

30 YEARS



PEARLE

Live Performance Europe

20

Activity Report

PEARLE* the voice of music, performing arts and live performance organisations

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

21

SHARING A PASSION FOR LIVE PERFOR- MANCE

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01 TOP TEN ISSUES IN 2021

This years' top ten issues continued to be dominated by the Covid-crisis. Covid-19 measures impacted all other policy areas in particular state aid and support to the sector, as well as mobility and circulation of works. At the same time initiatives on new policy and regulatory proposals were introduced as planned by the institutions. Obviously, the new trade agreement between the EU and UK also captured our full attention in 2021.

This year's activity report therefore starts with Covid as a specific item aside the ten listed subjects which are – in alphabetical order:

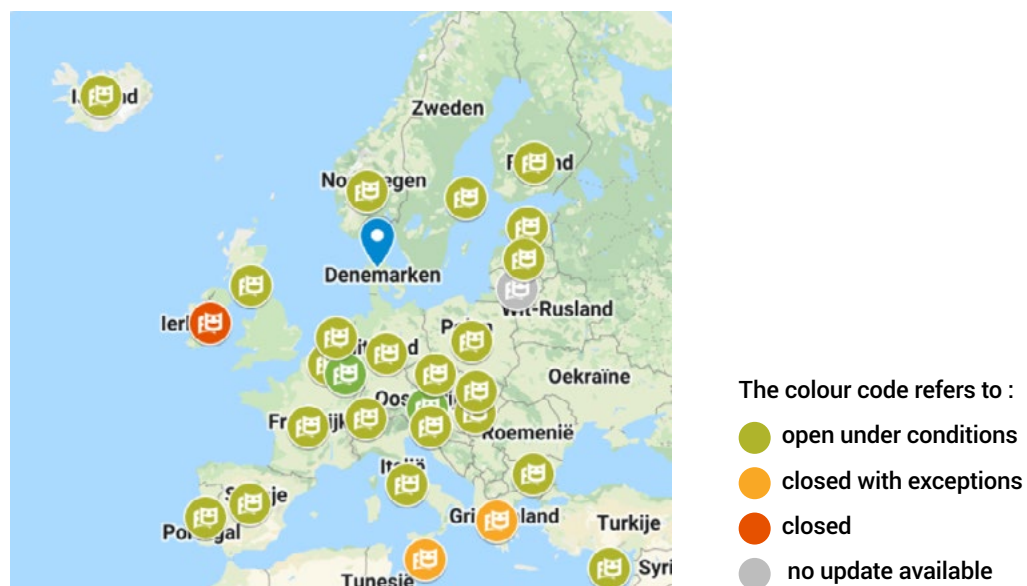
01. **Brexit (the new EU-UK trade agreement)**
02. **Culture**
03. **Digital environment**
04. **Employment and social affairs**
05. **Gender equality**
06. **State aid**
07. **Sustainability**
08. **Taxation and VAT**
09. **Third-country nationals**
10. **Travelling with musical instruments and CITES**

Covid19

The live performance sector: the first to close the last to reopen!

The year 2021 started without knowing what the coming months would bring. Vaccination was regarded as the key to freedom and thus also to performances with live audiences. Everyone hoped for the summer to make it possible again to organise events, outdoors as well as indoors. Several, scientifically supported test events took place, scenarios were presented, studies undertaken to demonstrate the capacity of organisers to be able to secure safety and protection of audiences.

The Pearle* map of Europe on reopening of the sector was initiated in 2020 and throughout the year, with the help and input of its members, the map was regularly updated. This way one could get a good picture of the situation across Europe. It was learned that often the picture was quite dispatched: some countries allowed for a nearly full capacity whilst in other countries the government did not allow audiences or limited the number to a minimum seat capacity of only 30 to 50. As measures also constantly changed, it required the highest level of flexibility ever known in history for the live performance. The issue of lack of prospect had major impact on many levels, business-wise but also mentally.



The impact of the ever-changing situations led to brain drain and loss of competent people to other sectors, especially technical profiles. To accommodate the sector, Pearle* had therefore collected a curated list of about 100 **job platforms** on its website to allow job seekers to check job prospects across Europe. www.pearle.eu/joboffers

Where performances were possible, including events abroad, hope was built on the EC initiative presented at the end of March 2021 for a Digital Green Certificate covering vaccination, testing, and recovery to facilitate travels within the EU. As part of the Tourism Manifesto Alliance, Pearle* strived to make mobility possible again and supported the take up of a digital Covid certificate to facilitate travelling. By the summer the certificate was able to be used.

In May 2021 governments in the respective Member States started to unravel their recovery plans, in the context of the **EU's Recovery and Resilience Facility (RRF)**. The plans can cover maximum 6 years. The RRF is the key instrument at the heart of **NextGenerationEU**, the EU's plan for emerging from the COVID-19 pandemic. It provides up to €672.5 billion to support investments and reforms (in 2018 prices). The Commission encourages member states to focus on sustainability and the digital environment, which are the two main pillars of the Commission's work.

Pearle* undertook several initiatives and actions, which are collected on a [dedicated page](#) on the Pearle* website.

Exclusively for members, Pearle* held two dedicated virtual **members corners**:

- 26 April: Re-opening of venues and continued support for the live performance sector.
- 1 December: Facing the 4th wave in the live performance

In the first half of the year the focus for the sector was to have measures fitted for the sector to make it possible to rehearse and perform again (live or through digital streaming or recording). As employers it is a responsibility to protect workers and develop prevention schemes. Across Europe the employers federations published protocols based on government measures and guidance. The work undertaken by the European agency for health and safety at work provided a robust basis. Protocols for the live performance sector were also made available on the dedicated [EASHW wiki website section](#). Furthermore, the knowledge provided a basis for the European Commission Communication “a common path to safe and sustained re-opening”, published on 17 March.

Concerned about the possibility to being able to work and perform, a key issue was the availability of support to ensure resilience of the sector. Pearle* issued or co-signed with other stakeholders several letters and statements. The 2% call of the European Parliament in the resolution adopted on 17 September 2020 paved the way for advocacy to support the cultural sectors.

Covid-19: Pearle* focus on resilience and reopening

Priority number one for Pearle* members was to be able to perform again, by giving evidence to governments, health authorities, workers, and last but not least audiences, that the sector is fully capable to organise performances and concert in safe conditions. Several scientific studies and risk assessment analyses demonstrated it could be done. On this basis resilience for the sector is of primary importance. Specific state schemes, support through the European mechanisms, are key to ensure that the sector can survive and start again to most maximum capacity. This is a crucial factor to its economic viability.

To learn more, read:

- Pearle* statement: One year without Culture - 8 March 2021
- Pearle* press release on the state aid scheme for Culture in the Covid-19 crisis - 25 October 2021

An overview of all the calls and statements co-signed by Pearle* together with other stakeholder can be found on the dedicated [Covid-page](#) on the Pearle* website

Throughout the year Pearle* members received regularly briefing notes and newsflashes on issues of relevance to the daily management of cultural organisations and policy affairs in the frame of Covid19.



01 Brexit – the EU UK trade and cooperation agreement

A difficult path ahead to make touring still possible

Soon after the adoption of the **EU UK TCA trade and cooperation agreement**, Pearle* organised on 16 February, a one-day online seminar exploring the new trade relations between the EU and UK. The focus of interest are the consequences of the trade deal on artists, technical staff and cultural organisations when touring or inviting performances to their home country.

With the input of inhouse and external experts, the following topics were discussed: social security and posting, mobility of persons to the EU and to the UK, artist taxation and VAT, data protection and copyright, road haulage, temporary import and export in the area of customs, and travelling with musical instruments, including CITES.

