoting of achievements of culture and science, nationally and globally". The same article also states that "the liberty of artistic and scientific creation is guaranteed".

According to section 2 of *Article 33*

*"the citizens' right to intellectual property, their material and moral interests related to the various types of intellectual creation are protected by law".*

#### **5.1.2 Division of jurisdiction**

Apart from 2 municipalities, Chisinau and Balti, and the Territorial-Administrative Unit, *Gagauz Yeri*, which can set their own budgets and policies, local administrations apply to the Ministry of Culture for funding. In some circumstances they can apply directly to the Parliament or President for projects presenting at least some interest at the national level. The Collegiate Board of the Ministry of Culture has the power to decide whether to approve the partial funding of such activities. Other local cultural activities such as restoration of the cultural institutions or travel expenses for participation at various national and international festivals are funded from local budgets.

The main laws regulating the cultural competence divided between central and local / municipal levels of government clarified above are:

- the *Law on Local Public Administration no. 186 - XIV of November 6, 1998, modified on June 20, 2002*;
- the series of *Laws and Decisions on the legal status of the Autonomous Territorial Unit Gagauz Yeri*; and
- the *Law on the status of municipality Chisinau no. 431 - XIV of April 19, 1995*.

#### **5.1.3 Allocation of public funds**

Every decision of the government on the distribution of public funds in the Republic of Moldova should be debated in the Parliamentary Committees, then legalised by Parliament with a law. The decision on the distribution of local / municipal public funds belongs ultimately to the local / municipal Councils.

#### **5.1.4 Social security frameworks**

Except for general stipulations of Constiution and the general envisions of the *Law on Culture*, there are no special laws on social security pertaining to the cultural field in Moldova.

### **5.1.5 Tax laws**

The new *Law on Philanthropy and Sponsorship*, (no. 1420 – XV) of October 31st 2002, stipulates some tax deductions and state support for over 80% of the activities of philanthropical bodies, but without clear conditions.

Since 2002, VAT at 20% was introduced on the extra-budgetary incomes of the cultural institutions, obtained by leasing their premises and other services. Books, publishing, cultural publications, films, ticket prices, cultural events, art works, etc. are VAT exempt in the Republic of Moldova.

### **5.1.6 Labour laws**

The Labour Code provides the basis for general labour legislation which is also applicable to those working in the field of culture.

### **5.1.7 Copyright provisions**

The legislative body of the Republic of Moldova has passed a number of laws including:

- the *Law on Copyright and Neighbouring Rights No. 293-XIII of 23 November 1994*;
- the *Law on Patents No. 461-XIII of 18 May 1995*; and
- the *Law on the Protection of Industrial Design No. 991-XIII of 15 October 1996*.

There are several copyright related problems which have characterised the transition period. Until the collapse of the Soviet Union, artists' copyrights were protected by the Moldovan Soviet Socialist Republic Section of the Soviet Copyright Agency. In 1991, this became the State Copyright Agency of the Republic of Moldova. However, the new body continued to use the methods of the former institution. Although the *Law on Copyright and Neighbouring Rights* was passed in 1995, the Agency has not yet joined any international organisations. In 2000, the NGO "Association of Copyright and Neighbouring Rights" was set up and has taken over responsibility for copyright protection.

The modified *Law on Copyright and Neighbouring Rights No. 18-19 of 8 February 2003* protects a maximum range of copyright and neighbouring rights and includes databases, performers, phonogram producers, software, broadcasting and lending of works of art.

Blank tape levies are regulated by *Article 19* of the modified *Law on Copyright and Neighbouring Rights*. According to *Article 19(2)*, writers and authors shall have the right to receive a levy from the sale of blank tapes.

*Articles 20 and 21* of the same Law provides for fees for the private loan or lease of art works and reduces the number of free copies for libraries, archives and for educational institutions.

### **5.1.8 Data protection laws**

The modified *Law on Copyright and Neighbouring Rights* of 8 February 2003 stipulates for the protection of databases.

### **5.1.9 Language laws**

See chapter 4.2.2.

