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## **The situation of artists and the cultural recovery in the EU**

**European Parliament resolution of 20 October 2021 on the situation of artists and the cultural recovery in the EU (2020/2261(INI))**

(2022/C 184/06)

*The European Parliament,*

- having regard to the Preamble and Articles 2, 3 and 4 of the Treaty on European Union,
- having regard to Articles 6 and 167 of the Treaty on the Functioning of the European Union,
- having regard to the International Covenant on Civil and Political Rights and, in particular, Article 19 thereof,
- having regard to the UNESCO Recommendation concerning the Status of the Artist,
- having regard to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions,
- having regard to the Commission communication of 22 May 2018 entitled ‘Building a Stronger Europe: the role of youth, education and culture policies’ (COM(2018)0268),
- having regard to the Commission communication of 22 May 2018 entitled ‘A New European Agenda for Culture’ (COM(2018)0267),
- having regard to the Council conclusions of 15 November 2018 on the Work Plan for Culture 2019-2022 <sup>(1)</sup>,
- having regard to its resolution of 13 December 2016 on a coherent EU policy for cultural and creative industries <sup>(2)</sup>,
- having regard to its resolution of 7 June 2007 on the social status of artists <sup>(3)</sup>,
- having regard to its resolution of 17 September 2020 on the cultural recovery of Europe <sup>(4)</sup>,
- having regard to Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC <sup>(5)</sup>,
- having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) <sup>(6)</sup>,
- having regard to Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013 <sup>(7)</sup>,
- having regard to Regulation (EU) 2021/523 of the European Parliament and of the Council of 24 March 2021 establishing the InvestEU Programme and amending Regulation (EU) 2015/1017 <sup>(8)</sup>,

<sup>(1)</sup> OJ C 460, 21.12.2018, p. 12.

<sup>(2)</sup> OJ C 238, 6.7.2018, p. 28.

<sup>(3)</sup> OJ C 125 E, 22.5.2008, p. 223.

<sup>(4)</sup> OJ C 385, 22.9.2021, p. 152.

<sup>(5)</sup> OJ L 130, 17.5.2019, p. 92.

<sup>(6)</sup> OJ L 95, 15.4.2010, p. 1.

<sup>(7)</sup> OJ L 189, 28.5.2021, p. 34.

<sup>(8)</sup> OJ L 107, 26.3.2021, p. 30.

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- having regard to the conclusions of the German Presidency of the Council of 20 November 2020 on gender equality in the field of culture,
  - having regard to the Council conclusions of 18 May 2021 on the recovery, resilience and sustainability of the cultural and creative sectors,
  - having regard to the European Pillar of Social Rights,
  - having regard to the report by the Open Method of Coordination (OMC) Working Group of Member States' Experts of 22 March 2018 on the role of public policies in developing entrepreneurial and innovation potential of the cultural and creative sectors,
  - having regard to the study entitled 'The Situation of Artists and Cultural Workers and the post-COVID-19 Cultural Recovery in the European Union — Background Analysis', published by its Directorate-General for Internal Policies on 1 February 2021 <sup>(9)</sup>,
  - having regard to the briefing entitled 'The Situation of Artists and Cultural Workers and the post-COVID-19 Cultural Recovery in the European Union: Policy Recommendations', published by its Directorate-General for Internal Policies on 4 May 2021 <sup>(10)</sup>,
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the report of the Committee on Culture and Education (A9-0283/2021),
- A. whereas in its resolution of 7 June 2007 on the social status of artists, Parliament already explicitly called on the Member States to develop or implement a legal and institutional framework for creative artistic activity through the adoption or application of a number of coherent and comprehensive measures in respect of contracts, social security, sickness insurance, direct and indirect taxation and compliance with European rules;
- B. whereas in its resolution of 17 September 2020 on the cultural recovery of Europe, Parliament again underlined the need to improve the working conditions of cultural and creative workers and urged the Commission to establish a European framework for working conditions in the cultural and creative sectors and industries (CCSI);
- C. whereas culture has an intrinsic value as an expression of humanity, democracy and civic engagement that can be key to advancing sustainable development;
- D. whereas culture and the freedom of the arts contribute significantly to the vibrancy of a society and enable all segments of society to express their identities, contributing to social cohesion and intercultural dialogue and paving the way to an ever closer European Union, as well as playing an instrumental role in fostering the digital and green transitions;
- E. whereas culture, arts, cultural heritage and cultural diversity are of great value to European society from a cultural, educational, democratic, environmental, social, human rights and economic point of view, and should be promoted and supported; whereas Europe's CCSI contribute substantially to a common European identity and to our values, our mental health and economic wealth, and, in the long term, to the creation of a European public sphere;
- F. whereas the European CCSI account for between 4 and 7 % of EU GDP and 8,7 million jobs in the EU;

