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**(IN)ACCESSIBILITY OF CULTURAL AND SOCIAL  
ACTIVITIES TO ELDERLY PERSONS IN URBAN  
AND RURAL AREAS IN SERBIA\*\***

*The right to take part in cultural life of the community represents one of fundamental human rights that is guaranteed to all persons, regardless of their characteristics, including age. Unfortunately, elderly persons are frequently facing some sort of discrimination in their attempts to access cultural and social activities in their places of residence, including both – urban as well as rural areas. This is caused by disproportion in the distribution of places where elderly persons can meet and attend cultural events, physical barriers such as distance and inappropriate infrastructure, absence of willingness of relevant stakeholders to adjust cultural venues to the needs of elderly persons, lack of organization of transport of elderly persons to the locations where cultural and social interaction take place, insufficient number of professional or informal caregivers who could assist elderly persons to access cultural centers etc. In this paper, the author highlights key challenges when it comes to the access of elderly persons to places of cultural and social interactions in Serbia, emphasizing that the existence of these obstacles in a modern democratic society represents the discrimination of elderly persons and suggests the most appropriate manners in which the situation in this field could be improved in accordance with international human rights standards.*

**Keywords:** elderly persons, discrimination, culture, social activities, human rights, caregivers

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## Introduction

The increase in the share of elderly persons in the entire population is a global tendency that is present in the Republic of Serbia as well (Dragišić Labaš, 2016: 39; Batrićević, 2022: 463-465). Unfortunately, this demographic trend is followed by widespread discrimination and stigmatization of elderly persons in the form of: stereotypes, isolation, exclusion, violence and abuse (Tilovska-Kechedji, 2022: 441). This also refers to the cases of various forms of family violence, when the perpetrators are close relatives of elderly persons or even their children, which is known as “parent abuse”, “child-to parent-abuse”, “child-to parent-violence” or “battered parent syndrome” (Batrićević, Stanković, 2015: 334). These negative and discriminatory practices are also known as ageism (World Health Organisation, 2021). Discrimination of elderly persons affects all aspects of their life, including cultural aspects as well. At the same time, although it is often neglected and not given the priority that it deserves, culture still remains one of the essential preconditions for a dignified life (Dragin, 2019: 32). For elderly population, the right to culture, expressed through the right to participate in cultural life, should also be understood as an aspect of the right to dignified old age (see also: Batrićević, 2022: 463-465).

In the broader sense, culture is defined as the totality of material and spiritual human creations (Batrićević, 2016: 39), whereas, culture in the narrow sense encompasses artistic creations that are the products of cultural activities conducted within the institutional cultural system (Dragin, 2019: 32-33). For the purpose of this paper "cultural activities of institutional cultural system" are defined in accordance with European cultural policies – as activities in the fields such as: painting, music, theatre, publishing, literature, library, museum, archivist and other similar activities conducted within institutional cultural system (Dragin, 2019: 33).

Despite the fact that the right to culture and participation in cultural life is protected by numerous international and national legal documents (analyzed in a separate section of this paper), the terms such as "participation in cultural life" and "cultural needs" are not clearly defined in current international and national legal frameworks (Dragin, 2019: 35). Therefore, it is important to highlight that the term "participation" implies that citizens (audience) have an active relationship towards cultural life of the community and that cultural life is organized in the way that facilitates cultural reception (Đukić, 2010 as cited in Dragin, 2019: 35). Cultural participation includes "cultural production" (amateur or professional art or creative hobbies) and "cultural consumption" (public cultural reception that encompasses attending cultural events, on the one hand,

and private cultural reception that is provided via media and at recipient's home, on the other) (Morrone, 2006 as cited in Dragin, 2019: 35).

## **1. The right of elderly persons to participate in cultural life – international legal framework**

### ***1.1. The right to participation in cultural life in international legal documents***

Cultural rights represent an essential part of human rights and, like other human rights, are universal, undividable and inter-reliant (UN Committee on Economic, Social and Cultural Rights, 2009 according to Mitchell, Webster, Camps, 2023: 1). Their full respect is of key importance for the protection of human dignity and positive social interaction between individual persons and communities in a diverse and multi-cultural world (UN Committee on Economic, Social and Cultural Rights, 2009 according to Mitchell, Webster, Camps, 2023: 1). Just like economic and social rights, cultural rights have generally been receiving less attention than civil and political rights, but, nowadays, they seem to be given far more serious concern than ever before (Sodani, Sharma, 2022: 480). Accordingly, cultural rights (including the right to participate in cultural life) are declared in numerous international human rights treaties (Mitchell, Webster, Camps, 2023: 4). Some of these sources of international human rights law are universal, whereas others are of regional scope of application.

