

PEARLE*

**The voice of music, performing arts
and live performance organisations**

- > SECTOR FEDERATION**
- > EMPLOYERS ASSOCIATION**
- > INTERNATIONAL NETWORK**

Activity Report

20

18



PEARLE

LIVE PERFORMANCE EUROPE

20

Activity Report

1

8

A dramatic, low-angle shot of a car's headlights on a dark road at night. The headlights create a bright, glowing path on the road surface, which is reflected in the wet pavement. In the upper right corner, a hand is visible, reaching out towards the viewer. The overall atmosphere is mysterious and intense.

**SHARING
THE PASSION
FOR LIVE
EXPERIENCES**



INTRODUCTION

Year after year, our sector shows how resilient it is. Audiences love the live aspect of performances and enjoy the magic that goes with it. The excitement selecting and choosing the programme or show you want to see, the period looking forward to go to the performance, the actual travel to the venue or place, the surrounding actions (what shall I wear? shall we have a bite before? a drink after?), the great feeling and the buzz when entering the venue with others who will share the live experience and last but not least the pleasure of discussing the show afterwards and sharing photos and comments on social media.

During each of those steps the digital environment facilitates the process and comfort for audiences and underpins the communication between the venue, festival, organiser and music or live performance group. New technologies and techniques are used on, behind and in front of the stage to increase the audience experience.

For the live performance sector, the variety of European and international rules, conventions and agreements may to a large or lesser extent play a role in its daily business. Being labour-intensive, highly mobile and very international, the sector is not at all helped by increasing administrative obligations across Europe and non-transparent rules. A balance must be achieved between public authorities' goals to achieve policy objectives on combating fraud and abuse and making it possible for numerous sectors and millions of enterprises to continue doing business. This is equally relevant to the members of PEARLE* which are active in the music, performing arts and live performance sector.

PEARLE* continues to strive for an environment in which the sector can move forward by extending its international co-operations and exchanges, by providing local communities an inclusive cultural offer and by relying on a regulatory environment which allows it to do so.

You are welcome to read more about PEARLE*'s 2018 highlights on the next pages.

CONTENT

01	This was 2018 for PEARLE*	7
02	Top ten issues in 2018	8
03	European Projects	19
04	Governance	23
05	Association activities	25
06	Membership list	27

THIS WAS 2018 FOR PEARLE*...

As a European association set up to follow EU and international affairs which may impact the live performance sector, it is a matter of daily business to stay updated on what happens in the political arena.

PEARLE* is a trustworthy partner for EU policy makers in providing expertise and knowledge on the sector thanks to a strong network of branch associations and also since 2018 single organisations who provide input in many areas. Targeted and focused, PEARLE* is able to defend the interests of the sector whilst being realistic in its aims and expectations.

PEARLE* is a trustworthy partner for EU policy makers in providing expertise and knowledge on the sector

2018 was the last full year where under the current legislative and political term of EP and Commission, initiatives could be proposed and agreements concluded. The year 2019 would be quite different in the run up to the European elections and discussions among member states for the top positions within the European Commission.

Against the background of the big societal and political issues, throughout the year and as on-going themes, specific attention was given to:

MOBILITY: the livelihood of the sector.

Showing performances and concerts to audiences all across the country, Europe and the world requires a regulatory and political environment which supports live performance organisations to reap the full benefits of cross-border cultural cooperation and touring.

SKILLS: in today's society openness to learn new skills, keep up with digital developments and mix with people coming from other sectors is crucial to push the sector forward.

Training for traditional professions in music, acting, dance requires cooperation with the sector, so that curricula and programmes prepare artists more fully for their future careers. Through European projects and others (such as participation in the MuSiQuE quality enhancement body) changes are happening step-by-step.

DIGITAL ENVIRONMENT: digital technology allows for innovation in performance-making and communication with the public.

It is an ideal medium to develop and share archives online and provides opportunities to understand audiences better and therefore improve communication with them. This requires the need for research, support for innovation and funds to develop such initiatives. At the same time the digital environment also evokes dangers and threats to the sector such the illicit resale of tickets of performances.

THE WORLD OF WORK AND BEYOND: with the Generation Z coming to the labour market, the demographic evolution and the higher pension age, more than ever there is a need to reflect on how to organise the world of work in future.

Whilst the EU promotes the principles in the European Pillar of Social Rights and encourages social dialogue, the reality shows other trends on which new solutions and answers are to be found. This may become one of the biggest challenges in the near future.

02

TOP TEN ISSUES FOR 2018

The top ten issues for 2018 were related to culture, funding, copyright affairs, eco-design, employment and social affairs, environment (& CITES), #metoo, security, UK & Brexit, visas. They are described on the next pages.

We also took a particular interest on Commission initiatives, implementation of rules or others related to taxation (VAT and direct taxation), travel package regulation, public sector information directive and the implementation of the GDPR directive.

#1 A new European agenda for culture, a new Culture Council work plan and a special focus on the European Year of cultural heritage 2018

In May 2018 the European Commission published a new policy document presenting the objectives for the upcoming years in the field of culture. The European Agenda for Culture comprises 3 strategic objectives, including a social dimension, an economic and an external dimension.

In general PEARLE* welcomes the objectives and the actions included in the policy document, but in order to reach its full potential much closer cooperation should be undertaken with other EU policy fields with legislative powers and where real impact can be achieved.

Occasionally this has also been pointed out during the working group meetings of the Member States or Culture Council meetings where VAT legislation, copyright rules and others have been raised as issues impacting cultural policy.

As a sector federation, PEARLE* has been active throughout the year in many policy and regulatory fields to create better conditions for the sector to undertake performances, concerts and shows, go on tour and communicate via digital means.

PEARLE* has regularly met with the Commission – DG Culture, Members of the European Parliament – Committee culture and with the Austrian presidency. PEARLE* actively contributed by giving expert input in policy-making. **PEARLE* welcomes the support given by the EP** for pilot projects on artist mobility and on music and the interest expressed for circus. It is regrettable that a proposal for a pilot project from the EP on artist taxation was not accepted, despite full support by the EP Committee Culture.

In the context of the European Year of Cultural Heritage (see box) PEARLE* actively advocated for more attention from policy makers to include measures and provide support to the intangible heritage through music, theatre, dance and other expressions of live arts, especially in relation to digital archives.

Access to financing is a key to make it possible for the live performance sector to function well, and became a focal point in the discussions on the funding sources to be catered for in the next Multi-Financial framework (see item 2).

Priority for 2019

Follow closely the implementation of the new European agenda for culture and the Council work plan

Present the priorities for the live performance sector in view of the EP elections in May 2019, the new EP legislative term and the new Commission college to take function at the end of 2019.

> A PEARLE* SECTOR FEDERATION ACTIVITY

> A PEARLE* NETWORK ACTIVITY

PEARLE* representation, collaboration and exchange with:

- European Alliance for Culture and the Arts
- EYCH stakeholder group
- CAE Culture Action Europe



Spotlight on Heritage in Cultural and the Arts Award

FOCUS ON THE EUROPEAN YEAR OF CULTURAL HERITAGE 2018

Under the slogan: 'Our Heritage: where the past meets the future' the European Union celebrated a year-long Europe's diverse cultural heritage.

PEARLE* – Live Performance Europe took an active part in preparing the 2018 EYCH and contributed throughout the year to the ongoing discussion around heritage with various initiatives, publications and a panel debate. It is understood that cultural heritage is an intrinsic value of live performances.