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<sup>(9)</sup> Study — 'The Situation of Artists and Cultural Workers and the post-COVID-19 Cultural Recovery in the European Union', European Parliament, Directorate-General for Internal Policies, Policy Department B — Structural and Cohesion Policies, 1 February 2021.

<sup>(10)</sup> Briefing — 'The Situation of Artists and Cultural Workers and the post-COVID-19 Cultural Recovery in the European Union', European Parliament, Directorate-General for Internal Policies, Policy Department B — Structural and Cohesion Policies, 4 May 2021.

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- G. whereas the Union has only had limited competence in the field of culture thus far; whereas Parliament had to fight hard to achieve a significant increase in the budget for the Creative Europe Programme; whereas Creative Europe is the sole Union programme dedicated to culture; whereas this programme's funding still falls far short of the needs of our European artists and the CCSI as a whole;
- H. whereas the CCSI mainly comprise micro, small and medium-sized organisations and enterprises with restricted access to financial markets, as well as self-employed artists, cultural workers, freelance professionals and entrepreneurs, who are more likely to work part-time and often draw on irregular and mixed incomes from different sources;
- I. whereas self-employment rates are higher (33 %) in the CCSI than in employment for the economy (14 %) as a whole, and whereas cultural and artistic workers are more likely to work part-time, which leads to challenges in accessing support measures and safety nets, and reduces the overall resilience of the self-employed in the CCSI;
- J. whereas in some Member States certain cultural and creative professionals do not enjoy any legal status at all;
- K. whereas the containment measures taken in response to the COVID-19 pandemic have severely undermined the fragile cultural and creative ecosystem, thus endangering cultural and artistic creation and expression and weakening the contribution of arts and culture to our well-being, cultural diversity, democracy and more; whereas the CCSI experienced losses in turnover of over 30 % for 2020 — a cumulative loss of EUR 199 billion — with the music and performing arts sectors experiencing losses of 75 % and 90 % respectively <sup>(11)</sup>;
- L. whereas culture is an ecosystem that not only generates high economic value (representing 4,4 % of EU GDP in terms of total turnover and employing around 7,6 million people), but also has a substantial social impact, contributing to democratic, sustainable, free, fair and inclusive societies and reflecting and strengthening our European diversity, values, history and freedoms;
- M. whereas it has been conclusively proven that the cultural content distributed during the COVID-19 lockdown periods greatly improved the psychological condition of European citizens and prevented a worsening of the mental health issues caused by the prolonged isolation;
- N. whereas traditional culture and artists must be supported in order to protect cultural heritage;
- O. whereas the development of a multidimensional European framework for working conditions in the CCSI will require coordination with EU policies on employment, competition, the internal market, social policy, fundamental rights and equality, copyright and funding for culture, as well as permanent monitoring of the progress made by Member States in improving working conditions in the CCSI and sharing best practices while fully respecting the fields of competence of the European Union and its Member States;
- P. whereas since Parliament's call for improvements to the situation of artists in its resolutions of June 2007, November 2016 and September 2020, not much progress has been made and most of the demands therein remain valid, especially in the light of the major differences between support schemes for artists and cultural professionals in different Member States and the fact that the situation of artists has deteriorated and therefore most of Parliament's demands have become urgent;
- Q. whereas the COVID-19 crisis has exposed the pre-existing vulnerabilities of the CCSI, characterised by intermittence, heterogeneity and instability, the fragile livelihoods of artists and cultural workers, as well as the tight budgets of many cultural institutions and the insufficiency of public funding, and has placed artists and cultural and creative professionals and workers in even more precarious situations, as the loss of earnings of freelancers and non-standard

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<sup>(11)</sup> Ernst & Young, *Rebuilding Europe: The cultural and creative economy before and after the COVID-19 crisis*, January 2021.

