



**IFACCA**

International Federation  
of Arts Councils  
and Culture Agencies

# Draft D'Art 51:

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The relationship between national and local governments with regard to cultural policy and the integration of culture into national urban policies

## **October 2016**

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Fédération Internationale de Conseils des Arts et Agences Culturelles

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# Introduction

The International Federation of Arts Councils and Culture Agencies (IFACCA) and the Culture Committee of United Cities and Local Governments (UCLG) have collaborated on several projects including the global campaign on the inclusion of culture in the Sustainable Development Goals of the United Nations.

In 2016 they are cooperating to explore the relationship between national and local governments in relation to cultural policies and how cultural policies are integrated into national frameworks. This research project places particular emphasis on existing relations and collaboration in the area of cultural policy among different tiers of government. The results of the research will be presented at the World Summit on Arts and Culture in Malta, and the UN Conference on Housing and Sustainable Urban Development (Habitat III) in Quito, Ecuador, both of which occur in October 2016.

In July 2016 both organisations sent the Survey to their members and networks with the objective of gathering information from both perspectives and gaining an overview of existing legal mechanisms, policies and forms of collaboration. By the deadline in September 2016, we had received 36 responses.

In this document, a 'national framework' is understood as the set of policies and actions put in place by the central/federal government of the country and local governments as the governments intervening at city, municipal, metropolitan and similar levels (but excluding those at regional level).

The report includes examples of legislation and specific policies regarding the demarcation of competencies or responsibilities in cultural policy between the central government and cities/local governments, and national guidelines and collaboration forums in the field.

The report is presented as a work-in-progress to which will be added more information in December 2016. We invite contributions to the report and new survey responses to [info@ifacca.org](mailto:info@ifacca.org) by 30 November 2016. An updated version of the document will be published as D'Art Report 51 in IFACCA's series *D'Art Topics in Arts Policy*, in early 2017.

# Survey

In July 2016, United Cities and Local Governments (UCLG) and the International Federation of Arts Councils and Culture Agencies (IFACCA) sent the survey to all their members and the subscribers to their newsletters.

The survey received 36 responses. Twenty (56%) of these responses came from Europe, six (18%) from Africa, six (18%) from the Americas, one from Asia and three from Australia or New Zealand. One quarter of the respondents replied on behalf of a local government agency while 22% of the respondents were from a national arts or culture funding agency. Just over half of the respondents identified themselves as 'other'.

Responding to the survey as	No	%
National arts and culture funding/cultural policy agency/authority	8	22
Local government agency)	9	25
Other <sup>1</sup>	19	53
Total responses	36	100

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<sup>1</sup> These include consultants, arts practitioners, academics, former local administration officials and representatives of private enterprises

## Legislation

In terms of specific legislation regarding the demarcation of competencies or responsibilities in cultural policy between the central government and cities/local governments, 17 (47%) of the respondents state that this kind of legislation exists in their country.

Several respondents offered examples of specific legislation. France has recently adopted a series of laws including on 29 June 2016 a law on artistic creation, including a new organisation of cultural policies at regional level.<sup>2</sup> There is also a new law on decentralisation applicable since 1 January 2016.<sup>3</sup> Burkina Faso also has a law concerning local communities<sup>4</sup> and a decree that defines the responsibilities of local governments in the field of culture, tourism, youth, sport and leisure.<sup>5</sup> In Serbia, the Law on Culture<sup>6</sup> and the Law on Local Self Government<sup>7</sup> define the state and local functions in the field of culture. In Hungary item 7 of §13 of Act CLXXXIX/1911 on local governments '*establishes as their task to ensure cultural services with special regard to libraries, to support cinemas and performing arts organisations, to protect cultural heritage and to support local community cultural activities*'.<sup>8</sup>

Local governments have functions in the culture field in several countries such as Greece and Switzerland. In Greece cultural heritage protection and support for national arts organisations remain the responsibility of the national government while the implementation and development of specific programmes has gradually become the responsibility of local governments. In Switzerland culture falls primarily within the responsibilities of the Cantons, including cultural education and cultural development while there is national legislation on cultural funding. Similarly, in Denmark and Sweden municipalities provide arts education for children outside school and have responsibility for local libraries.

