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The Council of Europe Activity for Culture

Działalność Rady Europy w obszarze kultury

ABSTRACT

The article is devoted to issues related to the activities of the Council of Europe for culture. The aim of the study was to show that the Council of Europe is an important international organization. The author analyzed the literature on the subject devoted to the Council of Europe, and characterized the legal achievements of this organization and its activities in the field of culture. Initiatives and cultural projects of the Council of Europe were discussed. A thesis has been put forward that the Council of Europe is a significant international organization which protects the cultural heritage of Europe. The functions of the Council of Europe and its importance as an organization operating in the field of culture, as well as guarding the acquis communautaire and principles based on the rule of law, democracy and respect for human rights, were analyzed. The article is a synthetic presentation of the role of the Council of Europe in the international arena. It presents, i.a., the ongoing discussion about the crisis of international organizations and shows the significant importance of the Council of Europe in shaping appropriate international relations in Europe.

Keywords: Council of Europe; culture; rule of law; democracy; human rights; cultural heritage

INTRODUCTION

The Council of Europe was founded in May 1949 as a subregional international organization. Its creation was the result of the need to implement the process of integrating Europe after World War II.[1] In 1948, the Congress of Europe was held in The Hague, at which negotiations began at the level of European governments

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[1] See more in P. Ostaszewski, *Międzynarodowe stosunki polityczne*, Warszawa 2008.

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regarding the shape of a new international organization. In the end, the newly created organization was intended to prevent its potential threat in the form of the outbreak of another war. This was to be done through a way of strengthening cooperation between the member states of the Council of Europe and implementation of the organization's basic statutory goals. The main goal of the organization was to achieve greater unity between its members, to protect and implement the ideas and principles that constitute their common heritage, and to facilitate their economic and social progress. Over the years, the specific objectives of the Council of Europe have changed.

Today, its most important goals concern issues related to the observance of human rights and the protection and promotion of the rule of law and democracy.[2] It should be emphasized, however, that the Council of Europe conducts activities in many areas, including social and economic affairs, health protection, education, culture, media, environmental protection, youth and sport, and all legal cooperation in the above-mentioned areas. This article is devoted to topics relevant from the perspective of raising the level of European integration, namely strengthening cooperation in the field of culture as part of the Council of Europe.

LITERATURE, MATERIALS AND METHODOLOGY

The article analyzes the literature on the subject devoted to the Council of Europe, and the legal achievements of this organization and its activities in the field of culture such as: conventions, declarations, recommendations and resolutions. Also initiatives and cultural projects of the Council of Europe in the field of culture were analyzed.

RESEARCH: THE COUNCIL OF EUROPE ACTIVITY FOR CULTURE

1. Members, bodies and institutions of the Council of Europe

The members, founding states, whose foreign ministers signed on 5 May 1949 in London the convention establishing an organization are: Belgium, Denmark, France, the Netherlands, Ireland, Luxembourg, Norway, Sweden, the United Kingdom, Italy. At present, there are 47 member states, including Poland.[3]

It should be noted that a member of the Council of Europe may be any state invited by this organization that accepts the principles of the rule of law and protec-

[2] Council of Europe, www.coe.int [access: 10.02.2021].

[3] *Ibidem*.

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tion of human rights. Confirmation of compliance with them is the commitment of the new member states to ratify the European Convention on Human Rights within one year of joining the organization.[4]

The main bodies of the Council of Europe are: 1) the Secretary-General who is responsible for strategic planning and direction of the Council's work program and budget;[5] 2) the Committee of Ministers – a decision-making body made up of Member States' foreign ministers or their diplomatic representatives in Strasbourg (headquarters of the Council of Europe). It decides on the policy of the Council of Europe and approves its budget and program of activities; 3) the Parliamentary Assembly (PACE) – an advisory body made up of 324 members of parliaments from 47 Member States. The Assembly elects the Secretary-General, the Commissioner for Human Rights and the judges of the European Court of Human Rights (ECtHR). It is a kind of democratic forum for debates and its committees play an important role in examining current issues; 4) the Congress of Local and Regional Authorities of Europe – an advisory body responsible for strengthening local and regional democracy in 47 Member States. It consists of two chambers: the House of Local Authorities and the House of Regions, and three committees. It brings together 648 elected representatives representing over 200,000 local and regional authorities; 5) the ECtHR – a European, permanent judicial body that guarantees the rights protected by the European Convention on Human Rights. It can be used by both states and individuals, regardless of their citizenship; 6) the Council of Europe Commissioner for Human Rights – a non-judicial institution supporting the promotion of human rights in education. It aims to support ombudsmen, identify deficiencies in legislation and provide information on human rights.[6]

The most important institutions established within the Council of Europe, also operating indirectly in the field of culture are: the ECtHR – a body of the European Convention on Human Rights; Commissioner for Human Rights; the European Committee for the Prevention of Torture; the European Committee of Social Rights; the European Commission against Racism and Intolerance (ECRI); the European Commission for Democracy through Law (the so-called Venice Commission); the Council of Europe Development Bank – provides financial assistance; the Group of States against Corruption (GRECO); the European Audiovisual Observatory – it gathers information about the media; the European Center for Global Interdependence and Solidarity (North-South Center); the Pompidou Group – a forum for international cooperation for combating drug addiction and illicit drug trafficking; the European Pharmacopoeia; the Agreement on Serious Threats EUR-OPA; the

[4] For years, the question has been raised as to whether all members of the Council of Europe comply with the rule of law and human rights.

[5] Currently, the function of the fourteenth Secretary-General is held by Marija Pejčinović Burić.

[6] Council of Europe, www.coe.int [access: 10.02.2021].

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European Bureau for Less-Used Languages – supported by the Council, it aims to support and promote languages less commonly used in Europe; the European Committee for Legal Cooperation (CDCJ).[7]

The main objectives of the Council of Europe's activities include: protection of human rights; defense of parliamentary democracy and the rule of law; developing continental agreements to harmonize the social and legal practice of individual countries; promoting European identity.

The Council of Europe also sets itself specific tasks: "[…] supporting the shaping and development of the European cultural identity and its diversity; seeking common solutions to problems affecting European societies […]; strengthening the stability of democracy in Europe […]".[8]

2. Selected Council of Europe conventions in the field of culture protection, culture heritage, cooperation – intercultural dialogue and cultural security

One of the activities of the Council of Europe is to create norms of international law, which is expressed in the signing under its auspices of nearly 200 international agreements, the so-called European conventions or partial agreements[9].

It should be emphasized that conventions (which are international treaties) of the Council of Europe are usually first signed by the member states, however, most of these conventions remain open to non-Council European countries, as well as to non-European countries (usually this applies to countries that have participated in developing a given convention). The Council of Europe conventions enter into force if they are signed and ratified by an adequate number of countries.[10]

The most significant convention of the Council of Europe regarding the European acquis is the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms. It is the "constitutional instrument of European public order in the field of human rights".[11] The Convention guarantees first generations of right (political, civil rights), such as: the right to life, the prohibition of torture, the prohibition of slavery and forced labor, the right to personal liberty and security, the right to a fair trial, the prohibition of punishment without a legal basis, the right to respect for private and family life, the right to marry, the right to an

[7] *Ibidem*.

[8] B. Kuźniak, M. Marcinko, *Organizacje międzynarodowe*, Warszawa 2013, pp. 106–107.

[9] See more in F. Benoît-Rohmer, H. Klebes, *Prawo Rady Europy. W stronę ogólnoeuropejskiej przestrzeni prawnej*, Warszawa 2006.

[10] See more about international agreements in W. Góralczyk, S. Sawicki, *Prawo międzynarodowe publiczne w zarysie*, Warszawa 2015, pp. 64–93.

[11] Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols no. 3, 5, 8 and supplemented by Protocol no. 2, Rome, 4 November 1950 (Journals of Laws 1993, no. 61, item 284 as amended).

