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From: General Secretariat of the Council

To: Council

Subject: Stocktaking on the implementation of the 2021 Council conclusions on the recovery, resilience and sustainability of the cultural and creative sectors
- Information from the Presidency

Delegations will find attached an information note from the Presidency 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 23-24 November 2023.

**STOCKTAKING ON THE COUNCIL CONCLUSIONS ON THE RECOVERY,
RESILIENCE AND SUSTAINABILITY OF THE CULTURAL AND CREATIVE SECTORS
(CCS)**

Final Presidency Note

I. INTRODUCTION

The Council Conclusions on the recovery, resilience and sustainability of the cultural and creative sectors (2021/C 209/03)¹, approved on 8 May 2021, emphasised the major impact of the COVID-19 pandemic worldwide. They underlined the social and economic damage caused, in particular, the harmful consequences for the cultural and creative sectors (hereinafter, ‘CCS’) in the European Union.

The Council showed its determination to take decisive policy action to support, reinforce and strongly promote the recovery of the cultural and creative sectors, including strategic measures and additional resources to compensate for the COVID-19 crisis and other situations of uncertainty, bringing undeniable benefits to the European Union Member States’ CCS, and thereby their resilience and sustainability, as well as safeguarding the social and economic stability of the EU. Furthermore, the Council called on Member States and the Commission to exchange best practices and to take stock of these conclusions.

¹ [https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52021XG0602\(01\)](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52021XG0602(01))

The Council identified six priorities to promote the recovery of the cultural and creative sectors for the European Union Member States:

- I. Improve access to available funding.
- II. Enhance the resilience of CCS professionals.
- III. Further strengthen mobility and cooperation.
- IV. Expedite the digital and green transitions.
- V. Improve knowledge and preparedness for future challenges.
- VI. Take cultural scenes and local communities into account.

The first part of the stocktaking exercise was addressed by the Swedish Presidency during the first half of 2023 and focused on the two priorities: “improve knowledge and preparedness for future challenges” (Priority V) and “take cultural scenes and local communities into account” (Priority VI). The results were set out in document 10634/23.

The Spanish Presidency’s stocktaking has focused specifically on the four remaining priorities; these being to: improve access to available funding (Priority I), enhance the resilience of CCS professionals (Priority II), further strengthen mobility and cooperation (Priority III) and expedite the digital and green transition (Priority IV). The first topic highlights the need to work on promoting access to EU funding programmes and the implementation of effective and powerful funding tools to meet the needs of the CCS. The second topic focuses on achieving appropriate cultural policy frameworks for a fair and sustainable labour market for CCS professionals. The third topic encourages cooperation and aims to facilitate the free movement of artists, creators and other CCS professionals. Finally, the fourth topic highlights the benefits that CCS professionals can gain from digital technologies and the role that the CCS can play as drivers of sustainability.

The stocktaking exercise report presented below is based on written answers Member States provided in response to the discussion paper shared with all Member States (doc. 12847/23) at the Cultural Affairs Committee meeting on 19 September 2023 and also on input provided by the European Commission.

II. IMPROVE ACCESS TO AVAILABLE FUNDING

This priority highlights the need to work on promoting access to EU funding programmes such as Creative Europe, Erasmus+, Horizon Europe, InvestEU, Digital Europe, the Cohesion Policy Funds and the European Union Recovery Instrument. These tools have a valuable role to play in the recovery, in order to deal with unpredictable circumstances that might affect CCS in the future.

Initiatives launched in the framework of the EU Work Plan for Culture 2023-2026² to simplify application processes and build up skills and competences to deal with application processes, and to share good practices and information related to successful initiatives, could play a significant role for Member States and the Commission under this priority.

Effective and powerful funding tools that are accessible and reachable to meet the needs of sectors that have suffered particularly badly, such as CCS, are essential in order to stimulate a prompt recovery and to boost cultural policy.

The aim of the present stocktaking exercise was to collect useful information to achieve this goal.

² [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022G1207\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022G1207(01))

Implement appropriate and efficient support schemes for the CCS

Most EU Member States had specific funding programmes in place for all cultural and creative sectors before the COVID-19 crisis, although the sectors that had most specific funding programmes were, according to the answers received, the Audiovisual, Performing Arts, Music, Arts and Crafts and Cultural Heritage sectors. Some EU Member States also funded other cultural sectors such as Translation, Architecture, Design, Life-long Learning programmes in cultural institutions, Fashion, Advertising, Cultural management and the Books sector.