In the sector, **tangible heritage** refers to historical sites, buildings, technical facilities and equipment, scenography as well as artefacts such as costumes, objects, musical instruments, props and books.

Intangible heritage refers to traditions, poetics, knowledge and skills in and around live performance, and at the same time to oral performances, rituals or folk celebrations. There is also an endless number of examples of cultural heritage containing both tangible and intangible value.

PEARLE* activities in the context of the EYCH

- PEARLE* formed part of the official EC stakeholder group on the 2018 EYCH
- On Stage 2018: A joint website with European Theatre Convention and Opera Europa (www.onStage2018.eu)
- PEARLE* publication on Cultural Heritage in the Live Performance Sector – June 2018
- Panel debate on Creating a Shared Heritage with audiences of today and tomorrow, in the context of the first European Cultural Heritage Summit, 18-24 June 2018, Berlin, Germany
- 2018 PEARLE* awards event (November): Spotlight on Heritage in Cultural and the Arts Award
- Policy recommendations to the European Commission – December 2018



#2 Funding for culture in view of the future Multi-Financial Framework

Discussions and preparations for the financial budget of the future EU programmes for the period 2021–2027 received full attention after the Commission presented its proposal in May 2018.

The budget for a future Creative Europe (MEDIA & Culture) was proposed to be of 1.8 billion EUR and considered as a stand-alone programme, which has been welcomed by all cultural sectors as an important political sign of acknowledgment of the role of culture and media for the EU.

The Creative Europe programme is part of the large policy cluster “Investing in people, social cohesion & values”.

Other programmes of interest for future financing of projects and initiatives in the live performance sector include Erasmus Plus, ESF Plus (European social fund), Horizon Europe, Digital Europe, Regional development and Cohesion funds, Neighbourhood policy and External Action and Youth.

Throughout the year PEARLE* has given input to the Commission, the European Parliament, the Committee of the Regions and the European Economic and Social Committee, as well as to Member States, the Creative Europe programme, the ESF Plus, Digital Europe, Horizon Europe and the Regional and cohesion funds.

PEARLE* highly appreciated the efforts of the EP Committee Culture and rapporteur Silvia Costa to aim for a higher budget than proposed by the Commission for the Creative Europe programme.

Priority for 2019

To encourage Member States to support an increased budget for the Creative Europe programme and to provide flexibility in all other programmes to make it possible for the live performance sector to access funding for actions which fit under the aims and objectives of other European programmes.

- > A PEARLE* SECTOR FEDERATION ACTIVITY
- > A PEARLE* NETWORK ACTIVITY

PEARLE* representation, collaboration and exchange with:

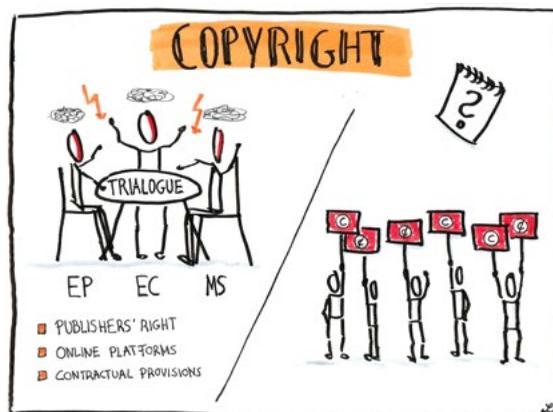
- European Alliance for Culture and the Arts
- EYCH stakeholder group
- CAE-Culture Action Europe

#3 Adapting copyright rules for the internet age and finding a level playing field between artists/creators and copyright users in the context of a live performance

Throughout 2018, controversial discussions and negotiation on the **Digital Copyright Directive** took place in Brussels and many European countries.

At the end of the year, triologue negotiations between the Commission, the Parliament and the Council of Ministers were still ongoing.

New European-wide copyright rules could include a neighbouring right for publishers for the online use of their articles (article 11), mainly by internet service providers such as Google, and the obligation for online service providers to scan the uploaded content and remove (or clear) copyright protected material (article 13). Contractual provisions with publishers/collecting societies could be improved for creators and right holders.



In the context of copyright, PEARLE* closely followed a Belgian court case introduced by a coalition of more than 30 festivals and concert promoters against the collecting society SABAM.

The coalition won in first instance. The first verdict is a landmark decision on the obligation of collecting societies to comply with competition law. SABAM lodged an appeal and a final decision is expected for April 2019. The case is also interesting in the context of the implementation of the 2014 Collective Management of Copyright and Related Rights Directive.

Priority for 2019

Working across Europe towards more reasonable and balanced fees for the use of copyrighted material in the context of a live performance as well as the online streaming of a performance

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PEARLE* representation, collaboration and exchange with:

- Sportpaleis on behalf of coalition of Belgian festivals and concert promoters
- Cultural organisations

#4 Light into the darkness: Ensuring the continuous use of artistic stage lighting in the context of the new eco-design regulation was high on the priority list of PEARLE* in 2018

The live performance sector is committed to the goals of the EU in relation to climate change and in the context of energy on consumption of lighting.

Concert venues, theatres and others have adapted their buildings or are in the process of making them energy-efficient. In the production of performances, concerts and shows attention is paid to ecologically-friendly approaches. They have signified considerable investments from the sector over the past years and planned costs to infrastructure and others in the future.

Moreover the sector has a role-model for young people to make them aware and make them responsible for their planet, which is done at festivals and others alike.

Special purpose lights used on stage are slowly and increasingly replaced by LED, but there is still a lack of replacement available on the market for technical equipment being used today and LED lamps may also consume high energy, for instance when they bundle light to follow a person on stage.

At the beginning of the year, an exemption for stage lighting had disappeared from a Commission draft on the revision of eco-design rules and the timeframe for action was extremely limited. Because of a lack of replaceable lamps on the market which cater for the high-demanding artistic and technical requirements, the sector needed a continued exemption.

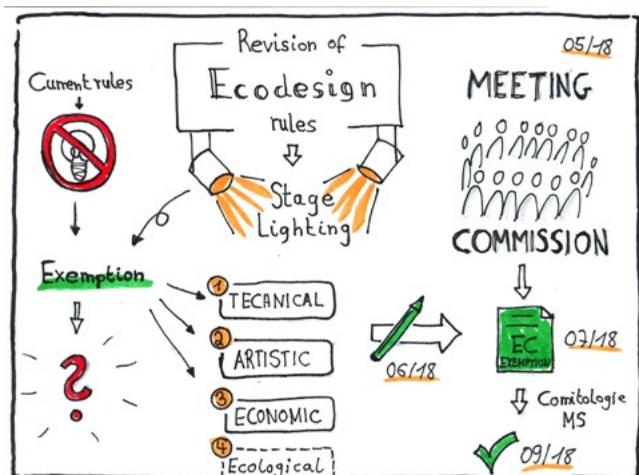
PEARLE* built up a European-wide coalition of stakeholders, bringing together policy and technical experts from the live performance, entertainment, stage technology sector, lighting designers and film/TV sectors.

In July 2018, following a constructive meeting between DG Energy and the coalition, the European Commission introduced a first technical exemption for our sectors, allowing around 80% of specific lamp types used in the live performance and film sector to be exempted from eco-design requirements. After exchanging views and sharing some technical information with EU Member State experts, the text was revised a second time.

The following points were taken into consideration:

- A list of lamp bases used for stage and studio lighting
- Colour tuneable light sources, including an extended wave-length of Green
- Stand-by power: Clarification to exempt networks used on stage from requirements on stand-by power
- White Light Sources for specific needs (still to be clarified in the final text)

With the additional exemptions voted in December 2018 by the experts in Member States, the vast majority of light sources needed on stage, in specialized lighting design as well as in film studios can continue to be used.