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effective remedy in the event of a violation of the guaranteed human rights. It should be noted, however, that the judgements of the ECtHR show the possibility of finding second-generation rights (including cultural rights: the right to freedom of artistic creation, the right to scientific research and to announce their results, the right to the freedom to use cultural goods and their manufacture) among standards first-generation rights included in the European Convention on Human Rights.[12] The Convention also guarantees rights that specifically and directly affect cultural development and the protection of cultural heritage. These are: freedom of thought, conscience and religion, freedom of expression, right to study, freedom of assembly and association, prohibition of discrimination in exercising the rights and freedoms guaranteed by the Convention.

In this article, the author focuses on the subject of the Council of Europe's activities in the field of culture, therefore selected conventions in this area are presented below.[13]

2.1. European Cultural Convention

The European Cultural Convention opened for signature by the member States and for accession by European States which are not member States on 19 December 1954 in Paris is extremely important because it sets the main directions of the Council of Europe's activities in the field of cultural and national heritage, education and promotion of sport. The Convention established two institutions: the Cultural Cooperation Council and the Culture Fund.[14]

The main obligations of the signatories are that each of the Contracting Parties shall:

- take appropriate measures to safeguard and to encourage the development of its national contribution to the common cultural heritage of Europe (Article 1),
- insofar as may be possible: a) encourage the study by its own nationals of the languages, history and civilisation of the other Contracting Parties and

[12] M. Wółkowska, *Prawa kulturalne w Europejskiej Konwencji Praw Człowieka. Analiza w oparciu o orzecznictwo Europejskiego Trybunału Praw Człowieka w Strasburgu*, „Studia Iuridica Toruniensia" 2013, vol. 13, pp. 241–260.

[13] The UNESCO acquis is important because of the subject matter. See A. Chyc, *Międzynarodowe kodyfikacje prawa dotyczące ochrony dóbr kultury i dziedzictwa kulturowego*, „Kwartalnik Policyjny CSP w Legionowie" 2018, no. 1(44). See more in K. Zeidler, *Zasada ochrony europejskiego dziedzictwa kultury*, [in:] *Europa sędziów*, ed. Z. Brodecki, Warszawa 2007; *Prawna ochrona zabytków*, eds. T. Gardocka, J. Sobczak, Toruń 2010; Z. Kobyliński, *Własność dziedzictwa kulturowego. Idee – problemy – kontrowersje*, Warszawa 2009; W. Kowalski, *Restytucja dzieł sztuki. Studium z dziedziny prawa międzynarodowego*, Katowice 1993; B. Gadecki, W. Pływaczewski, *Ochrona dziedzictwa kulturalnego i naturalnego. Perspektywa prawna i kryminologiczna*, Warszawa 2015.

[14] A. Ziętek, *Międzynarodowe stosunki kulturalne*, Warszawa 2010, p. 192.

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grant facilities to those Parties to promote such studies in its territory; and b) endeavour to promote the study of its language or languages, history and civilisation in the territory of the other Contracting Parties and grant facilities to the nationals of those Parties to pursue such studies in its territory (Article 2),
- consult with one another within the framework of the Council of Europe with a view to concerted action in promoting cultural activities of European interest (Article 3),
- insofar as may be possible, facilitate the movement and exchange of persons as well as of objects of cultural value so that Articles 2 and 3 may be implemented (Article 4),
- regard the objects of European cultural value placed under its control as integral parts of the common cultural heritage of Europe, shall take appropriate measures to safeguard them and shall ensure reasonable access thereto (Article 5).[15]

Poland adopted the Convention and it entered into force in 1990.[16]

2.2. European Convention on the Protection of the Archaeological Heritage

Convention signed on 6 May 1969 in London.[17] Its provisions have been amended and extended by the European Convention on the Protection of the Archaeological Heritage signed on 16 January 1992 in La Valetta.[18] The main purpose of the 1969 Convention is to protect the archaeological heritage, which is a source of collective European memory and an instrument for historical and scientific research.[19]

2.3. Convention for the Protection of the Architectural Heritage of Europe (the Grenada Convention)

The Convention from 1985 defines architectural heritage as "durable goods" covering monuments, building complexes and areas. As "monuments" are considered all structures and objects of special historical, archaeological, artistic, scientific, social or technical value, together with their components and equipment. The purpose of the Convention is to harmonize investment activities with the need to preserve architectural heritage. This document also defines the terms "building complexes" and "areas". Building complexes are uniform urban or rural develop-

[15] ETS no. 018.
[16] Journals of Laws 1990, no. 8, item 44.
[17] ETS no. 066.
[18] ETS no. 143; Journals of Laws 1996, no. 120, item 564.
[19] A. Chyc, *Wybrane regionalne kodyfikacje*...

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ment complexes, which are distinguished by their special value, compact enough to form a specific urban unit. "Areas" are works created jointly by man and nature, constituting partially built-up areas, sufficiently separated and uniform to form an urban unit of special value.

The Convention obliges signatories to, among others, identifying protected objects, introducing a system of legal protection of architectural heritage and providing by public authorities, within the available budget, financial assistance for the maintenance and restoration of heritage.[20]

Poland ratified the Convention in 2011.

2.4. European Convention for the Protection of Archaeological Heritage (revised) – La Valetta (the Malta Convention)

The Convention from 1992[21] in Article 1 para. 1 defines archaeological heritage objects as all remains and objects and any other mankind from past epochs: i) the preservation and study of which help to retrace the history of mankind and its relation with the natural environment; ii) for which excavations and discoveries and other methods of research into mankind and the related environment are the main sources of information; and iii) which are located in any area within the jurisdiction of the Parties.

The signatories of the Convention undertake to institute, by means appropriate to the State in question, a legal system for the protection of the archaeological heritage (Article 2). The document also discusses the procedure for integrated conservation of the archaeological heritage, funding rules for archaeological research and conservation, and principles of collecting and disseminating scientific information and the obligation to shape public opinion in the discussed area (Articles 5, 7, 8), as well as presents rules for preventing unauthorized circulation of archaeological heritage objects and principles of mutual technical and scientific assistance (Articles 10 and 12).

The most important provision of the Malta Convention is that no investment will destroy archaeological sites without prior rescue excavations. The implementation of this principle has had specific effects, including:

- taking into account the presence of archaeological sites in the environmental impact assessment of investments,
- increase in the number of rescue excavations and radical decrease in the number of excavations undertaken for purely research purposes (at archaeological sites not at risk of destruction),

[20] ETS no. 121; Journals of Laws 2012, item 210.

[21] ETS no. 143.

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– increasing the demand for archaeological institutions and companies that can carry out rescue excavations in difficult conditions (e.g. in winter); this, in turn, led to the creation of the so-called commercial or contract archeology, i.e. the emergence of numerous private excavation companies.

Poland ratified the Convention in 1996.[22]

2.5. European Charter for Regional or Minority Languages

This Convention from 1992 aims to protect languages not defined as official languages. The document precisely defines the concept of regional and minority languages. Thanks to this, it is possible to build a consensus within the State between communities using unofficial languages and public administration, education, the judiciary, the media, and in relation to cultural activities and cultural facilities. It also allows to build trust that postpones the possibility of an internal conflict. The Convention provides adequate guarantees for the protection of the unofficial language for those who speak it and helps the State to develop norms and principles that it can support in management processes.[23]

2.6. European Landscape Convention

The objectives of this Convention from 2000 are: to promote landscape protection, management and planning, as well as to organize European cooperation in landscape matters. According to Article 5 of the Convention each Party undertakes: a) to recognise landscapes in law as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity; b) to establish and implement landscape policies aimed at landscape protection, management and planning through the adoption of the specific measures set out in Article 6; c) to establish procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the definition and implementation of the landscape policies mentioned in paragraph b above; d) to integrate landscape into its regional and town planning policies and in its cultural, environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape.[24] Special measures include awareness raising, training and education, and appropriate land identification. Widely understood European cooperation in this area is envisaged, taking into account the national policies of the signatory States

[22] Journals of Laws 1996, no. 120, item 564.
[23] ETS no. 148; Journals of Laws 2009, no. 137, item 1121.
[24] ETS no. 176; Journals of Laws 2006, no. 14, item 98.