A large number of EU Member States developed new specific funding programmes following the COVID-19 crisis, taking advantage of the EU Recovery and Resilience Facility³. Some Member States designed general support schemes that were available to the cultural and creative sectors, and others promoted tailored support schemes for the CCS. Some of the schemes established during the crisis were common to different Member States, these being grants for the live entertainment sector and for artists and funding for online cultural projects and the publishing sector, among others. Other policies included a salary compensation scheme, compensation to businesses for fixed expenses, schemes for the Night-Time Economy, etc. Almost all programmes established during the COVID-19 crisis focused mainly on helping performers in the cultural ecosystem who were not able to work in front of an audience. Some Member States also created funding for the publishing sector. None of these funding schemes that were developed as a response to the crisis is, according to the answers, still available, since they were designed specifically to deal with the crisis.

³ https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility_en

Directly or indirectly, CCS were mainly eligible for general funding programmes under the National Recovery and Resilience Plans (NRRP). Some Member States had specific components in their NRRP for the revaluation of cultural industries and audiovisual sectors. At the European level, around EUR 10 billion were invested in NRRP for measures targeting culture and the creative sectors to support resilience and the green and digital transitions. Other projects were funded under the umbrella of tourism and culture, some of these grants were aimed at freelancers - common across the CCS -, and even when support programmes did not specifically target the CCS, they could apply for funding in other areas. Indeed, CCS are also eligible for funding programmes in general areas such as digitalisation, the green transition, capacity building and, to a lesser extent, internationalisation. Some of the programmes focused on supporting digital initiatives that ensured access to culture and new digital formats for cultural events and sports activities in outdoor spaces.

The European Union substantially increased funding for culture, including Creative Europe (+67%) and Horizon Europe (with Cluster 2, a new cluster dedicated to culture and creativity), and the mobilisation of various other programmes (including the launch of EIT Culture and Creativity, a new Knowledge and Innovation Community for Culture and Creativity, and funding channelled through other EU funding instruments, including Erasmus+, LIFE, Digital Europe, InvestEU or Cohesion Policy instruments. In addition, on capacity building, for instance, the Commission launched the FLIP Project and the Creatives Unite platform. FLIP has been supporting cultural and creative sectors' ecosystems in these four key policy areas: Finance, Learning, Innovation and Intellectual Property Rights.

Simplify application processes and reduce the bureaucracy of funding programmes

In addition to increasing funding, most Member States simplified the procedures for applying for funding. In Member States where procedures were simplified, the simplification measures applied to all potential stakeholders in CCS. The simplification was carried out through various mechanisms such as creating a grants portal, simplifying the documentation to be submitted by beneficiaries and granting non-repayable support, without a call for tenders – thereby simplifying the procedure.

Regarding the difficulties encountered when implementing such measures, Member States encountered the administrative burden of monitoring compliance with NRRPs and also time constraints, since it was essential that the financial support was delivered as quickly as possible, and the lack of data on artist employment, for example, which made it challenging to establish support schemes tailored to the needs of players in the cultural sector. Other difficulties encompassed the shortage of manpower for administration, the lack of managerial staff in CCS, and the absence of training in administrative and financial matters within the sector. Negotiating with other ministries on shared competencies and bringing local governments on board in supporting CCS also presented challenges. Having to prove professional activity and revenues for past years, and the lack of organised accountability and financial literacy were other issues found by some Member States. Furthermore, the allocation of funds took place under considerable time constraints, and without a comprehensive understanding of the extent of the crisis.

In general, no discernible differences are noted among sectors with respect to the challenges associated with accessing funding programmes. In some Member States, Music and Performing Arts have received more financial support than other fields, given the highly specific adverse impacts that the pandemic has exerted on these particular areas.

Although some Member States did not include culture as a specific sector that benefited from the NRRP, most took advantage of it indirectly, as mentioned above.

Other measures implemented to improve the financial situation of the CCS

In addition to all the measures already mentioned, Member States that participated in this stocktaking exercise implemented others to improve the financial situation of CCS, including: tax exemptions, extra funding, exceptions to conditions for funding, granting medical services to specialists not covered by health insurance, postponing payments of instalments to banks for cultural operators, compensation for unemployment, allowances for artists, public guarantees to maintain liquidity, guaranteed unemployment benefits, special benefits for the cessation of activity, a moratorium on mortgage debts contracted by entrepreneurs, a moratorium on Social Security payments, the reduction of VAT on e-books, etc.

Also, following the Council Conclusions, the Commission launched CultureEU, an interactive one-stop shop gathering funding opportunities from more than 20 EU programmes, available in all EU languages. CultureEU has received more than 55 000 visitors since its launch and the number keeps growing.

III. ENHANCE THE RESILIENCE OF CCS PROFESSIONALS

This priority is particularly important, given the instability of CCS in terms of working opportunities and social protection. The aim is to achieve appropriate cultural policy frameworks for a fair and sustainable labour market.