New eco-design rules including technical exemptions for stage lighting will be applicable in Member States as of September 2021.

Priority for 2019

Addressing the needs of the live performance sector in future reviews of eco-design rules, taking into account the availability of light sources on the market.

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PEARLE* representation, collaboration and exchange with:

- Special thanks to the European Entertainment Eco-design Coalition, including: PLASA, ETCconnect, VPLT, OETHG, IALD, ALD, individual experts and other organisations
- Motion Picture Association and other associations representing the Audio-visual Sector
- Members of the Commission regulatory committee (composed of Member State representatives)
- Social dialogue partners, in particular Uni-Mei
- DG Energy, European Commission

#5 The impact of posting and social security in a highly mobile sector and other employment affairs

In June 2018 the EU institutions agreed on a revised text on the **Posting Directive**. When the Commission proposed to revise the Directive, the aim was to establish the principle of equal pay for equal work at the same place and to address unfair practices.

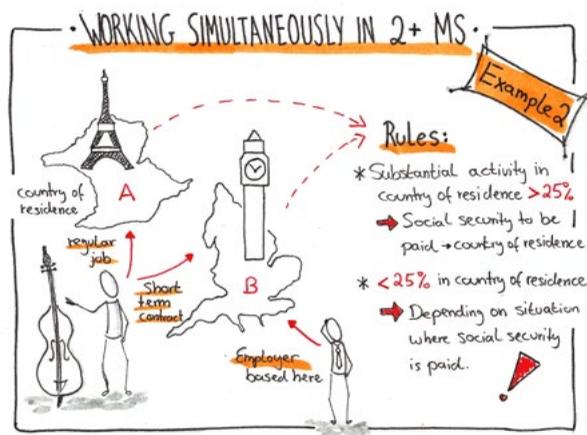
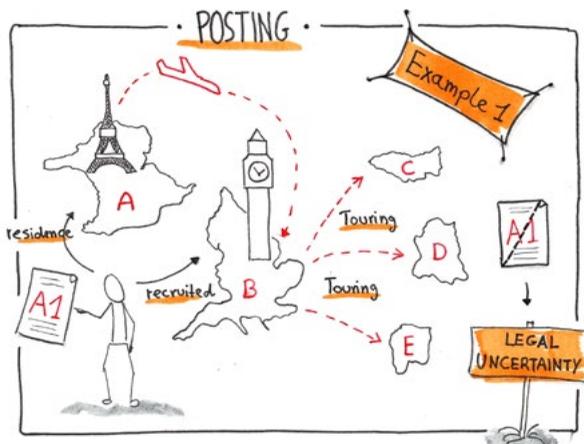
With regard to unfair practices, the Commission had proposed and since mid-2016 applied in Member States, an **Enforcement Directive** to tackle fraud and abuse.

Initially aiming to target a number of sectors, both the revised Posting Directive and the Enforcement Directive apply to all sectors and all types of situations.

Whereas PEARLE* continuously argued for lighter administrative regimes or exemption in case of **very short term posting**, those issues were ignored by policy makers and negotiators around the table.

Micro-companies and SMEs find themselves in a very difficult position to continue to deliver cross-border services and therefore post their employees to do the work. Those companies are confronted with **disproportionate administrative and cumbersome burdens** and experience lack of targeted support which goes beyond the general information on Member State web-portals.

For the live performance sector the situation got to a point in 2018 that some touring companies decided to cancel their tours because of the inflexible approach by some Member States demanding a large amount of documents for a tour lasting only one or two days of performances, putting the small employers to a level of costs for administrative follow up, translation of documents and time which are disproportionate compared to the very short-term posting. It should also be noted that it concerns a disproportionate cost for Member States for the work done by labour inspectorates in such cases.



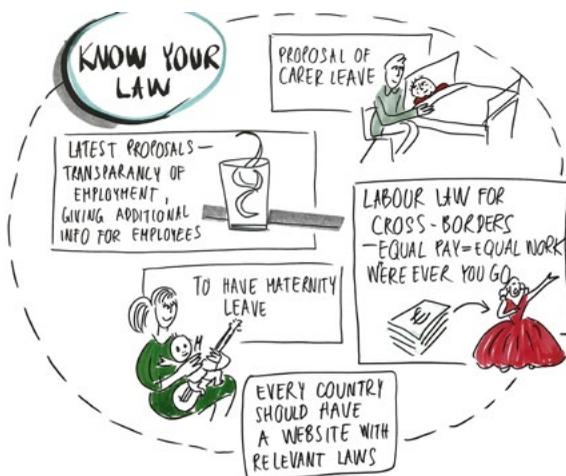
Connected to the posting rules is the **Social Security Coordination Regulation**, which the Commission proposed to revise in a targeted manner. Following the 2018 negotiations, it was observed that the EP aimed for a posted worker to be subject of the social security legislation for a period of 3 months before posting. Whereas one can see the arguments, for the live performance sector where one recruits an international cast per production this leaves people in great insecurity. Instead, PEARLE* calls upon legislators to create legal certainty in situations where posting of workers may happen already a few days after the start of an employment contract.

In October, PEARLE* organised a seminar where the European Commission gave information on the revised posting directive, the enforcement directive on posting and proposal for revision of the social security coordination regulation.

Following the proposal of the Commission to set up a **European Labour Authority (ELA)**, PEARLE* is curious to see the future outcome and functioning of this body which should also provide information to citizens, workers and employers, alongside its general objective to support the free movement of workers and services.

Other employment affairs on the agenda included the proposal for a work-life balance package and a proposal on a directive for predictable working conditions. **The Directive on work-life balance for parents and carers** is one of the measures that the EC proposed to increase participation of women in the labour market and address the gender pay gap. The Commission's proposal for a **Directive on transparent and predictable working conditions** aims to complement and modernise existing **obligations to inform each worker of his or her working conditions**. In addition, the proposal creates **new minimum standards** to ensure that all workers, including those on atypical contracts, benefit from more predictability and clarity as regards their working conditions.

In the context of the Behind the Stage project, PEARLE* held a workshop on work-life balance, exploring the relation between human resources management and the legal context of the working time regulation and new Commission proposals.



Priority for 2019

Addressing the gaps between legislation and practice, as legislation is not following the highly mobile and versatile modes of working in the sector

Employers must be able to access all the information they need as they should not be left in legal uncertainty

Lighter regimes and exemptions, in particular for micro-companies and SMEs as they are unable to cope with the increasing number of administrative requirements in the context of employment and social affairs legislation

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- > A PEARLE* NETWORK ACTIVITY

PEARLE* representation, collaboration and exchange with:

- PEARLE* members across Europe
- EEN Employers network facilitated by Businesseurope and European employers associations from different sectors
- Liaison forum facilitated by DG Employment, social dialogue unit
- European sectoral social dialogue committee 'live performance'
- DG Employment and social security experts of member states

#6 Travelling with musical instruments containing protected species remains crucial for touring activities of orchestras, ensembles, music groups and musicians

2018 was characterised by our continuous work on travelling with musical instruments containing ivory, rosewood and other protected species, already preparing the 18th meeting of CITES Parties, to be held in Sri Lanka in May 2019.

On this topic, PEARLE* has worked closely with partners in the music sector over the past years to find workable solutions for touring musicians, music groups, ensembles and orchestras.