The seminar learned that, whilst in areas as social security and artist taxation, rules will more or less continue to be applied as in pre-Brexit times, the main administrative burdens and cumbersome procedures will occur in the areas of mobility of persons. Road haulage rules are expected to have an impact on the duration of tours and the number of countries a touring company will be able to visit in the EU.



For the benefit of the entire cultural sector, Pearle* issued a Frequently Asked Question FAQ on ten issues of interest of live performance organisations. It can be found [here](#) on the website of Pearle*.

Domestic Advisory Group - DAG

The Commission's DG Trade launched a call to business interest representatives to become part of the Domestic Advisory Group on the EU-UK TCA agreement, an initiative described in the agreement to involve business and civil society in relation to the implementation. The same process is happening for UK civil society and business group representatives. Following its application, Pearle* has been selected to the Group.

The DAG's secretariat is facilitated by the EESC and in line with the economic and social committee the EU DAG is composed of three equal groups representing business (employers), trade-unions and civil society. The role of the DAG is to monitor and advise on the implementation of the Agreement. The first meeting of the DAG was held on 24 November. After procedural introduction, a number of topics were raised as future working areas, including mobility of persons, customs, regulatory affairs.

EP Joint Assembly

The EP voted at the end of September on the creation of a new joint assembly between British and EU lawmakers meant to help solve post-Brexit issues. The Assembly will monitor the implementation of the EU-UK TCA Agreement and will also be briefed by the will be briefed on decisions by the Partnership Council, a supervisory body for the trade deal that is co-chaired by the European Commission and the U.K.

Mobility of persons

As the EU UK TCA agreement has no chapter on free of movement of persons, it is up to the **EU member states to decide whether they request a visa for the purpose of paid activity**, unless it concerns specific professions or activities listed under the Mode 4. As this is not the case for artists, it was learned that some member states made use of this possibility. For example, British artists touring and performing to Spain, an important country of destination for touring groups and bands, were suddenly required to apply for a visa. Many other countries, however, provide an exemption on the visa requirement for short visits, accommodating in this way the touring and mobility of artists. On UK side, especially for short stays, exemption from visa requirement for artists from EU countries facilitates the touring to UK. A general approach to artist mobility and cultural exchange would therefore be welcome.

Road haulage

In September, an exchange was held with the Commission to get clarification on the content of the Trade and Cooperation Agreement (TCA) in relation to road haulage to get a clear understanding of its **impact on touring equipment and groups from UK to the EU**. The TCA doesn't differentiate between cabotage operations (such as for the road haulage sector with transport of goods as the main activity) and own account transport (in which the transport of good is ancillary and not the main activity of the sector). As this distinction is not made, the live performance sector falls under cabotage rules that restrict the operations in the other party to a maximum of 3 stops.



Covid-19 and EU UK cultural exchange

Due to very restricted travelling and the fact that across Europe venues were closed, festivals did not take place and programmes were cancelled or postponed, one did not feel the immediate effect of the new trade relations on touring. This meant that the sector had time to identify the main areas in which it was expected obstacles would occur, once touring would be possible again and to consider how those could be solved and seek further clarification.

Pearle* actively contributed and engaged in providing information in numerous forums, panels, and meetings. Pearle* also regularly reached out to the Commission to receive clarification to give its members the right information.



02 Culture

Creative Europe, sectoral issues, working conditions, and the New European Bauhaus initiative

With Covid-19 against the background, it is obvious that this also influenced EU cultural policy issues. In 2021 Pearle* was involved in policy debates on artist working conditions, in sectoral studies and initiatives, in the expert committee on heritage, in stakeholder meetings of pilot projects (Perform Europe, Creative FLIP), and followed with interest the presentation of the **New European Bauhaus** initiative and the rolling out of the new calls under the **Creative Europe programme**.

At sectoral level the Commission launched studies on the situation of the theatres in the EU, as part of the European Theatre Initiative, and on the health and wellbeing of music creators, as part of Music Moves Europe.

Working conditions

Following the 2020 EP resolution on the cultural recovery, the EP adopted a resolution on the situation of artists and the cultural recovery in the EU in October 2021. The discussion process on artist working conditions, is accompanied by several other initiatives, including supporting research and a briefing note of the EP, a dedicated Voices of Culture VoC brainstorming session in April resulting in a report finalised in September, and the start of an Open Method of Coordination OMC group of member state representatives in the frame of the Culture Council work programme.

Pearle* was involved in the preparation of the EP research and the VoC. As a social partner, together with EAEA, Pearle* called for a specific recognition of the role of social partners in the VoC process. Whilst this could not be accomplished, social partners nevertheless managed to underline their specific role in the final report of the VoC. Social partners also had an exchange with the DG Culture at their European social dialogue meeting in December.

In general Pearle* welcomes an exchange on the situation of artists in the frame of the cultural recovery, as it became clear in the Covid-19 crisis that artists working as freelancer were not always eligible to support made available by the governments. It therefore merits to further study the way in which artists can access social protection schemes or social benefits, bearing in mind the irregular pattern of work and income. The Covid-crisis has clearly accelerated the debate in member status on the status of the artists and are developing specific schemes. In the **study on cross-border employment in the live performance sector**, an excellent description conducted by the academic researchers, on the artist status in four countries can be found (see in this brochure page 15).

appendix 1 The live performance artist and social security under national law: Belgium, France, Germany and the Netherlands

a1.1 The social security status of the artist in Belgium

Belgium has a number of legal provisions that specifically address the social protection of artists. Before diving deeper into the question of who is officially considered an 'artist' in Belgium, a very brief summary of the origins and the changes in the so-called 'artist's status' over the past decades will be given. After that, the concept of 'artist' will be discussed, followed by the advantages of the regime that a certified artist in Belgium can make use of. It is important to emphasise that the 'artist's status' is not a real, separate statute. It does not exist in isolation, but instead consists of a set of support measures which an artist falls under if certain conditions are met.

a1.1.1 A brief history

In 1969 already, a specific protection measure for artists was introduced in Belgium. The then Article 3, 2° of the Royal Decree of 28 November 1969 provided for the irrebuttable presumption for performing artists that they were employees, and not independent contractors, so they had to be subjected to the social security for salaried persons. The client of a performing artist was to be legally considered *an employer* and was therefore bound to pay the social security obligations for employees. It seemed like a big step forward for artists at the time, but in reality this legal provision aimed to protect artists was rarely applied.

The administrative burden for the 'employer' (alias the *client*) of the artist often was so great that the legislation was simply not complied to and artists were *de facto* left without social protection. Because of the irrebuttable presumption, they could not become self-employed, and the NISSE (*National Institute for the social security of the Self-Employed*), in accordance to the law, refused to register them as self-employed. As a result, artists often found themselves in no man's land: they were refused to be enrolled in social security schemes for independent workers and at the same time, their clients often refused to pay the necessary social contributions for artists to be enrolled in social security schemes for salaried workers. Regularly, there was legal uncertainty as well, as to who exactly was the client: in the cultural and arts sectors, the existence of intermediaries between artists and their clients are a common phenomena, which made it unclear as to who precisely was the 'client' and who therefore had to pay the social contributions for the artists, even if they were willing to do so (Van De Velde, 2013).

By the end of 2002, an official 'statute' for artists was drawn up, and this time the aim was to have it precisely tailored to the needs and situation of artists. On the one hand, the legal presumption was made rebuttable and, on the other hand, the term 'artist' was expanded, from merely performing artists to both *'interpreting and creating'* artists. With the programme law of 24 December 2002, *Article 1bis* was inserted into the law concerning the social security of salaried persons.³²³ This *Article 1bis* introduced a rebuttable presumption of submission to social security for salaried persons, for persons who, without being bound by an employment contract, provide artistic services and/or produce artistic works commissioned by a natural or legal person. From now on, the presumption could be reversed if the artist could prove that (s)he was not working under similar socio-economic conditions as those under which an employee is bound to his employer.³²⁴

³²³ Known as the '302-wet' in Dutch.