The EU Work Plan for Culture 2023-2026 includes measures to enhance the resilience of CCS professionals by boosting the status of artists. Such measures could be particularly important under this priority, exploring new ways of securing artists' incomes, training opportunities and building up business expertise, as well as specific digital skills and ways of harnessing intellectual property.

The new Open Method of Coordination Groups on Culture, provided for in the EU Work Plan for Culture 2023-2026, could give Member States and the Commission the opportunity to cooperate and exchange opinions, know-how, successful strategies and good practices.

Improve working conditions of artists and CCS professionals

In a large number of EU Member States, artists, creators and other CCS professionals had particular working conditions before the COVID-19 crisis. Also, the cultural sector is characterised by vulnerability and precariousness, resulting from the special nature of its activity, particularly intermittency. Working conditions vary considerably from one Member State to another: some provide basic healthcare protection, income protection during non-working periods and retirement benefits for the entire population - thus, including CCS professionals -, but others do not provide this broad protection, often leaving CCS professionals with insufficient social security.

Some problems that artists faced are the lack of a clear definition of a freelance status for artists, with all the legal and economic implications that this entails; the lack of social protection of the artist; weak guarantees for copyright and limited allowances granted for cultural development. Others challenges that have been noted are insufficient coordination of measures related to the exemption/recovery of Value Added Tax for services used in cultural projects; the unreliable financing of creation and cultural dissemination and precarious work contracts such as part-time employment combined with freelance jobs. To address these challenges, some Member States have developed initiatives, including the establishment of Artists' Statutes, with some having already implemented them and others still in the process of introducing them.

At the European level, as planned for in the Council Work Plan for Culture 2019-2022, an Open Method of Coordination group (OMC) made up of all 27 EU Member States' experts from their Ministries of Culture and of Employment/Social Affairs has been working for two years on the status and working conditions of artists and cultural and creative professionals. The EC has played a key role in facilitating the group's work and the group published its final report with recommendations for the policy level on 4 July 2023⁴.

⁴ [EU Experts publish recommendations to improve working conditions of artists and cultural and creative professionals | Culture and Creativity \(europa.eu\)](#)

Several Member States have also included reforms related to artists' working conditions, training and up- and reskilling via their National Recovery and Resilience Plans funded by the EU's RRF (Recovery and Resilience Facility). This is the case of Czechia, Greece, Spain and Romania.

Related preparatory work was carried out by the European Commission, which issued a comprehensive study on artists' and creative sectors professionals' working conditions in the EU at the end of 2020⁵. The Commission also gathered feedback from stakeholders via the "Voices of Culture" civil society dialogue⁶, and via regular exchanges of views under the EU Sectoral Social Dialogues on Performing Arts.

The current EU Work Plan for Culture 2023-2026 provides for further activities in this area, such as thematic workshops and an online platform on artists' and creative professionals' working conditions, which will be based on data gathered by the OMC group. A related platform was launched on 15 November 2023 on CreativesUnite and is available on <https://creativesunite.eu/work-condition>.

In the European Parliament, work has been ongoing since 2007 on the issue of artists' working conditions, including different EP initiatives, in particular the Resolution on the situation of artists and the cultural recovery in the EU⁷ and also the current Legislative Initiative report on an "EU framework for artists and creative workers". Work is ongoing in the European Parliament on an own-initiative legislative report "An EU framework for the social and professional situation of artists and workers in the creative and cultural sectors"⁸. The joint EMPL/CULT Committee vote on the report took place on 24 October, during which a compromise text was adopted. The final vote in the EP Plenary took place on 21 November 2023. The text calls on the Commission to table a legislative proposal on a European Framework for artists' working conditions.

⁵ <https://ec.europa.eu/culture/news/study-artists-working-conditions-published>

⁶ Results were presented in June 2021: <https://voicesofculture.eu/2021/07/06/brainstorming-report-status-working-conditions-for-artists-cultural-and-creative-professionals/>

⁷ https://www.europarl.europa.eu/doceo/document/TA-9-2021-0430_EN.html

⁸ https://www.europarl.europa.eu/doceo/document/A-9-2023-0304_EN.html

Measures implemented as a result of the COVID-19 crisis

Several EU Member States have implemented measures to improve working conditions for artists and CCS professionals due to the COVID-19 crisis. Some Member States have even approved legislation regulating the professional cultural worker (as part of the National Recovery and Resilience Plan), proposing a social and fiscal protection framework applicable to atypical professional categories that carry out artistic and cultural activities. Other Member States have added working from home to their labour code and others have offered online training in the cultural field.

The working conditions most severely affected by the COVID-19 crisis are income and unemployment, followed by contracting and mobility. Some Member States have stated that they lack sufficient data to be able to provide definitive answers on this matter.

