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INFORMATION NOTE

From: General Secretariat of the Council
To: Council
Subject: The status of cultural and creative professionals
- Information from the Portuguese delegation

Delegations will find attached an information note from the Portuguese delegation on the above subject, which has been put on the agenda under 'Any other business' for the next Education, Youth, Culture and Sport Council meeting on 29-30 November 2021.

The Status of Cultural and Creative Professionals

- Information from the Portuguese delegation -

The COVID-19 pandemic crisis has exposed some structural shortfalls and pre-existing vulnerabilities within the cultural and creative sectors. It has also raised our awareness of the importance of creating a proper regime for cultural and creative professionals, which needs to include social protection mechanisms adapted to the specific characteristics of this sector.

As pointed out in the Council conclusions on the recovery, resilience and sustainability of the cultural and creative sectors approved under the Portuguese Presidency, a major proportion of professionals in the Culture and Creative Sector (CCS) face significant uncertainty resulting from the lack of social protection and unemployment support mechanisms. Cultural work is often characterised by precarious short-term contracts and a high prevalence of self-employed professionals.

Furthermore, over the past months, the European Parliament - also in response to requests from stakeholders - has intensified the debate on the minimal social standards for artists and cultural workers. On 20 October, it adopted a Resolution, supported by a large majority of MEPs, calling on the Commission to propose a “European Status of the Artist” setting out a common framework for working conditions and minimum standards for all EU countries.

The need to create appropriate mechanisms of protection might imply adaptations to the different, standard European social protection systems, allowing artists and cultural professionals to become eligible for schemes such as unemployment allowances or pensions.

Portugal has recently created the 'Status of Cultural Professionals' after Member States were invited to further develop measures designed to enhance social protection for CCS professionals. This initiative focuses on the following areas: a) registry of professional workers; b) working contracts; and c) social protection schemes.

In view of the relevant Council conclusions, and taking into account the work that is being undertaken by the OMC group on the status and working conditions of artists and cultural and creative professionals, we believe that this issue should remain high on the agenda of the EYCS Council. In addition, and as a contribution to the debate, we would like to share with the Council the general terms of the instrument recently adopted in Portugal and provide information on the next steps for its implementation.