

*Declaration concerning  
the Universal Value  
of Free Cultural Spaces,  
2023*



## Preamble

### General

What would the world look like if there was no room for culture? For places where people think, talk, sing, listen and laugh. What would the world look like if there were no cultural spaces? If there were no free spaces where expression, community and explicit implicitness reign supreme? Then the world would be flat, dull, silent.

From time immemorial, there have been places recognized by the administration as cultural spaces. Spaces that have been created, supported, embraced and maintained by the administration. Public places, markets, streets, circuses, squares, open places within and outside settlements, remote areas where communities acting and expressing in a self-regulating way, were considered Free Cultural Spaces throughout the centuries. From Plato's *Akademia*<sup>1</sup>, the Academy, outside the walls of Athens where everyone was welcome to express themselves and to discuss, to the development of the *Artes Liberales*<sup>2</sup>, the Free Arts, where language skills, logical reasoning, eloquence, music and knowledge about space, time and space-in-time were the essential core. The same goes for the more recent concept of *Freiraum*<sup>3</sup>, Free space, standing for those public spaces where no behavioural constraints are exercised, and in which the self-created Free Cultural Spaces where visual arts, prose and poetry, theatre, film, music, dance and expression meet, alternate, influence and merge without losing their individual character traits.

### Significance

People from all walks of life meet in Free Cultural Spaces. They are the places where the unknown is explored and where boundaries are pushed. In Free Cultural Spaces it is the residents and users who take responsibility for the interpretation and internal organisation. Their existence strengthens the connection between city, country and neighbourhood residents, and through their hospitality they promote a versatile cosmopolitan community.

In the knowledge that a society exists by the grace of equal living, working and being together, it is important to elevate these values as the norm. A society cannot exist without breeding grounds, without a place where nature and culture meet, where people can be themselves together. Spaces like these can also be seen as gardens and laboratories for interpersonal actions and activities in relation to forms of alternative economies, immaterialism and both individual and collective self-sufficiency, among other things. A society that takes itself seriously creates space for this growth and learning because it respects what the space is being used for - whether it is taken or provided.

### Developments

Over the last fifty years, quite a number of Free Cultural Spaces have been created, developed, spatially embedded and administratively tolerated. The presence of Free Cultural Spaces makes the existence of the political and administrative system an environment in which it is more pleasant to be human, regardless of where in the world. Free Cultural Space initiatives have always existed and always will. Many have since disappeared, others survived and new ones are in the making.

We note, however, that under pressure from primarily economic considerations in many parts of the world, Free Cultural Spaces have less and less room to be created, developed and

<sup>1</sup> Wikipedia, lemma 'Platonic Academy' ([https://en.wikipedia.org/w/index.php?title=Platonic\\_Academy&oldid=1072847280](https://en.wikipedia.org/w/index.php?title=Platonic_Academy&oldid=1072847280))

<sup>2</sup> Wikipedia, lemma 'Liberal arts education' ([https://en.wikipedia.org/w/index.php?title=Liberal\\_arts\\_education&oldid=1081613196](https://en.wikipedia.org/w/index.php?title=Liberal_arts_education&oldid=1081613196)).

<sup>3</sup> Wiktionary, lemma 'Freiraum' (<https://en.wiktionary.org/w/index.php?title=Freiraum&oldid=65724490>).

maintained in order to enjoy their fundamental cultural and social rights to the same extent as, for example, the established cultural expressions.

### ***Rights and regulations***

There is at least a moral and social right to have, hold and maintain free cultural areas and thus Free Cultural Spaces. Free Cultural Spaces are there for everyone. But the simple moral and social appeal is no longer sufficient.

Given the increasing pressure on international Free Space Culture, now is the time to embed Free Cultural Spaces in political and/or administrative discourse. Even though this is precisely a contradiction in terms from the rationale of Free Cultural Space, it is currently the only way to prevent further international erosion of Free Cultural Space.

We consider that government bodies and administrations want to linger in these spaces just as much as citizens and country folk actors. The need to transform moral rights into a slightly more regulated body, to embed free cultural spaces in the system, therefore seems feasible. Freedom, Culture and Space are part of society, make room for free culture and embed Free Cultural Spaces in the administrative landscape.