## 5.2 Legislation on culture

The *Law on Culture* (no. 413 - XIV of May 27 1999) sets out the constitutional principles governing culture. According to *Article 19*, cultural institutions can be set up and run by the state, municipalities, public associations, religious organisations, arts organizations, international organisations, foreign countries, legal entities and individuals, including foreigners.

Under section 21 of the Law ("Financing of Culture"), cultural institutions cover their costs from their own resources, from income generated by their activities, as well as from other sources and revenues, as permitted under the legislation in force.

The following laws establish the scope, operations, governing structure and general procedures for funding cultural specific sectors:

- *Law on Monument Protection* no. 1530 - XII of June 22, 1993;
- *Law on Archives* no. 880 - XII of January 22, 1992;
- *Law on Libraries* no. 286 - XIII of November 6, 1994;
- *Law on Publishing* no. 939 - IV of April 20, 2000; modified on August 17, 2001;
- *Law on Theatres, Circus and Performing Art Organisations* no 1421 - XV of October 31, 2002; modified on October 31 2003 and December 18 2003;
- *Law on the Audiovisual Sector*, no. 603 - XIII of October 3, 1995;
- *Law on Museums* no. 1596 - XV of December 12, 2002; and
- *Law on Architecture* no. 1350 – XIV of February 27, 2001.

None of the laws listed above includes definite mechanisms for financing, this being a very significant and common gap between legislation and practice in the Republic of Moldova.

## 5.3 Sector specific legislation

### 5.3.1 Visual and applied arts

Besides the general *Law on Culture* (see chapter 5.2) and some provisions of the *Laws on Museums, Monument Protection and Archives*, there are no specific laws on the Visual Arts sector in the Republic of Moldova. However, it should be mentioned that artists and writers, being almost entirely freelance, need special laws or legal frameworks for self-employment, that still do not exist in the Republic of Moldova.

### 5.3.2 Performing arts and music

The aims and tasks of the *Law on Theatres, Circuses and Performing Arts*, modified in 2003, are an integral part of state cultural policy. The strategy in this sector is based on the acknowledgement of the importance of these sectors as the main elements of culture, as a means of preservation of the national consciousness and of the languages of minorities. They are regarded as the most important state institutions, with the role of supporting, edifying and developing the moral and spiritual life of society.

*Articles 7 and 8* guarantee that the state creates the economic and legal conditions for performing artists, guarantees their legal rights and interests, contributes to the development of free competition, encourages intellectual and artistic potential, and the use of technical material, natural, labour, financial and informational resources.

According to *Articles 10 and 11 of the Law*, performing arts organisations have more rights than before regarding their creative and economic activity. They can now decide on their own repertoire, can create artistic subdivisions and studios for the training of actors.

The Law also allows for more diversity in spending of extra-budgetary income sources.

### 5.3.3 Cultural heritage

The current legal and organisational framework of the historical and cultural heritage of Moldova is based on the *Law on Historical Monument Protection* (1993) and the *Law on Museums* (2002).

The *Law on Historical Monument Protection*, protects monuments via a State-Protected Monuments Register. The concept of "monument" includes both immovable and movable cultural assets. Applications must be filed and approved by the government and the Parliament before monuments can be officially registered.

In accordance with the legislation in force, decisions of state bodies responsible for the protection of monuments are binding on all individuals and legal entities. Conditions for the exercise of property rights on monuments apply to all property right holders, irrespective of the type of ownership and legal status of the owner.

The right to use state monuments as immovable assets is, in accordance with the legislation, within the power of the parliament, and county, city, town or municipal councils, depending on the status of the protected monument.

The right to use monuments as movable assets is, consequently, allocated by the government, prefect's offices and municipal administrations.

The *Law on Museums* establishes the general legal framework for the organisation and functioning of the museums in the Republic of Moldova. According to *Article 2* of the Law, the state grants equal opportunities to all museums, irrespective of their specialisation and form of ownership.