Several countries have national or regional laws and regulations related to spatial planning or local heritage protection. Examples include Germany<sup>9</sup>, Poland<sup>10</sup>, Denmark<sup>11</sup> and the Netherlands<sup>12</sup>.

There are also examples of agreements between the national government and regions/local authorities. In 2016, Arts Council Ireland set a ten year framework agreement<sup>13</sup> with the

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<sup>2</sup> [www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000032854341&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000032854341&categorieLien=id)

<sup>3</sup> The respondent notes: A new law about decentralisation applicable since 1st of January, composed of 2 different texts :

- MAPTAM (Competency of metropolises and city communities):

[www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028526298&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000028526298&categorieLien=id)

- NOTRe with a shared competency for culture between the different level of collectivities/governements:

[www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030985460&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030985460&categorieLien=id)

The implementation of these laws is on process, so it is difficult to say what is going on exactly. However, here is a Memo document on the reform for culture: [http://www.pfi-culture.org/assets/files/CultureEnTerritoires/2015\\_nacre\\_Fiche\\_Memo\\_Reforme\\_Territoriale.pdf](http://www.pfi-culture.org/assets/files/CultureEnTerritoires/2015_nacre_Fiche_Memo_Reforme_Territoriale.pdf)

<sup>4</sup> Loi 55-2004 du 21 décembre en son article 98 (Code général des collectivités territoriales du Burkina Faso)

<sup>5</sup> Décret N°55-2014\_939 portant modalité de transfert des compétences et des ressources de l'Etat au communes dans les domaines de la culture, du tourisme, de la jeunesse, des sports et des loisirs.

<sup>6</sup> [www.kultura.gov.rs/docs/dokumenti/propisi-iz-oblasti-kulture/law-on-culture.doc](http://www.kultura.gov.rs/docs/dokumenti/propisi-iz-oblasti-kulture/law-on-culture.doc)

<sup>7</sup> [www.minoritycentre.org/library/law-local-self-government-republic-serbia](http://www.minoritycentre.org/library/law-local-self-government-republic-serbia)

<sup>8</sup> Survey response of the respondent from Hungary

<sup>9</sup> [www.bifd.bayern/download\\_area/denkmalchutzgesetz/](http://www.bifd.bayern/download_area/denkmalchutzgesetz/)

<sup>10</sup> [www.eui.eu/Projects/InternationalArtHeritageLaw/Documents/NationalLegislation/Poland/actorganizingrunningculturalactivities.pdf](http://www.eui.eu/Projects/InternationalArtHeritageLaw/Documents/NationalLegislation/Poland/actorganizingrunningculturalactivities.pdf)

<sup>11</sup> Law on protection of relics from the past in the landscape.

<sup>12</sup> [www.rijksoverheid.nl/onderwerpen/omgevingswet](http://www.rijksoverheid.nl/onderwerpen/omgevingswet) (in preparation) and <http://wetten.overheid.nl/BWBR0037521/2016-07-01>

<sup>13</sup> [www.artscouncil.ie](http://www.artscouncil.ie)

County and City Management Association to support cultural democracy and access to the arts in every county in Ireland. The agreement is an outcome of a collaboration of more than three decades between the Arts Council and Local Authorities. The national cultural policy of 2016 is also expected to further develop the partnership between national and local authorities in the field of culture.

As shown in the table below, in over half of the countries surveyed national legislation or agreements serve to demarcate responsibilities in areas of local governance including the protection of local cultural heritage (67%), local cultural institutions (56%) and support for local arts and culture activities (53%). Legislation in other areas, including cultural aspects in urban planning, cultural development at the local level, cultural education at the local level and local cultural events and festivals was found to exist less frequently.