³²⁴ Dutch: Artikel 1bis §1, Wet van 27 juni 1948 tot herziening van de beschikking van 28 december 1944 betreffende de maatschappelijke verzekering der arbeiders.

Whilst the European Parliament calls for a European status of the artist through a European framework on artist working conditions, as Commissioner Schmit mentioned at the plenary meeting of the EP in October 2021, social security and social protection are member state competences. Pearle* had also called upon MEPs upon the vote in the CULT committee to remain realistic on the calls put forward in the resolution. In several countries a specific status or support scheme exists thanks to social partners cooperation and support of the government. A process, like the OMC, helps countries to learn and develop solutions that can be embedded in their national legislation and own social protection schemes.



Covid-19: focus on guidelines

On 29 June 2021 the Commission published a Communication with EU guidelines for the safe resumption of activities in the cultural and creative sectors – Covid-19. Pearle* had actively contributed to the process with information collected from the protocols that Pearle* members had developed in their respective country to meet with the employer's obligation to protect its workers, to undertake risk analysis, to set up prevention plans and ensure the workers' health and safety.

03 Digital environment

The digital services act, illegal ticketing, and online piracy of streamed live content: a need to protect the income and business of live performance organisations

Illegal ticketing and the DSA

The online environment creates challenges for the live performance sector regarding **illicit ticketing** for concerts, festivals, musicals, and other shows. In 2021, Pearle* continued to give input to policy makers on the **Digital Services Act (DSA)**, on the table of the European Parliament and the Council. The revision of rules applying to online platforms and marketplaces acting as intermediaries for online traders is an opportunity to update certain aspects of EU legislation relating to a growing online secondary ticketing market.

Secondary ticketing traders and platforms of a certain size established outside of the EU will be included in the scope of the DSA. Pearle* urged policy makers to also include small marketplaces in the scope of the text. The draft text also outlines provisions on the traceability of traders, important in the context of the resale of tickets, as platforms allow the resale of fraudulent tickets without further checks.

Every year, exploitative ticket resale drains hundreds of millions of euros from the European live performance sector. Not only is this hurting the sector's post-pandemic recovery, but it also hits artists and live performance organisations and deceive and rips off consumers.

Online piracy of live events

With the growing number of live events transmitted online in the live performance and other sectors, the risk of online piracy has grown these last years.

The European Parliament tackled the issue for the sports sector in an own-initiative (INI) report, published in July 2021. In its response to the EP, the European Commission recognised the need for greater protection of live events.

In June 2021, with the aim to broaden the scope of the discussion and further discuss legal action at EU level, several stakeholders from the sports, broadcasting and live performance sector created the **Live Content Coalition for EU Action on Piracy**. The objectives of the group include the immediate take-down of illegal broadcasts of live content to protect the live value of the event. Furthermore, better enforcement of cross-border rules as well as notice and action mechanisms are needed.

The Commission committed to further actions on piracy, as the Digital Services Act doesn't cover specific concerns in this area for live events. In the coming year, in exchange with Member States, the Commission will evaluate legislative action in this field.

Pearle* also signed the Live Content Coalition letter to national ministries in December 2021 as well as the [Live Content Coalition paper](#) on the Commission's response to the EP resolution on piracy in September 2021.

Radio spectrum and wireless microphones

EU Member States and the EU are preparing the next **World Radiocommunications Conference WRC** which will take place in 2023. During that conference, a discussion on the allocation of parts of the "cultural frequencies", this is the UHF, is foreseen. There is an important pressure by the mobile industry to claim that part of the spectrum, which would lead to a reduction of the available UHF range, making it impossible for broadcasting and PMSE – programme making and special events to continue their operations.

Designated as "cultural frequencies", PMSE users and manufacturers consider the band 470-694 MHz as the core band of audio PMSE. They advocate to ensure the use of this band beyond 2030.

As part of the **Wider Spectrum Group**, Pearle* provided comments in March 2021 to the Opinion of the Radio Spectrum Policy group on the **Radio Spectrum Policy Programme**.

In the paper, the Wider Spectrum Group highlights that broadcasting and PMSE have been sharing the spectrum in a practical and efficient way for decades, without interferences. Use of wireless microphones and other production equipment is very widespread across all countries and everywhere inside a given country, from large concert halls to small community city halls, playing an essential role both in content creation but also in fostering social link and local economy.



Covid-19 and the digital environment

With Covid-19 the digital environment has become much more important to the live performance sector, as it allowed to stream performances online. Citizens and audiences, living in lockdown, enjoyed this way performances bringing art and culture to people's living room. A large part of it was presented free of charge and it is still unclear whether streamed performances can be a viable business model, rather they allow to build new audiences and communicate with people around the world. Recorded performances made available on dedicated platforms have seen a growth in subscription during the Covid-times.

04 Employment & social affairs

New EU initiatives, posting and social security, gender equality, skills, European social dialogue.

Posting and social security

Following the transposition of the **revised Posting of workers directive**, which was due mid-2020, a focus was put in 2021 on the administrative burdens in relation to the notification and the coherence of information provided on the posting web-portals of member states.

Pearle* has repeatedly underlined that the **administrative burdens are disproportionate for very short-term posting** and for the **very small companies** who must deal with it. Pearle* welcomes efforts by the Commission and the ELA towards improving the administrative process that employers must undertake

Despite intense negotiations between the co-legislators on the **revision of the social security coordination regulation**, no agreement could be found by the end of 2021. Issues of concern for Pearle* were the EP demand to extend the prior affiliation to 3 months and the approach to very short-term posting which had come to the fore in the discussion on business trips.

A dedicated research project '**Mobilive**' supported by the EU, which had started in April 2020 was brought to a close with a final conference at the end of May 2021. It resulted in a study on '**cross-border employment in the live performance sector. Exploring the social security and employment status of highly mobile workers**'.

The project and study were led by HIVA-KU Leuven in partnership with Ghent University and CNRS-University of Strasbourg, with the support of Pearle* and members from Belgium (oKo), Czechia (APD CR), France (FEPS), Portugal (Performart) and Sweden (Svensk Scenkonst). It's the first academic study in its kind providing an in-depth analysis on the subject.

In the study the researchers focus on the **employment and social security status of 'highly mobile worker'** in the live performance sector.



The research also contains a detailed presentation and analysis of the status of the artist in BE, FR, GE, NL. Already the comparison between those four countries demonstrates the great diversity and differences between countries. The project also produced a number of **practical tools** to help touring companies and organisers in the sectors and made use of the template developed by ELA the European Labour Authority to describe the collective agreements, by way of example, applicable in France. All information, and a step-by-step tool, are available on the [website of Pearle](#).

Other EU legislative proposals -to a greater or lesser extent- of interest to the sector are:

- **proposal for a directive on minimum wages:** this proposal of 2020 is expected to be adopted in 2022 under the French presidency. Concerns had been raised by member states and by social partners on the respect of national competencies.
- **Proposal for an EU pay transparency directive:** in March 2021, the Commission proposed a new directive to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms. Whilst endorsing the principle of equal pay, the directive would lead to additional administrative work on monitoring and reporting.
- **Proposal for a directive on platform work and guidelines for collective agreements for the self-employed:** on December 9th, 2021, the Commission proposed a set of measures focusing on platform workers and self-employed, with the aim to give them more rights and protection. Learning from the feedback of Pearle* members, as regards the topic on collective agreements for self-employed, it seems that there is no one-size-fits all approach. It needs to be considered on a case-by-case basis, depending on the labour market situation in a respective country and the sectoral needs and particularities. In the NL social partners in the sector negotiated a collective agreement for self-employed, which led to a European court of justice ruling that allowed the agreement taking into consideration the specific situation of working side-by-side with employees.