As the human rights of the second generation, cultural rights were officially proclaimed for the first time at the international level in Universal Declaration of Human Rights, adopted in 1948<sup>1</sup> (hereinafter: UDHR) (Nikolić, 2019: 71). In its Article 27, Paragraph 1, UDHR affirms that: *“Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits”* (UN General Assembly, 1948). However, UDHR is not legally binding – it is a “soft law” instrument and only has interpretative nature (Romainville, 2015: 406).

The key legal foundation of the right to participate in cultural life is the International Covenant on Economic, Social and Cultural Rights of 1966<sup>2</sup> (hereinafter: ICESCR) (Mitchell, Webster, Camps, 2023: 4). The most detailed definition of the right to participate in cultural life is given in Article 15 Paragraph 1 of ICESCR, proclaiming

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<sup>1</sup> UN General Assembly (1948) *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), available at <https://www.refworld.org/docid/3ae6b3712c.html>, accessed on 28.06.2023.

<sup>2</sup> UN General Assembly (1966) *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, available at <https://www.refworld.org/docid/3ae6b36c0.html>, accessed on 29.06.2023.

that its States Parties recognize the right of everyone to: a) take part in cultural life; b) enjoy the benefits of scientific progress and its applications; c) benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. Actually, this legal provision “*mirrors in binding form Article 27 of the UDHR*” (Romainville, 2015: 406).

The International Covenant on Civil and Political Rights of 1966<sup>3</sup> (hereinafter: ICCPR) also protects some of the dimensions of the right to participate in cultural life, but in the context of the application of the principle of non-discrimination (Romainville, 2015: 406). Namely, the aforementioned Article 27 of ICCPR proclaims that the fact that a person belongs to ethnic, religious or linguistic minorities shall not be the reason for the denial of his/her right to enjoy their own culture in community with the other members of their group. The right to participate in cultural life is also protected by some of the international conventions that protect specific, particularly vulnerable groups, such as, for example Convention of the Rights of the Child<sup>4</sup> or the Convention on the Elimination of All Forms of Discrimination against Women<sup>5</sup> (Romainville, 2015: 406).

At the regional (European) level, the right to participate in cultural life is protected by the Revised European Social Charter of 1996<sup>6</sup> (hereinafter: ESC) and the Charter of Fundamental Rights of the European Union<sup>7</sup> (hereinafter: CFREU). In its Article 15, regulating the right of persons with disabilities to independence, social integration and participation in the life of the community (irrespective of age and the nature and origin of their disabilities), ESC emphasizes that, among other measures the Parties undertake the steps towards the promotion of their full social integration and participation in the life of the community, especially through the measures aimed at overcoming barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure. CFREU is of particular importance for elderly persons, since

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<sup>3</sup> UN General Assembly (1966) *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, available at <https://www.refworld.org/docid/3ae6b3aa0.html>, accessed on 29.06.2023.

<sup>4</sup> UN General Assembly (1989) *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, available at <https://www.refworld.org/docid/3ae6b38f0.html>, accessed on 29.06.2023.

<sup>5</sup> UN General Assembly (1979) *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, available at <https://www.refworld.org/docid/3ae6b3970.html>, accessed on 29.06.2023.

<sup>6</sup> Council of Europe (1996) *European Social Charter (Revised)*, 3 May 1996, ETS 163, available at <https://rm.coe.int/168007cf93>, accessed on 29.06.2023.

<sup>7</sup> European Union: Council of the European Union (2007) *Charter of Fundamental Rights of the European Union (2007/C 303/01)*, 14 December 2007, C 303/1, available at <https://www.refworld.org/docid/50ed4f582.html>, accessed on 03.07.2023.

it explicitly prescribes (in its Article 25) that the European Union recognizes and respects the right of elderly persons to lead a life of dignity and independence and to participate in social and cultural life. The aim of both previously cited provisions is to foster the social inclusion of vulnerable and often marginalized groups such as persons with disabilities of any age, and elderly persons (Romainville, 2015: 407). That is the reason why they are of particular significance full understanding of the right of elderly persons to participate in cultural life without any obstacles or discrimination and the devastating effects of its direct or indirect long-term and systematic violation.