Some rights are hard-won, precisely by and for members of a society that should not be overlooked. Some of these rights, for example those on cultural freedom, are so obvious and common that it is sometimes forgotten to actually notice them. This also goes to, for example rights of equality and inclusiveness. Acknowledging the rights on cultural freedom by recording and anchoring them could thus be helpful

The existence of declarations and manifestos on fundamental human rights and on cultural uniqueness<sup>4</sup>, lead to the thought that the fundamental rights on Free Cultural Spaces should also be embraced by the international ruling community, in this stage no matter if consent is expressed by signature, ratification or accession<sup>5</sup>. Naming freedoms, giving culture a place and putting space on the map are sufficient reasons to articulate the right to Free Cultural Spaces, to enshrine it and to assert it in the administrative system, just like Plato's *Akademia*, the *Artes Liberales* and the concept of *Freiraum*.

### ***Considerations***

Free Cultural Spaces contribute to a society and thus are part of that society and precisely that is reason enough for the integration of its concepts. In fact it is the re-introduction of Free Cultural Spaces in society, since Free Cultural Spaces have been silent witnesses from long times past, but have actually never gone away and have never ceased to exist. Nevertheless many Free Cultural Space initiatives have not been given the attention they deserve. Some of the Free Cultural Spaces have been dissolved, others are endangered, new initiatives sometimes meet compatible interests, but incompatible interests too.

Embedding the concepts of Free Cultural Spaces in United Nations guardianship is a way to ensure the continued existence of the current and the development of new Free Cultural Spaces by means of political and administrative preconditions.

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<sup>4</sup> In this case the *Universal Declaration on Cultural Diversity* of 2001 as adopted by the United Nations Educational, Scientific and Cultural Organization (UNESCO), the *International Covenant on Economic, Social and Cultural Rights* of 1966 as adopted by the Committee on Economic, Social and Cultural Rights (CESCR), and the *Declaration concerning Indigenous and Tribal Peoples in Independent Countries* of 1989 as adopted by the International Labour Organisation (ILO),

<sup>5</sup> These words have a specific meaning in the way a state expresses consent in its acceptance of a United Nations treaty. Based on the 1969 *Vienna Convention on the Law of Treaties*, the significance of these words is given within the so called 'Vienna formula'. See Wikipedia, lemma 'Vienna Convention on the Law of Treaties' ([https://en.wikipedia.org/w/index.php?title=Vienna\\_Convention\\_on\\_the\\_Law\\_of\\_Treaties&oldid=1088270713](https://en.wikipedia.org/w/index.php?title=Vienna_Convention_on_the_Law_of_Treaties&oldid=1088270713)).

## Article 1

- 1) Free Cultural Spaces:
  - a) are physical, emotional, spiritual, intellectual open spaces, embedding counter-cultural and sub cultural traditions and values on land, on and in water, in the air and in the ether;
  - b) are experimental urban and/or rural zones and laboratories for inter-human relationships and cooperation, where ecological, social, cultural, economic events and experiments are created, developed, maintained and used;
  - c) are environments where equality, equity, ingenuity, inclusion and diversity in form and content are standard;
  - d) are ideally free of violence and aggression in whatever form;
  - e) are free of oppressive control and creative limitation for the benefit of partakers;
  - f) are distinguished from other parts of society whose status is regulated wholly or partially by customs or traditions or by special laws or regulations;
  - g) are real, virtual and/or media independent sites of cultural expression; common grounds for all those pursuing experimental, expressive and transformative lifestyles and/or ways of living;
  - h) can be pop-up, temporary, periodical, permanent and/or static or mobile. They can serve on regional, trans-regional, national, trans-national and/or international levels.
- 2) Partakers: the humans, creators, developers, players, custodians, users, inhabitants, organised participants and/or their representative bodies of/in Free Cultural Spaces.
- 3) Synonyms for Free Cultural Spaces are Autonomous Zones, Freiräume and Liminal zones.

## Article 2

Self-identification of partakers shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Declaration apply.