Museums are non-profit institutions. Their responsibility is to safeguard and develop the country's cultural heritage in accordance with their special profile, to do research, to design and implement cultural and scientific projects aiming at the development of the community, to publish catalogues of the museums' collections and other relevant materials, and to initiate exchange programmes and co-operation with other national and international museums (*Article 5 and 6*).

*Article 16* specifies the organisation of museums, their rights and obligations.

The public museums are funded via the state budget and other sources. Museums are funded by the state budget and local budgets through approved projects and programmes or co-financed by other public or private funds, regardless of their form of ownership (*Article 28 (1), (2)*).

### 5.3.4 Literature and libraries

Except for general provisions of the *Law on Culture*, there are no specific laws on literature in the Republic of Moldova.

The *Law on Libraries* (1994) specifies the legal status of libraries and how they should operate.

According to *Article 9*, the national library network comprises libraries and biblioteconomic centres (territorial library associations within districts and municipalities that are involved in managing public libraries at the local level), organised by region and branch, set up and funded by the state. They are aimed at meeting the interests and needs for public information, training and culture, and are co-ordinated by a single body.

Depending on the customer, libraries in Moldova are: specialised, educational or public. Libraries can be state-owned, public and private.

The law includes detailed provisions on library collections, on the economic basis of libraries and international collaboration between libraries.

### **5.3.5 Architecture and environment**

The *Law on Architecture* provides an overall legal framework for all architectural activities, it determines the responsibilities of central and local administrative bodies regarding architecture and town planning, guarantees architects' author's rights, and stipulates their main tasks, rights and obligations.

According to *Article 3*, the state supports scientific research in the field of architecture, attracts investments in town planning; organises the training of architects, and ensures the freedom of architectural creation. The state also promotes national and international contests and encourages the creation of outstanding architectural objects.

*Article 9 and 10* of the Law state that local and foreign architects working in the Republic of Moldova have the same rights and responsibilities.

### **5.3.6 Film, video and photography**

Except for the general stipulations in the *Law on Culture*, there are no laws on film, video and photography in the Republic of Moldova.

### **5.3.7 Culture industries**

The *Law on Publishing* (2000, modified in 2001) sets out the legal framework for publishing and the state policy on book publishing. These provisions are designed to prevent monopolies, uphold freedom of expression and ensure the consolidation and modernisation of the available technical, organisational, legal and scientific facilities in this sector.

The following rights are accorded under Section 4 of this law: the right to set up publishing houses; the right to publish; and the publisher's intellectual property rights for works published, which guarantee publishing rights in the Republic of Moldova and abroad.

The *Law on Publishing* also contains provisions on publishing contracts, the organisational aspects of publishing, the distribution of published materials, state guarantees in the field of publishing, and international co-operation.

The *Audiovisual Broadcasting Law* (1995) sets out the criteria for granting broadcasting licenses, and the regulations governing satellite and cable broadcasting. It provides for the rights and obligations of audiovisual institutions and their staff, and contains regulations concerning responsibility for broadcast contents and international co-operation in the field of audiovisual communication. Section 13 of the *Law on Audiovisual Broadcasting* stipulates that each channel must broadcast at least 65% of its programmes in the official language of the Republic of Moldova. However, this obligation is rarely fulfilled primarily due to the ambiguities in the Law (see chapter 4.2.2). This language quota does not apply to foreign broadcasters in the Republic.

Section 31 of the Law concerns the activities of the Audiovisual Co-ordination Board, consisting of 15 members. They are appointed by the Parliament, by the President of the Republic of Moldova and by the government department responsible for broadcasting. Their term of office is 5 years and the Board is the "guarantor" of public interests.

### **5.3.8 Mass media**

There are no specific laws to promote cultural programmes in the Republic of Moldova.

### **5.3.9 Legislation for self-employed artists**

There are no special laws or legal frameworks in place for self-employed artists.