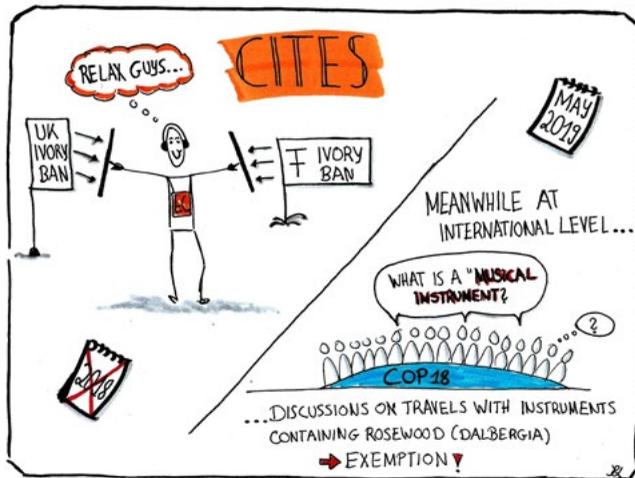
At the beginning of the year, we focused on giving hands-on guidance for those travelling with instruments by translating the joint PEARLE* & FIM publication "Crossing borders". It is now available in English, French, German, Spanish and Italian. The translation work was possible thanks to the support of the European Commission.

At the CITES Plant Committee meeting in July and the CITES Standing Committee meeting at the end of November in Geneva, PEARLE* in collaboration with the international music sector, submitted statements of principles on the issue of Dalbergia and the Musical Instrument Certificate (MIC).

Regarding the CITES listing of Dalbergia, an improved exemption for the non-commercial as well as the commercial travel of instruments, their parts and accessories was proposed and will hopefully be adopted in 2019. In this context and with the aim to create clearer rules, for the first time in the history of CITES a definition of musical instruments has been discussed.

On the issue of the MIC, PEARLE* was advocating for the improvement of existing permit procedures, whilst at the same time asking to remove from the process those activities that do not constitute a threat to the conservation of protected species.

PEARLE* is part of an international alliance of the music sector, bringing together representatives of orchestras and music groups, musicians, music instrument makers, such as violin and bow makers, and the woodworking industry. The collaboration aims at ensuring exemptions from international and European rules on trade in protected species for the travelling of musical instruments and improving administrative procedures when applying for CITES certificates.



Priority for 2019

Adequate exemptions for musical instruments containing protected species to allow for smooth international touring with these instruments

Improving the process of issuing CITES permits, reducing administrative burdens and allow permit exemptions for musical instruments transported by cargo under an ATA carnet

At European level, specific consideration of the non-commercial and commercial travelling of musical instruments in the context of the EU Action Plan on Ivory

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PEARLE* representation, collaboration and exchange with:

- European sectoral social dialogue committee 'live performance', in particular FIM
- CAFIM – Confederation of European Music Industries
- CFSI - Chambre Syndicale de la Factice Instrumentale
- League of American Orchestras
- EILA - International Association of Violin makers

The above associations are particularly thanked for the continuous and fruitful collaboration

- CITES authorities, in particular in Germany and Austria
- DG Environment, European Commission

#7 Addressing sexual harassment, encouraging equality and implementing diversity are challenges high on the agenda

The 2017 #metoo campaign has played a crucial role in drawing attention to the reality that issues such as **sexual harassment or mobbing** are still a fact of life in the workplace. In the sector, the issue received genuine attention in several countries across the EU. This results in initiatives undertaken aiming to raise awareness, establish mechanisms for prevention and support for victims.

Empowering women to prevent any form of sexual harassment, but also as regards equality in all other areas demands specific attention. Whether at the workplace or in giving women's creation an equal representation in the artistic programmes requires a constant vigilance.

Another challenge is how to develop a **diversity policy** within the sector. Organisations that embrace a diverse workforce and are inclusive to all tend to deliver better results, innovate more and are able to take better decisions. The European Pillar of Social Rights' makes clear references to the need to achieve gender equality, equal opportunities and inclusion of people with disabilities in the workplace,

while the European Commission's commitment in favour of diversity and inclusion among its own staff was made clear by the publication of a Diversity and Inclusion Charter in July 2017.

At European social dialogue meetings, presentations from different countries were made on how to address sexual harassment and create a working environment where such situations are no longer the case.

In the context of the capacity building meetings of the 'Behind the stage' project, the themes of equality and diversity were explored by exchanges and discussion of concrete cases and an exchange was held with the EiGE European institute on gender equality at a meeting in May in Tallinn.

Priority for 2019

Further discuss these themes, exchange good practices, learn from initiatives of different countries and develop further actions

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#8 In times of terror threat, the security of live performance venues, festivals, concerts and other shows is key to protect audiences, artists and staff

In recent years attacks committed in the name of religious and political motivations have led to increased security measures in the context of a performance, a live show or a festival. Since 2017 the Commission supports different sectors and Member States to protect public spaces, create public-private partnerships and exchange on policy measures and new approaches to face terror threats and attacks.

Throughout 2018, PEARLE* had several exchanges with the Commission on the **impact of terror attacks on the live performance sector** and organised a dedicated workshop in the context of the RISE project, in collaboration with the Joint Research Centre of the European Commission.

PEARLE* also participated at a Commission meeting, updating representatives of Member States and other stakeholders about actions in relation with terror threats carried out in the live performance sector.

In 2019, PEARLE* plans to draft a guide for live performance organisations how to assess the terror risk for specific productions, festivals and live events.



Whilst the live performance sector is seeking information and guidance on how to establish emergency plans, set up means for prevention, train staff and communicate with audiences, it is essential to maintain a general atmosphere of joy and pleasure for artists, personnel and the audiences.

Priority for 2019

Continue the dialogue with stakeholders

Continue to give input to the Commission on the security of public spaces

Guidance to members how to assess terror risks

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PEARLE* representation, collaboration and exchange with:

- PEARLE* members and representatives of arenas, outdoor festivals and others
- Security experts from different European countries
- Public authorities of Member States represented in the European Operators' Forum
- European Commission

#9 UK & Brexit: planning and preparing future touring and co-productions when not knowing what to expect

Following the notification of the UK government to the EU on 29 March 2017 expressing its wish to trigger **Article 50** with the aim to leave European Union within a period of two years, the discussions on the conditions and arrangements of the withdrawal continued throughout 2018.

PEARLE* members and the Brussels office were queried on the impact of the Brexit as cultural organisations were seeking guidance regarding future cross-border collaborations, touring and others. More and more questions came up regarding legal implications, such as travelling with musical instruments containing protected species, visas and work permits, social security and posting, and others. Questions on European partnerships in the context of projects and future European funding were also a concern.

Cultural stakeholders discussed these and other issues (including impact on copyright and intellectual property) at a meeting organised end of September 2018 at the Bozar cultural center in Brussels, co-organised by the British Council, the European cultural foundation and Bozar.

The issue was also discussed at European social dialogue meetings of the sectoral social partners 'live performance' in Brussels, including an exchange with representatives of the Commission from the general secretariat involved in the negotiations with the UK. Social partners highly appreciated the chance to raise their concerns. As a result, a joint statement was issued by the European social partners mid-December calling on the negotiators on both sides to take into consideration the specific concerns of the sector.

Given the specific nature of the sector, it is crucial that productions can continue to be presented in EU and UK. Mobility and touring of productions should therefore be facilitated and not jeopardised by cumbersome or complicated administrative burdens.