Specific legislation or agreements in your country (at national level) on	No.	%
Cultural aspects in urban planning/land use or local environmental design	15	42
Cultural development at the local level	11	31
Support for local arts and culture activities	19	53
Local cultural institutions (performing arts centres, libraries, museums etc.	20	56
Protection of local cultural heritage	24	67
Local cultural events and festivals	9	25
Cultural education at the local level	10	28
Other	2	6

## Specific policies

In terms of specific policies regarding the demarcation of competencies or responsibilities in cultural policy between the central government and cities/local governments, 17 (47%) of the respondents state that this kind of policies exist in their country.<sup>14</sup>

In March 2016, the Ministry of Culture of Haiti organised a training course through Cultural Development Agent Network (ADC) in order to assist municipalities in the implementation of their cultural development policies. The initiative arose from an agreement signed between the Ministry of Culture and the Ministry of Interior in August 2015.

In France, the state has the responsibility for higher education in culture, venues and national companies but regional and local communities have great autonomy in supporting the arts and culture locally. The regions also have responsibilities in employment and professional inclusion (including the arts). In Hungary any appointment of directors of public museums or libraries with remit more extensive than the city must be consulted with the Minister of Culture.

In Denmark and Sweden, as well as France, the local governments are in charge of cultural education outside schools and public libraries. In Denmark the municipalities can have agreements with the Ministry of Culture on financing cultural projects.

In some countries the national cultural policy provides the possibility to design specific policies such as Burkina Faso (National Cultural Policy from 2008), National Program for Culture and the Arts of Mexico (2014-2018) and the National Cultural Policy of Ireland (Culture 2025) that is expected to respond to a need for an overarching framework. Namibia is also in the process of reviewing the national policy.

As shown in the table below, the protection of local cultural heritage was also the area in which national policies were found more frequently (67%). In half of the countries policies exist on cultural development at the local level and on local cultural institutions, whereas support for local arts and culture activities (47%), cultural aspects in urban planning (33%), local cultural events and festivals (33%) and cultural education at the local level (31%) were found to exist in less than half of the countries surveyed.

Specific policies in your country (at national level) on	No.	%
Cultural aspects in urban planning/land use or local environmental design	12	33
Cultural development at the local level	18	50
Support for local arts and culture activities	17	47
Local cultural institutions (performing arts centres, libraries, museums etc.	18	50
Protection of local cultural heritage	24	67
Local cultural events and festivals	12	33
Cultural education at the local level	11	31
Other	4	11

<sup>14</sup> In addition a respondent from Ireland stated that In Ireland three cities have published their own cultural strategies as part of their participation in the European Capital of Culture application process (Galway, Limerick and the three sisters: Waterford, Wexford and Kilkenny).

## National guidelines

Out of 29 responses, 12 (41%) respondents from 11 countries responded that there are specific national guidelines for local government for integrating culture in local policies on urban planning. Examples include the National Planning Policy Framework in the United Kingdom<sup>15</sup>, the urban planning legislation in Sweden (especially with regard to heritage sites) and the law on the protection of relics from the past in the landscape in Denmark.

In France the state and the regions have five-year contracts regarding territorial planning<sup>16</sup>. In 2015, the Ministry of Culture and Communication together with other ministries and public authorities published guidelines as regards the integration of culture in city planning.<sup>17</sup> Burkina also has a guideline from 2016 on the integration of culture in regional policies.<sup>18</sup>

Serbia has guidelines for developing local policy as regards the development of the cultural industries at the local level (guidelines for development of local cultural policy based on the UNESCO 2005 Convention on the Diversity of Cultural Expressions) supported by the Ministry of Culture, prepared in cooperation with the Standing Conference of municipalities and cities in Serbia<sup>19</sup>. The National Institute for Heritage Protection in Serbia has a business plan for rehabilitation of cultural heritage: guidelines for preparation and implementation of heritage projects at local level.<sup>20</sup>

In addition, the Netherlands has guidelines regarding archives and public records.<sup>21</sup>

Countries with national guidelines for local government for integrating culture in local polices or urban planning	Burkina Faso Ecuador Denmark France Greece Mexico Netherlands Serbia Sweden Switzerland United Kingdom.
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<sup>15</sup> [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>16</sup> [www.senat.fr/rap/r03-418/r03-4181.html](http://www.senat.fr/rap/r03-418/r03-4181.html)

