

## ROADMAP

Title of initiative: **Council Recommendation on Mobility Information Services for Artists and Culture Professionals**

Type of initiative (CWP/Catalogue/Comitology): major initiative, CWP 2010

Lead DG/contact person/details: DG EAC

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### Initial IA screening & planning of further work

#### **A. Context and problem definition**

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

In its 2007 Communication on a European Agenda for Culture in a globalizing world, the Commission defined three strategic objectives for European cooperation on culture policy. Explaining the objective on the promotion of cultural diversity and intercultural dialogue in detail, more specific objectives were set inter alia:

- Promote the mobility of artists and professionals in the cultural field and the circulation of all artistic expressions beyond national borders:
- mobilise public and private resources in favour of the mobility of artists and workers in the cultural sector within the EU;
- promote the mobility of works of art and other artistic expressions;
- improve European coordination for aspects affecting mobility of cultural workers within the EU in order to take into account the needs resulting from short term and frequent mobility between Member States.

Mobility is clearly a key to achieve the objectives of the European Agenda for Culture.

Removing obstacles to mobility of artists and cultural professionals has been included by the Council among the five priority areas for action in the Culture Workplan for 2008-2010. In the Workplan on Culture 2008-2010 (Council Conclusions 10.06.2008), Member States agreed to work through the Open Method of Coordination on "The setting up of a working group on the mobility of artists and other professionals in the cultural fields comprising MS experts".

The transnational mobility of artists and culture professionals has been a priority of the Culture programme since 2000 and is reinforced as one of the three specific objectives of the Culture programme for the period 2007-2013.

At the end of 2007 and of 2008, the European Parliament voted an additional line (1.5 million euro) on the budget dedicated to supporting the mobility of artists through a new pilot project (see infra section E,4).

Mobility is a topic which is inherent to the European project. The Commission promotes the mobility of workers and citizens both as a means to create a mobile and flexible workforce and as a way of breaking down barriers and building European solidarity. Thus removing obstacles to mobility is a responsibility shared by the Commission and Member States.

Mobility - for different objectives - is an issue addressed by several Commission Services:

- DG Education (Green Paper on Learning mobility, Youth on the Move, Lifelong Learning programme etc) and Culture
- DG Employment and Social Security (social security coordination)
- DG Justice, Freedom and Security (Visa policy)
- DG External Relations (Visa facilitation Agreements)
- DG Research (Euraxess, Marie Curie, studies on the mobility of researchers)

## What are the main problems identified?

Despite the need for culture professionals (wanting) to be mobile, we are still very far from a common artistic and creative area where mobility is easy to organize.

The mobility studies carried out (see infra section E,1) and the discussions and projects that followed (see infra section E, 2,3,4), have identified the following problem areas where future policy development on mobility can be considered as priority:

1) Mobility obstacles facing artists and culture professionals (key areas of difficulty: Visas and work permits for third-country nationals; Social security regulations; Double taxation and VAT; Intellectual property rights). The Commission is aiming at common policy wherever possible e.g. for short stay visa (Visa Code), at coordination - not harmonisation- for social security. Expert meetings will progressively address obstacles aiming at (more) convergence. But many differences and discrepancies between Member States will remain.

To ease mobility the provision of **accurate and frequently updated information** is indispensable.

2) Several mobility programmes and schemes promote the mobility of artists and culture professionals, both at national level and at EU-level. But studies show that accessing information on these programmes remains a difficulty.

**Accurate and up-to-date information** on national and EU funding opportunities for incoming and outgoing cross border mobility must be available and accessible.

3) In spite of a diverse landscape of cultural mobility schemes, gaps and imbalances in provision remain and perpetuate East-West imbalances (in Europe) and North-South imbalances (globally). Dissemination of **quality information** can foster the development and the uptake of mobility opportunities aiming at overcoming these disparities. Intermediary organisations can play an important role in disseminating this information, but their activity remains underdeveloped in some Member States.

4) **User-friendly information** on common general obstacles to mobility such as country profiles, training and employment opportunities, language, culture, housing and living matters, etc. can also help artists and culture professionals undertake mobility.

Quality information provision makes a key contribution to solving all of these problems.

At this point **information to support the mobility** of culture professionals is NOT

- available
- reliable (updated)
- accessible (need for processed information)
- accurate
- relevant and clear (targeted and ready to use for the customer)
- mediated (customized to the user)
- coherently brought together

## Who is affected?

In building and maintaining the service, Member States are affected in the first place. For building information provision on strategic partnerships, not only the culture ministry but also other directorates and services are affected. The culture sector at national level is affected, especially those public and private organizations that have knowledge and experience on mobility information.

The Commission is affected mostly in steering, in supporting and in evaluating and monitoring. Artists and culture professionals as well as culture organizations and structures are affected as they will benefit from the services and services can be improved by registering, collecting and analyzing the mobility experiences for monitoring and improving conditions.

Ultimately, European citizens will also be positively affected, through access to a more diverse range of artists and (in the performing arts) their works.

(i) Is EU action justified on grounds of subsidiarity? (ii) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)? (iii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?

A fully functioning information system which supports artists' and culture professionals' mobility can be achieved only through the cooperation of (all) Member States, interconnected in a system on EU-level. To build a network of mobility information services, a common joint action at Member States' and at EU level is needed.