Priority for 2019

Continue to follow closely the areas which are expected to impact the sector

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PEARLE* representation, collaboration and exchange with:

- European social partner represented by EAEA, European Arts and Entertainment Alliance, in the context of the European sectoral social dialogue committee 'live performance'
- PEARLE* members, in particular UK associations
- Cultural associations and organisations

#10 Visas for third country nationals travelling to Schengen: very large call from cultural organisations supported by European Parliament

On 14 March 2018 the European Commission proposed a revised Visa Code on which the Member States had already

agreed under the Bulgarian Presidency on their position, in a timeframe of less than three months. It took many extra months for the EP -Committee LIBE to come to an agreement. Finally, on December 11th, leaving little time to start triologue negotiations between the co-legislators, the European Parliament voted in favour of the report of MEP Juan Fernando López Aguilar.

With a strong call from the European social partners and joined by 80 European and cultural associations and organisations in the broad sector, their voice was heard, and the EP referred consistently to the group of artists as an important target group in the context of the visa code.

At the end of 2018 it was doubtful whether the co-legislators would be able to reach an agreement in the upcoming weeks, so that the text could still be voted before the end of EP legislative term.

The issues raised by the cultural sector concern also the particular problem of the limitations for touring of visa-exempt and visa-required third country nationals due to the 90/180 day rules, which means that one is allowed to stay up to maximum 90 days in the Schengen zone in a total period of 180 days.

Whilst some proposals of the Commission were applauded such as being able to lodge an application more in advance, there were also doubts about the complicated system proposed for obtaining a multiple entry visa.

Meanwhile PEARLE* issued, as part of the series ‘the ultimate cookbook for the cultural manager’, presented in collaboration with EFA, a brochure on ‘**Visas for third-country national artists travelling to the Schengen area**’ which can be downloaded from the publication section on the PEARLE* website.



Priority for 2019

Continue to raise the issues for the cultural sector with the Member States and EP in the context of the triologue negotiations

Inform the sector of the rules and procedures when applying for a visa and raise awareness with applicants and host organisations in the Schengen area

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- > A PEARLE* NETWORK ACTIVITY

PEARLE* representation, collaboration and exchange with:

- European social partner represented by EAEA, European Arts and Entertainment Alliance, in the context of the European sectoral social dialogue committee 'live performance'
- Kellye Drye & Warren LLP
- Associations and organisations across the broad cultural sector
- European Commission, DG Home
- EP-Committee LIBE

03

EUROPEAN PROJECTS

In 2018 PEARLE* was involved as a partner in three European Union funded projects and leader of one project.

CREATIVE EUROPE

Partner in AEC – SMS project
2017-2021

Partner in EFA Rise 2 project
2017-2021

SOCIAL DIALOGUE

Partner in Creative Skills project
2017-2019

Lead partner in Behind the Stage project
2017-2020

Creative Skills Europe

Full project title: accompanying the transformations of the market and of individual careers in the European audio-visual and live performance sectors: a social dialogue perspective

EU programme: social dialogue (DG Employment)

Project leader: Uni-Mei

Role of PEARLE*: project partner, member of the steering committee

Financial contribution received: reimbursement travel costs

Own contribution: staff working time

Activities:

2 workshops

- Innovative training tools in the digital environment and in the workplace in the Audio-visual and Live Performance sectors
22-23 March workshop Berlin
- The role of social partners and of social dialogue in enhancing access to training in the European Audiovisual and Live Performance sectors
4-5 June workshop Paris

3 steering committee meetings in Brussels: 19 January, 19 June, 16 October

See also: www.creativeskillseurope.eu



WANT TO KNOW MORE?

Creative Skills Europe, the European Platform for Employment and Training in the Audio-visual and Live Performance sectors, is a project which aims at collecting information and at developing tools to help the sector adjust its skills to the realities of the field.

Ran by a partnership of European trade unions, employers' organisations, and national skills bodies, Creative Skills Europe built on the intelligence of the sector on its evolutions and needs. It looked at creating national and European synergies, and at inspiring new types of actions, both at company level and in a collective way at sector level. Its objective was to steer discussions on the evolving skills needs in our sectors and to promote initiatives to respond to those needs.

EFA RISE 2

Full project title: Rising to the Community

Synergy partnership EFA-PEARLE* for the activity “capacity building in the context of internationalisation, cross-border cooperation and mobility”

EU programme: Creative Europe – sub-programme culture - networks (DG Culture)

Project leader: EFA-European Festivals Association

Role of PEARLE*: partner in activity 10

Financial contribution received: reimbursement of the costs for project coordinator, for communication, travel, meeting costs and fees for experts

Own contribution: staff working time

Activities:

1 Brochure in the series ‘The Ultimate Cookbook for Cultural Managers’:

VISAS for third-country nationals travelling to the Schengen area

Available from www.pearle.eu and www.efa-aef.eu

3 Workshops:

- **“Going digital: when technology meet live performance!”**
Tallinn, 24-25 May 2018
- **“How to set up and manage a digital archive”**
Tallinn, 24-25 May 2018
- **“How to best prepare your performances in times of terror threat”**
Antwerp, 23-24 November 2018

AEC SMS

Full project title: SMS Strengthening Music in Society (2017-2021)

EU programme: Creative Europe

Project leader: AEC European association of conservatoires and music academies

Role of PEARLE*: partner in activity WG Entrepreneurial skills for musicians (SMS)

Financial contribution received: reimbursement travel costs

Own contribution: staff working time

Activities:

- 2 working groups meetings :
16-17 April 2018 & 12-13 October 2018
- Final conference RENEW project
The Hague 28-29 September 2018



Co-funded by the
Creative Europe Programme
of the European Union

WANT TO KNOW MORE?

The European Festivals Associations EFA aims to bring with the network project RISE 2 to full life a community that serves as a pool of peers to ask each other for advice, make agreements, co-produce & get fresh ideas across borders.

As a close partner of EFA, the role of Pearle* is to help building capacity in the context of internationalisation, cross-border cooperation and mobility

In 2018 workshops focused on preserving immaterial heritage through archiving and building the bridge between historic works and contemporary arts.



Co-funded by the
Creative Europe Programme
of the European Union

WANT TO KNOW MORE?

The European association of Conservatoires and Higher Music institutions (HEIs) aims to continue to support and encourage Music HEIs to adapt to change, embrace innovation and open up new fields of activities through the project Strengthening Music in Society (AEC-SMS).

As a member of the working group ‘Entrepreneurship’ the role of PEARLE* is to bring a perspective from the daily practice. The goal is to enable artists to gain new skills which will enrich their professional life and embrace their chances on the labour market.

Behind the Stage project

Full project title: Behind the Stage – a new start for social dialogue: the role and capacity of employers associations in the live performance sector (December 2017-March 2020)

EU programme: social dialogue

Project leader: PEARLE*

Project partners: OKO (Belgium), BAROK (France), EETEAL (Estonia)

Associate partners: BAROK (Bulgaria), PERFORMART (Portugal)

Partner on voluntary basis: DBV (Germany)

Activities:

- Two capacity building meetings:
Tallinn, May 2018 and Antwerp, November 2018
- Two steering committee meetings in Brussels:
22 January and 14 September
- Award application process, concluded with jury meeting
on October 4th in Paris
- Award event – 22 November 2018, Bozar Fine arts centre, Brussels
- dedicated webpages on the project behindthestage.org
- Printed leaflet with presentation of the project
- First newsletter published and printed in June 2018



WANT TO KNOW MORE?