## Article 3

- 1) Governments, with the participation of partakers concerned, are responsible for developing, preconditions for the creation, support, maintenance and continuity of Free Cultural Spaces.
- 2) Such preconditions shall include policies and measures for:
  - a) identifying Free Cultural Spaces within their environments (ecological, social, economic and cultural);
  - b) recognizing environmental relevance of Free Cultural Spaces and/or partakers embedding and supporting Free Cultural Spaces in their jurisdictions;
  - c) protecting the social, cultural and spiritual values and practices of these partakers;
  - d) ensuring that partakers benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the national community;
  - e) promoting the full realisation of the rights of these partakers with respect for their social and cultural identity, their customs and traditions;
  - f) assisting the partakers concerned to reduce socio-economic gaps that may exist between members of the national community;
  - g) safeguarding the partakers' property; their labour, cultures and environment;
  - h) safeguarding against the abuse of their rights and enabling them to initiate legal proceedings, either individually or through their representative bodies;
  - i) international agreements to facilitate contacts and co-operation between Free Cultural Spaces across borders, including activities in the economic, social, cultural, spiritual and environmental fields;

- j) ensuring, whenever appropriate, that studies are carried out, in co-operation with the partakers concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.
- 3) In applying the provisions of this Declaration, governments shall consult the partakers through appropriate procedures whenever consideration is being given to legislative or administrative measures which may affect them directly.
- 4) The consultations carried out in application of this Declaration shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent by governments and partakers to the proposed measures.
- 5) Measures shall be taken to ensure that Free Cultural Spaces and their partakers concerned can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.
- 6) Measures shall be taken to safeguard the right of the partakers concerned to use Free Cultural Spaces not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic partakers and shifting cultivators in this respect.
- 7) The governmental authority responsible for the matters covered in this Declaration shall ensure that appropriate mechanisms exist to administer the programmes affecting the Free Cultural Spaces concerned, and shall ensure that they have the means necessary for the proper fulfilment of the position and scope of these Free Cultural Spaces. These programmes shall include the planning, co-ordination, execution and evaluation, in co-operation with the Free Cultural Spaces concerned, of the measures provided for in this declaration.

## **Article 4**

Partakers shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination.

## **Article 5**

The partakers concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

## **Article 6**

- 1) Subject to the following paragraph of this Article, the partakers concerned shall not be removed from the Free Cultural Spaces.
- 2) Where the relocation of these partakers is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the partakers concerned.

## Article 7

The nature and scope of the measures to be taken to give effect to this Declaration, shall be flexible, also in regard to specific local, regional or national conditions, characteristics and limitations.

## Article 8

The application of this Declaration shall not be interfered, hindered or affected by other declarations and recommendations, international treaties, legislation, customs or measurements.

## Article 9

- 1) To ensure this Declaration concerning the Universal Value of Free Cultural Spaces is to be taken into account in the international cooperation on human and cultural matters, it shall be communicated with and send for registration to:
  - a. the United Nations Educational, Scientific and Cultural Organization (UNESCO) in respect to and in accordance with the *Universal Declaration on Cultural Diversity* of November 2, 2001;
  - b. the Committee on Economic, Social and Cultural Rights (CESCR) in respect to and in accordance with the *International Covenant on Economic, Social and Cultural Rights* of December 16, 1966;
  - c. the International Labour Organisation (ILO) in respect to and in accordance with the specific attention to cultural diversity as given in the *ILO Declaration concerning Indigenous and Tribal Peoples in Independent Countries (no. 169)* of June 27, 1989.
- 2) In accordance to the in paragraph 1 mentioned ratified declarations of UNESCO, CESCR and ILO, these international organisations are asked to embrace and to adopt the Declaration concerning the Universal Value of Free Cultural Spaces.
- 3) In accordance to the in paragraph 1 mentioned ratified declarations of UNESCO, CESCR and ILO, these international organisations are asked to submit the Declaration concerning the Universal Value of Free Cultural Spaces to its member states for ratification.
- 4) After adoption and ratification of the Declaration concerning the Universal Value of Free Cultural Spaces, this declaration is -- in accordance with Article 102 of the Charter of the United Nations -- to be registered with the Secretariat of the United Nations and published by it.