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as well as international programs, mutual assistance and exchange of information also in the field of cross-border landscapes.

Poland ratified the Convention in 2004.

2.7. European Convention for the Protection of the Audiovisual Heritage

The European Convention for the Protection of the Audiovisual Heritage was adopted on 8 November 2001 in Strasbourg.[25] It entered into force on 1 January 2008. The document is open for signature by the Member States and accession by third countries and the European Community.

The Convention is part of the work of the Council of Europe regarding cultural cooperation and the promotion of European cinema.

The central part of the Convention and Protocol is the principle of a compulsory legal deposit of all movable material that has been produced or co-produced and made available to the public in each signatory country. The legal deposit requires: 1) submitting a reference copy in an officially designated archive; 2) taking care of the material, including necessary conservation work; 3) the material must be available for consultation for academic or research purposes.

The European Convention for the Protection of the Audiovisual Heritage and its Protocol are the first binding international instruments in this field. The new feature is the obligation to systematically store audiovisual works in film archives that have the latest conservation and restaurant technology.[26]

2.8. Council of Europe Framework Convention on the Value of Cultural Heritage for Society

The main objectives of the Convention from 2005 are to: a) recognise that rights relating to cultural heritage are inherent in the right to participate in cultural life, as defined in the Universal Declaration of Human Rights; b) recognise individual and collective responsibility towards cultural heritage; c) emphasise that the conservation of cultural heritage and its sustainable use have human development and quality of life as their goal; d) take the necessary steps to apply the provisions of this Convention concerning: the role of cultural heritage in the construction of a peaceful and democratic society, and in the processes of sustainable development and the promotion of cultural diversity; greater synergy of competencies among all the public, institutional and private actors concerned (Article 1).

[25] ETS no. 183.

[26] See European Convention for the Protection of the Audiovisual Heritage (Strasbourg, 2001), www.coe.int/en/web/culture-and-heritage/audiovisual-heritage [access: 10.05.2021].

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The most important definitions contained in Article 2 of the Convention are: a) cultural heritage is a group of resources inherited from the past which people identify, independently of ownership, as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions. It includes all aspects of the environment resulting from the interaction between people and places through time; b) a heritage community consists of people who value specific aspects of cultural heritage which they wish, within the framework of public action, to sustain and transmit to future generations.

The Convention defines the common heritage of Europe and at the same time includes commitments for the parties to the Convention to promote knowledge of the shared heritage of Europe, which consists of: a) all forms of cultural heritage in Europe which together constitute a shared source of remembrance, understanding, identity, cohesion and creativity, and b) the ideals, principles and values, derived from the experience gained through progress and past conflicts, which foster the development of a peaceful and stable society, founded on respect for human rights, democracy and the rule of law (Article 3).

The signatories of the Convention undertake to: a) promote an integrated and well-informed approach of public authorities in all sectors and at all levels; b) develop the legal, financial and professional frameworks which make possible joint action by public authorities, experts, owners, investors, businesses, non-governmental organisations and civil society; c) develop innovative ways for public authorities to co-operate with other actors; d) respect and encourage voluntary initiatives which complement the roles of public authorities; e) encourage non-governmental organisations concerned with heritage conservation to act in the public interest (Article 11).[27]

An important provision of the Convention is the obligation to respect the cultural diversity of states while recognizing fundamental human rights, civil rights and democratic principles. Activities for the protection of cultural goods and cultural heritage in the document discussed above include, above all, cooperation at the international level of countries and: identification of goods, conservation, education in the subject matter, promotion of culture, expansion of administration and adjustment of national legal systems in order to effectively protect cultural goods and heritage.

Each State Party may decide on the most convenient ways of implementing the Convention in accordance with its legal or institutional framework, practices and specific experience. To date, 17 member States of the Council of Europe have ratified the Convention and five have signed it.

[27] See also B. Szmygin, *Vademecum konserwatora zabytków 2015*, Warszawa 2015, pp. 163–170.

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2.9. Council of Europe Convention on Cinematographic Co-production (revised)

The revised Council of Europe Convention on Cinematographic Co-production[28] was adopted on 29 June 2016 and opened for signature on 30 January 2017 in Rotterdam. It is open for signature by the member states and accession for non-European countries. The new Convention continues to provide a common legal basis governing multilateral and bilateral cinematographic relations between States Parties. It updates the provisions of the previous 1992 Convention in this respect, creating a platform that will make cinematographic co-productions more systematic and easier to build. The changes were dictated by technological progress, new solutions in the field of distribution and exhibitions, and public funding at the national and regional level has evolved. The increase in international interdependence is also manifested in the fact that the European film industry is becoming increasingly open to exchanges with partners from around the world.[29]

2.10. Council of Europe Convention on Offences relating to Cultural Property

The Council of Europe adopted the Convention on Offences relating to Cultural Property on 3 May 2017.[30] From 19 May 2017 the Convention is open to the Member States and non-member States that participated in its elaboration and to other countries wishing to join it. The Convention will enter into force on the first day of the month following the expiration of three months from the date on which five Signatories, including at least three Member States of the Council of Europe, have agreed to be bound by its provisions.

This document extends the criminalization procedure adopted in the European Convention on Offences relating to Cultural Property, done at Delphi on 23 June 1985 (not entered into force). The purpose of the Convention is to prevent and combat illegal trade and the destruction of the world cultural heritage. The document considers that the fight against this type of crime also includes the fight against terrorism and organized crime. The Convention lists a number of international crimes against cultural goods, including: theft; conducting archaeological excavations without permission; illegal import and export of cultural goods; receiving cultural goods and unlawfully placing them on the market. Other crimes such as forgery of documents, intentional destruction or destruction of cultural goods as well as criminal procedures in this respect have been discussed in detail. After the entry into force, the Convention will be the first international treaty relating to crime

[28] ETS no. 220.

[29] See Council of Europe Convention on Cinematographic Co-production (revised) (Rotterdam, 2017), www.coe.int/en/web/culture-and-heritage/cinematographic-coproduction [access: 10.05.2021].

[30] ETS no. 221.

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against cultural property. It will effectively complement the international system of protection established by: The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954 together with Protocols I (from 1954) and II (from 1999); the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970; the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects of 1995 (not entered into force); and the European, regional protection system binding under European Union legislation.

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The effect of the work of the Council of Europe are also declarations and resolutions that set the course of action for member states, they mainly deal with current political problems as well as organizational issues. Thus, they also relate to issues related to cultural policy and the protection of cultural heritage. Declarations and resolutions often include intercultural dialogue, cultural education, technological development affecting cultural development, protection of cultural heritage, religious issues.[31]

Recommendations, in turn, are acts legally non-binding members of the Council of Europe. However, the Statute of the Council of Europe (Article 15B) provides that the Committee of Ministers may request information from governments of member states on actions taken in relation to established recommendations. In fact, this means that in this way the Council of Europe shapes the internal law and practice of national authorities in accordance with the legal acts taken. Two examples and important recommendations can be mentioned.

Recommendation on intercultural integration. On 21 January 2015 the Committee of Ministers of the Council of Europe adopted Recommendation CM/Rec(2015)/1 on Intercultural integration.

The knowledge and experience gained under the "Intercultural Cities" program have created this recommendation, which generally supports the intercultural approach to diversity and integration as a factor in addressing the shortcomings of previous policies and enabling the benefits of diversity to be exploited. The Committee of Ministers recognizes that cities are laboratories of political innovation that can make a significant contribution to social cohesion by adopting an intercultural approach.[32]

[31] B. Kuźniak, M. Marcinko, *op. cit.*, pp. 106–107. A list of selected and analyzed declarations and resolutions regarding the subject discussed can be found in the references of this article.

[32] *Culture and Cultural Heritage Standards*, www.coe.int/en/web/culture-and-heritage/standards#{%2219677725%22:[8]} [access: 10.02.2021].