The European Convention of Human Rights<sup>8</sup> (hereinafter: ECHR) does not clearly prescribe the right to participate in cultural life (Romainville, 2015: 407). Nevertheless, the European Court of Human Rights indirectly protects some of the aspects of this right, by “recognizing the freedom not to suffer from any interference in the access and participation to cultural life, artistic freedom and the freedom of association in the cultural sector” (Romainville, 2015: 407).

International and regional legal instruments on cultural policies are also significant for the protection of the right to participate in cultural life, including the cases when this right belongs to elderly persons. European Declaration on Cultural Objectives, adopted in 1984<sup>9</sup> invites the member states to jointly promote cultural participation and take actions in a democratic manner within and for the benefit of the community (Dragin, 2019: 34). In this context, it should also be mentioned that the Council of Europe Framework Convention on the Value of Cultural Heritage for Society (also known as the Faro Convention) adopted in 2005<sup>10</sup> affirms that “rights relating to cultural heritage are inherent in the right to participate in cultural life” (See also: Zagato, 2015: 141-168). The right to participate in cultural life has a double-faceted nature, just like numerous other human rights. On the one hand, there is the negative right to participate in cultural life, which consists of the freedom to take part in cultural life without any interference from the state (Romainville, 2015: 408). At the same time, the positive aspect of the right to participate in cultural life includes the positive obligations on the

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<sup>8</sup> Council of Europe (1950), European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14, 4 November 1950, ETS 5, available at <https://www.refworld.org/docid/3aef6b3b04.html>, accessed on 29.06.2023.

<sup>9</sup> Council of Europe (1984) European Declaration on Cultural Objectives, adopted by the 4th Conference of European Ministers Responsible for Cultural Affairs (Berlin, 1984), available at <https://rm.coe.int/16806b23f1>, accessed on 05.07.2023.

<sup>10</sup> Council of Europe (2005) Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Council of Europe Treaty Series - No. 199, Faro, 27.10.2005. available at <https://rm.coe.int/1680083746>, accessed on 29.06.2023.

behalf of the state aimed at the development of cultural policies designed to broaden access to and participation in cultural life (Romainville, 2015: 408).

Another document significant for the protection of the right to participate in cultural life is the Fribourg Declaration on Cultural Rights of 2007<sup>11</sup> (Nikolić, 2019: 73). This declaration, was presented in 2007 by the Observatory of Diversity and Cultural Rights (at the Interdisciplinary Institute of Ethnicity and Human Rights at the Fribourg University) together with the Organisation Internationale de la Francophonie, UNESCO and supported by more than fifty human rights high profiles, as well as a platform of NGOs<sup>12</sup>. Its list of cultural rights contains, among others, the right of access to and free participation in cultural life as well as in the cultural development of the community (Nikolić, 2019: 73).

### ***1.2. The principle of equality and non-discrimination of elderly persons in international legal documents***

When it comes to the right of elderly persons to participate in cultural life, it is important to have in mind the principle of equality and non-discrimination, which is proclaimed in several international legal documents. UDHR proclaims that: “all human beings are born free and equal in dignity and rights”. For elderly persons, Article 25 Paragraph 1 of the UDHR is of particular importance since it claims that “everyone has the right to security and a standard of living adequate for the health and well-being of himself and his family”.

ICESCR and the ICCPR, provide general protection of cultural, economic, social, civil and political rights. For the elderly, significant rights guaranteed by the ICESCR include: work-related rights (Articles 6 and 7) the right to social security (Article 9), to adequate living standard (Article 11), to education (Article 13) and to the highest attainable standard of physical and mental health (Article 12) (Fredvang, Biggs 2012: 10). Since the ICESCR does not directly refer to elderly persons, the Committee on Economic, Social and Cultural Rights (hereinafter: CESCR) released General Comment No. 6 in 1995 on “the economic, social and cultural rights of elderly persons”<sup>13</sup>, providing a legal interpretation of the way in which the ICESCR should be applied to elderly persons (Fredvang, Biggs 2012: 10). In the CESCR General Comment No. 20,

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<sup>11</sup> Cultural Rights, Fribourg Declaration (2007) available at [https://culturalrights.net/descargas/drets\\_culturals377.pdf](https://culturalrights.net/descargas/drets_culturals377.pdf), accessed on 29.06.2023.

<sup>12</sup> For further information see: <https://culturalrights.net/en/documentos.php?c=14&p=161>, accessed on 29.06.2023.