### **5.3.10 Other areas of relevant legislation**

Other laws partly related to culture:

- *Law on the State Language, Law on the Functioning of Languages Spoken in the Republic of Moldova, Law on the Latin Alphabet (1989);*
- *Law on Advertising (1997);*
- *Law on Children's Rights (1994);*
- *Law on Education (1995);*
- *Law on Tourism (2000);*
- *Law on Physical Culture (1999);*
- *Law on Philanthropy and Sponsorship (2002);*
- *Law on Local Public Administration (1998);* and
- *Law on Public Associations (1996).*

## 6. Financing of culture

### 6.1 Short overview

The main source of financing for culture during the transition period was the state and local administration budgets. Given the increase in the Gross Domestic Product (GDP), the proportion of the consolidated culture budget between 1996 and 2005 was 0.54%, 0.56%, 0.53%, 0.36%, 0.29%, 0.49%, 0.63%, 0.66%, 0.79% and 0.82%.

Due to an increase of 15% in salaries for those working in the social sectors (including culture) and the substantial increase in prices, the public cultural expenditure has increased from MDL 220.7 million in 2004 to MDL 251.5 million in 2005. Table 3 shows that 24% of the expenditure refers to social and general leisure activities (sport, religion, shows for youth, etc.).

Facing a budgetary deficit, cultural institutions are obliged to seek alternative sources of financing such as contract-based studies (in arts education establishments), teaching in secondary schools, reviews of artistic works, films etc., and the hiring out of premises of arts education institutions. In 2005, extra-budgetary income generated within the system managed by the Ministry of Culture, was MDL 18 010 700.

The Household Budget Survey database indicates that in 2005 about 3.7% of the total household budget (it is not indicated) referred to "other goods and services" and about 3.4% referred to entertainment, including culture.

### 6.2 Public cultural expenditure per capita

Culture expenditure per capita in 2004 was MDL 70.1. It corresponded to 0.08% of the GDP.

### 6.3 Public cultural expenditure broken down by level of government

**Table 2: Public cultural expenditure: by level of government, in million MDL, 2005**

Level of government	Total expenditure	% share of total
State	118.6	47.2
Local	132.9	52.8
<b>Total</b>	<b>251.5</b>	<b>100.0</b>

Source: Ministry of Finance and Ministry of Culture and Tourism, 2006.

## 6.4 Sector breakdown

**Table 3: State cultural expenditure: by sector, in MDL, 2005**

<b>Field</b>	<b>Total expenditure</b>	<b>% share of total</b>
Art education	27 026 300	22.8
Research	126 900	0.1
Libraries and National Libraries' Council	8 823 000	7.4
Museums and exhibitions	8 042 500	6.8
Performing arts	35 120 900	29.6
Folk arts National Centre	773 700	0.7
Film / cinema / video	1 450 000	1.2
Arts associations	665 300	0.6
Restoration and renovation	99 400	0.1
Publishing	593 700	0.5
Other cultural activities	1 988 100	1.7
National Agency for protection Morality	131 500	0.1
Administration	2 569 800	2.1
Social security / insurance of arts education's institutions	108 200	0.1
Cultural events	2 606 600	2.2
Social and general cultural activities	28 473 900	24.0
<b>Total</b>	<b>118 600 000</b>	<b>100.0</b>

Source: Ministry of Culture and Tourism, 2006.

## **7. Cultural institutions and new partnerships**

### **7.1 Re-allocation of public responsibilities**

Information is currently not available

### **7.2 Status / role and development of the major cultural institutions**

In the course of the last 10 years almost all of the major cultural institutions have re-named themselves either "National" or "Centres" without, however, radically changing their status, other than by acquiring impresario rights and a degree of autonomy in the management of their buildings and halls. Similarly, all arts associations ceased being organisations promoting state programmes and became voluntary associations of artists (writers) united primarily by professional interests rather than artistic or conceptual goals.

### **7.3 Emerging partnerships or collaborations**

In the period from 1995 to 2000, university and scientific libraries, the National Library, and the National Children's Library were equipped with hardware and software (Integrated Library System TINLIB). These libraries set up local area networks, bibliographic and specialised databases containing over 700 000 records. Funding for the computerisation of libraries (with a few exceptions) and for other eligible projects in the scientific and cultural fields has been provided by the Soros Foundation of Moldova.