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Recommendation on the citizens' Internet. The Committee of Ministers adopted Recommendation CM/Rec(2016)2 on the Internet of citizens on 10 February 2016. The document recommends that Member States recognize digital culture as one of the key issues of contemporary cultural policy making and re-examine their approaches to cultural policy to implement the policy guidelines of this document. The guidelines promote in particular the human and cultural dimension of the Internet. The purpose of this recommendation is also to ensure equal consideration of citizens' online involvement by various stakeholders. In order to implement the provisions of this document, it is recommended to modernize, among others cultural institutions. The long-term action of this document is to reduce the digital divide between people.[33]

The above-mentioned recommendations, as well as the remaining ones analyzed and included in the references of this article, indicate that in the first place the Council of Europe, in terms of cultural activities, focuses on issues related to intercultural cooperation and dialogue, taking into account technological progress and its impact on development, and access to culture as well as education and protection of Europe's cultural heritage.

3. Activities of the Council of Europe in the field of culture – intercultural dialogue

On the Council of Europe website, we can read that in the coming years the main activities of this organization are: promoting common core values of human rights, the rule of law and democracy; strengthening the security of European citizens, in particular by combating terrorism, organized crime and trafficking in human beings; supporting cooperation with other international and European organizations.

As part of the third of the above-mentioned activities, the Council of Europe envisages a wide range of initiatives in the field of intercultural dialogue between Europe and neighboring countries. Promotion of cooperation at the cultural level in European societies is one of the main tasks of the Steering Committee for Culture, Heritage and Landscape (CDCPP). The Committee's website reads: "Culture is an important element and a key factor in successful performance Council of Europe's core mission in promoting human rights, democracy and the rule of law. Promoting culture as the 'soul of democracy' means promoting strong cultural and governance policies – focused on transparency; access; participation and creativity; respect for identity and diversity; intercultural dialogue and rights cultural – as a basis of respect and tolerance for living together in an increasingly complex world".[34]

[33] *Ibidem*.

[34] Council of Europe, Steering Committee for Culture, Heritage and Landscape (CDCPP), www.coe.int/en/web/cdcpp-committee/home [access: 11.05.2021].

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"The overall goal of intercultural dialogue is to teach life in a multicultural world and to develop a sense of community and belonging. Intercultural dialogue can also be a tool for conflict prevention and resolution by promoting human rights, democracy and the rule of law. More specific goals are: sharing different visions of perceiving the world to understand and learn from those who have a different perspective, learning about the similarities and differences between different cultures and traditions, helping democratic movement in the world of cultural diversity, sharing experiences regarding intercultural dialogue, joint creation of new projects".[35]

To emphasize the importance of topics related to intercultural dialogue in October 2005, the Council of Europe and UNESCO created a platform at the conference in Faro between institutions called the Faro Platform.

The Council of Europe has also signed agreements with the Anna Lindh Euro-Mediterranean Foundation for the Dialogue Between Cultures and the Arab League of Educational, Cultural and Scientific Organization (ALECSO) to implement intercultural cooperation.[36]

SELECTED COUNCIL OF EUROPE PROJECTS AND PROGRAMS IN THE FIELD OF CULTURE AND CULTURAL HERITAGE

Strategy 21 – The strategy of European heritage in the 21st century. The ministers of States Parties to the European Cultural Convention met in April 2015, adopting the Namur Declaration to promote a common and unifying approach to cultural heritage management. In February 2017, the Deputy Ministers adopted Recommendation CM/Rec(2017)1 for Member States on the Strategy for a European Cultural Heritage for the 21st Century. Strategy 21 includes a base of good practices and recommendations regarding actions in the field of culture, protection of cultural heritage and intercultural dialogue.

White Paper on Intercultural Dialogue and the European Year of Intercultural Dialogue. The Council of Europe prepared a "White Paper on Intercultural Dialogue", which contained directions and strategies for promoting intercultural dialogue, as well as guidelines and examples of tools needed to promote dialogue. In addition, the Council of Europe adopted 2008 as the European Year of Intercultural Dialogue.

The aims of the "White Paper on Intercultural Dialogue" are "a summary of the results of the recent Council of Europe activities in the field of dialogue, providing examples of good practice; formulating a far-sighted vision of a strategy to

[35] Rada Europy, www.nck.pl/projekty-kulturalne/projekty/dialog/aktualnosci/rada-europy [access: 10.02.2021].

[36] Council of Europe, www.coe.int [access: 10.02.2021].

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promote intercultural dialogue within European societies; providing an answer to the question of how the Council of Europe, through the implementation of model actions and programs, can help create better development conditions for intercultural dialogue; proposing strategies and initiatives that can be implemented in different cultural contexts".[37]

Heritage network. The HEREIN system is a tool for collecting data and information related to, i.a., financing mechanisms, legislation, documentation systems, integrated protection strategies and awareness-raising activities. This database is complemented by a unique multilingual Thesaurus containing over 500 terms and concepts in 14 currently available languages. The HEREIN network created by national coordinators is a dialogue and exchange tool that facilitates cooperation between ministries and institutions responsible for managing European heritage. HEREIN acts as an "observatory" tool; monitors the implementation of the European Heritage Convention, the evolution of policies and the strengthening of heritage values for society as a factor in intercultural dialogue and the improvement of living conditions. HEREIN brings together public administrations from 42 Member States responsible for national cultural heritage policies.

Good practices database. The Council of Europe has created a publicly accessible online database which contains examples of desirable intercultural dialogue activities (including artistic activities, training, events promoting culture and festivals and media productions, as well as an online forum).

Regional cultural and natural heritage program in Southeastern Europe. The program started in 2004. It aims to build trust and support cooperation at cultural and ethnic level, supporting and promoting diversity in this area.

Intercultural cities. It is a project whose main goal is to promote intercultural dialogue in urban space and all cultural diversity as an added value. The project started in 2008.[38]

European Heritage Days. The Council of Europe, in cooperation with the European Commission, launched an initiative called European Heritage Days since 1991. It is based on encouraging people to learn about Europe's diverse cultural heritage. In the long-term, perspective, these activities are aimed at helping to build civil society and increase knowledge and awareness in the field of cultural diversity. It is characteristic that on European Heritage Days, throughout Europe, on all weekends of September, numerous monuments and historical sites offer so-called "free entrance". During this period, places often inaccessible to visitors open up on an ordinary day.[39]

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[37] *Biała Księga Dialogu Międzykulturowego*, 2008, www.nck.pl/projekty-kulturalne/projekty/dialog/aktualnosci/biala-ksiega-dialogu-miedzykulturowego- [access: 10.03.2021].

[38] *About Intercultural Cities*, www.coe.int/en/web/interculturalcities/about [access: 10.02.2021].

[39] Europejskie Dni Dziedzictwa, https://edd.nid.pl/o-edd [access: 10.02.2021].

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Intercultural dialogue and conflict prevention – project completed. The aim of the 2002 project was to promote intercultural and interreligious dialogue. Activities under this initiative emphasized the importance of education in the field of cultural and religious diversity as one of the elements of preventing cultural and religious conflicts. The project included both academic research and practical activities. The measurable final benefit are materials on the analysis of good practices and support for currently implemented cultural initiatives.[40]

THE COUNCIL OF EUROPE AS A GUARDIAN OF STANDARDS BASED ON THE RULE OF LAW, DEMOCRACY, HUMAN RIGHTS AND EUROPE'S CULTURAL HERITAGE – INTERNATIONAL CREDIBILITY OF THE ORGANIZATION

The basic functions of an international organization are: regulatory function – it consists in regulating the behavior of states in international relations by creating norms and standards; operational function – it consists in the direct provision of services by the organization using its own decisions, bodies and means at their disposal; control function – it consists in controlling the conduct of states and determining whether it is in line with the commitments made.[41] Some organizations also perform other functions, e.g. arbitration and judicial by means of specialized bodies, in the case of the Council of Europe it is the ECtHR.[42]

A special achievement of the Council of Europe's activity is the creation of a mechanism to monitor compliance with human rights.[43] Individual complaint is of fundamental importance in this control mechanism.[44] The procedure provides that the right to complain to the ECtHR belongs to a natural person, a non-governmental organization and a group of individuals who claim that their rights under the European Convention on Human Rights and additional protocols have been

[40] Rada Europy, www.nck.pl/projekty-kulturalne/projekty/dialog/aktualnosci/rada-europy [access: 10.02.2021].