<sup>13</sup> UN Committee on Economic, Social and Cultural Rights (1995), General Comment No. 6: The Economic, Social and Cultural Rights of Older Persons, 8 December 1995, E/1996/22, available at <https://www.refworld.org/docid/4538838f11.html>, accessed on 30.06.2023.

adopted in 2009<sup>14</sup>, it is stated that “age is a prohibited ground of discrimination in several contexts”, with the emphasis on the need to address discrimination against elderly persons in the fields such as employment, professional training, as well as against those living in poverty (Fredvang, Biggs 2012: 10).

There are other international treaties of universal scope of application that regulate the rights of vulnerable groups and some of them contain the provisions that are of direct or indirect relevance to the protection of the rights of elderly persons, including their right to participate in cultural life without discrimination. The Convention on the Elimination of All Forms of Discrimination Against Women<sup>15</sup> (hereinafter: CEDAW) mentions age in Article 11, in the context of the equal rights of women and men to social security and paid leave. Furthermore, the Convention on the Protection of the Rights of Migrant Workers and the Members of their Families<sup>16</sup> (hereinafter: ICMW) mentions age in its Article 7, among other prohibited grounds of discrimination. The Convention on the Rights of Persons with Disabilities<sup>17</sup> (hereinafter: CRPD) is of particular relevance for the protection of the rights of elderly persons as well (Fredvang, Biggs 2012: 11). The principles proclaimed by the CRPD include: respect of dignity, non-discrimination, full participation and inclusion in the society, equality of opportunities and accessibility (Fredvang, Biggs 2012: 11). As defined in Article 9 of CRPD, accessibility includes the right of persons with disabilities (regardless of their age) not only to live independently but also to participate fully in all aspects of life. Accordingly, CRPD obliges States Parties to take “*appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas*” (Article 9 CRPD). These measures include the identification and elimination of obstacles and barriers to accessibility and they

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<sup>14</sup> UN Committee on Economic, Social and Cultural Rights (2009), General comment No. 20: Non-discrimination in economic, social and cultural rights (art. 2, para. 2, of the International Covenant on Economic, Social and Cultural Rights), 2 July 2009, E/C.12/GC/20, available at <https://www.refworld.org/docid/4a60961f2.html>, accessed on 30.06.2023.

<sup>15</sup> UN General Assembly (1979) Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, available at <https://www.refworld.org/docid/3aefb3970.html>, accessed on 30.06.2023.

<sup>16</sup> UN General Assembly (1990) International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 18 December 1990, A/RES/45/158, available at <https://www.refworld.org/docid/3aefb3980.html>, accessed on 30.06.2023.

<sup>17</sup> UN General Assembly (2007) Convention on the Rights of Persons with Disabilities: resolution / adopted by the General Assembly, 24 January 2007, A/RES/61/106, available at <https://www.refworld.org/docid/45f973632.html>, accessed on 30.06.2023.

should be applied in various public spaces including indoor and outdoor facilities, schools, workplaces etc., all of which could be potential locations for cultural events.

At the European Union level, it is important to highlight that the principle of equal treatment, also known as the prohibition of discrimination, has been present since the establishment of the European Union, though its scope has gradually been expanding (Martínez López-Sáez, 2015; see also: Batrićević, 2012: 9-36). The 1997 Amsterdam Treaty<sup>18</sup> was the first to delegate to the European Union the jurisdiction over combatting age discrimination (Martínez López-Sáez, 2015). Council Directive 2000/78/EC of 27 November 2000<sup>19</sup> introduced a general framework for equal treatment in the field of employment, whereas a new draft Directive<sup>20</sup>, that was aimed to protect residents in the EU against discrimination on the grounds of age, beyond the workplace was proposed in 2008 (Martínez López-Sáez, 2015). It is especially important to highlight that the Charter of Fundamental Rights of the European Union<sup>21</sup>, prohibits discrimination on the grounds of age, by promoting the respect of the right of elderly persons to live a life of dignity and independence as well as to participate in the social and cultural life (Martínez López-Sáez, 2015).

## **2. The right of elderly persons to participate in cultural life in normative and strategic framework of the Republic of Serbia**

The Constitution of the Republic of Serbia (*Official Gazette of the Republic of Serbia*, No. 98/2006 and 115/2021) (hereinafter: CRS) dedicates three articles (71-73, CRS) to cultural rights, which implies that in our country they have not been evolving as successfully as other human rights of the second generation (Nikolić, 2019: 74).

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<sup>18</sup> European Union: Council of the European Union (1997) Treaty of Amsterdam Amending the Treaty on European Union, The Treaties Establishing the European Communities and Related Acts, 10 November 1997, available at <https://www.refworld.org/docid/51c009ec4.html>, accessed 03.07.2023.