At the European level, in 2020, the “CreativesUnite” platform was set up for and by the CCS, with the support of the European Commission. Creatives Unite offers a common space for all CCS in Europe and beyond to share their initiatives and actions in response to the COVID-19 crisis. The CreativesUnite platform offers specific online tools to meet the needs of cultural and creative professionals in the field of funding, IPR and artists’ working conditions (see the recently launched online platform).

Under the Music Moves Europe initiative, the Commission also adopted targeted measures on the sectorial level, i.e. by launching a call for proposals to support the music sector’s green, digital and just recovery and its resilience. The selected project "MusicAIRE – An Innovative Recovery in Europe" project, set up a scheme to re-distribute EU funds to the sector. 51 projects have been funded through this scheme and EUR 2.2 m redistributed to the sector.

IV. FURTHER STRENGTHEN MOBILITY AND COOPERATION

According to the Council Conclusions, the aim of this priority is to encourage cooperation, including with third countries. It aims to facilitate the free movement of artists, creators and other CCS professionals, promoting exchanges, collaboration and artistic freedom by embracing the general principles of free movement of persons and services.

Measures implemented under this priority by European Union Member States and the Commission could solve mobility issues, making it easier for artists, creators and other CCS professionals to navigate the different administrative practices involved in cross-border mobility.

Such measures would also promote collaboration across artistic disciplines and the simplification of related rules, wherever relevant.

In addition, this priority aimed to promote the necessary flexibility to allow European mobility funds to be redirected to meet the most pressing needs of the sector when travel restrictions were in place.

Changes made to existing European mobility funds to strengthen artists' and CCS professionals' resilience to the consequences of the COVID-19 crisis

The introduction of changes to existing European mobility funds is an example of measures implemented by most of the Member States participating in the Stocktaking exercise to deal with the consequences of the COVID-19 crisis.

The main measures introduced to strengthen artists' and CCS professionals' resilience have been changes to programmes' start and end dates, the availability of extra funds and the use of new digital methods making culture available and accessible to children and young people as a way of promoting and disseminating culture.

Apart from the European mobility funds, measures introduced to facilitate artists' and CCS professionals' mobility and to help them navigate the different administrative practices involved in cross-border mobility

Measures to facilitate the administrative procedures involved in the cross-border mobility of artists and CCS professionals have proved popular in most Member States participating in the exercise. Prior to COVID-19 and during the pandemic, artists and CCS professionals received advice and support in the mobility process. Access to COVID-19-specific guidelines for the implementation of projects is an example of this measure. Some Member States have focused their support on taxes and social security support, access to healthcare and measures to tackle waiting times for bureaucratic procedures and the digitalisation of such procedures.

Some Member States have made grants available to cover the translation of books, to give readers access to original titles worldwide.

Additionally, audiovisual and festival performances, theatre productions, presentations and broadcasting were also made digitally available through social networks such as Facebook, YouTube channels, etc. This has been an alternative and original way of bringing culture closer to audiences and of reducing the negative impact of the pandemic on the cultural and creative sectors. In other words, the digitalisation of bureaucratic procedures, support for transport funds and the reduction of waiting times are the major changes underlined in this section.

At the European level, the Culture Moves Europe mobility scheme was launched in October 2022 as a permanent measure under the Creative Europe Programme. This EUR 21 million measure aims to fund 6 000 individual mobility grants for artists and culture professionals, as well as 1 000 residencies. The first year of implementation has been very successful, with a total of 1 802 recipients benefiting from this scheme, which covers all countries and sectors of the programme. The advantages of the scheme are its simplicity and the opportunities it provides to receive top-up funding for green travel and family care and to meet the specific needs of artists with disabilities.

Another tool that has been implemented is the Mobility tool in FLIP - Creatives Unite mentioned above. Under the Music Moves Europe initiative, the Commission also published a study on the export of European music to enable European music to cross borders, both within Europe and internationally, and funded the *On the Move project: Mobility Spaces (MxS)* (2022-2024), providing information for the sector on different aspects of cultural mobility (regional guides, focussing on specific aspects such as visas, assistance for parents, etc.).

Measures implemented to promote collaboration across artistic disciplines and to simplify related rules.

Promoting collaboration across artistic disciplines or implementing measures to simplify rules seems to have been a popular approach taken by Member States during COVID-19. One such example is “New formats in the public space”, which means supporting projects organised and implemented by cultural or sports associations in collaboration with associations or institutions across sectors.

SMEs from the cultural-creative sector also had the chance to obtain funds to develop projects based on collaboration and networking at the European level. The aim of this initiative remains that of supporting SMEs in the ICC (cultural and creative industries) ecosystem to generate innovation projects, developing skills and internationalising through financial and non-financial support as a resilient way to deal with crises such as COVID-19.