The Centre for Contemporary Art in Chisinau each year provides an important programme of exhibitions, workshops, summer camps and grants for artists.

The yearly expenditure provided by Soros Foundation in the field of cultural policies development constitutes USD 90 000.

## **8. Support for creativity and participation**

### **8.1 Direct and indirect support to artists**

Artists receive some financial support for their work from the state procurement system, managed by the Ministry of Culture. The funding available for acquisitions is insufficient and procurement is somewhat sporadic, which significantly limits the scope of financial guarantees for artists. Accordingly, they are obliged to become involved in other activities: teaching, performing, writing musical reviews, street theatre, travelling fairs etc.

In an attempt to improve the situation of retired artists, the government provides a modest grant to the most renowned artists once per year. The shortage of budgetary resources has had an adverse effect on the proper functioning of the state cultural institutions. The extremely low monthly salary of MDL 992.4 in the cultural field, compared to the country's minimal consumption basket value of MDL 1 700, is not enough to cover even the minimum subsistence level.

#### **8.1.1 Special artists' funds**

Fifteen years ago, there were 8 special artists' funds operating within most of the professional artists unions with the aim of providing support and social security protection for their members. These funds also provided scholarships to free-lance artists to spend time at the "Houses of Creation", where writers and artists could live cheaply and do their work in very good conditions and for several months per year. A new workshop for fine art artists was also constructed.

Since 1993, there was a steady decrease in the amount of funding available. The former "Houses of Creation" were transformed into insignificant offices under the management of the artist unions. They are financed from donations and sponsorship which does not provide sufficient support or security to their members.

#### **8.1.2 Grants, awards, scholarships**

The Republic of Moldova offers the following awards for artists:

- the National Culture Awards (every three years);
- the National Youth Awards (once a year);
- the Ministry of Culture prize for the best play (once every 2 years);
- the Ministry of Culture prize for the best artistic works exhibited in the annual National Fine Arts Exhibition "Saloanele Moldovei";
- the Theatrical Union prize for the best production of the year;
- five Writers' Union awards for the best first work, anthology, prose, critique and thesis, and the "excellence prize" in recognition of a body of work by one writer (once a year);
- the Artists Union prize for works in different genres exhibited in the National Fine Arts Exhibition: "Saloanele Moldovei"; and
- the awards of the Union of Composers and Musicians for the best compositions and musical works (once a year).

#### **8.1.3 Support to professional artists associations or unions**

There are 10 artists unions in the Republic of Moldova for: Writers, Theatre Professionals, Visual Artists, Musicians (alone), Musicians and Composers, Craftsmen, Journalists, Film Makers, Architects and a separate one for Designers. During the 1990s, the main activity of these unions changed significantly. Originally these unions were the promoters of

Communist programmes. Today they have been transformed into free associations mostly kept together by professional interests (often by economic reasons) rather than by some aesthetic or conceptual doctrine.

Although their social and economic status has declined dramatically, they still maintain a level of authority and importance. On the other hand, the lack of a coherent national direction for cultural policy has meant that the unions have devised their own policies and strategies in order to help themselves out of their precarious situation.

Since 1993, the Moldovan state budget no longer provides financial assistance to artists associations. The only financial support artists unions receive from the government is through the state procurement system managed by the Ministry of Culture.

## 8.2 Cultural consumption and participation

### 8.2.1 Trends and figures

Table 4 below indicates that the rates of participation have steadily decreased from 1991 to 2000, the main reason being the severe decline in personal income (over 90% of the total population has focused their interests on basic survival). In the same period, most of the cultural institutions have shifted from full state-funding to partial self-funding. This means they had to concentrate more on fundraising (by leasing their premises), while performances and audiences were only second priorities.

Since 2001, audience figures have slightly increased. This can be explained by the increase in the number of institutions, e.g. in the case of museums (from 66 in 2000 to 80 in 2003) and libraries (from 1 372 in 2001 to 1 380 in 2003) as well as by the diversification and improvement of their cultural services.

Annually, there are over 20 national and international festivals, contests, fairs and about 65 329 local cultural activities in the Republic of Moldova with an audience of 8 803 000 people.