[41] Cf. *Stosunki międzynarodowe. Geneza, struktura, dynamika*, eds. E. Haliżak, R. Kuźniar, Warszawa 2000, p. 335.

[42] More in W. Czapliński, A. Wyrozumska, *Prawo międzynarodowe publiczne. Zagadnienia systemowe*, Warszawa 2014.

[43] This article indicates the direct impact of individual human rights on cultural development and the protection of cultural heritage.

[44] The monitoring mechanism for respecting human rights underwent a thorough reform at the end of the 1990s. Initially, the complaint handling procedure involved the participation of three institutions: Human Rights Commission, Committee of Ministers and the ECtHR. The ECtHR is the only international tribunal before which an individual can sue a state, including his own state. Recognition by individual law of individual complaints has resulted in an avalanche increase in such complaints, which hinders the effective functioning of the EctHR.

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violated. The right to this complaint is void, however, the Convention formulates the so-called admissibility of the complaint, whose conditions must be met.[45] And what is important, the complaints are inadmissible if the applicant has not suffered significant damage. Once the complaint is declared admissible, an attempt is made to resolve the issue amicably. If such a decision is not possible, the complaint is directed to the Chambers of the Court (7 judges). In case of doubt, the case is referred to the Grand Chamber of the Court (17 judges). The decisions of the Chambers are final (if the parties declare that they will not forward the case to the Grand Chamber or within three months of the judgement being given). In addition to finding a violation of the Convention, the ECtHR's decisions may include an obligation to compensate for damage. The ECtHR's judgements are forwarded to the Committee of Ministers of the Council of Europe to watch over their implementation. It is worth emphasizing that the ECtHR's judgements have a strong moral connotation, which often results in subsequent legislative actions aimed at avoiding harmful situations. The Convention also provides for an inter-state complaint procedure. As well as at the request of the Committee of Ministers, the ECtHR may issue advisory opinions on legal issues regarding the interpretation of the Convention and its protocols.[46]

The Council of Europe is an organization with an extensive monitoring system. The audit concerns the compliance by states with their obligations arising from membership of the Council of Europe or the conventions they have ratified. Monitoring competences (to varying degrees) are held by all Council of Europe bodies and institutions. The monitoring examines reports that translate countries; own arrangements are made by the monitoring authorities (often opinions of NGOs are used); monitoring visits are carried out in the country concerned. The effectiveness of the monitoring mechanism is based mainly on the ethical and moral attitudes of the Member States and their care for their image on the international stage. However, in situations of a clear violation of the rights arising from membership in the Council of Europe or from signed treaties, the Committee of Ministers has the possibility to impose legal sanctions, i.e. suspension in the rights of the member or exclusion of the state. In turn, the Parliamentary Assembly may refuse to ratify the powers of attorney of the infringing state representatives in such situations.[47]

Reports play an important role in the monitoring mechanism. The analysis of selected reports over the period 2000–2014 in the field of cultural cooperation and the protection of cultural heritage indicates the great importance of the topics discussed and the active activity of the Council of Europe in this field. Mention

[45] More in B. Gronowska, *Reforma procedury kontrolnej Europejskiej Konwencji Praw Człowieka z 1950 r. – wybrane zagadnienia*, „Przegląd Prawa Europejskiego" 1996, no. 1, p. 91.

[46] A. Łazowski, A. Zawidzka-Łojek, *Prawo międzynarodowe publiczne*, Warszawa 2011, pp. 235–237.

[47] B. Kuźniak, M. Marcinko, *op. cit.*, pp. 113–114.

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can be made, among others, selected reports constructed by the Rapporteur Group on Education, Culture, Sport, Youth and Environment that indicate the emphasis placed on issues related to religious aspects in culture, intercultural dialogue and protection of culture and cultural heritage through the education of societies:

- GR-C(2014)12 Council of Europe 2014 Exchange on the religious dimension of intercultural dialogue – Conclusions,
- GR-C(2004)22 Cultural routes: activity report,
- GR-C(2012)16-rev Council of Europe Conference of Ministers of Culture "Governance of culture – promoting access to culture" (Moscow, 15–16 April 2013) – Progress report,
- GR-C(2010)2 "Teaching remembrance of the Holocaust – education for prevention of crimes against humanity",
- GR-C(2007)12 Interim report on the preparation of the "White Paper on Intercultural Dialogue",
- GR-C(2005)48 Fourth meeting of the Ad hoc Committee of Experts for the "European Year of Citizenship through Education" (CAHCIT) (20–21 September 2005) – List of items discussed and decisions taken,
- GR-C(2005)31 Ad hoc Committee of Experts for the "European Year of Citizenship through Education" (CAHCIT) – Mid-term Evaluation of the 2005 "European Year of Citizenship through Education",
- GR-C(2005)25-add Working document concerning the draft Framework Convention on Cultural Heritage – Addendum to document GR-C(2005)25 following the meeting of the working group of the Steering Committee for Cultural Heritage (CDPAT) (Strasbourg, 9 June 2005) – Report concerning additional revision of the draft framework convention,
- GR-C(2005)23 Third meeting of the Ad hoc Committee of Experts for the "European Year of Citizenship through Education" (CAHCIT) (4–5 April 2005) – List of items discussed and decisions taken,
- GR-C(2004)37-rev Second meeting of the Ad Hoc Committee of Experts for the "European Year of Citizenship through Education" (CAHCIT) (Strasbourg, 21–22 October 2004) – List of items discussed and decisions taken,
- GR-C(2004)21 Programme of activities 2003 – Evaluation Report – Index to projects concerning DGIV in the comprehensive report,
- GR-C(2004)16 Ad Hoc Committee of Experts for the "European Year of Citizenship through Education" (CAHCIT) – 1st Meeting Report (Strasbourg, 27–28 April 2004),
- GR-C(2000)13 Second Board Meeting of the World Anti-Doping Agency (Lausanne, 22 March 2000) – Summary Report drafted by the Council of Europe Secretariat.[48]

[48] Council of Europe, www.coe.int [access: 10.02.2021].

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By analyzing the activities and acquis of the Council of Europe, it can be confirmed that it fulfills all functions that, according to the literature on the subject, an international organization should perform. As part of the measurable effects of its activities, the abolition of the death penalty can be mentioned,[49] spreading democratic practices (education), protecting the rule of law (observing elections, training, opinions and recommendations), strengthening human rights, broadly understood education in the field of democracy and human rights,[50] non-discrimination and the fight against racism, protection of national minorities, maintenance of freedom of expression, actions for gender equality, the fight against violence against women, protection of children's rights and protection of cultural diversity.

In the materials informing about the achievements of the Council of Europe posted on the website of this organization, one can read that as part of the adopted "White Paper on Intercultural Dialogue", programs devoted, i.a., to numerous training on the promotion of cultural diversity of Europe were launched. And the initiative "Intercultural Cities" helps cities in dealing with cultural diversity (including creating tools to resolve cultural conflicts) and promotes activities for cultural cohesion. The Council of Europe also undertakes numerous activities to improve language learning in order to promote intercultural understanding.[51]

In recent years, however, there have been discussions and considerations whether the Council of Europe is still a credible organization and is it a guarantee of democratic and human rights in Europe?

The international crisis related to Russia's annexation of Crimea directly contributed to this. Despite the sanctions imposed on the aggressor, the Parliamentary Assembly of the Council of Europe on 26 June 2019 decided to restore the voting rights of the Russians.[52] The decision of the Council of Europe was dictated, i.a., by the risk of Russia leaving the Council of Europe. This would result in freeing yourself from the jurisdiction of the ECtHR (including the prohibition of the death

[49] In April 1983, the Council of Europe adopted Protocol no. 6 to the European Convention on Human Rights abolishing the death penalty, and then in May 2002 Protocol no. 13 on the abolition of the death penalty in all circumstances.

[50] The Council of Europe creates documents, strategies and tools that aim to promote the study of human rights and democracy. The Council of Europe's Charter on Citizenship Education and Human Rights Education shows how to apply these values in practice.

