



# VOICES OF CULTURE

Structured Dialogue between the European Commission and the cultural sector

## **Status and Working Conditions of Artists and Cultural and Creative Professionals**

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### **Introduction**

Pre-COVID-19, the cultural and creative sectors were already characterised by fragile working practices. A fragmented organisation of creative value chains, often project-based and precarious work, non-profit character of many activities and (often not well-remunerated) IP-based revenue and income models are only a few of the elements contributing to this.

The COVID-19 crisis is causing immense losses in revenue opportunities and possibilities to perform art and cultural activities, with the more fragile players suffering the most. Longer-term effects relate to changes in cultural demand and engagement, the need for skills to cope with the new situation, risks of exacerbation of inequalities within the sector, brain drain from the sector and impoverishment of the diversity of expression.

In order to strengthen the sectors, it is essential to keep developing sustainable business models and to work on building an ecosystem that ensures decent living and working conditions for artists and cultural and creative professionals.

In the Council Work Plan for Culture (2019-2022), one of six priority themes is "an ecosystem supporting artists, cultural and creative professionals and European content". Within this priority theme, the Work Plan provides for a study followed by an OMC group on the status and working conditions of artists and cultural and creative professionals.

In its Work Plan the Council emphasises that "artistic freedom is closely linked to the social and economic conditions of cultural professionals and institutions. The cultural

and creative sectors in Europe are characterised by self-employment, small- and micro-enterprises, and cultural and linguistic diversity. Artists and cultural and creative professionals tend to have project-based careers and a high degree of mobility, while they often have an irregular and unpredictable income and combine several jobs to earn a living. Innovation is particularly driven by individual artists, creators and small cultural institutions, whose value creation is mainly based on intangible assets, such as original ideas, know-how and creativity. In order to increase Europe's competitiveness and to stimulate innovation, Europe must build on its creative and cultural assets. The mobility of artists and cultural and creative professionals, the circulation and translation of European content, training and talent development, fair pay and working conditions, access to finance and cross-border cooperation are issues of specific interest for research and exchange at European level."<sup>1</sup>

The study foreseen under the Work Plan for Culture has been conducted by EENCA (the European Expert Network for Culture)/PANTEIA, in close collaboration with several sectoral stakeholder organisations (Culture Action Europe - CAE), The International Network for Contemporary Performing Arts - IETM), On The Move, PEARLE - Live Performance Europe, Freemuse) and has been published in December 2020<sup>2</sup>.

The Work Plan for Culture also foresees an Open Method of Coordination (OMC) expert group to start in the second half of 2021 until end-2022, which “will concentrate on the status and working conditions of artists and cultural and creative professionals, taking into account also the wider ecosystem supporting artists, cultural and creative professionals and European content”. The group will exchange information on national circumstances and good practice. It will also discuss obstacles hampering fair and decent working conditions and suggest a set of concrete actions.

The European Parliament, in its Resolution of 17 September 2020 on Europe's cultural recovery, “calls on the Commission to introduce a European framework for working conditions in the cultural and creative sectors and industries at EU level”. The EP's Cultural Creators' Friendship Group is discussing the topic, and the CULT Committee has launched an investigation into the effects of the Covid-19 crisis on the sector and asked for recommendations to make the sector and its workers more resilient for a future in which other crises with large effects on the sector cannot be excluded.

The cultural sectors, through their EU-wide network “Culture Action Europe” call for a “new Cultural Deal”. One of the five actions proposed is “relevant and timely support to cultural workers by enabling policies and measures to improve the employment and working conditions of cultural workers”, f.e. by including artists and cultural

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<sup>1</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018XG1221\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018XG1221(01)) p. 14 via <https://ec.europa.eu/culture/policies/strategic-framework-eus-cultural-policy>

<sup>2</sup> <https://ec.europa.eu/culture/news/study-artists-working-conditions-published>

workers in the temporary Support to mitigate Unemployment Risks in an Emergency (SURE)-instrument of the EU<sup>3</sup>.

## **Areas of discussion**

Voices of Culture will frame the Brainstorming meeting around the following areas of discussion:

*A: Income for artists and cultural and creative professionals, artists' status*

*B: Mobility of artists and other cultural and creative professionals*

*C. Artistic freedom and freedom of expression*

Each of these topics is introduced, followed by three core questions:

A: Income for artists and cultural and creative professionals, artists' status

The special ecosystem of artists and cultural professionals consists largely of self-employed, small- and micro-enterprises with project-based portfolio careers. Such working conditions lend themselves to irregular and unpredictable incomes, absence of social security for maternity/paternity leave, sick pay and none or little pension. Ways and means of securing a decent income in the sector will be discussed as well as the role of artists' status in different Member States. An important part of the discussion will focus on what would be needed for a European framework for working conditions in the cultural and creative sectors and industries at EU level, as called for by the European Parliament.