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workers, who make up the majority of the CCSI, has often been exacerbated by weak or absent national social security schemes and dedicated support measures;

- R. whereas the ongoing impact of the pandemic has made it impossible for the majority of artists and cultural and creative workers to carry out their activities and to keep their jobs, while it has also generated uncertainty over future prospects that are already causing professionals to leave the sector, which will have a long-lasting effect on the composition and diversity of the European CCSI as a whole and discourage young people, as well as people from marginalised groups, from working in these sectors and will decrease the creativity of European society and the EU's economy as a whole;
- S. whereas many Member States have enacted substantial emergency measures to help the CCSI to survive the crisis; whereas, however, this support varied greatly among Member States, was not always suitable for all CCSI and was sometimes delivered with delays which jeopardise parts of the CCSI; whereas the support was not available to several categories of cultural workers, artists and cultural mediation professions on account of their particular working status and as such was not sufficient to ensure sustainable working conditions; whereas the late and sometimes insufficient public support led the sector to have to rely on itself for support, emphasising the need for functioning support mechanisms to safeguard the social rights of artists and cultural professionals and to protect the diversity of cultural expression;
- T. whereas cross-border mobility remains an essential component of artists' and cultural workers' careers; whereas, however, most of the current funding instruments supporting mobility do not sufficiently stimulate environmentally and socially sustainable mobility and hinder the work-life balance of artists and cultural professionals;
- U. whereas the Council's Work Plan for Culture for 2019-2022 makes it a priority to establish an ecosystem supporting artists and cultural and creative professionals, and recognises the need for joint action in this field; whereas there is an urgent need for such joint action;
- V. whereas several definitions of artists and cultural workers coexist in the EU, making potential harmonisation challenging; whereas many workers in the CCSI, including, but not limited to, writers, literary translators, producers and technicians suffer from uncertainty as a result of the lack of a consistent definition of their status;
- W. whereas several Member States have specific legislation in place providing a special status for artists to guarantee them access to social benefits; whereas, however, this legislation varies considerably between the Member States, which hinders the mutual recognition of the status of artists and cultural and creative workers and cross-border collaboration and mobility, thereby creating barriers to cultural and artistic creation, expression and free movement, and ultimately to European cultural diversity and social sustainability;
- X. whereas funding support for the CCSI varies greatly between Member States, in terms of budgets' size, guiding priorities and values, which contributes to further divergence in the sustainability of careers of cultural workers across countries and hinders the inclusivity, sustainability and balance of cross-border collaboration and mobility;
- Y. whereas artists and cultural and creative workers tend to engage in atypical work patterns owing to the nature of the sector itself and are often subject to insecure working arrangements impeding their access to full social security protection and excluding them from pension, healthcare and unemployment payments;
- Z. whereas artists' and cultural and creative workers' remuneration is often unstable and uncertain, comes from different sources such as contracts, royalties, grants and subsidies, which renders their income highly unpredictable, leaves them in precarious situations and weakens their resilience;