[51] *Achievements*, www.coe.int/pl/web/about-us/achievements [access: 10.02.2021].

[52] T. Bielecki, *Czy to „koniec wiarygodności" Rady Europy?*, www.polityka.pl/tygodnikpolityka/swiat/1798198, 1, czy-to-koniec-wiarygodnosci-rady-europy.read [access: 10.02.2021]: "The Parliamentary Assembly of the Council of Europe on Monday night (26 June 2019) restored to the Russians the right to vote that they had not had since 2014 due to the annexation of Crimea and Russian participation in the war in Donbass. The Assembly applied a legal trick – it abolished the suspension of voting rights for individual delegations at all (this automatically freed Russia from this sanction) and exceptionally allowed the late registration of the delegation (in June instead of January) to allow the envoy of the Russian Duma and the Federation Council."

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penalty). So, did the Council of Europe, balancing between the interests of different member states, choose a lesser evil for stability? In addition, "The Times" stated that one of the reasons for the restoration of Russia's voting rights in the Council of Europe was an economic factor. Russian contributions make up about 10% of the institution's budget.[53]

Also changes in the area of justice include in Bulgaria, Romania and Poland, critically assessed by the Council of Europe bodies, pose a serious challenge to the organization in question.[54]

The resolutions of the Parliamentary Assembly of the Council of Europe condemning aggressive acts on the international arena and urging the rule of law, as well as opinions and reports of various Council of Europe agencies stating deficiencies in the field of democracy and the rule of law, or human rights have weak influence. A dilemma arose: Should the Council of Europe evolve in the way it works towards the European Union or the United Nations? The current activities of the Council of Europe suggest that it is an organization that balances and with the help of the "soft power" policy[55] exerts influence on international relations participants in Europe and thus strives to stabilize in this region.

CONCLUSION

Security in the conditions of contemporary dependence and closer cooperation between participants in international relations requires a change of the reference point to a level taking into account cultural phenomena taking place within the framework of globalization. Analyzes of international relations should take into account contemporary change processes within culture because the current division into individual, state, regional and global security is being blurred.[56] At the same time, it should be noted that global security and the strategy for ensuring such security in the era of tightening interdependencies and multifaceted interactions

[53] See S. Kardaś, J. Rogoża, *Rosja wraca do Rady Europy*, 20.05.2019, www.osw.waw.pl/pl/publikacje/analizy/2019-05-20/rosja-wraca-do-rady-europy [access: 4.06.2021].

[54] Changes (2018–2019) in the Polish justice system resulted in the arrival of the Venice Commission (the Council of Europe's agenda monitoring compliance with, among others, the rule of law). See T. Żółciak, *Druzgocąca opinia o naszej samorządności. Rada Europy: Rząd centralizuje coraz więcej kompetencji*, 2019, https://wiadomosci.dziennik.pl/wydarzenia/artykuly/595316,polska-lokalna-opinia-samorzadnosc-rada-europy-raport.html [access: 10.02.2021].

[55] See more about "soft power" policy in J.S. Nye, *Soft power. Jak osiągnąć sukces w polityce światowej*, Warszawa 2007.

[56] P. Frankowski, *Bezpieczeństwo globalne w warunkach transformacji ładu międzynarodowego*, [in:] *Bezpieczeństwo międzynarodowe po zimnej wojnie*, ed. R. Zięba, Warszawa 2008, p. 237.

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are gaining importance, should take into account the cultural determinants of such security.[57]

W. Kitler defined the substantive scope of cultural security, listing individual elements that include, i.a., protection of the values of spiritual culture that are important for cultural identity (including language, religion, customs, historical traditions, literature, philosophy, ideology), protection of material cultural goods and heritage (monuments, national monuments, churches, works of art and artistic craftsmanship, and other objects of particular value to the nation), a sense of cultural security concerning both the nation (national identity) and individuals and ethnic groups (group identities), the concept of openness of culture (consisting of balancing one's own cultural development and protection against undesirable influences), conducting foreign cultural policy.[58]

Nowadays, taking into account the above-mentioned ranges of cultural security, one can identify several major challenges-threats in the sphere of culture for national and international security:

- multiculturalism and at the same time the process of universalization of culture resulting from globalization,
- cultural identity crisis,
- migrations, problems of immigrant assimilation and refugee phenomenon,
- cultural, ethnic, religious and national conflicts,
- looting and theft and illegal trade in cultural goods.[59]

This article shows an analysis of the Council of Europe's activities in the field of culture and other areas and presents that this organization contributes to stability in Europe. The Council of Europe is aware that the challenge for modern societies is to adapt cultural changes resulting from the globalization process so that they do not take place at the expense of cultural heritage. As well as promoting such an attitude that would allow the acceptance of cultural diversity in the world, which would allow at least to a slight degree to minimize cultural conflicts and thus to stabilize the international environment in this sphere.

Cultural cooperation is one of the determinants of contemporary national and international security and the further development of humanity. The more global challenges are set on our development path, the more they should take into account cultural differences and cooperation based on the idea of intercultural dialogue.[60]

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[57] A. Krajewska, D. Baj, *Kulturowe uwarunkowania bezpieczeństwa międzynarodowego*, „Studia Społeczne" 2017, no. 3.

[58] W. Kitler W., *Bezpieczeństwo narodowe RP. Podstawowe kategorie, uwarunkowania, system*, Warszawa 2011, pp. 53–54.

[59] A. Urbanek, *Wybrane problemy bezpieczeństwa*, Słupsk 2013, p. 242.

[60] G. Hofstede, G.J. Hofstede, *Kultury i organizacje*, Warszawa 2007, p. 387.

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Based on the above analysis of the activities of the Council of Europe in the field of culture, it should be suggested that the long-term task of this organization should be to further promote intercultural dialogue and counteract the deficit of legal standards, promote democracy and human rights, as well as wider dissemination of the acquis. The combination of activities from the above-mentioned areas will contribute to the stabilization of Europe.[61]

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[61] *70-lecie Rady Europy, 70 lat wdrażania idei praw człowieka i demokracji*, 2019, www.rpo.gov.pl/pl/content/70-lecie-rady-europy-70-lat-wdra%C5%BCania-idei-praw-cz%C5%82owieka-i-demokracji [access: 10.02.2021].

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European Convention on the Protection of the Archaeological Heritage, London, 6 May 1969, ETS no. 066.
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Declaration regarding intolerance – A threat to democracy adopted by the Committee of Ministers on 14 May 1981.
Declaration on a European Policy for New Information Technologies adopted by the Committee of Ministers on 7 May 1999.
Declaration on Cultural Diversity adopted by the Committee of Ministers on 7 December 2000.
Declaration on the protection and rebuilding of places of worship in Kosovo and the wider Balkans adopted by the Committee of Ministers on 18 July 2001.
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Final Statement – 10th Council of Europe Conference of Ministers of Culture, Moscow, 16 April 2013.
Florence Declaration "Culture and regions: cultural action in the regional context" adopted by the Council for Cultural Co-operation and the Standing Conference of Local and Regional Authorities of Europe on 16 May 1987.
The Namur Declaration adopted at the 6th session of the Council of Europe Conference of Ministers responsible for Cultural Heritage, Namur, Belgium, 23–24 April 2015.
Wrocław Declaration on Fifty Years of European Cultural Cooperation adopted by the Ministers responsible for Culture, Education, Youth and Sport from the States parties to the European Cultural Convention on 10 December 2004.