<sup>19</sup> European Union: Council of the European Union (2000) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, 27 November 2000, OJ L 303, 02/12/2000 P. 0016 - 0022, available at <https://www.refworld.org/docid/583d783a7.html>, accessed on 03.07.2023.

<sup>20</sup> Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation {SEC(2008) 2180} {SEC(2008) 2181} /\* COM/2008/0426 final - CNS 2008/0140 \*/, available at <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0426:FIN:EN:HTML>, accessed on 03.07.2023.

<sup>21</sup> European Union: Council of the European Union (2007) Charter of Fundamental Rights of the European Union (2007/C 303/01), 14 December 2007, C 303/1, available at <https://www.refworld.org/docid/50ed4f582.html>, accessed on 03.07.2023. and European Union (2012) Charter of Fundamental Rights of the European Union, 26 October 2012, 2012/C 326/02, available at <https://www.refworld.org/docid/3ae6b3b70.html>, accessed on 29.06.2023.



These constitutional provisions proclaim the right to education (Article 71, CRS), the autonomy of university (Article 72 CRS) and the freedom of scientific and artistic creation (Article 73, CRS). However, the Constitution does not explicitly mention the right to participate in cultural life, except when declaring the right of national minorities to express, preserve, conserve, develop and express in public their ethnic, cultural and religious specificities (Article 79, CRS). Nevertheless, CRS proclaims that all citizens are equal before the Constitution and law (Article 21, Paragraph 1, CRS) and prohibits any kind of discrimination, whether direct or indirect, based upon any ground, including age (Article 21, Paragraph 3, CRS). This should be applied on the accessibility of cultural contents to all citizens, including the elderly, without any exception.

The Law on Culture (*Official Gazette of the Republic of Serbia, No. 72/2009, 13/2016, 30/2016, 6/2020, 47/2021 and 78/2021*) (hereinafter: LC) prescribes guiding principles that the Republic of Serbia should follow when fulfilling the general interest in culture and applying its cultural policy as the assembly of aims and measures for the enhancement of cultural development (Article 3, Paragraph 1, LC). One of them is the principle of openness and accessibility of cultural contents (Article 3, Paragraph 1, Point 4, LC). This principle obliges relevant stakeholders to make cultural contents accessible to all citizens, regardless of their characteristics, including their age. Furthermore, the LC enumerates various aspects of the term “general interest in culture” and insists on “providing the conditions for the accessibility of cultural contents” (Article 6, Paragraph 1, Point 14, LC). Cited provision indicates that facilitating the accessibility of cultural contents represents a part of the general, i.e., public interest. This is important since financial resources for the actualization of general interest in the field of culture are provided in the state budget and from the budgets of autonomous province and local self-government units (Article 6, Paragraph 2, LC).

Strategy of the Development of Culture of the Republic of Serbia for the period from 2020 until 2029, adopted at the beginning of 2020 (hereinafter: SDC), also promotes wide accessibility of culture as well as equal and active participation in cultural life.<sup>22</sup> Although SDC does not explicitly mention elderly persons, it seems logical that the principle of non-discrimination, which is obviously present in this provision should be applied to them as well. Another line of SDC promotes the accessibility of cultural contents to elderly persons - the one that addresses the rights of vulnerable groups. Namely, SDC encourages the participation of vulnerable groups in cultural life, without providing a precise definition of the term “vulnerable groups”. This allows us to

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<sup>22</sup> Strategy of the development of culture of the Republic of Serbia for the period from 2020 until 2029, <https://www.kultura.gov.rs/extfile/sr/3993/strategija-razvoja-kulture-od-2020--do-2029-godine.pdf>, accessed 03.07.2023.

include a wide variety of vulnerable and/or marginalized groups/communities under one term, including elderly persons, who are, without any doubt, one of the most vulnerable groups in our society. That creates space for the perception of the measures aimed at the enhancement of the participation of elderly persons in cultural life as lawful obligations of relevant state entities - from public policy creators, decision makers, to employees of cultural institutions.

Ageing of population was recognized as a serious issue by the Government of the Republic of Serbia and, consequently, National Ageing Strategy for the period between 2006 and 2015 was adopted in 2005 (*Official Gazette of the Republic of Serbia, No. 55/2005 and 71/2005*) (hereinafter: NAS). Although this strategic document is not in force anymore, some of its provisions are still relevant since they set useful directions and clear goals in this field and a new document dedicated to this issue should be adopted as soon as possible. The main goal of NAS was to create a society that would be suitable for persons of all ages and that would attempt to fulfill the needs and release the potentials of elderly persons (Jovanov, 2017: 5). This goal includes the creation of an integral and coordinated policy grounded on contemporary scientific findings and established obligations, that is expected to harmonize the society with demographic changes (Jovanov, 2017: 5).