<sup>17</sup> [www.ville.gouv.fr/IMG/pdf/circulaire\\_instruction\\_relative\\_a\\_l\\_27integration\\_des\\_enjeux\\_culturels\\_au\\_sein\\_des\\_contrats\\_de\\_ville.pdf](http://www.ville.gouv.fr/IMG/pdf/circulaire_instruction_relative_a_l_27integration_des_enjeux_culturels_au_sein_des_contrats_de_ville.pdf)

<sup>18</sup> Letter No 000085 du 28 juin 2016 portant validation de la stratégie d'intégration de la culture des les poltiques régionales

<sup>19</sup> [https://issuu.com/kreativnaekonomija/docs/lokalni\\_razvoj\\_kulturne\\_industrij](https://issuu.com/kreativnaekonomija/docs/lokalni_razvoj_kulturne_industrij). (English version available on request)

<sup>20</sup> [www.heritage.gov.rs/cirilica/Download/BIZNIS\\_PLAN\\_za\\_rehabilitaciju\\_NKD\\_elektronska\\_verzija.pdf](http://www.heritage.gov.rs/cirilica/Download/BIZNIS_PLAN_za_rehabilitaciju_NKD_elektronska_verzija.pdf) (English version available on request )

<sup>21</sup> <http://wetten.overheid.nl/BWBR0007376/2015-07-18>



## Budget allocations

There were 31 responses to the question about whether specific budget allocations exist (at national level) for the development and/or implementation of local cultural policy. Sixteen respondents (52%) stated that such budget allocations exist in their countries. In this case, respondents were subsequently asked to provide information on the percentage of the national culture budget that was allocated to local governments, as well as on whether funding for local governments was made conditional on the fulfilment of any specific requirements (e.g. the availability of a local cultural strategy). The responses included the following information:

Country	Budget allocations
Australia	Less than 1% of the national culture budget goes to local governments. <sup>22</sup>
Burkina Faso	Small funds from the state through the transfer of functions and resources (above all to libraries)
Denmark	The allocations are often earmarked to cultural institutions with national or regional functions. All grants have their own requirements.
France	The budget is being distributed by the regional office of the Ministry of Culture. <sup>23</sup>
Guinea-Bissau	Over 20 million dollars of the national culture budget go to local government. Some of these funds are available for local strategies but allocations depend on the political situation in the country.
Hungary	A national culture budget does not exist in general terms, it is dispersed between ministries. About 4% of the national budget goes to local governments, 9-10% of that sum covers culture. The annual budget contains a per capita ('normative') allocations for cultural activities of local governments. This allocation being more symbolic than binding, the local governments have relative freedom in deciding their spending.
Ireland	Local art offices receive (clearly dedicated) support through a Local Arts Plan.
Mexico	Culture corresponds to 2.7% of the GDP. In 2013 the federal culture budget was 16.7 billion pesos and federal entities received each 32 million pesos (corresponding to 0,002%).
Netherlands	The budgetary allocations are stipulated in separate laws between municipalities and the national government.
New Zealand	3% of the national culture budget goes to local governments The amount is earmarked principally for non-professional activity without funding conditional on the fulfilment of any requirements (these are some nationally issued guidelines and constrictions)
Poland	The cultural expenditure is 18% at national level and 82% at local level
Sweden	National government allocates funds for local and regional organisations.

<sup>22</sup> State/Territory governments and Local governments have their own budgets

<sup>23</sup> 2012 National Survey on Public Funding for Culture in different regions  
[www.arteca.fr/assets/production/7/RapportCompleet\\_FPC2008\\_sept13.pdf](http://www.arteca.fr/assets/production/7/RapportCompleet_FPC2008_sept13.pdf)

## National forums and agreements

There were 30 responses to the question about the existence of national forums bringing together local governments to discuss cultural policies. 17 respondents (57%) reported such forums in their countries. Six respondents reported formal government-initiated frameworks while 13 are established by national associations of local governments. Since multiple responses were possible, it should be noted that in all the countries where formal government-initiated frameworks were said to exist, forums established by national associations were also in existence, as the table below shows. Finally, four respondents reported other types of forums.