Questions:

1. Which public policies/actions/interventions (at international, EU, national, regional and/or local levels) could best help to ensure decent living and working conditions for artists and cultural and creative professionals? What works? What doesn't work?
2. What do you think could be building blocks for a "European framework for working conditions in the cultural and creative sectors and industries at EU level", as called for by the European Parliament?
3. Based on the recently published study on artists' working conditions<sup>4</sup>, which issues (artists' status and entitlements, minimum wage, basic income, measures for the self-employed, etc.) raised in the study do you consider particularly relevant?

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<sup>3</sup> <https://cultureactioneurope.org/files/2020/11/statement-Final-1.pdf>

<sup>4</sup> <https://ec.europa.eu/culture/news/study-artists-working-conditions-published>

## B: Mobility of artists and other cultural and creative professionals

Mobility is regarded as essential for growing in our capacity as human beings and in broadening our horizons. Mobility of artists and cultural professionals is essential both as a means of harvesting new inspiration, learning from others, networking and of course delivering artistic and cultural products and performances. At the same time, we need to question the mobility as we know it in the light of the COVID crisis and global warming. Based on available mobility schemes' calls and their experience with different hybrid formats and blended mobility (in particular iPortunus, Erasmus+, creative hubs mobility schemes, and other related programmes)<sup>5</sup>, re-thinking mobility will be discussed.

Questions:

1. Which public policies/actions/interventions (at international, EU, national, regional and/or local levels) facilitate new thinking and new solutions for mobility of artists, cultural professionals and arts? How to deal with sustainability in cultural mobility in a globalised world? How to deal with mobility in a world under lockdowns with severe travel restrictions and quarantines?
2. What can we learn from the vastly increased use of blended mobility solutions (combinations of physical and online) for future mobility schemes? How can they be used by artists and cultural professionals in situations where mobility is impaired?
3. What are the uptakes of initiatives and studies in the past that examined issues such as mobility and taxation (incl. VAT), social security, visas, provision of information, etc.? How relevant are they for the sector and what is lacking in existing solutions?<sup>6</sup>

## C. Artistic freedom and freedom of expression

According to the 'EU Charter of Fundamental Rights'<sup>7</sup>, the 'UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression'<sup>8</sup> and the UN International Covenant on Political and Civil Rights<sup>9</sup> artistic freedom is central to democratic societies. The UN-rapporteur on the promotion and protection of freedom of expression states in his 2020 report that: "Artistic freedom exists within, and is protected by, a framework of interconnected rights, including privacy, freedom of

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<sup>5</sup> EU page on mobility: <https://ec.europa.eu/culture/policies/selected-themes/mobility-artists-and-cultural-professionals>, mobility schemes for artists (iPortunus: <https://www.i-portunus.eu/> or also a smaller pilot, run by the Creative Hubs network: <http://makersxchange.eu/open-call/>, Erasmus, etc.

<sup>6</sup> F.e. look at the 2006 report on the Status of Artists in Europe:

[https://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-CULT\\_ET\(2006\)375321](https://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-CULT_ET(2006)375321)

<sup>7</sup> [https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights\\_en](https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights_en)

<sup>8</sup> <https://en.unesco.org/creativity/convention>

<sup>9</sup> <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>

thought, conscience and religion and belief, association and assembly, and participation in cultural life”<sup>10</sup>. Included in this right are both making and receiving expressions of art.

Artistic expressions can help overcome barriers connected to race, religion, gender, age, nationality, culture and identity, by providing a counter-discourse and contesting privileged narratives and perspectives, but also by building social cohesion and joint visions of the future. Developments and challenges to artistic freedom will be discussed.

Questions:

1. Which public policies/actions/interventions (at international, EU, national, regional and/or local levels) help in promoting and protecting artistic freedom for artists and cultural professionals? What works? What doesn't work?
2. How can civil society and non-state actors be involved in jointly defending freedom of expression in media and artistic work and counteracting movements and activities that threaten the freedom of expression (f.e. intimidation via bots, AI, hate speech, desinformative use of social media, etc. resulting in self-censorship and other forms of restrictive actions)? What are good examples of such campaigns?
3. What is the relationship between intersectionality (disability, LGBTQ+, gender/non-binary discrepancies) and artistic freedom? How does artistic freedom support artists and cultural professionals in this respect and what is the contribution of intersectionality to artistic freedom?

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<sup>10</sup> <https://undocs.org/en/A/HRC/44/49/Add.2>