Establishing a unifying body for CCS professionals has not proved successful, whereas supporting and encouraging the development of multidisciplinary artistic projects within specific regions has led to the active participation and involvement of local communities, structures, artists and artistic and cultural agents in the creation of projects. It was beneficial in coordinating resources in the Theatres and Movie Theatres Network and the National Network of Public Libraries, Museums and Contemporary Art Facilities.

Steps to further encourage cooperation in the cultural and creative sectors with third countries

In terms of further steps to encourage cooperation with third countries in the sector and cultural and co-creation, most Member States in this stocktaking exercise show that they have taken actions such as bilateral cultural cooperation with an emphasis on organising online international events.

Supporting companies and professionals in the Cultural Industry to increase their presence in national and international markets is a further example of the measures implemented. Conferences have also been organised and an agreement signed to promote the international expansion of cultural industries and the staging of events.

V. EXPEDITE THE DIGITAL AND GREEN TRANSITIONS

In accordance with the Council Conclusions, the aim of this priority is to enable artists and CCS professionals to effectively access, make use of, profit from and compete in the digital arena, taking into account the role played by very large online platforms.

It also focuses on seizing the opportunities offered by the revised Audiovisual Media Services Directive and the Copyright Directive to facilitate CCS recovery and promote cooperation between the CCS and the environment and technology sectors, fostering innovation in both culture and industry, taking full advantage of language technologies and digital technologies such as artificial intelligence.

In addition, this priority emphasises the importance of cultural education for all generations as a means of creating a more informed consumer attitude towards a broader diversity of cultural productions.

Finally, following on from the Council Conclusions, this priority highlights the important transformative role CCS play as drivers of sustainability, and provides, when possible, favourable conditions for all cultural actors to maximise their potential to combat climate change, including by reducing the environmental impact of their activities.

Member States' National Recovery and Resilience Plans and the inclusion of CCS in them

The inclusion of CCS in the National Recovery and Resilience Plan is an initiative implemented by some Member States, while other countries did not have particular components or measures in their NRRP that supported the development of the creative and cultural sectors, although some of the initiatives implemented under the NRRP benefit CCS indirectly.

The CCS as the main target of specific funding programmes or a specific component or strand of National Recovery and Resilience Plans (NRRPs)

Some Member States indicate that CCS have been the main target of specific funding programmes in the NRRPs, for instance, the digital production, distribution, marketing and promotion of skills, including digital archiving technologies. Non-reimbursable financing of the independent cultural sector has been another measure taken to support the independent cultural sector affected by COVID-19. Additionally, allowances payment, operating costs' funding, as well as 10% of cultural activities' funding were also examples of initiatives introduced in the NRRPs.

Technological infrastructure modernisation in terms of software, hardware and qualified resources of public cultural facilities networks at national and municipal level were actions taken to support the digital transition. Places such as theatres, cinemas, museums, art centres, libraries, conservation and restoration laboratories and archives, among others, were beneficiaries of these actions.

Art and heritage digitalisation is another measure underlined in the stocktaking exercise in the sectors of cinema, theatre, visual arts, music, dance, books, photography, sound heritage, historical archives, and also the digitalisation of artistic pieces of work, especially in contemporary art museums or national monuments.

The internationalisation and digital transition in the book sector (particularly for authors, publishers and bookshops) in terms of book production and marketing chains, by supporting the translation of literary works, publishing audiobooks and e-books, are measures highlighted by some Member States.

The eligibility of CCS for funding programmes other than NRRP

It seems quite clear that digitalisation is the area which has attracted most of the cultural and creative sectors' programmes funds apart from NRRP, followed by internationalisation in second place, and energy efficiency and capacity building in the last position.

Existence of requirements, conditions or evaluation criteria related to the digital transition in the application procedures for CCS funding programmes before the COVID-19 crisis

Most Member States confirm that **application procedures for CCS funding programmes did not contain requirements, conditions or evaluation criteria related to the digital transition** before COVID-19.

However, some Member States have for a number of years included criteria such as sustainability, investment, innovation, digital transition, gender equality, promotion of ethnic and cultural diversity, environmental preservation, social and territorial inclusion and cohesion, as fundamental instruments of action for policies in the application procedures. This does not appear to be a common practice implemented in Member States, however.

Introduction of new requirements, conditions or evaluation criteria in the application procedures for CSS funding programmes related to digital transition because of the COVID-19 crisis.

Some Member States that did not have particular requirements, conditions or evaluation criteria related to the digital transition for CSS in the application procedures for funding programmes before COVID-19, state they have introduced them as a result of it. However, there are some Member States that have not introduced any measure, even after COVID-19.

Digital documentation seems to be the most popular measure implemented among Member States after COVID-19 in museum collections, for instance, with the aim of promoting the digital transition, technologically updating public cultural facilities and infrastructure. The aim is to preserve the art and cultural heritage, and to increase demand for cultural activities, improve cultural experiences, and reach new audiences, particularly younger generations. The digitalisation process includes high-resolution photography, digital photogrammetry, laser scanning or 3D modelling.