Social dialogue*

In 2021, the Commission started a consultation process to revise the European sectoral social dialogue with the aim to present a Communication in 2022 including options to improve the European social dialogue and a Recommendation geared towards member states to increase social dialogue functioning as a core instrument of EU industrial relations.

- **European sectoral dialogue live performance:** with **three projects** in 2021 social partners had an exceptional busy and active cooperation. In June finished the project on social dialogue in the commercial live performance sector. The report which describes the situation in five countries (BG, CZ, PL, RO and Serbia) is available from the [Pearle* website](#). The other two projects focused on gender equality (see further item 8) and on skills and competences.
- **Representativeness study:** On October 27th, [Eurofound](#) published the findings of the more than two-year study on the representation of social partners in the live performance sector in EU27+UK. On the employer's side, Pearle* continues to be recognised as the sole European representative employers organisation and on the union side FIM, FIA and UNI-MEI equally so. Find the study [here](#)



Covid-19: focus on skills

Pearle* took part in and spoke at a High-Level Roundtable on Skills in the Cultural and Creative Industries ecosystem with the Commissioners Breton, Gabriel, and Schmit in April 2021.

As part of the Creative skills Europe initiative of the European social partners from the live performance and audio-visual sectors, Pearle* joined the European Pact for Skills flagship initiative.

The Cultural and Creative Industries (CCI) Ecosystem has been identified as a priority ecosystem, in which a skills partnership under the Pact should be launched. Upskilling and reskilling are also an important driver for the recovery from the COVID-19 crisis.

The EU further considers how to validate skills such as through micro-credentials and individual learning accounts and to make better use of ESCO, European skills competences and occupations.



05 Gender equality

Gender equality is a topic high on the agenda of the Commission under the leadership of Ursula von der Leyen, who made it a point to present a gender-balanced college of Commissioners.

Besides legislative initiatives (see above) and the focus of the culture council the previous year on gender equality, the European social partners in the live performance undertook a project supported by the European Union on **“Gender Equality on and off the Stage: A Mapping Project of the European Live Performance Sector.”**

In autumn 2021 four online Gender Equality Thursday webinars were held on the following themes:

- The Covid-19 Pandemic and its Impact on Gender Equality on 16 September 2021,
- Addressing Bias and Combatting Stereotypes on 7 October 2021,
- Combatting Sexual Harassment in the Live Performance Sector on 28 October 2021,
- Equal Access to Decision-making and Leadership Positions on 18 November 2021.

The Unesco published in 2021 a special edition of the Global Report series on ‘Gender & Creativity: Progress on the Precipice’ which was presented by the author at the first webinar. Also the OMC (open method of coordination) working group of Member States’ experts in the cultural field, published in 2021 a report on ‘Towards gender equality in the cultural and creative sectors’.

The social partner gender equality project also included virtual visits to Belgium, France, the Netherlands, Spain, Sweden, and the UK.

Based on a desk research and further mapping, a database was developed to be presented in 2022 in an online format, including best practice examples set up by social partners, or initiatives in which they were involved.

In various countries (such as Belgium, France, Germany, Sweden, Netherlands, UK) specific support for victims of sexual harassment in the sector were set up, including specialist psychological support and counselling. Employers organisations play an active role in the set-up of such these bodies. They also provide training to management and human resources responsible and work with experts to train intimacy coaches.

In the legislative field of particular interest is the proposal on binding pay transparency measures, i.e., **a proposal for a directive on strengthening the application of the principle of equal pay for equal work** or work of equal value between men and women through pay transparency and enforcement mechanisms. The proposal was presented by the Commission on March 4th, 2021. The aim of the proposal is to:

- empower workers to enforce their right to equal pay through a set of binding measures on pay transparency;
- strengthen the transparency of pay systems;
- improve public understanding of the relevant legal concepts;
- enhance enforcement of the rights and obligations relating to equal pay



Covid-19 and gender equality

Although data are missing it is proclaimed that women suffered more than men under the Covid-crisis since more women have parttime jobs or fixed term work. Testimonies were shared that they found it harder to access Covid support measures.

The Unesco report (see above) devoted a specific chapter on the impact of the Covid-crisis on women.

06 State aid

Dedicated support for the live performance sector to recover from the Covid-crisis through state aid schemes

State Aid Temporary Framework

With regard to State aid, 2021 was marked once more by monitoring applicable aid schemes for music and performing arts organisations throughout the EU under the Temporary Framework.

The **State Aid Temporary Framework** was adopted at the beginning of the Covid-19 crisis to support the European economy and various sectors.

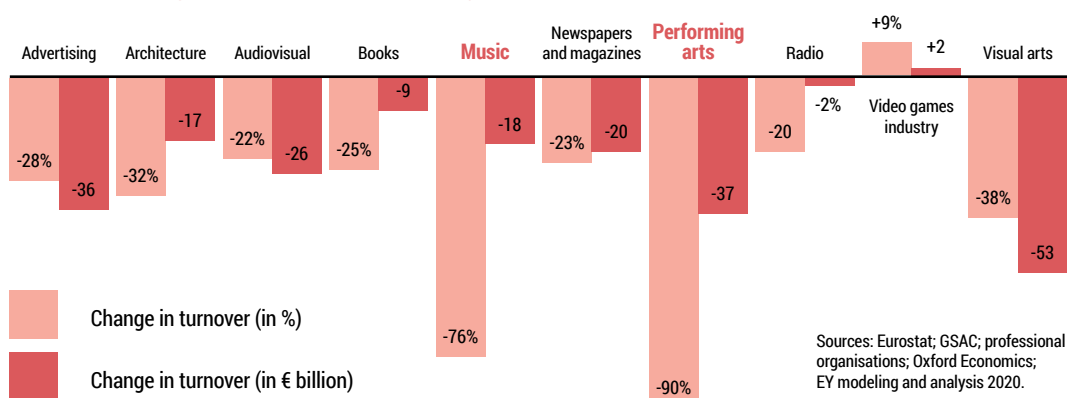
While it is difficult to put a number on the aid granted to the cultural sector, Pearle* learnt that 28 schemes were approved specifically to support the cultural sector and 37 schemes addressed a narrow list of sectors, among them the cultural sector. They have been classified as “specific support for retail, tourism, culture & sport” and as “specific support for tourism, health, culture and sport”. However, some countries applied wider schemes for the whole economy or for parts of the economy such as SMEs, freelancers etc. from which the cultural sector has benefited as well.

In autumn 2021, the Commission together with Member States decided to prolong the **State Aid Temporary Framework a last time until mid-2022**. The planned phase-out is based on the Commission’s summer 2021 Economic Forecast, according to which GDP is forecast to grow by 4.8% in 2021 and 4.5% in 2022 in both the EU and the euro area.

In a press release published on 25 October 2021, Pearle* underlines that **this is not reflecting the current state of play in the live performance sector and the forecast for 2022**.

According to the EY Rebuilding Europe study, the sector has been one of the hardest sectors hit, with a loss of turnover of 76% for the music sector and 90% for the performing arts sector in 2019/2020 as a result of the health crisis.

Estimated change in turnover 2019–2020 by CCI sector



A much longer time is to be expected to be back on track than other sectors as in most of the Member States live performance organisations couldn't fully resume their activities in 2021.