## Article 10

This Declaration concerning the Universal Value of Free Cultural Spaces, 2023 can be cited as the Free Cultural Spaces-Declaration 2023 or as the FCS-declaration 2023



## Appendix 1

The development of the declaration cannot be seen apart from many manifestations, symposia, gatherings, meetings, festivals and so forth on the matter. It is thus that the proposals regarding the shaping, development and maintenance of Free Cultural Spaces via this *Declaration concerning the Universal Value of Free Cultural Spaces, 2023* takes into account at least following precluding happenings and actions:

- the distinctive contributions of subcultural and countercultural places, to the cultural diversity and social, economic and ecological harmony of human kind and to equal, equitable, inclusive and diverse local, national and international open, connective and interactive co-operation and understanding;
- the manifesto on Free Cultural Spaces (“*Vrije Culturele Ruimtes*”) during ‘Amsterdam Takes-It’ (“*Amsterdam Neemt Het*”) at De Pleinwerker, Amsterdam, 16<sup>th</sup> December 1984;
- the manifesto of the Urban Tribes Meeting ‘Ruigoord-Christiania’, at Christiania, Copenhagen, Denmark, 18<sup>th</sup> August 2008;
- the Declaration of the Cultural Defence Line of Amsterdam (“*Culturele Stelling van Amsterdam*”), at Amsterdam, Netherlands, 21<sup>st</sup> August 2010;
- the minutes of the 1<sup>st</sup> symposium on Free Cultural Spaces in Ruigoord, Netherlands, 11<sup>th</sup> to 12<sup>th</sup> August 2011;
- the minutes of the 2<sup>nd</sup> symposium on Free Cultural Spaces in Ruigoord, Netherlands, 3<sup>rd</sup> August 2012;
- the minutes of the 3<sup>rd</sup> symposium on Free Cultural Spaces in Ruigoord, Netherlands, being the 1<sup>st</sup> international symposium of the Cosmopolitical Parliament, and having met in its 3<sup>rd</sup> Session, 23<sup>th</sup> to 24<sup>th</sup> of July 2013;
- the minutes of the 4<sup>th</sup> symposium on Free Cultural Spaces, theme ‘*Festivalisations*’ at Boom Festival, Idanha Velha, Portugal, August 2014;
- the minutes of the 5<sup>th</sup> symposium on Free Cultural Spaces, theme Individualism and Collectivism, at Christiania, Copenhagen, Denmark, 24<sup>th</sup> to 26<sup>th</sup> September 2015;
- the minutes of the 6<sup>th</sup> symposium on Free Cultural Spaces, theme ‘Image’, at Užupis Res Publika, Vilnius, Lithuania, 8<sup>th</sup> to 11<sup>th</sup> June 2016;
- the minutes of the 7<sup>th</sup> symposium on Free Cultural Spaces, theme ‘*Degentrification*’ at ADM, Amsterdam, Netherlands, 12<sup>th</sup> to 14<sup>th</sup> October 2017;
- the Free Space conference: on the preservation of Free Experimental Spaces in the Amsterdam Metropolitan Area, organised by ADM at Pakhuis de Zwijger, Amsterdam, Netherlands, 4<sup>th</sup> December 2018;
- the manifesto Free Spaces Agreement (“*Vrijplaatsenakkoord*”), written by a core group of independent free spaces in Amsterdam, Netherlands, published 17<sup>th</sup> April 2019;
- the conference Unaffordable Capital (“*Onbetaalbaar Kapitaal*”), organised by the Cultural Defence Line of Amsterdam (“*Culturele Stelling van Amsterdam*”) at Pakhuis de Zwijger, Amsterdam, Netherlands, at 12<sup>th</sup> June 2019;
- the minutes of the 8<sup>th</sup> symposium on Free Cultural Spaces, theme ‘Reframing and Environmentalism’ at Nieuw en Meer, Amsterdam, Ruigoord and Vrij Paleis Amsterdam, Netherlands, 13<sup>th</sup> to 15<sup>th</sup> September 2019;
- the Free Cultural Space Symposium in Gängeviertel Hamburg, Germany, September 2020, cancelled due to Covid-19 lock-down measurements;
- the Expedition Free Space Amsterdam (“*Expeditie Vrije Ruimte Amsterdam*”), a municipal policy to preserve ‘counterculture’ in Amsterdam, launched September 2020, confirmed July 2021;