Social dialogue is a fundamental tool to create a level playing field for all companies and workers in a particular sector. Both employers and trade-union associations therefore need the capacity to realize this ambition.

The project is set against the European dimension, whilst it seeks to address more specifically the challenges expressed in the live performance sector. Many of the challenges arise from external factors such as reduced public support, increase of micro-companies and project-oriented organisations, impact of digital environment on the taste of audiences, greater insecurity for tour planning, increased complexities and administrative burdens for cross-border activities. By improving the functioning of employers associations and encouraging the transnational exchange on thematic issues the project shall allow for a better contribution the Commission's commitment on a new start for social dialogue and the European social pillar.

SPOTLIGHT ON PEARLE* AWARD EVENT 22 November 2018

Celebrating the achievements of Employers Associations in the European live performance sector

Major stakeholders related to the live performance sector from all over Europe gathered together on Thursday 22nd November to attend the PEARLE* 2018 Awards Ceremony at the Bozar Centre for Fine Arts in Brussels. The aim of the Awards, an essential component of the Behind the Stage project, was to highlight and celebrate the achievements many European employers' organisations have accomplished in recent years to serve as a source of inspiration for other associations and to increase their visibility in their own respective countries as well as internationally.

Inspired by the principles set out by the European Pillar of Social Rights and by the European Commission's New Start for Social Dialogue, as well as the New European Agenda for Culture, the Awards recognize good practices and outstanding accomplishments in the following fields: equal opportunities, diversity, lifelong-learning, social dialogue and cultural heritage (the latter in celebration of the 2018 EYCH).



PEARLE* 2018 AWARD WINNERS

COOPERATION AWARD:

Estonian Association of Performing Arts Institutions (EETEAL) for "The Tale of the Century"

SPECIAL MENTION: Association of British Orchestras and UK Theatre and for "The Family Arts Campaign"

DIVERSITY & EQUAL OPPORTUNITIES AWARD:

Association Française des Orchestres (AFO) and Les Forces Musicales for "Charter for Gender Equality Within the Orchestras and Opera Houses"

SPECIAL MENTION: Swedish Performing Arts Association (Svensk Scenkonst) for "Work against sexual harassment in the performing arts sector"

SKILLS, TRAINING & LIFELONG LEARNING AWARD:

Association of the Professional Theatre of the Czech Republic (APD CR) for "The Dance Career Endowment Fund"

SPECIAL MENTION: Association of British Orchestras "Find your Way"

SOCIAL DIALOGUE & COLLECTIVE BARGAINING

EX-AEQUO AWARD:

Dutch Employers' Association of Theaters and Concerthalls (WNP) for its work in favour of "the protection of self-employed workers in the cultural sector" and to French employers association of Circuses & Creative Companies (SCC) for the creation of a "Circus Artist" title in the National Collective Agreement for Artistic and Cultural Enterprises

SPECIAL MENTION: Flemish industry association for the Arts (oKo) for its "creation of a single collective agreement for the performing arts and music sectors"

SPOTLIGHT ON HERITAGE IN CULTURE

AND THE ARTS AWARD:

European Theatre Convention (ETC) for the project "European Theatre Lab: Drama goes digital"

SPECIAL MENTION: CRIT Companyia de Teatre for the project "Escena Erasmus"

04

PEARLE* GOVERNANCE & STRUCTURE

PEARLE* is governed by a General Assembly and an Executive Committee.
The daily management of the association is undertaken by a team based in Brussels.

EXECUTIVE COMMITTEE

Chairman: Géza Kovács, *AHO – Magyar Szimfonikus Zenekarok Szövetsége, Hungary*

Secretary: Liesbeth Dejonghe, *oKo – Overleg Kunstenorganisaties, Belgium*

Treasurer: Tommi Saarikivi, *STEFI – Suomen Teatterit ry / Finlands Teatrar rf*

Members:

- **Marc Grandmontagne**, *DBV – Deutscher Bühnenverein – Bundesverband der Theater und Orchester, Germany*
- **Julian Bird**, *SOLT/UK Theatre – Society of London Theatre & UK Theatre Association, United Kingdom*
- **Alexandra Bobes**, *Les Forces Musicales, France*
- **Tania Swayne**, *FAETEDA – Federación Estatal de Asociaciones de Empresas Productoras de Teatro y Danza, Spain*

Delegates:

- **Francisca Carneiro Fernandes**, *Performart, Portugal*
- **Yolande Melsert**, *NAPK – Nederlandse Associatie Podiumkunsten, Netherlands*
- **Morten Gjeltén**, *NTO – Norsk Teater og Orkesterforening, Norway*
- **Zdenek Panek**, *APD ČR – Asociace profesionálních divadel České republiky, Czech Republic*
- **Mark Pemberton**, *ABO – Association of British Orchestras, United Kingdom*
- **Aline Renet**, *FEPS – Fédération des employeurs du spectacle vivant public et privé, France*
- **Ilka Schmalbauch**, *DBV – Deutscher Bühnenverein – Bundesverband der Theater und Orchester, Germany*

BRUSSELS OFFICE

- **Anita Debaere**, *director*
- **Silke Lalvani**, *EU Policy Adviser (and project coordination for the Rise project activities)*
- **Camilla Colombo**, *Membership and Communication officer (from end February)*
- **Cristina Ward**, *Project Officer 'Behind the stage'*
- **Nina Vurdelja**, *intern (until May)*
- **Ugo Poifol**, *intern (October–December)*

THE MEMBERS OF PEARLE*

38 full members and 10 associates. Together they represent more than 10 000 live performance organizations.

Full members are European-based associations representing the interests of their members at national level. Associate members are European-based networks, non-European based associations or single organisations.

Pearle* welcomed VPNF the Dutch music venues and festivals association and the newly merged Dansk Teater – the Danish Theatre Association as full members in 2018.



DANSK-TEATER

AUDIT COMMITTEE

Composition:

- **Claudia Belchior**, *Performart, Portugal*
- **Roman Steiner**, *SBV/UTS, Switzerland*
- **Pierre Vandiest**, *oKo, Belgium*

EMPLOYMENT AND SOCIAL AFFAIRS GROUP

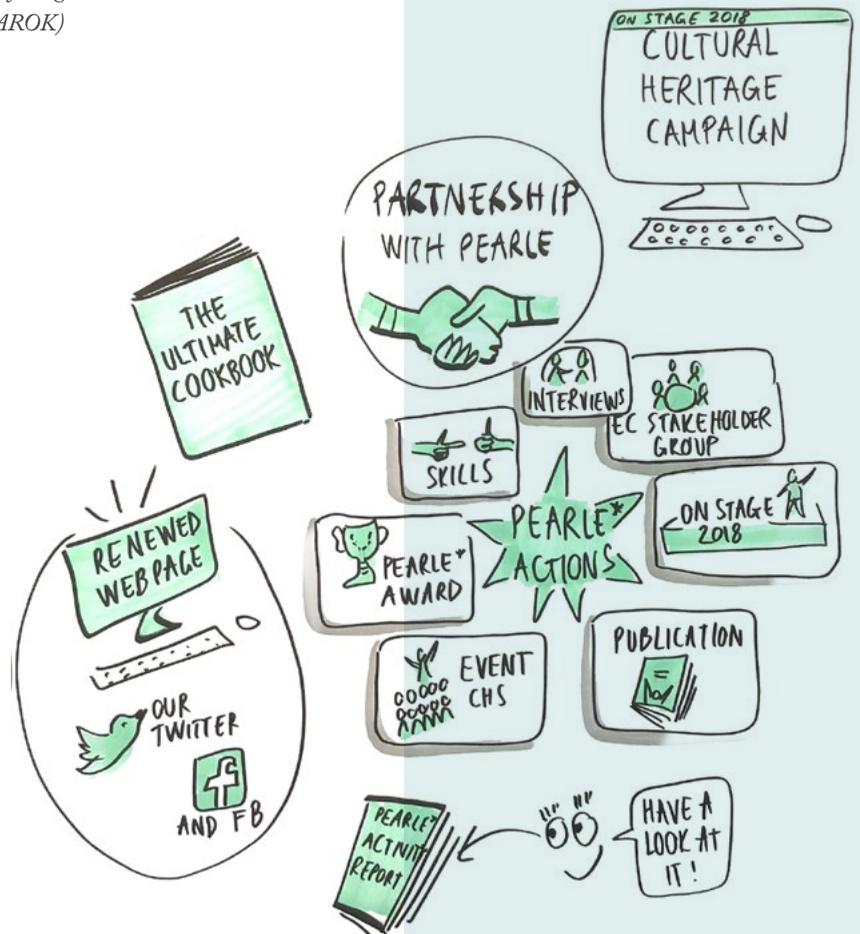
Pearle* members representing employers in the live performance sector in the context of the European sectoral social dialogue committee 'live performance', facilitated by DG Employment, Unit Social Dialogue.