The role of NACE

During the Covid crisis it became clear that the economic categorisation NACE used by Eurostat, constitute the basis on which public authorities define the aid given to particular parts of the economy that suffered most or needed specific help. Whilst a revision process of NACE and at international level with ISIC by the UN is currently taking place, it was learned that certain parts of the sector, especially service suppliers in some countries could not benefit from dedicated Covid-support. Pearle* provided comments to Eurostat to contribute to the revision of NACE and met with event suppliers with a view to provide input to the worldwide UN revision of ISIC. Stakeholders should be much better involved and consulted on the changes in economic activities to improve the current classification. As regards the NACE revision, Pearle* observes a narrowing approach to NACE 90. Pearle* deplores that the sector is not adequately consulted and that this is a missed chance in the review process to reflect the entirety of live event industry.



Covid-19 and state aid

In a letter to their national ministries, Pearle* members urge national governments to oppose the phasing out of the aids for the cultural sector, in particular for the live performance, and to ask for a sector-specific prolongation beyond mid-2022, to ensure the full recovery of music and performing arts organisations.

Read the 2021 [Pearle* press release](#) on state aid scheme for culture in the Covid-19 crisis.



07 Sustainability and environment

The European Green Deal in the context of live performances

In two workshops at the Pearle* conference in Lucerne in September 2021 as well as in an online conference in springtime, members explored various topics in relation with the **European Green Deal** and reflected about how to tackle climate change in the context of the live performance sector, discussing the production of live shows and eco-labels for live performance organisations.

Stage lighting and eco-design rules

One of the concrete initiatives on the use of energy in the framework of the Green Deal concerns the package of eco-design rules where the live performance sector strives to ensure the continued use of **stage lighting** while considering new environmental standards in the manufacturing of the lights.

As of September 2021, the new provisions of the '**Single Lighting Regulation**' (adopted in October 2019) – which includes the above-mentioned eco-design regulation, came into force.

Thanks to a number of technical exemptions, the vast majority of light sources needed on stage as well as in film studios can continue to be used, as the European Eco-design Entertainment coalition highlighted in a [press release](#).

Together with the European Eco-design Entertainment coalition Pearle* gave input and provided expertise to the Commission on stage and studio lighting to ensure consistent policy and find concrete solutions for strong LED lights used on stage.

The European Eco-design Entertainment coalition is a European-wide group of associations working in the entertainment, lighting design, live performance, and film/TV sectors.

RoHS – hazardous substances

In July 2021, the European Eco-design Entertainment coalition also **gave input** to the revision of the **Restriction of Hazardous Substances Directive** and possible exemptions for the live performance sector. In cooperation with Lighting Europe, we were seeking the best possible solutions for our small and specialist market of stage and studio lighting. Discharge lamps used for theatre lighting (i.e., moving lights and high-powered lights ‘following’ a performer on stage) contain small amounts of mercury. Those lights are still quite common, but more and more are being replaced in the wider entertainment industry due to technological progress.

Currently, there are no available suitable substitutes for these lamps (with their quality of high luminous flux, density, light distribution, cooling requirements including low noise operation, full spectrum/high CRI light output). There are recycling programmes for these lamps in place, and we expect that the industry will be able to develop and provide substitute lamps without mercury or lighting fixtures with other lamp types in the medium term.



Covid-19 and sustainability

The Covid-crisis led to self-reflection in the sector regarding the way how mobility was taking place until countries went in lockdown and performances with live audiences were no longer possible, including touring. The notion of slow travelling was also introduced in the sector, aiming to encourage artists to rather travel by train instead of taking a flight for relatively short distances in Europe. It is to be part of a large discussion on all elements and aspects (see above) of how the live performance ecosystem operates and subject to further exchange in 2022.

08 Taxation and VAT

An important element to support recovery and ensure resilience after the Covid-crisis

On December 7th, the Council agreed on **revised rules regarding reduced VAT rates**. In the text is now also included the option for Member States to offer **a reduced rate for admission to events which are streamed**. The event might be streamed with a live audience or without.

Despite the urgency for the sector to benefit from such possibility, the rules will only apply as from January 2025 at the earliest, provided the respective member state includes the option in its national rules.

Upon the outbreak of the pandemic and as the crisis went on, more and more performances were put available online.



Supported by a common **Pearle* position paper**, this triggered Pearle* members to write to their respective government to ask for an equal treatment of VAT for culture whether offered online or offline. It would not only simplify the selling of tickets but also underpin the recovery and resilience of the sector in the context of the Covid-crisis.



Covid-19 and VAT

At present, VAT on tickets for online performances do not fall under the general rules for reduced VAT rates. With the Covid-crisis, when only online streaming was possible, organisers had to charge the full VAT rate for tickets sold to audiences watching a performance online. In countries where low VAT rates apply for tickets to live events this creates confusion for consumers and organisers found it hard to explain why a low VAT rate could not be applied.

Thanks to efforts of Pearle* and its members, this situation has now been solved in the revised directive on reduced VAT rates.

09 Third-country nationals

Ensuring and facilitating temporary legal migration mechanisms for artist mobility

Temporary legal migration

In September 2021, Pearle* issued a call asking the Commission for an initiative on temporary legal migration for highly mobile third-country nationals. The paper underlines that there is an urgent need to establish a well-functioning system responding to the operations of economic sectors that rely on third-country nationals for short stays and who are moving in and out and around the EU and the Schengen area. Especially the obstacles caused by the 90/180-day rule require a specific solution.

The views of Pearle*-Live Performance Europe presented in the paper on 'temporary economic legal migration' were launched at a time where European institutions discuss the Commission's **'New Pact on Migration and Asylum'**, and agreed on new rules for highly skilled workers in the EU blue card directive.

Blue card directive: after several years of discussion, the text of revised Directive on entry and residence conditions for high-qualified non-EU nationals, the so-called Blue Card, was finally accepted by the Council in September 2021, after it was also already adopted by the European Parliament.

The rules should provide for more simply procedures for employers and make it more attractive for third-country nationals to apply for a blue card. Member States have two years to implement the revised rules into national legislation.

EU-US

On June 15th, a major EU-US summit took place in Brussels. The summit marked the beginning of a renewed transatlantic partnership and set a joint agenda for EU-US cooperation in the post-pandemic era. The leaders committed to regular dialogue to take stock of progress.

On the occasion of the summit, more than 100 cultural organisations called upon the political leaders to support the cultural relations. Reducing the obstacles to visas and work permits is therefore an essential instrument to bring hope, future, and a new start of cultural exchange between the two continents, say the 108 signatories to the letter.

US visa policy

The Biden administration has been much more open to engaging on issues on artist mobility and immigration, however, there are still a lot of issues that can be improved. At the initiative of the artist mobility forum in US, Pearle* supported a letter providing comments on the relevant immigration forms and procedures. It concerns the U.S. Department of State's **request for comments** on the non-immigrant visa application form DS-160 form (and its print-out corollary, the DS-156), which all O and P artist visa applicants must complete as part of their U.S. artist visa application.

In June, after two years of lobbying with the international artist community, U.S. Citizenship and Immigration Services (USCIS) **announced policy changes** that became immediately effective, as follows:

- **new traditional expedite criteria** were introduced which restored the ability of a non-profit organization whose request is “in furtherance of the cultural and social interests of the United States” to make use of quicker treatment of the application, and
- Ensure that petitioners submitting a visa application are given an opportunity to correct innocent mistakes and unintentional omissions before an application is denied. New **guidance** emphasizes that USCIS officers reviewing petitions should only issue requests for additional evidence and denials when absolutely necessary.



Covid-19: third-country national travel

At regular intervals host organisations reported problems for third-country national artists to travel to the Schengen. For a long time also nationals from only a very limited list of countries were accepted to travel to the EU and if they were, they were subject to national rules including measures such as quarantine, proof of vaccination and/or PCR test.