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- AA. whereas the COVID-19 pandemic and lockdowns severely limited the possible revenue streams for the vast majority of artists, performers and cultural workers; whereas ongoing income from authors' and adjacent rights remained one of the few remaining revenue sources; whereas in many Member States such rights are not properly respected by distribution platforms, which pressure rights holders into relinquishing their rights, sometimes in perpetuity, as part of their contracts, thereby severely limiting their ability to sustain themselves from their work;
- AB. whereas authors, performers and all cultural creators should have access to guaranteed minimum standards of social security, including employment and health insurance and pension funds, so that they can concentrate fully on their artistic process and creativity;
- AC. whereas the lack of collective bargaining, and obstacles to it, for self-employed artists and cultural and creative workers further serves to undermine their position on the labour market and leads to a lack of adequate social protections and a long-term negative effect on their position and security; whereas collective management of authors' rights represents a major source of income for a majority of creators and artists in Europe, ensuring their continuous remuneration and should also protect them from unfair practices of large and dominant media and streaming platform companies;
- AD. whereas cross-border mobility is an essential part of artists', authors', performers' and all cultural creators' and cultural workers' work but is often hampered by bureaucratic procedures, a lack of clear information and a plethora of administrative rules and requirements across the Member States, notably as regards social protection and taxation, as well as complicated and expensive procedures for the specific transportation needs for artistic fragile equipment; whereas these barriers to cross-border cultural mobility undermine the principle of free movement;
- AE. whereas public grants are considered the most vital and effective form of financial support for the CCSI, but are often insufficient, overly bureaucratic and too difficult to access or inaccessible particularly for marginalised groups and sometimes biased as a result of political influence which discourages aspiring artists and creators in particular from applying; whereas, furthermore, the lack of an overarching European funding strategy for the sector by the Commission, the different sources within the multiannual financial framework and their lack of mainstreaming also hinder access to public grants;
- AF. whereas freelancers suffer from the highest level of uncertainty with regard to access to both social schemes and to national and EU grants, funds and other financing opportunities;
- AG. whereas the COVID-19 pandemic has highlighted artists' dependence on public and private short-term financial support and mid-term project-based support and whereas this has revealed the overarching structural difficulties in the sector;
- AH. whereas access to finance remains the main challenge, especially for smaller actors in the CCSI, including individual artists, artists' collectives, and cultural and creative workers, who are often ineligible for loans and bank guarantees, which increases the importance of access to and the availability of public and private grants and subsidies; reiterates the importance of supporting all cultural sectors, including cultural mediation professions, which play a vital role as an interface between the public and the artistic work or heritage, thereby ensuring access to and the dissemination of culture to a wide audience;
- AI. whereas many private investors and public funders have scaled back or completely cancelled their financial support for cultural projects, especially those with a cross-border dimension, during the crisis; whereas this underlines the importance of reliable and constant public funding;
- AJ. whereas education and culture are key to building inclusive and cohesive societies for all, fostering integration, and sustaining European competitiveness;
- AK. whereas streaming services based outside of the EU have increased their investments in Member States' CCSI infrastructures, for the purposes of creating further content destined for online distribution;