Some of the most important goals of NAS comprise lifelong development of an individual, improvement and protection of all human rights and fundamental freedoms, providing the quality of life in the old age, facilitating full integration and participation of elderly persons in the community, elimination of all kinds of social neglect and marginalization of elderly persons, promotion of intergenerational and intragenerational transfer, solidarity and dialogue, establishing cooperation among the government, civil sector and elderly persons and creating equal opportunities for everyone (Jovanov, 2017: 5).

NAS contains the provisions pertinent to the participation of elderly persons in cultural life, creating a strategic framework for the development of the entire society towards the state in which such participation would be possible. NAS prescribes that development programs, including the ones in the field of cultural development, must insist on reaffirming the role of family and family solidarity as well as on defining the needs of elderly persons on the one hand and contemporary family on the other, in order to improve their social, medical and cultural welfare. It is highlighted that this strategic goal is of particular significance for various aspects of life, including culture.

NAS contains a general goal entitled as "Improvement of social, economic, political and cultural position and role of elderly persons". Within this goal, NAS prescribes several measures, including: organizing media campaigns, making special publi-

cations with the purpose to raise the awareness of elderly persons about their human rights and prevent their discrimination (NAS). NAS also recommends the education of younger generations about the characteristics of ageing, the resources and specific needs of elderly persons, as well as the participation of elderly persons in the decision-making processes and self-organization (NAS).

Another important goal of NAS includes facilitating and enhancing lifelong learning and, within this goal, NAS prescribes that the measures should be applied to fulfill cultural, leisure and recreative needs of elderly persons, with full consideration of their personal affinities. Furthermore, NAS suggests that current contents in this field should be improved and that new forms of activities, adjusted to the needs of elderly persons, should be introduced and encourages the establishment and expansion of amateur cultural and artistic associations of elderly persons (NAS). Within its goal to promote and support intergenerational solidarity, NAS also prescribes some measures related to cultural life, such as organizing various activities within the system of education and culture directed towards the promotion of mutual respect, understanding and tolerance for different needs of different generations and positive evaluation of elderly persons' contribution to community development. This implies that participation in cultural life is not only one of essential human rights of elderly persons, but also a channel through which the message about the need to respect elderly persons and prevent any kind of discrimination against them can be transmitted.

The evaluation of the implementation of NAS confirmed that, despite some improvements, the entire implementation process was not conducted as fast as it was expected and that there is steel need to work on the development of the society so that it could respond adequately to the ageing of the population (Kozarčanin, Milojević, 2016: 10-26; Jovanov: 2017: 5). Some of the fields that are identified as particularly important for further development and improvement include, among others, the implementation of measures aimed at the protection from discrimination and violence against elderly persons and the creation of appropriate conditions for the education of elderly persons (Kozarčanin, Milojević, 2016: 10-26; Jovanov: 2017: 5). These areas, that are mapped as the fields in which more effort should be made, are of particular relevance for the improvement of participation of elderly persons in cultural life.

### **3. Key obstacles for the participation of elderly persons in cultural life in Serbia**

Despite the fact that the Republic of Serbia has ratified relevant international legal sources and adopted a comprehensive national legislative and strategic framework

for the improvement of accessibility of cultural contents, there seem to be some obstacles that elderly persons are facing in their attempts to fully participate in cultural life. Before highlighting key challenges in this area, it should be mentioned that participation in cultural life is not among the highest rated leisure activities of elderly persons in Serbia. Namely, research has confirmed that preferred leisure activity of elderly persons is watching television, whereas spending time with friends and family, walking, resting and reading newspapers come after it, leaving very little room for reading books or going to the theatre or cinema (Babović *et al.*, 2018: 55). However, the question could be raised whether this list of preferred activities is their genuine choice or the result of current circumstances.