**Table 4: Cultural participation rates, 1991, 1995, 2000, 2003, 2004 and 2005**

Institution	1991	1995	2000	2003 per 1 000 inhabitants	2004 per 1 000 inhabitants	2005 per 1 000 inhabitants
Theatres and concerts	624 000	555 000	367 700	480 000 109.8	726 400 214.4	700 213 214.1
Museums	592 000	567 500	416 700	529 100 121.0	589 400 174.0	593 396 174.6
Libraries	90 756 100	21 954 100	9 200 000	9 500 000 2 173.0	9 862 000 2 910.9	9 863 730 2 911.3

Source: Ministry of Culture and Tourism, 2006.

### 8.2.2 Policies and programmes

Although there are many programmes on civic participation, citizenship and consolidation of the civil society carried out by international organisations (UNDP, UNICEF, Soros Foundation, Eurasia Foundation, Swedish Agency on International Development, DFID etc.) and local NGOs ("Contact" Centre, IDIS "Viitorul", NGO Social and Rural Initiative etc.), they do not refer explicitly to the promotion of participation in cultural life.

## 8.3 Arts and cultural education

### 8.3.1 Arts education

The Ministry of Culture and Tourism is responsible for specialist training in 110 Music and Fine Arts schools from 32 regions; 9 secondary and higher art schools situated in three towns in Moldova; the Academy of Theatre, Music and Fine Arts; 4 Colleges of Music, Art Education, Fine Arts and Folk Art and 4 boarding schools at secondary level, which provide special courses in music, fine arts and choreography. The Ministry of Education is responsible for general education in all these schools.

The system is adapted from Soviet practice and is based on the identification of gifted children and their selection for a progressively specialised education and training in the higher art schools. In the case of music or fine arts, the process of training may extend to 20 years. The system makes provision for several hundred students and delivers professional training to a high standard. Despite a very difficult period, students or graduates of these schools have been highly rated at a number of prestigious international competitions and art festivals.

The Republic of Moldova adheres to the Bologna Process on Higher Education. The Ministry of Culture and Tourism elaborated the "education code", which contains new drafts of laws referring to art education. It also drafted the new Curriculum for the Academy of Theatre, Music and Fine Arts and accredited the following institutions for art education: College of Fine Arts "Al. Plamadeala", College of Music "St. Neaga", National College of Choreography, and Arts Colleges in Soroca and Balti.

### 8.3.2 Intercultural education

Intercultural education is not part of the general school curricula specifically. This issue is included within other educational programmes for schools such as citizenship, democracy and human rights, which are carried out in schools by specialised non governmental organisations. One example is the ONG "Independent Society for Human Rights Education", which drafted manuals for teachers and pupils on human rights and democracy that include chapters on cultural diversity, national values and identity, promotion of tolerance, religions etc.

Another point of interest in this context is the European campaign "All different, all equal", carried out by the Youth and Sport Directorate of the Council of Europe in partnership with the European Commission and the European Forum for Youth. The Campaign focuses on three main subjects: eliminating discrimination and promoting diversity; inter-religious and intercultural dialogue; inclusion, democracy and good governance. Within the Campaign various activities will be conducted: art festivals, training of trainers (teachers, local public authorities, journalists, NGOs etc.), promotion materials will be distributed, promoting these values through media etc. Some activities within the framework of the European Campaign "All equal-all different" to be undertaken in Moldova are:

- Activities undertaken by the NGO "Institute for Democratic Initiatives" (Orhei). Include: training of trainers (local public authorities, local NGOs etc.) on promoting diversity through inclusion and participation in the community life.
- The Centre for Innovation Technologies and the Ministry of Education and Youth will work together on a plan to prepare and organize an Arts Festival "All equal – all different", which is intended to be open to children from specialized and auxiliary educational institutions and boarding schools from Chisinau as well as other from all over Moldova.