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- AL. whereas artists are often subject to racism, xenophobia, discrimination and exclusion based on their perceived identity as a result of structural and institutional racism and tokenism that result in strained relationships and collaborations with the relevant institutions, as well as in the obstruction of their artistic freedom;
- AM. whereas artists with disabilities are excluded from policy and funding in the CCSI as the result of a lack of account being taken, for example, of restricted mobility or the challenges posed by bureaucratic funding procedures;
- AN. whereas although the participation of women in the CCSI is high, a great deal of gender-based discrimination persists, as well as a lack of access, a gender pay gap and obstacles to representation and visibility; whereas women rarely occupy key creative roles or decision-making positions in cultural institutions; whereas women artists are often silenced and subject to disproportionate criticism as a result of their work, and women and LGBTIQ+ artists are more likely to be the targets of attacks or subject to restrictions;
- AO. whereas artists and cultural professionals from marginalised groups, including women, young people, representatives of racial, ethnic and geographic minorities, people with vulnerable socio-economic backgrounds, persons with disabilities and LGBTIQ+ people, have less access to artistic and cultural careers and fewer opportunities to develop long-term careers in the sector; whereas the impact of the COVID-19 pandemic has been especially strong on women and has exacerbated the already existing obstacles in terms of access, equal payment, representation and visibility in the CCSI experienced by these groups;
- AP. whereas freedom of expression and freedom of the arts, as enshrined in the Charter of Fundamental Rights of the European Union, are currently under threat in several Member States as a result of state interference and politically driven restrictions and are sometimes hindered by the use of anti-terrorism legislation or allegations that artistic works insult religious feelings or national symbols, or are deemed to be offensive or inappropriate, also resulting in cases of self-censorship;
- AQ. whereas the state of national aid programmes during the crisis, particularly aid to CCSI workers who do not fall under national definitions of artists, including, but not limited to, freelancers such as writers and authors, was and continues to be fragmented;
- AR. whereas, in the light of the consequences of the pandemic, a whole generation of young artists and cultural workers will struggle to find cultural employment or enrol in higher art education as a result of the narrowing of opportunities; whereas artists under the age of 30 are more likely to be unemployed, to accept unpaid work and to be subject to exploitative working conditions such as unpaid salaries and precarious contracts;
1. Urges the Commission and the Member States to recognise the intrinsic value of culture, as well as the fundamental role of culture for society, its progress and our well-being, the economy and inclusiveness, and to translate this recognition into adequate and continuous financial and structural support;
  2. Regrets the fact that cultural activity has often been considered as non-essential; recalls that culture plays an essential role in our society, all the more so during a crisis, and calls, therefore, for the reopening of all cultural spaces as soon as possible; acknowledges that for the cultural and creative sector to survive the current challenges, it is essential not only to ensure immediate support and put in place all the necessary emergency measures, but also to reflect on an orderly relaunch of this vital sector, providing structural support not only through innovation programmes and budgetary resources, but also through learning opportunities in this field for the younger generation;
  3. Calls on the Commission to further develop and consolidate the industrial policy framework for the CCSI ecosystem into a coherent, competitive and long-term strategy in order to boost their competitiveness, their strategic value for the European economy and the European way of life, and enable them to meet their potential in terms of jobs and growth creation; highlights the potential of CCSI in relation to youth employment and reindustrialisation and, in particular, the growing opportunities in the CCSI for young people created by the digital environment;

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4. Calls the Commission and the Member States to include the CCSI in all financial supporting tools, such as InvestEU and the NextGenerationEU; stresses the importance of channelling these resources based on the particularities of the different sectors and the dimensions of the potential beneficiaries in order to ensure compatible solutions that do not create further inequalities within the EU;
5. Calls on the Member States and the Commission to recognise the European added value of cross-border cooperation and to eliminate all barriers to sustainable and inclusive cross-border mobility in the EU, and with non-EU countries for artists and cultural professionals;
6. Calls on the Commission and the Member States to support and provide authors, performers and other creative professionals and workers in the CCSI with clear information and guidelines on mobility opportunities and review and, where necessary, revise administrative requirements in all Member States, including on visas, taxation, social security and access to training and the recognition of artistic education degrees, including vocational education and training and academic qualifications, with a view to simplifying and unifying access to all of the above, as well as to Union programmes and funds that can serve their needs, such as Creative Europe, including those not directly or specifically targeted at the CCSI; calls for specific programmes dedicated to the mobility of young creators and innovators in order to promote exchanges and innovation in the fields of culture and creativity;
7. Welcomes the establishment of mobility information points to provide assistance to artists and cultural professionals and to support sustainable mobility; calls on all Member States to establish at least one such mobility and information point to offer free and tailored support to artists and cultural and creative workers; recommends that the Commission provide consistent and more comprehensive information tailor-made for cultural cross-border workers, as well as authors, performers and creators, on mobility through initiatives such as updated toolkits and handbooks;
8. Calls on the Commission to provide clear information for artists on mobility issues related to EU-UK relations;
9. Condemns the fact that most Member States failed to implement Directive (EU) 2019/790 on copyright in the digital single market on time before the deadline of 7 June 2021; regrets the fact that the Commission only published the guidelines three days before the deadline for implementation; believes that this demonstrates the need for a regulation also covering procedural matters;
10. Encourages the Member States to allow cultural and creative professionals to deduct the business expenses in relation to their artistic activity from their taxes, as well as the costs related to equipment or training (upskilling and reskilling);
11. Underlines the need for detailed gender-disaggregated, comparable data and statistics on cultural employment and income in the CCSI;
12. Encourages greater synergy between the cultural and educational sectors, and the promotion of greater participation of artistic and cultural schools and institutions in activities under Erasmus+, and in other actions under EU programmes, both for students and teachers; calls on the Member States to fully include and promote access to art education, vocational and educational training and academic qualifications, as part of a holistic approach for the CCSI's recovery and that of society as a whole; notes the importance of providing access to lifelong learning, upskilling and reskilling and training through, among other things, mentoring programmes, as well as the development of EU-wide training materials for the transition from education to cultural and creative employment;
13. Calls on the Member States to transpose Directive (EU) 2019/790 on copyright in the digital single market, with a strong focus on the protection of cultural and creative works and those creating them, and, in particular, to guarantee fair, appropriate and proportionate remuneration for authors and performers; calls on the Commission to closely monitor the effective implementation of these key principles;
14. Points out the importance of territorial licenses in the business model of a majority of CCSI entities; recalls the Commission's mid-term review of the unjustified geo-blocking regulation; points out the necessity of taking into account, before considering any follow-up measures, the voices of the rights holders in any discussion on copyright-protected