PEARLE* members taking part in steering groups and meetings of European social dialogue projects.

MuSiQue

Foundation for Quality Enhancement and Accreditation in Higher Music Education. It is an external evaluation body dedicated to the continuous improvement of the quality of higher music education across Europe and beyond and to assisting higher music education institutions in their own enhancement of quality.

Representative on behalf of Pearle*: Assoc. Prof. Momchil Georgiev, PhD and Secretary General of Bulgarian Association of Employers in Culture (BAROK)



ASSOCIATION ACTIVITIES

55TH PEARLE* CONFERENCE

In conjunction with 'Behind the Stage' capacity building meeting and Rise project workshops

Dates: 25-26 May 2018

Place: National Opera, Tallinn, Estonia

Host: EETEAL – Estonian Association of Performing Arts institutions

Attendance: 40

Number of countries represented: 19

Gender balance: 55% F / 45% M

56TH PEARLE* CONFERENCE

In conjunction with 'Behind the Stage' capacity building meeting and Rise project workshop

Dates: 24-25 November 2018

Place: 't Elzenveld, Antwerp, Belgium

Host: OKO – association of arts organisations in Flanders and Brussels, with the support of arts center deSingel

Attendance: 54

Number of countries represented: 19

Gender balance: 57% F / 43% M

PEARLE* SEMINAR

in cooperation with OKO

Date: 8 October 2018

Place: Beursschouwburg, Brussels

Theme: Dealing with very short-term posting in the live performance sector: from legal obligations to daily practice

PEARLE* EXECUTIVE COMMITTEE

Three meetings were held in 2018

- 1 March, Brussels
- 24 May, Tallinn
- 5 October, Paris

EUROPEAN SECTORAL SOCIAL DIALOGUE COMMITTEE 'LIVE PERFORMANCE'

2 March 2018

Working Group SSDC 'live performance'

Outcomes of the meeting:

- Launch of the PEARLE* FIM Cites guide 'Crossing borders'
- Joint letter of 2nd March to Commissioner Moscovici and Navracsics with copy to Commissioner Thyssen on 'obstacles to artist taxation'
- Joint letter of 2nd March to OECD on 'obstacles to artist taxation'

11 June 2018

Working Group SSDC 'live performance'

Outcomes of the meeting:

- Application for a future European project on 'Mapping the situation of social dialogue in the commercial live performance sector'
- Principle agreement for a joint position on revised EU visa code. Publication of the joint position – 6 July 2018
- Joint letters to DG Taxud and DG Culture regarding EP pilot project proposal on removing obstacles to artist taxation – 28 August 2018 and joint letter to EP Budget Committee – 3 September 2018
- Joint amendments on own-initiative report 'New European agenda for culture' regarding artist taxation
- Joint statement regarding the revision of the EU lighting regulations – 19 July 2018

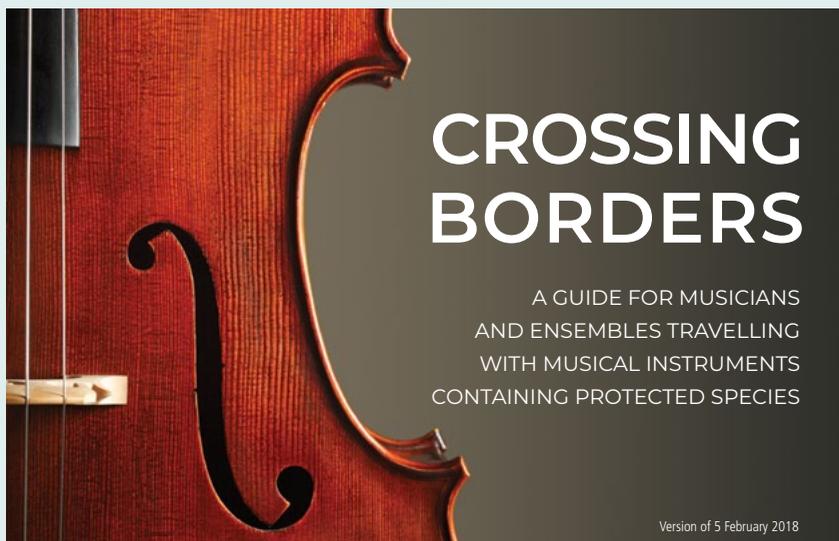
9 October 2018

Plenary SSDC 'live Performance'

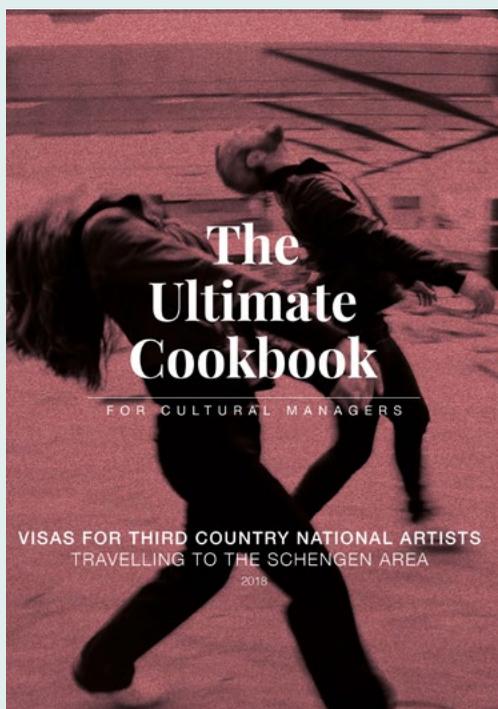
Outcomes of the meeting:

Principle agreement for a joint statement on Brexit.
Publication of joint statement: December 2018