## **8.4 Amateur arts, cultural associations and community centres**

### **8.4.1 Amateur arts**

Selected cultural institutions are responsible for implementing state cultural policies in the field of popular (mostly amateur) arts. The National Folk Art Centre, which falls under the responsibility of the Ministry of Culture, is responsible for preserving and developing folklore traditions. The Centre's specialist staff, assisted by regional experts, are involved in the implementation of a number of cultural projects: "Artistic Handicrafts Revival", "Inventory of Folk Dances", "Traditional Clothing", "Pottery Centres", "Women as the Preservers and Promoters of Traditions", "Traditional Folk Music Groups in Moldova".

In addition, the National Folk Art Centre carries out a bi-annual assessment of "model" artistic groups. This is a large-scale initiative co-ordinated and funded by the Ministry of Culture, together with District Culture Offices, District Centres responsible for the conservation and enhancement of folk art, and municipalities. It is a means of monitoring the situation in the fields of amateur arts (music, dance, traditional clothing manufacturing, and theatre), identifying the difficulties to be tackled, and supporting and promoting quality artistic groups.

There are 3 389 amateur groups and 631 "model" artistic groups in the Republic of Moldova. Although they have no special legal status, they are protected by legislation referring to the development of socio-cultural activity such as the *Law on Education*, *Law on Children Rights*, *Law on Public Associations*, etc. Most of these amateur groups are managed by Cultural Houses.

### **8.4.2 Cultural houses and community cultural clubs**

The network of local cultural institutions includes 1 227 cultural houses, located both in urban and rural communities. Although 646 of them are in need of major overhaul and 136 need major structural repairs, they still managed to organise over 66 000 cultural activities, of which 19 500 were for children and youth. Cultural houses were built as special projects for producing cultural events, each having concert halls with 200 – 1 000 seats and rooms for rehearsals for artistic (mostly amateur) groups. Most of the cultural houses situated in rural communities include rooms for public libraries. The cultural houses are funded from local public budgets.

The State Programme "Moldovan Village 2005-2015" includes MDL 300 million for the capital renovation of 118 Houses of Culture. In 2006, 5 Houses of Culture were renovated in different districts of Moldova. The share of investment projects within this programme amounts to approximately MDL 135 million.

## 9. Sources and links

### 9.1 Key documents on cultural policy

Ministry of Culture of Republic of Moldova: *Cultural Policy in Republic of Moldova*; Chisinau, 2002.

Republic of Moldova: *State Programme on the "Development and Protection of Culture and the Arts in the Republic of Moldova, 1997-2000"*.

Republic of Moldova: *State long-term Strategy on Economic Development and Poverty Alleviation*.

Republic of Moldova: *The National Strategy on the Information Society "E-Moldova"*.

Republic of Moldova: *The Official Gazette of the Republic of Moldova*. 1999, 2000, 2001, 2002 and 2003.

The National Bureau of Statistic of the Republic of Moldova : *The Culture in the Republic of Moldova 2005*.

Magazines: Sud-Est; Contrafort; Semn; Timpul; Jurnal de Chisinau; Moldavskie Vedomosti

### 9.2 Key organisations and portals

General information on the country can be found on the official websites:

#### Cultural policy making bodies

The official website of the Republic of Moldova

<http://www.moldova.md>

The Ministry of Information Development of the Republic of Moldova

<http://www.mdi.gov.md>

#### Professional associations

Department of Interethnic Relations

<http://www.dri.moldova.md>

Formulation of the National Strategy on Information Society Technologies for Development

<http://www.e-moldova.md>

#### Grant-giving bodies

Soros Foundation-Moldova

<http://www.soros.md>

United Nations Development Programme of the Republic of Moldova

<http://www.undp.md>

**Cultural research and statistics**

Policy Resources for Culture in South East Europe

<http://www.policiesforculture.org>

**Culture / arts portal**

Centre for Contemporary Arts

<http://www.art.md/>

Information Bureau of the Council of Europe in the Republic of Moldova

<http://www.bice.md>

Teleradio Moldova

<http://www.trm.md>

Radio Moldova

<http://www.trm.md/radio>

Women

<http://www.femei.md>

Youth Development Centre

<http://www.old-ournet.md>