Formal government initiated frameworks	Bulgaria Denmark France Germany Mexico Netherlands
Forums established by national associations of local governments	Australia <sup>24</sup> Bulgaria Canada Denmark France Guinea-Bissau Mexico Netherlands Serbia Sweden Switzerland United Kingdom
Both formal government initiated frameworks and established national associations	Bulgaria Denmark France Mexico Netherlands
Other	Australia Ireland <sup>25</sup> Mexico United Kingdom <sup>26</sup>

<sup>24</sup> From the survey response of one of the Australian respondent: 'the Australia National Local Government Cultural Forum includes Commonwealth Ministry for the Arts, the Commonwealth Government arts funding body Australia Council for the Arts. The Australian Local Government Association, the cultural planners/managers from each of the eight Australia capital cities and the cultural policy managers from each of the seven regional jurisdictions in Australia. It was formed and is managed by the Cultural Development Network, funded by the Board of the Australia Council for the Arts

<sup>25</sup> Local Authority Arts Officers Association

<sup>26</sup> Forums established also by independent/charitable sector

As regards agreements or policies with specific cities or local governments in answers provided by national agencies, only one respondent (Guinea Bissau) indicated that such agreements or policies existed.

As regards local government contributions, five respondents stated that they have an agreement with a national agency. Examples include the City of Aarhus that has a cultural agreement with the Ministry of Culture (Denmark) and the contract between the Australia Council and the Cultural Development Network that functions as the secretariat of the National Local Cultural Forum.

Additional information was provided by some respondents. In France there are several national associations and federations of elected representatives for culture as well as broader associations of local governments that have a culture commission. These include the Association of French Regions<sup>27</sup>, National Federation for Culture Collectivity Representatives<sup>28</sup> and Urban France (metropoles and city communities)<sup>29</sup>. In Mexico it is expected that the recently formed Federal Secretary of Culture will have an impact on the regions in the field of culture.

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<sup>27</sup> Association des Régions de France [www.arf.asso.fr/](http://www.arf.asso.fr/)

<sup>28</sup> FNCC <http://fncc.fr/>

<sup>29</sup> <http://franceurbaine.org/>

# Respondents

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Patricia Alberth	World Heritage Office Germany
Esther Anatolitis	Regional Arts Victoria Australia
Graham Atkinson	Investment in the Arts New Zealand
Pete Bryan	Arts Development UK United Kingdom
Marilyn Burgess	M Burgess Consultants Inc Canada
Ed Carroll	Blue Drum Agency Ireland
Ib Christensen	Aarhus Municipality Denmark
Angie Cotte	Roberto Cimetta Fund France
Monique de Louwere	Council for Culture The Netherlands
Espera Donouvossi	Partenariárts & Culture Benin
Diana Georgieva	Gendwe Project for Bulgaria Foundation Bulgaria
Suzy Gillet	Creative Skillset United Kingdom
Enrique Glockner	IGC Asesores Mexico
Stéphane Grosclaude	Plate-forme interrégionale France
Christopher Gordon	United Kingdom
Sue Hassett	Ireland
Moyra Holzaptel	Consejo Nacional de la Cultura y de las Artes Chile

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Emmanuel Kouela	Mairie de Ouagadougou Burkina Faso
Jorge Javier Machorro Flores	H. Ayuntamiento de Oaxaca de Juárez Mexico
David Hernández Montesinos	David H. MONTESINOS Ecuador
Mikic Hristina	Creative Economy Group Foundation Serbia
Kim Hyun Min	Jeju Special Self-Governing Provice South Korea
Peter Inkei	The Budapest Observatory Hungary
Pascale Jaunay	Caracoli Haiti
Kamila Lewandowska	The Aleksander Zelwerowicz National Academy of Dramatic Art Poland
Josfef Madisia	Joe Madisia Visual Arts Mindset Namibia
Alex Meszmer	Visarte Switzerland
Mariana Prodanova	'The Fabric C' Association Bulgaria
Maria Psarrou	Municipality of Amaroussion Greece
Joseph Sackey	Jetcom Enterprise Ghana
John Smithies	Cultural Development Network Australia
Pedro Tome lala	No limits creative Guinea-Bissau
Eithne Verling	Galway City Museum Ireland
Deborah Williams	Reality Productions United Kingdom
Henrik Zipsane	Jamtli Foundation Sweden