- the minutes of the 9<sup>th</sup> symposium on Free Cultural Spaces on '50 years of past, present and future' at Christiania, Copenhagen, Denmark, 23<sup>rd</sup> to 27<sup>th</sup> September 2021;
- Evaluation and Redevelopment of Amsterdam's Expedition Free Space ("*Expeditie Vrije Ruimte*") during the Frei(T)räume/Envisioning Free Space Conference in Amsterdam, organised by Space of Urgency, Berlin, Germany, 24<sup>th</sup> to 28<sup>th</sup> November 2022.

## Appendix 2

The listing of some free cultural spaces, among others in alphabetical order:

ADM, Amsterdam, Netherlands.	<a href="https://www.facebook.com/groups/WEareADM">https://www.facebook.com/groups/WEareADM</a>
Auro Ville, Pondicherry, India.	<a href="https://auroville.org/">https://auroville.org/</a>
Boom, Idanha Velha, Portugal.	<a href="https://boomfestival.org/boom2022/">https://boomfestival.org/boom2022/</a>
Christiana, Copenhagen, Denmark.	<a href="https://www.christiana.org/">https://www.christiana.org/</a>
Culturele Stelling van Amsterdam, Amsterdam, Netherlands.	<a href="https://culturelestelling.amsterdam/">https://culturelestelling.amsterdam/</a>
Damanhur, Piemonte, Italy.	<a href="https://damanhur.org/">https://damanhur.org/</a>
Doel, Antwerpen, Belgium.	<a href="http://www.doel2020.org/">http://www.doel2020.org/</a>
Domijn Weesp, Netherlands.	<a href="https://www.hetdomijn.nl/nl/home/">https://www.hetdomijn.nl/nl/home/</a>
Ecodorp Bergen.NL, Bergen, Netherlands.	<a href="https://www.ecodorpbergen.nl/">https://www.ecodorpbergen.nl/</a>
Gängeviertel, Hamburg, Germany.	<a href="https://das-gaengeviertel.info/">https://das-gaengeviertel.info/</a>
Green Horse Society, Ulan Batar, Mongolia.	<a href="https://www.facebook.com/pg/Mongolian-Modern-Art-Green-Horse-Society-461762147290614/posts/">https://www.facebook.com/pg/Mongolian-Modern-Art-Green-Horse-Society-461762147290614/posts/</a>
Guslitsa Creative Hub, Guslitsa, Russia.	<a href="https://www.transartists.org/en/air/guslitsa-creative-hub">https://www.transartists.org/en/air/guslitsa-creative-hub</a>
Landbouwbelang, Maastricht, Netherlands.	<a href="https://www.landbouwbelang.org/">https://www.landbouwbelang.org/</a>
Nieuw en Meer, Amsterdam, Netherlands.	<a href="https://nieuwenmeer.nl/">https://nieuwenmeer.nl/</a>
Rijkshemelveerendienst, Amsterdam, Netherlands.	<a href="https://rijkshemelvaart.nl/">https://rijkshemelvaart.nl/</a>
Ruigoord, Amsterdam, Netherlands.	<a href="https://ruigoord.nl/">https://ruigoord.nl/</a>
Space of Urgency, Berlin, Germany.	<a href="https://spaceofurgency.org/">https://spaceofurgency.org/</a>
Thylejren, Jutland, Denmark.	<a href="http://www.123hjemmeside.dk/thylejren/">http://www.123hjemmeside.dk/thylejren/</a>
Umbrella House, New York, United States of America.	<a href="https://umbrellahouse.nyc/">https://umbrellahouse.nyc/</a>
Užupis Res Publika, Vilnius, Lithuania.	<a href="https://www.uzupiorespublika.com/en/home/">https://www.uzupiorespublika.com/en/home/</a>
Vrij Paleis, Amsterdam, Netherlands.	<a href="https://www.vrijpaleis.nl/">https://www.vrijpaleis.nl/</a>
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