To strengthen the resilience of the sector, some Member States have introduced measures such as subscription and streaming as new business models. Additionally, the production of 3D film has been another measure implemented using technological components to support the cultural sector.

Some Member States point out that in the application procedures for funding programmes, the new requirements, conditions or criteria assessed take into account the impact in terms of job creation and/or maintenance of current positions, the ecological transition and/or territorial cohesion or the digitisation process itself.

At the European level, several EU funding programmes have the digital transformation as their core or horizontal priority. This is the case of Creative Europe, as well as of cluster 2 within Horizon Europe, and more generally, Digital Europe. Examples of flagship initiatives in this context are the European Data Space for Cultural Heritage or the European collaborative cloud for cultural heritage, aimed at making the most of data and digital tools for the sector. Also, under the National Recovery and Resilience Plans, several Member States have considered measures aimed at the digitisation and greater availability of cultural content, the acquisition of digital skills or the development of digital services and infrastructure that will help the cultural and creative sector to make the most of the digital transformation. In addition, cultural and creative industries will also benefit from a larger pool of measures that have a wider policy focus, such as those targeting green construction, the digitalisation of small and medium-sized enterprises, or financial instruments and digital skills training open to companies and professionals in the sector.

To ensure that the digital transition benefits European cultural players and citizens, the Work Plan for Culture 2023-2026 also tackles the sector's digital transformation by including several measures to promote a coherent and sustainable digital transformation across the CCS, including a future study on the discoverability of diverse European content online⁹.

Introduction of requirements, conditions or evaluation criteria related to the green transition before the COVID-19 crisis in the application procedures for CCS funding programmes.

Most Member States taking part in the stocktaking confirm they had introduced green transition procedures for CCS funding programmes application before COVID-19 in comparison to countries whose answers have been negative or did not offer any answer to the question.

Introduction of new requirements, conditions or evaluation criteria in the application procedures for CCS funding programmes related to the green transition because of the COVID-19 crisis.

A majority of Member States participating in this Stocktaking exercise state they did not have requirements, conditions or evaluation criteria related to the green transition in their CCS funding programme application procedures before COVID-19 and have not introduced them afterwards either. However, there are some other Member States that confirm they had introduced green transition criteria before COVID-19.

⁹ In addition, the Commission has published several studies and reports on the digital transformation and the opportunities, and on the challenges that artificial intelligence poses for the CCS. See for example: [Study on Opportunities and Challenges of Artificial Intelligence \(AI\) Technologies for the Cultural and Creative Sectors | Shaping Europe's digital future \(europa.eu\)](#), [Study on copyright and new technologies | Shaping Europe's digital future \(europa.eu\)](#), and the report of the VOC expert group [Re\(engaging\) with digital audiences](#) providing key recommendations to cultural operators and policymakers to make the most of the technologies and data management.

Climate change and environmental deterioration have become an important source of concern for Member States. Decarbonisation initiatives or indicators are included in the evaluation as criteria that make it possible to achieve climate neutrality. The way in which products are manufactured and services are provided is another indicator considered in the cultural sector sustainability evaluation procedure to contribute to the green transition. Encouraging environmental sustainability in calls for tenders, as well as the implementation of good ecological practices in artistic fields are examples of green transition given value as evaluation criteria in CCS funding programmes.

In general, it seems that green or climate clauses have been integrated progressively into public procedures to encourage sustainable projects and proposals, as good examples of creative and responsible solutions. Institutions responsible for promoting financial support in some Member States confirm they have disseminated and made available resources and working tools in the area of environmental sustainability and sustainable mobility as a way of promoting the green transition.

Fund application procedures have also tried to contribute to the professionalisation and structuring of process such as reports, mapping, professional conferences and meetings, in addition to promoting the modernisation and innovation of CCIs to support the self-employed in SMEs through capital finance investments, and digital and technological projects.

Environmental sustainability is addressed in all Creative Europe calls, even if the programme does not directly support climate mitigation measures. In the new programme, its design and implementation consider climate mitigation to be a cross-cutting issue for all funded projects, in order to reduce their impact on the environment. This is in line with other EU initiatives, such as the EU Green Deal and the New European Bauhaus.

Furthermore, in May 2023, the Commission published the study “Greening Creative Europe: How Creative Europe aims to go green”¹⁰. The study sets out the steps that the Creative Europe programme should take to become more sustainable and support the EU’s climate change goals. It includes three main components: a) the Good Environmental Practices Guide; b) the Creative Europe Greening Strategy, with areas for measures and recommendations to ‘green’ the programme and c) the Monitoring Guide for Programme Greening, with sustainability indicators (‘green indicators’) to measure progress and the programme’s contribution towards the European Green Deal in the future.