PUBLICATIONS

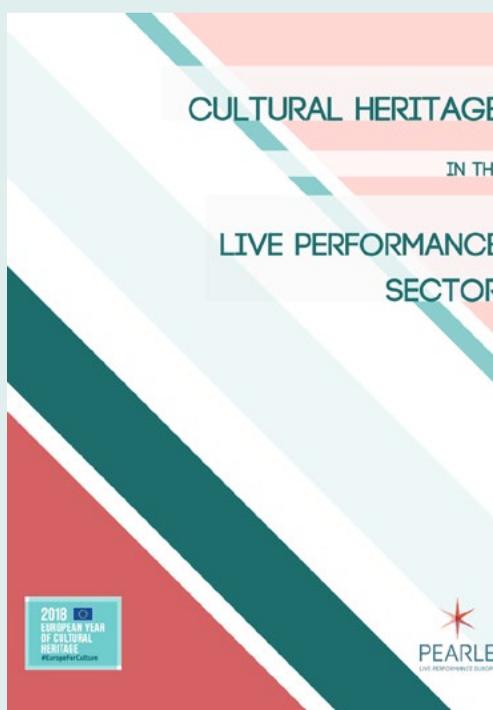


Crossing borders



Visas for Third Country National Artist Travelling to the Schengen Area

Cultural Heritage in the Live Performance Sector



FULL MEMBERS

AUSTRIA

- Wiener Bühnenverein
Association of Theatres in Vienna
- Theatererhalterverband Österreichischer Bundesländer und Städte
Association of regional and city theaters in Austria

BELGIUM

- Belgische Schouwspelvereniging, BSV
Association Belge du Spectacle, ABS
Association of performing arts in Belgium
- Overleg Kunstenorganisaties, oKo
Platform for arts organisations
- Chambre Patronale des Employeurs permanents des Arts de la Scène d'Expression française
Chamber of employers in the performing arts of the French language

BULGARIA

- Balgarska asociatsia na rabotodatelite v oblasti na kulturata, BAROK
Bulgarian Association of employers in Culture

CZECH REPUBLIC

- Asociace profesionálních divadel České republiky, APD ČR
Association of the Professional theatres in the Czech Republic
- Asociace symfonických orchestrů a pěveckých sborů České republiky, ASOPS
Association of the Czech Symphony Orchestras and Choirs



PEARLE* conference Tallinn – May 2018 in the presence of the Minister of Culture Indrek Saar

DENMARK

- Danske Teatres Faellesorganisation (until June 2018), Dansk Teater (as from June 2018)
Danish Association of Theatres
- Dansk Ensembles, Orkestre og Operainstitutioner, DEOO
Association of Danish ensembles, orchestras and opera institutions

ESTONIA

- Eesti Etendusasutuste Liit, EETEAL
Estonian Association of Performing Arts Institutions

FINLAND

- Suomen Teatterit ry / Finlands Teatrar rf, STEFI
Association of Finnish Theatres
- Suomen Sinfoniaorkesterit, SUOSIO
Association of Finnish Symphony Orchestras

FRANCE

- Association française des Orchestres, AFO
Association of French Orchestras
- Fédération des employeurs du spectacle vivant public et privé, FEPS
Federation of employers in the public and private live performance in France
- Les Forces Musicales
Association of French opera houses, orchestras and lyric theatres

GERMANY

- Deutscher Bühnenverein - Bundesverband der Theater und Orchester, DBV
German Theatre and Orchestra Association

HUNGARY

- Magyar Szimfonikus Zenekarok Szövetsége
Association of Hungarian Orchestras

ICELAND

- Samtök atvinnuveitenda í sviðslist og tónlist, SAVIST
Employers association for the performing arts in Iceland

ITALY

- Associazione Generale di institute dello spettacolo, AGIS (on hold)
Association of Italian performing arts organisations

NETHERLANDS

- Vereniging van Schouwburg- en Concertgebouwdirecties, VSCD
Association of Dutch Venues and Concert halls Directors
- Nederlandse Associatie Podiumkunsten, NAPK
Dutch Association of Performing Arts & Music Organisations
- Vereniging Nederlandse pop podia en festivals, VNPF
Association of Dutch Music Venues and Festivals

NORWAY

- Norsk Teater- og Orkesterforening, NTO
Association of Norwegian Theatres and Orchestras

POLAND

- Zrzeszenie Filharmonii Polskich, ZFP
Society of Polish Philharmonics

PORTUGAL

- Associação para as artes performativas em Portugal, PERFORMART
Portuguese association of performing arts

SLOVAKIA

- Asociácia Slovenských Divadiel a Orchestrov, ASDO
Association of Slovak Theatres and Orchestras

SPAIN

- Federación Estatal de Asociaciones de Empresas Productoras de Teatro y Danza, FAETEDA
State Federation of Associations of Theatre and Dance production enterprises
- Asociación Española de Orquestas Sinfónicas, AEOS
Association of Spanish Symphony Orchestras
- Asociación de Representantes Técnicos del Espectáculo, A.R.T.e
Spanish Association of managers, agents, artists, representatives, promoters and festival directors in the entertainment sector

SWEDEN

- Svensk Scenkonst
Swedish Performing Arts

SWITZERLAND

- Schweizerischer Bühnenverband, SBV / Union des
Théâtres Suisses, UTS / Unione dei Teatri Svizzeri
Association of theatres in Switzerland
- Union des Théâtres Romands, UTR
Association of 'Roman' theatres in Switzerland
- Orchester.ch
Association of orchestras in Switzerland

UNITED KINGDOM

- The Society of London Theatre / UK Theatre
Association, SOLT/ UK Theatre
- Association of British Orchestras - ABO
- Federation of Scottish Theatre – FST

ASSOCIATE MEMBERS

AUSTRALIA

Live Performance Australia

RUSSIA

Russian Union of Concert Organisations - RUCO

EUROPEAN NETWORKS

- Opera Europa
- ECA, European Circus Association
- EFA, European Festivals Association
- ETC-CTE, European Theatre Convention
- FEVIS Europe
- REMA - EEMN European Early Music Network

INDIVIDUAL MEMBERS

Ancienne Belgique, AB – Concert venue in Brussels
Sport Paleis – Concert venue in Antwerp

PEARLE* MEMBERSHIP OPTIONS

Full membership:

intended for national associations from a European country

Associate membership (3 types):

intended for

- Non-European national association
- European network in the live performance sector
- Individual organisations or enterprises with a direct link to the live performance

CONTACT: info@pearle.eu

MORE INFO: www.pearle.eu/register



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Louise Norman (SOLT/UK Theatre - Society of London Theatres/UK Theatre Association, UK) for drafting the action points and minutes of the General Assembly meetings.

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With special thanks to:

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Monika Larina

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PEARLE* – LIVE PERFORMANCE EUROPE ...

represents through its members associations more than 10,000 live performance organizations, including theatres, theatre production companies, orchestras and music ensembles, opera houses, ballet and dance companies, festivals, producers, promoters, music clubs, venues and concert halls, workspaces, comedy, circus and other organizations within the music and performing arts sector across Europe. It concerns both profit and non-profit organizations and enterprises. The size of the companies stretches from professional small scale production companies, music bands and touring companies employing less than 10 persons, to medium-sized and a number of large theatrical organizations employing over a thousand people.

is recognized as the only European association to represent management in the European sectoral social dialogue committee 'live performance' facilitated by DG Employment of the European Commission.

has over twenty five years of experience on public affairs and is a trustworthy interlocutor to the European Institutions, working along high ethical standards in our contacts with public officials. Based in Brussels, Pearle* is strategically positioned to advocate for the live performance sector and to stimulate a welcoming regulatory environment to help move the sector forward.

ABOUT THE LIVE PERFORMANCE SECTOR

The live performance sector, including music and performing arts, alone employs over 2 million workers (data Eurostat 2014; NACE Rev2, code 90 and EY study 2014). It is the largest job supplier of the cultural sectors.

The annual turnover of the performing arts and live music sector is about 44,5 billion euros*.

*source: EY study 2014

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