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Recommendation of the Council of Europe

Recommendation 718 (1973) on the exercise of freedom of artistic expression in the work of the CSCE adopted by the Parliamentary Assembly on 28 September 1973.
Recommendation 781 (1976) on Council of Europe action for the future of the performing arts adopted by the Parliamentary Assembly on 4 May 1976.
Recommendation 719 (1977) on the exercise of freedom of artistic expression adopted by the Parliamentary Assembly on 6 October 1977.
Recommendation 815 (1977) on freedom of expression and the role of the writer in Europe adopted by the Parliamentary Assembly on 6 October 1977.
Recommendation 862 (1979) on cinema and the state adopted by the Parliamentary Assembly on 11 May 1979.
Recommendation 917 (1981) on the designation of 1985 as European Music Year adopted by the Parliamentary Assembly on 26 March 1981.
Recommendation 929 (1981) on music education for all adopted by the Parliamentary Assembly on 8 October 1981.
Recommendation 963 (1983) on cultural and educational means of reducing violence adopted by the Parliamentary Assembly on 28 January 1983.
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Recommendation no. R (85) 6 on aid for artistic creation adopted by the Committee of Ministers on 14 May 1985.
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Recommendation 1011 (1985) on the situation of professional dance in Europe adopted by the Parliamentary Assembly on 4 July 1985.
Recommendation 1018 (1985) on private sponsorship of the arts adopted by the Parliamentary Assembly on 28 September 1985.
Recommendation no. R (86) 3 on the promotion of audiovisual production in Europe adopted by the Committee of Ministers on 14 February 1986.
Recommendation no. R (86) 9 on copyright and cultural policy adopted by the Committee of Ministers on 22 May 1986.
Recommendation no. R (86) 15 on the promotion of craft trades involved in the conservation of the architectural heritage adopted by the Committee of Ministers on 16 October 1986.
Recommendation no. R (87) 7 on film distribution in Europe adopted by the Committee of Ministers on 20 March 1987.
Recommendation no. R (87) 11 on co-operation among research libraries in Europe adopted by the Committee of Ministers on 26 May 1987.
Recommendation 1059 (1987) on the economics of culture adopted by the Parliamentary Assembly on 1 July 1987.
Recommendation 1067 (1987) on the cultural dimension of broadcasting in Europe adopted by the Parliamentary Assembly on 8 October 1987.
Recommendation no. R (87) 24 on European industrial towns adopted by the Committee of Ministers on 22 October 1987.
Recommendation no. (88) 5 on control of physical deterioration of the architectural heritage accelerated by pollution adopted by the Committee of Ministers on 29 February 1988.
Recommendation 1072 (1988) on the international protection of cultural property and the circulation of works of art adopted by the Parliamentary Assembly on 23 March 1988.

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Recommendation 1073 (1988) on follow-up to European Music Year adopted by the Parliamentary Assembly on 23 March 1988.
Recommendation 1104 (1989) on dance adopted by the Parliamentary Assembly on 15 March 1989.
Recommendation no. R (89) 5 concerning the protection and enhancement of the archaeological heritage in the context of town and country planning operations adopted by the Committee of Ministers on 3 April 1989.
Recommendation no. (89) 6 on the protection and enhancement of the rural architectural heritage adopted by the Committee of Ministers on 3 April 1989.
Recommendation no. R (90) 10 on cinema for children and adolescents adopted by the Committee of Ministers on 19 April 1990.
Recommendation no. R (90) 20 on the protection and conservation of the industrial, technical and civil engineering heritage in Europe adopted by the Committee of Ministers on 10 September 1990.
Recommendation 1138 (1990) on the European Support Fund for the co-production and distribution of creative cinematographic and audiovisual works "EURIMAGES" adopted by the Parliamentary Assembly on 22 November 1990.
Recommendation no. R (91) 6 on the measures likely to promote the funding of the conservation of the architectural heritagebadopted by the Committee of Ministers on 11 April 1991.
Recommendation no. R (91) 13 on the protection of the twentieth century architectural heritage adopted by the Committee of Ministers on 9 September 1991.
Recommendation 1173 (1992) on the preservation of libraries and scientific archives in the countries of Central and Eastern Europe adopted by the Parliamentary Assembly on 3 February 1992.
Recommendation 1216 (1993) on European cultural co-operation adopted by the Parliamentary Assembly on 1 July 1993.
Recommendation no. R (93) 9 on the protection of the architectural heritage against natural disasters adopted by the Committee of Ministers on 23 November 1993.
Recommendation 1234 (1994) on a European prize for young writers and artists adopted by the Parliamentary Assembly on 28 February 1994.
Recommendation 1239 (1994) on the cultural situation in the former Yugoslavia adopted by the Parliamentary Assembly on 14 April 1994.
Recommendation no. R (95) 3 on co-ordinating documentation methods and systems related to historic buildings and monuments of the architectural heritage adopted by the Committee of Ministers on 11 January 1995.
Recommendation 1265 (1995) on enlargement and European cultural co-operation adopted by the Parliamentary Assembly on 25 April 1995.
Recommendation 1291 (1996) on Yiddish culture adopted by the Parliamentary Assembly on 20 March 1996.
Recommendation no. R (96) 6 on the protection of the cultural heritage against unlawful acts adopted by the Committee of Ministers on 19 June 1996.
Recommendation 1299 (1996) on European cultural co-operation: activities of the European Union and relations with the Council of Europe adopted by the Parliamentary Assembly on 25 June 1996.
Recommendation no. R (97) 2 on sustained care of the cultural heritage against physical deterioration due to pollution and other similar factors adopted by the Committee of Ministers on 4 February 1997.
Recommendation 1372 (1998) on the Unidroit Convention on stolen or illegally exported cultural property adopted by the Parliamentary Assembly on 26 May 1998.
Recommendation no. R (2000) 1 on fostering transfrontier co-operation between territorial communities in the cultural field adopted by the Committee of Ministers on 12 January 2000.
Recommendation no. R (2000) 13 on a European Policy on Access to Archives adopted by the Committee of Ministers on 13 July 2000.

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Recommendation 1484 (2000) on management of cathedrals and other major religious buildings in use adopted by the Parliamentary Assembly on 9 November 2000.
Recommendation 1485 (2000) on disused hospitals and military buildings adopted by the Parliamentary Assembly on 9 November 2000.
Recommendation 1486 (2000) on maritime and fluvial cultural heritage adopted by the Parliamentary Assembly on 9 November 2000.
Recommendation 1521 (2001) on the Csango minority culture in Romania adopted by the Parliamentary Assembly on 23 May 2001.
Recommendation 1556 (2002) on religion and change in central and eastern Europe adopted by the Parliamentary Assembly on 24 April 2002.
Recommendation 1566 (2002) on European cultural co-operation and the future role of the Assembly adopted by the Parliamentary Assembly on 24 June 2002.
Recommendation no. R (2003) 1 on the promotion of tourism to foster the cultural heritage as a factor for sustainable development adopted by the Committee of Ministers on 15 January 2003.
Recommendation 1590 (2003) on cultural co-operation between Europe and the south Mediterranean countries adopted by the Parliamentary Assembly on 28 January 2003.
Recommendation 1599 (2003) on the cultural situation in the South Caucasus adopted by the Parliamentary Assembly on 1 April 2003.
Recommendation 1621 (2003) on the promotion of art history in Europe adopted by the Parliamentary Assembly on 8 September 2003.
Recommendation 1634 (2003) Tax incentives for cultural heritage conservation adopted by the Parliamentary Assembly on 25 November 2003.
Recommendation 1651 (2004) Ending the plundering of African cultural objects adopted by the Parliamentary Assembly on 2 March 2004.
Recommendation 1674 (2004) on challenges facing the European audiovisual sector adopted by the Parliamentary Assembly on 7 September 2004.
Recommendation 1687 (2004) Combating terrorism through culture adopted by the Parliamentary Assembly on 23 November 2004.
Recommendation 1688 (2004) on diaspora cultures adopted by the Parliamentary Assembly on 23 November 2004.
Recommendation 177 (2005) on cultural identity in peripheral urban areas: the role of local and regional authorities adopted by the Congress of Local and Regional Authorities on 9 November 2005.
Recommendation 1730 (2005) The private management of cultural property adopted by the Parliamentary Assembly on 25 November 2005.
Recommendation No R (2005) 13 on the governance and management of university heritage adopted by the Committee of Ministers on 7 December 2005.
Recommendation no. R (2006) 3 on the UNESCO Convention on the protection and promotion of the diversity of cultural expressions adopted by the Committee of Ministers on 1 February 2006.
Recommendation 1751 (2006) on cultural diversity of the North Caucasus adopted by the Parliamentary Assembly on 29 May 2006.
Recommendation 1758 (2006) on the follow-up to the Third Summit concerning priority for cultural co-operation adopted by the Parliamentary Assembly on 28 June 2006.
Recommendation 1804 (2007) on state, religion, secularity and human rights adopted by the Parliamentary Assembly on 29 June 2007.
Recommendation 1805 (2007) on blasphemy, religious insults and hate speech against persons on grounds of their religion adopted by the Parliamentary Assembly on 29 June 2007.
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Recommendation 1851 (2008) on "Crafts and cultural heritage conservation skills" adopted by the Parliamentary Assembly on 25 September 2009.
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Recommendation 1942 (2010) A balanced approach to the rescuing of archaeological finds from development projects adopted by the Parliamentary Assembly on 12 November 2010.
Recommendation Rec(2011)6 on intercultural dialogue and the image of the other in history teaching adopted by the Committee of Ministers on 6 July 2011.
Recommendation 1990 (2012) The right of everyone to take part in cultural life adopted by the Parliamentary Assembly on 24 January 2012.
Recommendation 2038 (2014) Europe's endangered heritage adopted by the Parliamentary Assembly on 7 March 2014.
Recommendation 2049 (2014) Identities and diversity within intercultural societies adopted by the Parliamentary Assembly on 25 June 2014.
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Recommendation CM/Rec(2016)2 on the Internet of citizens adopted by the Committee of Ministers on 10 February 2016.
Recommendation CM/Rec(2017)8 on Big Data for culture, literacy and democracy, adopted by the Committee of Ministers on 27 September 2017.
Recommendation CM/Rec(2018)10 on culture's contribution to strengthening the internet as an emancipatory force adopted by the Committee of Ministers on 14 November 2018.