In some cases, the challenges regarding the participation of elderly persons in cultural life are not related solely to age, whereas in others, they emerge exclusively as the result of discrimination on the grounds of age. Therefore, it should be emphasized that the key obstacle for the realization of cultural rights (regardless of age) is related to economic and financial circumstances in our country that were additionally affected by global recession and financial crisis in 2008 (Nikolić, 2019: 76). Even though the negative consequences of economic crises affected all citizens, elderly persons should be considered as particularly vulnerable to its negative impacts due to their already modest incomes (Mijatović, 2003: 225). This is confirmed by the findings that elderly persons in Serbia are much more exposed to material deprivations than those living in the EU, particularly in the cases of elderly women (Babović *et al.*, 2018: 23). Elderly women often cannot afford to attend cultural events, either because they do not have sufficient financial resources or because they voluntarily neglect their own needs in order to help their children or other family members (Petrušić *et al.*, 2015 as cited in Babović *et al.*, 2018: 21).

Another obstacle for the participation of elderly persons in cultural life is related to its digital or virtual aspect. Digitalization and the possibility of online access to cultural contents has the potential to facilitate and enrich a person's participation in cultural life (Vukićević, 2011: 165; see also: Batrićević, 2017: 23-33). Due to its global reach, interactive character, richness of verbal and non-verbal symbols, adaptability and flexibility, the Internet can contribute to the fulfillment of cultural policy goals, one of which is the increase of participation of all citizens in cultural life (Vukićević, 2011: 166). However, elderly persons in Serbia seem to use information-communication technologies rarely, particularly in comparison to elderly residents of the EU countries, either because of the lack of interest or the lack of someone who could teach them how to use these technologies (Babović *et al.*, 2018: 41-42). The share of elderly persons using information-communication technologies in Belgrade is a bit higher and they use

them predominantly for communication with friends and family (Dragišić Labaš, 2016: 142).

The participation in cultural life, especially in the form of attending cultural events (such as concerts, theatre performances, exhibitions etc.) is closely dependent on elderly persons' mobility. In that context, the availability and accessibility of public traffic, in both - urban as well as rural areas, are of key significance (Babović *et al.*, 2018: 43). For elderly persons, one of the most important factors is the distance between their place of residence and public transport station, especially if their mobility is limited (Babović *et al.*, 2018: 43). Another important circumstance is the price of public transport that varies from one city to another and, in some cases, may represent an obstacle for full mobility (Babović *et al.*, 2018: 43). The lack or insufficiency of public transport services in rural areas are especially challenging since the mobility and, hence, the access of elderly rural inhabitants to all services including cultural actually depends on the possession of a car (Babović *et al.*, 2018: 43). It should also be mentioned that not all elderly persons have gerontological and daily care centers close to their place of residence. Mobility of elderly persons also depends on the presence of their caregivers, particularly informal caregivers such as family members or volunteers, and their availability and willingness to help them to access cultural venues and attend cultural events (see also: Batrićević, 2022: 463-486).

No matter how contradictory it may seem, the number of elderly persons and their share in the entire population is increasing worldwide, whereas, at the same time, the trend of their social marginalization and discrimination exclusively on the grounds of their age is also expanding (Baraković, Mahmutović, 2018: 20). That is the reason why the insufficient accessibility of cultural contents for elderly persons should also be observed in the context of ageism, which is apparently emerging in all spheres of life, including cultural life as well. Namely, negative attitude towards elderly persons leads to the escalation of prejudice and negative stereotypes, such as, for example, the belief that elderly persons are always of poor health, frail, incapable, depressive etc. (Zovko, Vukobratović, 2017: 113). Common beliefs about the process of ageing nowadays often result in negative stereotypes, which inevitably shape the attitude of the society towards elderly persons (Zovko, Vukobratović, 2017: 113). This overlapping of socio-cultural and biological characteristics keeps elderly persons away from important social issues and the focus of public sphere (Milosavljević, 2014: 149). What causes even greater concern is the fact that these negative stereotypes have an impact on the way in which elderly persons see themselves (Zovko, Vukobratović, 2017: 113). It is familiar that old age carries a certain number of losses, causing the feelings such as: sadness, loneliness, dependence, inadequacy and isolation, which may lead to the loss of self-perceived

dignity of elderly persons (Radaković, 2020: 558). These negative and destructive feelings, combined with the fact that elderly persons often gradually accept the negative stereotypes as correct descriptions of themselves, lead to the situation in which elderly persons begin to avoid social interaction (Zovko, Vukobratović, 2017: 113). This specific withdrawal of elderly persons as their reaction to constant exposure to negative stereotypes and prejudice could be also referred to as “self-discrimination” and it should be observed as one of the factors that make cultural contents less accessible to elderly persons even if there are no physical obstacles for them to, for example, attend cultural events.