Travelling with musical instruments containing protected species

a matter of ensuring mobility

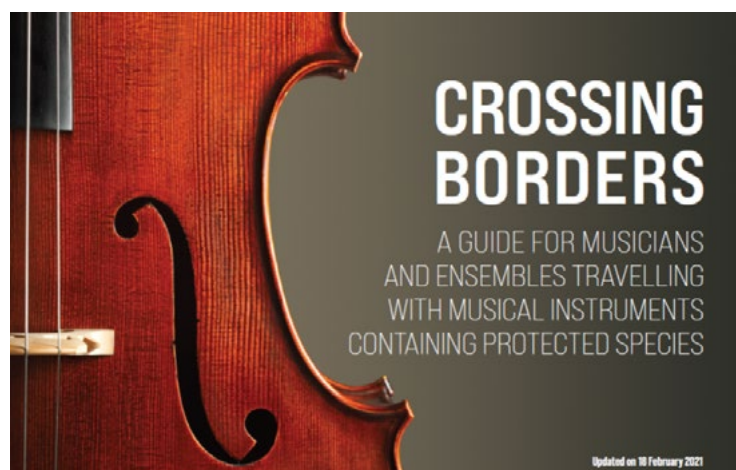
CITES and musical instruments

In 2021, the music stakeholders' group, of which Pearle* is a member continued their work with the **Convention on International Trade in Endangered Species** (CITES) with the aim to simplify travelling with musical instruments containing protected species. CITES is of importance to allow the production of musical instruments and the travelling and touring of instruments which contain species such as rosewood, ivory, lizard skin and others.

In April, the music stakeholders group published two statements to give input to the **CITES Standing Committee**, held online in May.

As an observer at the **CITES Annotations Working Group**, Pearle* together with international music stakeholders also signed a statement on Annotation #15. The annotation defines the exemption for travels with musical instruments, their parts and accessories containing rosewood (*Dalbergia* spp., exempt from *Dalbergia nigra*).

To ensure touring, Pearle* is in permanent contact with relevant services at the European Commission (DG ENV) and national CITES authorities and works in collaboration with the instrument makers and musicians' representatives.



Pearle* is also committed in developing **practical tools** to facilitate understanding of CITES resolutions and permits in the live performance sector. The joint Pearle*-FIM publication '**Crossing borders**' was updated once more in 2021 to include latest CITES rules. The brochure provides hands-on information to musicians, music ensembles, groups and orchestras and guides them through the process of obtaining the necessary CITES-certificates when travelling outside the EU, such as the Musical Instrument Certificate (MIC) or the Travelling Exhibition Certificate (TEC).

The update includes latest rules to be taken into account, following Brexit and new CITES requirements. The 2021 'Crossing borders' publication is available in [EN](#), [FR](#) and [DE](#).

EU ivory ban

Pearle* supports the initiative of the European Commission to adapt and harmonise **EU legislation on ivory**, to ban illegal cross-border trade in ivory and protect elephants. Revised EU ivory rules contain exemptions for musical instruments to allow the travelling in the context of live performances, displays and recordings as well as for repair or restoration.

At the end of December, the new **EU ivory ban** was adopted. It includes specific rules for musical instruments, allowing the sale of instruments built with pre-1975 ivory under certain circumstances. The travelling of musical instruments for concerts and other performances is not affected as it doesn't fall under the scope of the rules.

The new rules will enter into force on 19 January 2022. Pearle*, CSFI and FIM are in exchange with the Commission and national CITES management authorities to ensure a harmonised implementation across the EU, highlighting that the additional restrictions would be neither proportionate nor helpful in combatting illegal ivory trade.

Read the [statement](#) (first published in December 2021 and revised in January 2022) on the EU ivory ban and musical instruments.

02 IN FOCUS: 30th ANNIVERSARY OF PEARLE*

At the Pearle* conference in Lucerne, hosted by Orchester.ch, members celebrated the 30th anniversary of Pearle*.

Whereas -upon the 25th anniversary celebrated in Prague- the focus was on 'looking back', in Lucerne a deliberate choice was made to look at the future.

In a period where the pandemic had hit the sector immensely the celebration and gathering in Lucerne was a highly welcome event, where members finally could meet again in person and celebrate in the true spirit of the Pearle* family after nearly two years of online meetings.

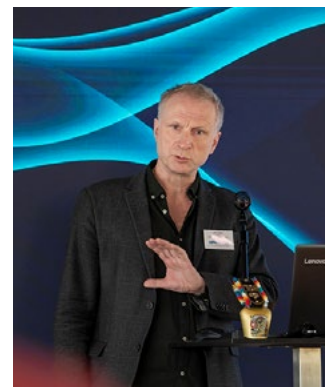
The surroundings of Lucerne and the hosting by Orchester.ch created an excellent vibe among members, a large group of people who also attended for the first time.

For the occasion the Pearle* logo got a new and more modern update and a special one was created for the occasion 30th anniversary.

On the 30th anniversary a members survey was conducted to learn and evaluate the services delivered to members, the topics addressed, the activities undertaken, etcetera.

Members appreciate most the option to meet and network at conferences, the possibility to learn and obtain new information and the exchange with each other. Very closely following on the second place as service delivered by Pearle*, is the fact that members can trust to be represented at the European and international level and having a Brussels office screening and monitoring relevant policy areas that may impact the daily management of a live performance organisation.

Interestingly, whilst Pearle* at the European and international level works on a wide range of issues that will become important in national context several years ahead, members listed as important topics that are of relative immediate concern: Covid-19, gender equality, diversity, cultural policy, sustainability, digital environment, social dialogue, and employment affairs...



A snapshot of the wonderful vibe present at the conference in Lucerne.
With special thanks to Orchester.ch for making this possible.

03 EUROPEAN PROJECTS

In 2021 Pearle* was involved in two projects supported by the Creative Europe programme and four projects supported by the dedicated budget-lines on social dialogue managed by DG Employment.

Creative Europe	Social dialogue
Partner in SMS – Strengthening music in society 2017-2021	Partner in Creative digital Skills project 2020-2022
Partner in EFA Rise 2 project 2017-2021	Partner in Mapping Social Dialogue project 2019-2021
	Partner in Gender Equality project 2019-2022
	Partner in Mobilive research project 2020-2021

➤ Creative digital skills Europe

Full project title: Fostering social dialogue on skills to adapt to digitalisation in the EU audiovisual and live performance sectors

Period: January 2020 – June 2022

EU programme: Social dialogue (DG Employment)

Project leader: Uni-Mei

Role of Pearle*:

- Project partner
- Member of the steering committee

Financial contribution received: none

Own contribution: Staff working time

Activities in 2021:

- Steering committee meetings: 22/01 – 26/02 – 31/05 – 25/08 – 8/09 – 24/11
- National conversation: 23/02 and 20/04 Czechia & 18/05 Portugal
- Second online webinar on digital skills: *production* 23/03
- Third online webinar on digital skills: *distribution* 29/06
- Development of learning cards, available on creativeskillseurope.eu/learningcards



WANT TO KNOW MORE?

Social partners of the EU Sectoral Social Dialogue Committees in the Audiovisual and Live Performance sectors (AV SSDC and LP SSCD) have been working together in the field of professional training and skills development since 2012. European social partners of both committees (EBU, Pearle, EURO-MEI, FIA, FIM and EFJ) have decided to take the cooperation a step further. The project foresees a range of actions which aim to:

- further enhance the capacity of social partners to adapt social dialogue and training to changes in skills' needs due to the digitalisation of the economy in the AV and LP sectors;
- disseminate the outcomes of the previously carried out activities of both committees on skills' development;
- prepare a process-driven European social dialogue document on skills' development to structure the social dialogue on skills and to further encourage skills' development at European and national level.