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# Appendix 1

## Summary of responses<sup>30</sup>

Country	No. of respondents	National legislation	National policies	National guidelines	Specific budget allocations	National forums
Australia	2	No	No	No	Yes	Yes
Benin	1	No	No	No	No	No
Bulgaria	2	No	No	No	No	
Burking Faso	1	Yes	Yes	Yes	Yes	No
Canada	1			No	No	Yes
Chile	1	Yes	Yes			
Denmark	1	Yes	Yes	Yes	Yes	Yes
Ecuador	1	No	No	Yes	Yes	No
France	1	Yes	Yes	Yes	Yes	Yes
Germany	1	Yes	Yes			Yes
Ghana	1	No	No			
Greece	1	Yes	Yes	Yes	No	No
Guinea Bissau	1	Yes	Yes	Yes	Yes	Yes
Haiti	1	No	Yes	No	No	No
Hungary	1	Yes	Yes	No	Yes	No
Ireland	3	Yes/no	Yes	No	Yes/no	Yes/no
Mexico	2	Yes/no	yes/no	yes	Yes	Yes/no
Namibia	1	No	No	No	No	No

<sup>30</sup> There were some contradictory responses (shown as yes/no) that will be clarified in the final edition of the report

Country	No. of respondents	National legislation	National policies	National guidelines	Specific budget allocations	National forums
Netherlands	1	Yes	Yes	Yes	Yes	Yes
New Zealand	1	No	No	No	Yes	No
Poland	1	Yes	No	No	Yes	No
Serbia	1	Yes	No	Yes	No	Yes
South Korea	1	No	No	No	No	No
Sweden	1	Yes	Yes	Yes	Yes	Yes
Switzerland	1	Yes	Yes			
United Kingdom	4	No	No	Yes	No	Yes

## Appendix 2<sup>31</sup>

Specific legislation or agreements in your country (at national level) regarding

	Cultural aspects in urban planning/land use or local environmental design	Cultural development at the local level	Support for local arts and culture activities	Local cultural institutions (performing arts centres, libraries, museums etc)	Protection of local cultural heritage	Local cultural events and festivals	Cultural education at the local level	Other
Australia	•		•	•	•			
Bulgaria	•				•			
Burkina Faso		•	•	•	•			
Chile	•	•	•	•	•	•	•	
Denmark			•	•	•		•	
Ecuador			•	•	•			
Germany					•			
Ghana			•					
Greece	•	•		•				
Guinea Bissau	•	•	•	•	•	•	•	
Haiti		•			•			
Ireland		•	•	•	•	•		•
Mexico	•	•	•	•	•	•	•	
Namibia								•
Netherlands	•	•	•	•	•	•	•	
New Zealand	•		•	•	•			
Poland			•	•	•			
Serbia	•							
South Korea			•	•	•			
Sweden				•	•		•	
United Kingdom	•	•	•	•	•	•	•	

<sup>31</sup> There were some contradictory responses (shown in yellow) that will be clarified in the final edition of the report.



## Specific policies in your country (at national level) regarding

	Cultural aspects in urban planning/land use or local environmental design	Cultural development at the local level	Support for local arts and culture activities	Local cultural institutions (performing arts centres, libraries, museums etc)	Protection of local cultural heritage	Local cultural events and festivals	Cultural education at the local level	Other
Australia	•	•	•	•	•	•		
Benin			•		•			
Bulgaria	•	•			•			
Burkina Faso		•	•	•	•			
Canada			•	•	•	•		
Chile	•	•	•	•	•	•	•	
Ecuador					•			
France		•	•	•	•	•	•	
Ghana	•							
Greece	•	•			•			
Guinea Bissau	•	•	•	•	•	•	•	
Ireland		•	•	•	•	•	•	•
Mexico	•	•	•	•	•	•	•	
Namibia								•
Netherlands	•	•	•	•	•	•	•	
New Zealand	•				•			
Poland		•	•	•	•			
Serbia	•							
Sweden		•	•	•	•	•	•	•
United Kingdom	•	•	•	•	•	•	•	