The media have an extremely important socio-cultural impact on the public's perception of elderly persons and ageing (Zovko, Vukobratović, 2017: 116). Apart from representing the source of information about various age groups, the media often have either intentional or unintentional impact on the public perception of ageing, particularly when direct intergenerational contact is missing (Zovko, Vukobratović, 2017: 116). The content that is offered by the media predominantly supports the cult of youth, whereas elderly persons are rarely presented in the public and, when they appear in the media, the attitude expressed towards them does not comply with actual conditions (Zovko, Vukobratović, 2017: 116). Having this in mind, the media should also be considered responsible for insufficient participation of elderly persons in cultural life – both as creators and as recipients.

## **Conclusion**

### **Recommendation to improve the participation of elderly persons in cultural life**

Despite normative framework that protects the right to participate in cultural life without discrimination, there seem to be numerous obstacles for elderly persons who wish to attend cultural events or consume cultural contents in some other way, such as, for example online. Apart from physical obstacles, such as distance (especially the isolation during COVID-19 pandemic, which produced a series of negative consequences (see for example: Batrićević, Stanković, 2021: 118)) and mobility issues, lack of financial resources, insufficient knowledge about information-communication technologies, lack of formal and informal caregivers, marginalization and stigmatization of elderly persons leading to their discrimination and self-discrimination are some of the key obstacles for their participation in cultural life. That is the reason why comprehensive multisectoral and multidisciplinary measures should be implemented in order to improve the situation in this field. These measures should include, but are not limited to:

adopting new strategic documents and action plans dedicated to the improvement of general human rights and wellbeing of elderly persons, further enhancement of accessibility of public institutions, improvement of mobility of elderly persons via public transport and organization of caregivers who could assist them in transport, gradual improvement of elderly persons' information-communication technology skills, further support for efforts at the local level (such as gerontological centers but also non-governmental organizations) aimed at the improvement of participation of the elderly in cultural life, promotion of non-discrimination of elderly persons etc.

The improvement of participation of elderly persons in cultural life cannot be achieved without the improvement of their healthcare. That is the reason why a series of activities that would make positive changes in all sectors relevant to this issue, including: *"health care centres and institutions, bodies in charge of the rights of patients, state institutions in charge of pension and health insurance, as well as other relevant stakeholders such as public health policy makers, the media, non-governmental organisations and, finally the entire community"* (Batrićević, Kubiček, 2021: 649).

When non-discrimination of elderly persons in the context of their right to participate in cultural life is concerned, a distinction should be made between inclusion, on the one hand, and integration, on the other. According to United Nations Educational, Scientific and Cultural Organization (UNESCO)<sup>23</sup>, inclusion is defined as a process that encompasses not only addressing but also responding to a variety of needs of all learners through the increase of participation in learning, cultures and communities, and reducing exclusion within and from education (Magdaleno, 2017: 66). A concept similar to the one that is applied to learning should be applied to the participation of elderly persons in cultural activities. Integration, on the other side, refers to the introduction of special services for population groups that are identified as vulnerable (Magdaleno, 2017: 66). Although the definition of inclusion given by UNESCO primarily refers to the process of education, which is commonly (but not solely) related to younger persons, it should be emphasized that the concept of inclusion covers everybody, including elderly persons, as well. The reason why this should be highlighted is the fact that the endeavors for inclusion of elderly persons are relatively new and related to the processes of ageing combined with the increase of life expectancy (Magdaleno, 2017: 66).

However, none of the aforementioned measures can be successfully implemented if discrimination against elderly persons keeps persisting in our society. Therefore, the efforts that are either equal or even greater than the ones in the normative

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<sup>23</sup> See also: Interview with the UNESCO-IBE Director, Clementina Acedo [https://www.ibe.unesco.org/fileadmin/user\\_upload/Policy\\_Dialogue/48th\\_ICE/Press\\_Kit/Interview\\_Clementina\\_Eng13Nov.pdf](https://www.ibe.unesco.org/fileadmin/user_upload/Policy_Dialogue/48th_ICE/Press_Kit/Interview_Clementina_Eng13Nov.pdf), accessed on 30.06.2023.

sphere should be made by the media, public policy creators, academic community, educators, decision makers and other relevant stakeholders in order to raise awareness about the value of elderly persons for the society and our duty to respect their dignity and human rights. The attempts to improve cultural life of elderly persons and their active participation in cultural exchange should not be made only occasionally, depending on projects or suitable events, but should become a regular practice, supported by the state and promoted by the media, academic community and general public on a daily basis.

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