¹⁰ <https://op.europa.eu/en/publication-detail/-/publication/e20ac9a0-f52b-11ed-a05c-01aa75ed71a1/language-en>

In September 2021, with the publication of the Communication¹¹, the New European Bauhaus started its implementation phase. The initiative translates the European Green Deal into a tangible, positive, cultural experience. By creating bridges between different backgrounds, cutting across disciplines and building on participation at all levels, the New European Bauhaus inspires a movement to facilitate and steer the transformation of our societies on the basis of three inseparable values: sustainability, aesthetics (also understood to mean quality of experience and style, beyond mere functionality) and inclusion (from promoting diversity to securing accessibility and affordability). Three years after its inception, the New European Bauhaus now builds on a vibrant community of more than 700 partners, 175 friends and 27 national contact points. It has harnessed EUR 255 million across different EU programmes and facilities and has given visibility to numerous interdisciplinary projects that apply the NEB vision on the ground. The sustainable, aesthetic and inclusive dimension of the NEB is closely connected to the EU’s policy work in the field of high-quality architecture and built environment, as well as the sustainable use and preservation of tangible and intangible cultural heritage. Cultural and creative professionals have been key in conveying the new meanings and values at the core of the societal transformation intended by the NEB and have been crucial for the success of NEB projects.

Furthermore, in the framework of the EU Work Plan for Culture 2023-2026, a number of measures have been planned to support the green transition of cultural and creative sectors, to reinforce their contribution to the Green Deal and with a view to the energy crisis.

A Voices of Culture Group of experts from civil society organisations worked on the topic of “CCSIs Driving Green Transition and Facing the Energy Crisis” to give input on how cultural sectors can play an active role in decarbonisation and contribute to shaping energy crisis management. Their report was published at the end of September 2023¹²

¹¹ [COM\(2021\)_573_EN_ACT.pdf\(europa.eu\)](#)

¹² https://voicesofculture.eu/wp-content/uploads/2023/10/VoC-Report_Greening-CCSI.pdf

A new OMC Group of Member State experts will be launched in 2024 to advise and produce recommendations on how to upscale best practices across the EU for fostering policy solutions and to reinforce cultural sustainability and CCSIs' role in the Green Deal.

Implementation of measures to seize the new opportunities offered by the revised Audio-visual Media Services Directive and the Copyright Directive to facilitate CCS recovery (for instance, meetings with CCS representatives or additional advertising)

The majority of Member States that took part in this Stocktaking Exercise mention that they have implemented measures to seize the new opportunities offered by the Copyright Directive to facilitate CCS recovery.

First of all, the majority of Member States transposed the Copyright Directive by amending their national copyright law, introducing exceptions and limitations for cultural institutions, the use of out-of-commerce works by cultural heritage institutions, extended collective licencing and rights to publications and fair compensation to publishers.

Some Member States conducted meetings with the directly affected collective management organisations operating in their territories, representing all types of cultural and creative sector.

One Member State held a special meeting with the publishing sector, in light of the losses suffered by the publishing sector due to the massive exploitation of their press publications in the digital environment.

Also, in one Member State, a new entity focused, among other things, on the new right of authors of press publications - namely journalists – that had submitted a request to operate within its territory also as a collective management organisation in this field. The competent national authority of this Member State, following an in-depth examination of the case, which was held to ensure legal requirements were met, as set out in the answers, provided the Minister of Culture with its positive opinion, accompanied by all the relevant documents.

Moreover, one Member State held a dedicated conference on the new legal scheme established by the Copyright Directive in cooperation with Law Schools and Universities.

Another Member State published press releases on official websites, organised a communication campaign and held a workshop with the aim of raising public awareness of the opportunities offered by the new copyright regulation, in particular for the CCS (libraries, archives and cultural heritage institutions). The workshop focused on the use of out-of-commerce works (hereinafter, OCC) and discussed the possibilities of making the widest possible use of OCC works, in order to secure the best use of the new legal exceptions that benefit cultural heritage institutions.

In addition, at least one Member State has facilitated the digitisation of copyright collective management organisations through extraordinary financial support under the National Recovery and Resilience Plan.

Although not directly related to the Copyright Directive, many copyright collective management organisations in Member States offered special assistance for authors and other holders of intellectual property rights, artists and professionals in the CCS, to help them overcome the negative effects of the COVID-19 crisis.

Member States that answered and have a copyright organisation as the authority competent for copyright matters, underline the role of this institution in examining requests and relevant documentation concerning the scope of licences of pre-existing collective management organisations that represent authors of literary works and publishers. They also point out how the DSM Directive addresses, among other things, the prominent issue of alternative dispute resolution mechanisms in close collaboration with WIPO.