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content; recalls that revenue from copyright represents not only the core of the fair remuneration of artists and creators, but also of many small players in the CCSI; recalls that any drastic change in this field could lead to dramatic consequences for many of them;

15. Regrets the fact that the national transposition of Directives (EU) 2019/790 and 2019/789<sup>(12)</sup> is somewhat delayed, while only a few Member States have seized the opportunity provided by Article 18 to implement appropriate remuneration mechanisms; urges the Member States to translate Article 18 of Directive (EU) 2019/790 into effective remuneration mechanisms;

16. Calls on the Commission to promote collective rights management in the implementation of the recently adopted directives on copyright, as well as in its forthcoming initiatives to ensure the fair remuneration of creators and wide access to cultural and creative works for the public;

17. Urges the Commission to effectively implement gender equality, inclusion and integration initiatives in the cultural and audiovisual fields through the Creative Europe Programme and to monitor the results thereof;

18. Invites the Commission to evaluate the impact of music streaming platforms in Europe, in order to ensure transparency on their recommendation algorithms, as they determine to a great extent what content their consumers listen to and see on the services' playlists and user interfaces, and to consider the introduction of positive obligations to promote cultural diversity and the discoverability of European works in their services;

19. Strongly condemns stereotypes, sexism and sexual harassment in the CCSI;

20. Welcomes the initiatives of some Member States to encourage gender equality in the selection process for higher positions in public cultural institutions;

21. Recognises the crucial role of culture and the arts in promoting cultural diversity and fostering inclusive societies, and in the fight against all forms of discrimination;

22. Highlights that the current pandemic has underlined the importance of the digital sphere and amplified the dependency of artists and users on the dominant digital platforms; in this regard, highlights the need for more transparency; recalls that for some artists and creators who were mainly dependent on public events, this change in economic paradigm represents a challenge in terms of stability of revenue; is worried about the fact that in this new business model, many artists and creators cannot achieve the same amount of revenue as the practice by dominant or large streaming platforms of imposing buy-out clauses deprives authors of their royalties and hinders adequate and proportionate remuneration for creators; asks the Commission, therefore, to evaluate the situation and to take measures to ensure that revenues are duly and fairly distributed to all creators, artists and rights holders;

23. Welcomes the Commission's inception impact assessment and recent public consultation on collective bargaining for the self-employed, which is examining the possibility of removing the competition law obstacles to collective bargaining for the self-employed and freelancers; urges, in this regard, that the Commission take the broadest possible approach, in order to ensure access to collective bargaining for all solo self-employed workers, including artists and cultural workers; invites the Commission to further evaluate the current State aid rules and their application to the CCSI and the possible needs for adaptation; calls on the Member States to acknowledge the right of association for all workers in the CCSI and to promote collective bargaining;

24. Points out that atypical employment (part-time and fixed-duration contracts, temporary work and economically dependent self-employment) is commonplace in the media and the culture sector, often leading to precarious working situations for artists and cultural professionals; underlines the urgent need to improve the working conditions in the CCSI; encourages the Member States to utilise upward convergence to establish minimum standards for artists and cultural professionals in relation to working conditions, fair remuneration and social security, while recognising the special characteristics of the CCSI such as seasonal work and the non-monetised quality of creativity;

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<sup>(12)</sup> Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes, and amending Council Directive 93/83/EEC (OJ L 130, 17.5.2019, p. 82).