See www.creativeskillseurope.eu

➤ 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*

Period: January 2018–November 2021

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 in 2021:

Update of the brochure: *The Ultimate cookbook for the cultural manager*

- VAT
- Artiste taxation
- Social security in international context
- Copyright clearing for live events

The brochure on visa for third-country nationals was updated in 2020



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, as well as on leadership.

➤ AEC SMS

Full project title: SMS - Strengthening music in society

EU programme: Creative Europe

Period: 2018-2021

Project leader: AEC European association of conservatoires and music academies

Role of Pearle*: Member of the Working Group Entrepreneurial mindset and skills for musicians

Financial contribution received: Reimbursement travel costs

Own contribution: Staff working time

Activities:

- 6 working groups meetings: 28/01 – 11/06 – 1/07 – 30/07 – 23/08 – 4/10
- Series of podcasts: 5 episodes *Music in Society – Nurturing the entrepreneurial mindset in higher music education* on anchor.fm/aec7
- *Make Music Work* mobile/web app on entrepreneurship on makemusicwork.eu
- AEC Congress – Antwerp: 4-6/11, including the online participation of Ana Mateo, president AEOS (Spain) in the opening session



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.

➤ Mapping social dialogue in commercial live performance (5 countries)

Full project title: Mapping the situation of social dialogue in the commercial live performance sector in Bulgaria, Czechia, Poland, Romania, Serbia

Period: February 2019-June 2021

EU programme: Social dialogue (DG Employment)

Project leader: Uni-Mei

Role of Pearle*:

- Associate partner, with involvement of members from France, Germany in steering committee and members of Bulgaria, Czechia, and Poland for research
- Member of the steering committee

Financial contribution received: none

Activities in 2021:

- Steering committee meetings:
19/01 – 2/03 – 15/04 – 12/05 – 27/05
- Final conference (online): 08 and 09/06
- Publication of final report; executive summary and country reports in the languages of the targeted countries
- Conclusions of the final conference



WANT TO KNOW MORE?

The European social partners in the live performance sector have launched a project to map and assess the situation of social dialogue in the commercial live performance sector which is largely unmapped in a significant number of EU countries. This project will focus on five countries in Central and Eastern Europe: Czech Republic, Bulgaria, Romania, Serbia, and Poland. The aim of the action is to identify key players in the commercial sector, to research the state of social dialogue in the commercial live performance sector in these countries.

➤ Gender equality on and off the stage

Full project title: Gender equality on and off the stage: a mapping project of the European live performance sector

Period: January 2020-January 2022

EU programme: Social dialogue (DG Employment)

Project leader: FIA

Role of Pearle*:

- Partner, with involvement of members from Germany, Spain and Belgium in the steering committee
- Member of the steering committee

Financial contribution received: none

Activities in 2021:

- Steering committee meetings: 07/01 – 20/01 – 04/02 – 20/05 – 15/06 – 01/07 – 7/09 – 14/09 – 4/10 – 7/12
- Study visits – online: 3 and 4 March – Belgium, 25 and 26 March – UK, 19 and 20 April – Spain, 25 and 26 May – Sweden, 10 and 11 June – France, 24 and 25 June Germany
- 4 Gender equality Thursdays – online webinars: 16/09 – 07/10 – 28/10 – 18/11



WANT TO KNOW MORE?

The European social partners in the live performance sector undertake between 2020 and early 2022 a project on gender equality. The aim of the project is to collect an overview of the situation in relation to gender equality in the Live Performance sector across the EU. It will also highlight best practice. This should allow to consider future work of the European social partners on this topic.

➤ Mobilive

Full project title: Challenges and experiences of high labour mobility across Member States - Exploring the social security and employment status of hyper-mobile workers in the live performance sector

Period: April 2020 – May 2021

EU programme: Improving expertise in industrial relations (DG Employment)

Project leader: KULeuven-HIVA (research institute)

Role of Pearle*:

- Partner, with involvement of members from Belgium, Czechia, France, Portugal and Sweden as associate partners
- Member of the steering committee

Financial contribution received: costs related to final conference, publication, secretarial

Activities in 2021:

- Steering committee meetings: 04/01 – 08/01 – 19/02 – 07/04 – 03/05
- Focus group: 21/04
- Final conference: 28/05
- Online questionnaire to employers across Europe: January-February
- Publication of the report: *Cross-border employment in the live performance sector: exploring the social security and employment status of highly mobile workers*; executive summary available in French, German, Italian
- Publication of several tools to support employers to apply the posting rules
- Podcast : high labour mobility - [here](#)
- All available from pearle.eu/activity/mobilive
- A step-by-step description on the Pearle* website from the perspective of a touring company, organizer, freelance artist, employer receiving a foreign artist pearle.eu/social-security



WANT TO KNOW MORE?

MOBILIVE aims to explore the social security and employment status of hyper-mobile workers in the live performance sector. The project will define a clear definition of the concept 'highly mobile worker' (in the live performance sector) and will make a detailed analysis of the challenges and solutions with regard the social security and employment status of hyper-mobile workers employed in the live performance sector.

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. On 4 June elections were held for a new executive committee.

EXECUTIVE COMMITTEE (term May 2019 - June 2021)

Chairman: Morten Gjeltén, NTO – Norsk Teater og Orkesterforening, Norway

Secretary: Liesbeth Dejonghe, oKo – Overleg Kunstenorganisaties, Belgium

Treasurer: Zdeněk Pánek, APD ČR – Asociace profesionálních divadel České republiky, Czech Republic

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
- **Sébastien Justine**, Les Forces Musicales, France
- **Tania Swayne**, FAETEDA – Federación Estatal de Asociaciones de Empresas Productoras de Teatro y Danza, Spain

Delegates (in alphabetical order):

- **Francisca Carneiro Fernandes**, Performart – Associação para as artes performativas em Portugal, Portugal
- **Géza Kovács**, AHO – Magyar Szimfonikus Zenekarok Szövetsége, Hungary
- **Gabi Mesters**, VSCD – Vereniging Schouwburg- en Concertgebouwdirecties, Netherlands
- **Mark Pemberton**, ABO – Association of British Orchestras, United Kingdom
- **Aline Renet**, FEPS – Fédération des employeurs du spectacle vivant public et privé, France
- **Tommi Saarikivi**, STEFI – Suomen Teatterit ry / Finlands Teatrar rf, Finland
- **Ilka Schmalbauch**, DBV – Deutscher Bühnenverein – Bundesverband der Theater und Orchester, Germany

EXECUTIVE COMMITTEE (term June 2021 - June 2023)

Chairman: Morten Gjeltén, NTO – Norsk Teater og Orkesterforening, Norway

Secretary: Liesbeth Dejonghe, oKo – Overleg Kunstenorganisaties, Belgium

Treasurer: Zdeněk Pánek, APD ČR – Asociace profesionálních divadel České republiky, Czech Republic

Members:

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- **Sébastien Justine**, *Les Forces Musicales, France*
- **Tania Swayne**, *FAETEDA – Federación Estatal de Asociaciones de Empresas Productoras de Teatro y Danza, Spain*

Delegates (in alphabetical order):

- **Francisca Carneiro Fernandes**, *Performart – Associação para as artes performativas em Portugal, Portugal*
- **Asbjorn Keiding**, *DEOO – Dansk Ensembler, Orkestre og Operainstitutioner, Denmark*
- **Géza Kovács**, *AHO – Magyar Szimfonikus Zenekarok Szövetsége, Hungary*
- **Mark Pemberton**, *ABO – Association of British Orchestras, United Kingdom*
- **Malika Séguineau**, *FEPS/Prodiss – Fédération des employeurs du spectacle vivant public et privé, France*
- **Berend Schans**, *VNPF – Vereniging Nederlandse pop podia en festivals – the Netherlands*
- **Ilka Schmalbauch**, *DBV – Deutscher Bühnenverein – Bundesverband der Theater und Orchester, Germany*

BRUSSELS OFFICE

- **Anita Debaere**, Director
- **Silke Lalvani**, Head of European Affairs (and coordination for the Rise project activities)
- **Eva Nunes**, Project and Membership officer

THE MEMBERS OF PEARLE*

Pearle* has on 31 December 2021 a total of **64 members** of which 42 full members and 22 associate members.