Self-regulation or support for European works in on-demand audio-visual media services are examples of measures introduced by the Audio-visual Media Services Directive.

However, in some other Member States, transposition of both the AVMS Directive and the Copyright Directive has increased the flexibility of rules related to commercial communications on television services, which has increased the opportunities for financing the audiovisual sector, helping to deal with the disruption in income. Additionally, it has reinforced the investment obligations of audio-visual media service operators for the production of European works, as well as the contribution to public institutes that allocate public funds for audio-visual cinematographic production, thus contributing to European works.

In the process of transposing the Copyright Directive, some Member States have carried out public consultations to allow interested third parties to share their views on the transposition, giving them the opportunity to propose new rules for the digital cultural environment. In parallel, a professional guide has been issued to support the use of copyright by cultural heritage institutions and to boost the success of cultural heritage protection.

A general Scheme of Online Safety and Media Regulation was launched, empowering an Online Safety Commissioner to hold designated online services to account through binding online safety codes. This seems to have facilitated the transposition of the revised AVMSD, supporting the regulation of on-demand video services on a direct statutory footing and aligning the regulation of such services with television broadcasting services.

Any other topic not covered by the questions that your country has implemented following those chapters of the conclusions

Measures in the audio-visual and film production industry were mentioned by some Member States as example of good practices to encourage the green transition to increase the subsidy of funds to cover the costs of calculating the environmental footprint.

The Standing Conference of Ministers of Education and Cultural Affairs recently adopted a recommendation on digitalisation and digital transformation in the cultural sector as a measure to be taken into account in the digital transition process.

VI. CONCLUSIONS

As stated in the conclusions of the previous stocktaking conducted by the Swedish Presidency, Member States and the Commission adopted several measures to help CCS recover and be more resilient. In some cases, they went even further than what the Council proposed in its Conclusions. The lack of data in some fields makes it difficult for Member States to address some of the issues.

When it comes to improving access to available funding, both Member States and the Commission implemented the Council recommendations, and, in some cases, went even further. Some of the mechanisms were implemented as urgent schemes, but others are still available for CCS. The EU Recovery and Resilience Facility was really helpful for Member States to be able to develop new specific funding programmes.

On enhancing the resilience of CCS professionals, COVID-19 highlighted the fragility of the working conditions of artists and CCS professionals, who were especially affected by issues of unemployment, income, contracting and mobility. The new European initiatives mentioned above (especially the ones from the EU Work Plan for Culture 2023-2026 and the European Parliament legislative report (“An EU framework for the social and professional situation of artists and workers in the creative and cultural sectors”)) can be drivers for change in these matters.

The major measures underlined by Member States participating in the Stocktaking exercise aimed at further strengthening mobility and cooperation measures indicate that the digitalisation of festivals, performances or theatre productions through the use of social networks such as Facebook, YouTube or other digital channels has been significant in dealing with the consequences of COVID-19.

Supporting and encouraging the development of multidisciplinary artistic projects within specific regions and collaboration across artistic disciplines have been also relevant measures introduced by the Member States asked. Here, it is worth underlining the introduction of measures such as taxes and social security support, access to healthcare and measures to facilitate the administrative procedures involved in the cross-border mobility of artists and CCS professionals such as reducing waiting times as part of simplifying bureaucratic procedures.

The availability of extra funds to compensate for costs and changing the operational dates of programmes have been popular measures taken by Member States during COVID-19, as well as the bilateral cultural cooperation agreements and international online events and conferences.

The Digitalisation of the CCS seems the most popular measure implemented among Member States. Requirements, conditions or evaluation criteria were introduced in the application procedures to promote the digital transition after COVID-19.

The internationalisation of the production, distribution, marketing and promotion of capabilities, the allowances payment, funding operating costs and modernising technological infrastructure at national and municipal level were other measures taken to support the digital transition. Another popular measure was the non-reimbursable financing to support the independent cultural sector affected by COVID-19.

With regard to digitalisation, Member States showed interest in the new opportunities offered by the AVMSD and the Copyright Directive and provided examples of initiatives and measures implemented to facilitate the transposition and understanding of these developments in the sector as a way of facilitating the recovery and resilience of the CCS.

Where the green transition is concerned, Member States note that they have supported measures implemented by CCS to promote energy efficiency and capacity building through funding programmes other than NRRP. Internationalisation has been another sector taken into account in terms of CCS's eligibility for funding linked to the digital and green transitions.

Measures in the audio-visual production sector were also mentioned. The availability of resources and working tools in the area of environmental sustainability and sustainable mobility, as well as the introduction of environmental sustainability requirements and criteria in calls for tenders have been other measures underlined by Member States as a way of promoting the green transition.