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25. Calls on the Commission to propose a European Status of the Artist, setting out a common framework for working conditions and minimum standards common to all EU countries, while fully respecting the responsibilities of the Member States and the EU with regard to the labour market and cultural policy, through the adoption or application of a number of coherent and comprehensive guidelines with respect to, inter alia, contracts, means of collective representation and management, social security, sickness and unemployment insurance, pension schemes, direct and indirect taxation, non-tariff barriers and information asymmetries; welcomes, in this regard, the forthcoming OMC discussions between the Member States on the status of artists as a first step; calls for the establishment of a working group in the framework of the OMC in order to facilitate the sharing of best practice between Member States, as well as to facilitate the monitoring of progress in relation to the amelioration of the working conditions of artists;

26. Calls on the Commission to map the existing definitions of artists and cultural workers across the Member States with a view to developing a common understanding to be reflected in EU policy-making and cultural statistics; notes that such a definition should take into account the process-oriented nature of cultural work and recognise the labour intensity of the different stages of the creative process; considers that such a definition should also be aligned with the 1980 UNESCO Recommendation concerning the Status of the Artist;

27. Calls for greater cross-border portability and recognition of cultural and creative skills, qualifications and diplomas in order to facilitate mobility for people working in the CCSI;

28. Calls on the Member States and the Commission to support vocational training programmes and initiatives for the career development of all authors, performers and cultural creators, and, in particular, to support them in acquiring digital, entrepreneurial and other skills in order to benefit from digital opportunities to promote their work and collaborate with other artists;

29. Urges all Member States to fulfil their responsibility and obligation to foster and defend artistic freedom in order to uphold the fundamental right to freedom of expression and to ensure that EU citizens can freely enjoy artistic creations and participate in culture, and urges the Commission to sanction those Member States that fail to comply with their obligations; invites the Commission to carry out further research into the topic and prepare a roadmap for achieving better protection of freedom of artistic expression in Europe; calls on the Member States to jointly establish a structured dialogue among artists, legal experts and relevant stakeholders to determine common standards for freedom of artistic expression and develop and implement relevant guidelines;

30. Welcomes the Council's recent conclusions on the recovery, resilience and sustainability of the CCSI, in particular with regard to the call for a fair and sustainable labour market and social protections for CCSI professionals, as well as the need to secure artists' income; calls on the Member States to work towards the swift implementation of these conclusions;

31. Calls on the Member States to ensure full access to social protection for artists and cultural workers, regardless of their employment status, including access to unemployment allowance, healthcare and pensions; urges the Member States and the Commission to take specific measures for the different categories of creative professions in order to tackle unstable income, unpaid work and job insecurity, and safeguard a minimum standard for their income;

32. Calls on Member States to take due account of the unique situation of artists from marginalised groups in the development of all relevant policies, funding programmes and activities, and to remove all obstacles to achieving gender equality in the sector, in particular by introducing measures which enable the equal access, participation and representation of all cultural workers and artists;

33. Calls on the Member States to increase their support to the CCSI through strengthening public investment and encouraging private investment in the CCSI, as well as public-private partnerships; calls on the Member States to ensure easier access to finance for artists and all cultural creators;

34. Calls on the Member States to diversify the sources of support to the CCSI and ensure that no financial cuts or diminishing of existing funds are implemented, as the sector is still struggling with the aftermath of the last round of cuts;