Resolutions of the Council of Europe

Resolution (58) 13 on the Cultural Fund of the Council of Europe adopted by the Committee of Ministers on 16 June 1958.
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Resolution (66) 19 on criteria and methods of cataloguing ancient buildings and historical or artistic sites adopted by the Committee of Ministers on 21 March 1966.
Resolution (66) 20 on the reviving of monuments adopted by the Committee of Ministers on 21 March 1966.
Resolution (68) 11 on the principles and practice of the active preservation and rehabilitation of groups and areas of buildings of historical or artistic interest adopted by the Committee of Ministers on 29 April 1968.
Resolution (68) 12 on the active maintenance of monuments, groups and areas of buildings of historical or artistic interest within the context of regional planning adopted by the Committee of Ministers on 29 April 1968.
Resolution (68) 16 on the organisation of a conference of ministers most directly responsible for the preservation and rehabilitation of groups and areas of buildings of historical or artistic interest adopted by the Committee of Ministers on 27 May 1968.
Resolution (70) 19 on educational and cultural uses of radio and television in Europe and the relations in this respect between public authorities and broadcasting organizations adopted by the Committee of Ministers on 5 June 1970.

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Resolution (70) 22 on the preservation and renovation of Venice adopted by the Committee of Ministers on 1 June 1970.
Resolution (72) 16 on the preservation and renovation of Venice adopted by the Committee of Ministers on 15 May 1972.
Resolution (72) 20 on interim measures for the protection of the cultural heritage of monuments and sites adopted by the Committee of Ministers on 24 May 1972.
Resolution (72) 21 on the compilation of national inventories of monuments, groups of buildings and sites of historical or artistic interest adopted by the Committee of Ministers on 24 May 1972.
Resolution 531 (1972) on freedom of expression and the role of the artist in society adopted by the Parliamentary Assembly on 20 October 1972.
Resolution 553 (1973) on violation of freedom of expression adopted by the Parliamentary Assembly on 28 September 1973.
Resolution (76) 28 concerning the adaptation of laws and regulations to the requirements of integrated conservation of the architectural heritage adopted by the Committee of Ministers on 5 April 1976.
Resolution 624 (1976) on the democratic renewal of the performing arts adopted by the Parliamentary Assembly on 4 May 1976.
Resolution 800 (1983) on the principles of democracy adopted by the Parliamentary Assembly on 1 July 1983.
Resolution 834 (1985) on European Music Year adopted by the Parliamentary Assembly on 28 January 1985.
Resolution (85) 6 on European cultural identity adopted by the Committee of Ministers on 25 April 1985.
Resolution 848 (1985) on privacy of sound and individual freedom of musical choice adopted by the Parliamentary Assembly on 28 September 1985.
Resolution (86) 3 on European cultural co-operation adopted by the Committee of Ministers on 23 April 1986.
Resolution (88) 15 setting up a European support fund for the co-production and distribution of creative cinematographic and audiovisual works (« Eurimages »)adopted by the Committee of Ministers on 26 October 1988.
Resolution (89) 6 modifying Resolution (88) 15 – setting up a European support fund for the co-production and distribution of creative cinematographic and audiovisual works (“Eurimages”) adopted by the Committee of Ministers on 15 June 1989.
Resolution (92) 3 modifying Resolution (88) 15 – setting up a European support fund for the co-production and distribution of creative cinematographic and audiovisual works (“Eurimages”) adopted by the Committee of Ministers on 10 February 1992.
Resolution 236 (92) on a new municipal policy for multicultural integration in Europe and the Frankfurt Declaration adopted by the Standing Conference of Local and Regional Authorities of Europe on 19 March 1992.
Resolution (98) 4 on the cultural routes of the Council of Europe adopted by the Committee of Ministers on 17 March 1998.
Resolution 1171 (98) on the endangered Uralic minority cultures adopted by the Parliamentary Assembly on 29 September 1998.
Resolution 1313 (2003) on cultural co-operation between Europe and the south Mediterranean countries adopted by the Parliamentary Assembly on 28 January 2003.
Resolution 1510 (2006) on freedom of expression and respect for religious beliefs adopted by the Parliamentary Assembly on 28 June 2006.
Resolution 1519 (2006) on the cultural situation of the Kurds adopted by the Parliamentary Assembly on 4 October 2006.

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Resolution (2007) 12 on the cultural routes of the Council of Europe adopted by the Committee of Ministers on 10 October 2007.
Resolution Res(2010)52 on the rules for the award of the "Cultural Route of the Council of Europe" certification adopted by the Committee of Ministers on 8 December 2010.
Resolution Res(2010)53 establishing an Enlarged Partial Agreement on Cultural Routes adopted by the Committee of Ministers on 8 December 2010.
Resolution Res(2013)66 confirming the establishment of the Enlarged Partial Agreement on Cultural Routes (EPA) adopted by the Committee of Ministers on 18 December 2013.
Resolution Res(2013)67 revising the rules for the award of the "Cultural Route of the Council of Europe" certification adopted by the Committee of Ministers on 18 December 2013.

ABSTRAKT

Artykuł poświęcony jest zagadnieniom związanym z działalnością Rady Europy na rzecz kultury. Celem opracowania było wykazanie, że Rada Europy jest ważną organizacją międzynarodową. Autorka przeprowadziła analizę literatury przedmiotu poświęconej Radzie Europy, a także scharakteryzowała dorobek prawny tej organizacji oraz działalność w zakresie kultury. Omówione zostały inicjatywy oraz projekty kulturalne Rady Europy. Postawiono tezę, że Rada Europy jest znaczącą organizacją międzynarodową, która stoi na straży dziedzictwa kulturowego Europy. Dokonano analizy funkcji Rady Europy i jej znaczenia jako organizacji działającej w obszarze kultury, jak również stojącej na straży dorobku prawnego oraz zasad opartych na praworządności, demokracji i poszanowaniu praw człowieka. Artykuł stanowi syntetyczne przedstawienie roli Rady Europy na arenie międzynarodowej. Przytoczono m.in. toczącą się dyskusję o kryzysie organizacji międzynarodowych i wykazano istotne znaczenie Rady Europy w kształtowaniu się odpowiednich relacji międzynarodowych w Europie.

Słowa kluczowe: Rada Europy; kultura; praworządność; demokracja; prawa człowieka; dziedzictwo kulturowe