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 individual organisations/enterprises.

Pearle* welcomed **6 new members**, all of which as associate member.

Associate members (European network):

- AEAA – European Association of Artist Managers (Europe)
- PLASA - Professional Lighting and Sound Association (Europe)

Associate members (individual organisations):

- Wroclaw Opera (Poland)
- COE - Chamber Orchestra of Europe (UK)
- Malta Philharmonic Orchestra (Malta)
- De Singel arts center, Antwerp (Belgium)

Pearle* bid farewell to members who either left their position or retired:

- **Marc Grandmontagne**, DBV - Germany
- **Géza Kovacs**, AHO-Hungary
- **Julius Klein**, ASDO-Slovakia
- **Nathaly Ossa**, AEOS-Spain

AUDIT COMMITTEE

Composition:

Claudia Belchior, *Performart, Portugal*

Roman Steiner, *SBV/UTS, Switzerland*

Pierre Van Diest, *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 meet prior to each SSDC meeting to discuss the agenda.

In 2021, there was an additional dedicated online meeting on December 3rd related to current employment and social affairs.

The following Pearle* members take part in steering groups and meetings of European social dialogue projects:

- **Momchil Georgiev**, *BAROK – Bulgaria*
- **Martina Hajkova**, *APD CR – Czechia*
- **Ilka Schmalbauch**, *DBV – Germany*
- **Tania Swayne**, *FAETEDA – Spain*
- **Niek Verlinden**, *OKO – Belgium*

EOF – EUROPEAN ORCHESTRA FORUM

The EOF is composed of representatives from orchestra associations and meets on an ad hoc basis. The EOF held a meeting on 28 September, just before the 62nd Pearle* conference in Lucerne.

Participants discussed a wide range of topics and exchanged practices from their respective organisations and countries.



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.

MusiQuE operates according to the Standards and Guidelines for quality assurance in the European Higher Education Area (ESG).

Pearle* is one of the founding and partner organisation of MusiQuE, together with AEC and EMU.

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

05 ASSOCIATION ACTIVITIES

61st Pearle* conference and general assembly

Dates: 4 June 2021

Place: online

Host: Pearle*

Attendance: 49

Number of countries represented: 17

Gender balance: 51% F 49% M

62th Pearle* conference and general assembly

Dates: 29-30 September 2021

Place: KKL, Lucerne - Switzerland

Host: Orchester.ch

Attendance: 63

Number of countries represented: 22

Gender balance: 59% F 41% M



Pearle* (virtual) 'Members corners'

In 2021, Pearle* continued offering virtual “members corners”. There were three virtual members corners organised, of which one in the frame of a general assembly. The topics were all related to Covid-19 and accompanied by internal surveys to support the discussions.

26 April 2021: Covid-19 Re-opening of venues and continued support for the live performance sector

4 June 2021: Communication campaigns on reopening, recovery plans and support for the sector, vaccination passes and testing, dealing with vouchers

1 December 2021: Covid-19 impact of the 4th wave

Pearle* executive committee

five online meetings were held in 2021

- 4 February
- 16 March
- 31 May
- 28 September
- 19 November

European sectoral social dialogue committee ‘Live Performance’

27 January 2021 – Working Group SSDC ‘live performance’ – online

Chaired by Pearle*

12 representatives of Pearle* (9 women, 3 men) of 8 countries

18 workers representatives of EAEA (4 women, 14 men)

Presentations on:

- The Commission Communication “A Strong Social Europe for Just Transitions” by DG EMPL
- European Green Deal from the DG Education, Youth, Culture and Sport perspective
- implementing sustainability in the sector: Ancienne Belgique – AB, Brussels (Belgium)

28 June 2021 – Working Group SSDC ‘live performance’ – online

Chaired by EAEA

17 representatives of Pearle* (10 women, 7 men) of 12 countries

29 workers representatives of EAEA (12 women, 17 men)

Presentations on:

- Guidance for return to work after coronavirus and the OIRA module for risk assessment in this regard by EU OSHA
- Sectoral Guide for the Professional Arts — guide on restart of cultural activities in Flanders www.sectorgids.be by OKO

6 December 2021 – Plenary SSDC ‘live Performance’ – online

Chaired by Pearle*

21 representatives of Pearle* (12 women, 9 men) of 14 countries

22 workers representatives of EAEA (8 women, 14 men)

Presentations on:

- European Theatre Forum & EU Study on Working Conditions by DGEAC
- Social Security and the Challenge of reaching all workers in a pandemic-struck sector: measures for the intermittants du spectacle, Pôle Emploi- France

06 MEMBERSHIP LIST

Status per 31 December 2021

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
- Fédération des Employeurs des Arts de la
Scène - FEAS
Federation of employers in the performing arts

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*

Denmark

- Dansk Teater
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
- Teatterikeskus
Theatre center

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
- Verband für Medien- und
Veranstaltungstechnik - VPLT
German Entertainment Technology Association

Hungary

- Magyar Szimfonikus Zenekarok Szövetsége
Association of Hungarian Orchestras
- Magyar Színházi Társaság
Hungarian Theatre Society

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 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

Slovenia

- Kolegij direktorjev slovenskih gledališč – STM
Association of Slovene theatre managers

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 Festivales de Música – FMA
Association of music festivals

Sweden

- Svensk Scenkonst
Swedish Performing Arts

Switzerland

- Schweizerischer Bühnenverband-SBV/Union des Théâtres Suisses-UTS/Unione dei Teatri Svizzeri
Association of theatres in Switzerland
- Fédération Romande des Arts de la Scène – FRAS
Association of 'Roman' theatres in Switzerland
- Orchester.ch
Association of professional 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
- FEST – European Federation of Storytelling
- FEVIS Europe
- REMA – EEMN European Early Music Network
- AEAA – European Association of artist managers
- PLASA (Europe)

Individual members

- Ancienne Belgique (AB) – Concert venue Brussels, Belgium
- Bozar – fine arts center Brussels, Belgium
- Sport Paleis – Concert & event venue Antwerp, Belgium
- Cyprus Symphony Orchestra Foundation – Nicosia, Cyprus
- Feld Entertainment – Netherlands
- Megaron Athens Concerthall – Athens, Greece
- LNSO Latvian National Symphony Orchestra – Riga, Latvia
- COE-Chamber Orchestra of Europe – London, UK
- Wroclaw Opera – Wroclaw, Poland
- Malta Philharmonic Orchestra – Floriana, Malta
- deSingel arts center – Antwerp, Belgium

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 th live performance

Contact

info@pearle.eu

More info

www.pearle.eu/register

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, as well as service suppliers. 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 THIRTY 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 in EU, UK, and EFTA, including music and performing arts, employs over 1,6 million workers (source Orbis database, May 2020 – in Mobilive report).

There are more than 800,000 companies active in the live performance sector in EU, UK, and EFTA, which also includes one person companies. (source Orbis database– May 2020 in Mobilive report)

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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PEARLE* – Live Performance Europe
Performing Arts Employers Association League Europe
Square Saintelette 19
B-1000 Brussels

T +32 (0)2 203 62 96 **E** info@pearle.eu **W** www.pearle.eu



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