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35. Calls on the Commission and the Member States to facilitate access to public grants and loans by reducing administrative burdens at all stages of the application and reporting processes, and to ensure transparency; emphasises the necessity of promoting synergies between all relevant EU funding schemes with specific amounts dedicated to the cultural and creative sector, such as Horizon Europe, Creative Europe, InvestEU, Digital Europe, the cohesion policy funds and the Recovery and Resilience Facility, to be exploited in order to better support artists and cultural workers and provide new, accessible and, where possible, regular funding streams;

36. Stresses the importance of directing an adequate proportion of the economic recovery measures to the CCSI; reiterates its call on the Commission and the Member States to include culture in the national recovery and resilience plans and to earmark at least 2 % of the budget envelope of the Recovery and Resilience Facility to culture with concrete, inclusive measures which are accessible to all, leaving no one behind; is alarmed that in some Member States, the submitted plans appear to earmark a lower percentage or completely lack dedicated funding to those sectors; calls on the Commission to publish data on the amounts and purposes of funds earmarked in the plans in order to ensure transparency and facilitate democratic oversight;

37. Reiterates the importance of supporting all cultural sectors, including the cultural mediation professions, which play a vital role as an interface between the public and the artistic work or heritage, thereby ensuring access to, and the dissemination of, culture to a wide audience;

38. Highlights that the CCSI are the first sectors to be hit by the pandemic, were the most severely hit and have been the last to recover, while, given the restrictions in capacity of cultural events and venues, the CCSI's recovery is expected to be even slower; underlines that the recovery of the CCSI must go hand in hand with the transition towards the sustainability of the sector; calls on the Commission and the Member States to support the short-term recovery of the whole cultural ecosystem and to bolster the resilience, competitiveness and innovation of the CCSI in the long term, and to reinforce these sectors by providing fair and structured support to all, especially the most vulnerable actors, and foster employment opportunities for artists, authors, performers, cultural workers and cultural mediation professionals by supporting cooperation across disciplinary domains, as well as to ensure comprehensive monitoring of the socio-economic situation in the CCSI with the help of the European Framework for working conditions, in order to tackle any major crises as effectively as possible in the future and to accompany their digital and green transitions;

39. Underlines that any action taken to help the CCSI in their recovery should not only be aimed at economic recovery, but also be used for the improvement of the working conditions of artists and cultural professionals, for the up- and reskilling of those workers to enable them to engage in the digital era and world, and for investment into the green innovation power of the CCSI, which are a driver of sustainability, as well as early adopters and enablers of the disruptive technologies needed to tackle climate change; stresses the challenges imposed by digitalisation on the CCSI and therefore the need for the constant rethinking and reshaping of business models in order to develop market-driven solutions based on big data, cloud computing, ICT, artificial intelligence and the strong role of internet platforms; underlines the importance for European CCSI rights holders of access to, and transparency of, audience data and content recommendation systems; emphasises, therefore, the importance of guaranteed funding for the digitisation, preservation and online availability of cultural and creative content and our European cultural heritage;

40. Calls on the Commission and the Member States to gather and share reliable data on best practices and methods for distributing aid to the CCSI; calls, furthermore, for the exchange of best practices on the most efficient ways to distribute recovery funding in the short and mid-term, in order to ensure maximum coverage of the CCSI, so that no artist or cultural worker is left behind;

41. Underlines the importance of remuneration for authors and performers online and offline, specifically through the promotion of collective bargaining;

42. Calls on the Commission to continuously monitor the CCSI with regular studies on the situation of artists for the purpose of having accurate, reliable, updated and sector-specific data at European level in order to design solid policy-making, as well as to improve mapping of the CCSI and be better prepared in the event of future crises;

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43. Welcomes the fact that during the crisis many cultural ecosystems of workers and organisations adapted to new digital distribution formats, adopting innovative ways of reaching their audience; points out nevertheless that digital engagement should not replace cultural experiences in person;
  44. Encourages the promotion of the use of new technologies such as artificial intelligence so that artists can explore new ways to create and disseminate their work and benefit more from the opportunities that the digital environment offers;
  45. Instructs its President to forward this resolution to the Council and the Commission.
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