As stated above, the starting points in Member States differ. Some Member States have developed various instruments (infrastructures, programmes and schemes, information services and mediating services), whilst others lack all provisions and structures. The initiative will build on and further develop the role of national and regional authorities and policies in support of mobility.

The Open Method of Coordination working group of national experts on artists mobility has agreed on a model whereby information services operate at national level complemented by networking at European level.

The task allocation is similar to other Community policies where the EU takes the lead in facilitating, promoting, coordinating and supporting cross-border mobility as an issue of general EU interest, based on dialogue and cooperation with Member States experts and authorities.

## **B. Objectives of EU initiative**

What are the main policy objectives?

The objective of the initiative is to improve mobility conditions in the broad culture domain by informing the target group on possibilities, regulatory issues, managerial issues, etc and by providing information on the host country, its culture structure and possibilities concerning working life and career.

Culture mobility is mobility for employment and for personal or organisational development/ training/ networking/ capacity building. Mobility is a means to network, to have personal contact (next to virtual contact) in order to share views, objectives, projects, etc, to work on future plans and to unlock national patterns. Moreover as stated above, mobility is essential to the European project as it fosters intercultural dialogue and European citizenship.

Main policy objectives are:

- To foster the richness of mobility effects and impacts on the individual level (career and personal development), organizational level (cross border, transnational and international cooperation, mobility of cultural goods and processes, development of culture and creative industries) and on the societal level (intercultural dialogue, dissemination of cultural goods, development of a creative flow)
- To meet the needs for development and employment from people working professionally in the culture sector
- To make mobility information accessible and usable for a specified target group namely artists and culture professionals who are qualified as highly mobile workers.

Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

No

## **C. Options**

(i) What are the policy options? (ii) What legislative or 'soft law' instruments could be considered?  
(iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

**The first option** could be to do nothing, meaning that the actual situation will persist.

**The second option** could be to support ad hoc initiatives emerging from the sector (suggested solutions are inter alia databases and handbooks providing information and guidance on certain sectors and certain countries).

The **third option** is that some - but not all – Member States decide to move ahead and implement mobility information services at national level.

**The fourth option** is to adopt a Council Recommendation discussed and agreed with all Member States, on the basis of which implementation of EU-wide mobility information services for artists and culture professionals will go ahead.

The preferred option at this stage would be adopting a Council Recommendation, which should ensure that common principles and standards of information provision are agreed by all Member States, and that the joint commitment and respective roles of Member States and the Commission are clarified and agreed.

Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

As stated above, other DGs have an interest as they also work on supporting mobility conditions and/or mobility actions: DG RTD (mobility of researchers); DG Enterprise (entrepreneurs), DG JLS, DG EMPL, DG RELEX, DG DEV (actions on free movement of workers, including culture professionals), (DG REGIO (regional development), and within EAC itself (education, youth mobility) ...

The objectives of these policy instruments may differ e.g. the common visa policy is inter alia driven by the single market and the free movement of goods and persons (area without internal borders) and the need for control at external borders.

Explain how the options respect the proportionality principle

It was already stressed that the main focus of activity in the proposed Recommendation is based on the Member States level with the support of the European Commission. The decentralised model proposes that Member States should have full discretion to select organisations to act as hosts for their mobility information services. Member States may decide to have more than one host organisation depending on their national administrative organization or size.

The Commission can support the establishment and effective operation of these mobility information services at national level by agreeing on common principles and standards: strategic partnerships to build up at national level, interconnectivity, minimum standards of information, quality of information, mediation, evaluation and monitoring etc. Proportionality of different delivery mechanisms will be assessed in the IA

## **D. Initial assessment of impacts**

What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

In the **first option** the actual situation will persist. The importance of mobility in line with policy documents will still be stressed whilst no coherent concrete action is undertaken by Member

States or the Commission to meet the needs. Without well considered and targeted action the situation will remain the same.

As for the **second option**, it is to be expected that isolated initiatives taken by culture sector operators would not be sufficiently effective. Different competing systems, no overall coherence, a patchwork of initiatives will be the result. Moreover the (national and EU administration) information sources will not be involved and the initiatives will have to build on publicly available but not always reliable, accurate and updated information. Reporting and monitoring will have less effects on longer term improvements.

The **third option** is a partial implementation by some "front-runner" Member States that are equipped to go on, hoping that the other Member States will follow in due time.

As it stands it will take a long time to involve all Member States and thus to cover mobility information needs in the EU.

A partial implementation will not create a European network of mobility information services that enables culture professionals to obtain relevant information on rules, regulations and procedures in host countries.

The EU-wide knowledge system is only as strong as its weakest link. All Member States should be able to participate in the network and agree on a common framework of guidelines to guarantee quality of information and of service.

The **fourth option** is expected to deliver good results in facilitating mobility information provision to the target group and supporting cross border mobility conditions in the home and host countries of mobile culture professionals.

The model has been discussed with Member States in the Open Method of Coordination expert group, where experts favour this clear and concrete solution. MSs' political commitment and the commitment to common quality and service standards in the networking system is crucial.

The expected outcome is increased artists mobility, with the benefits of broader access to culture, artists' acquisition of skills, intercultural dialogue, coproduction and cooperation, supporting a European creative area, and positive impacts on coordination of policy making on MS level and at EU level, in culture policy as well as in other domains (social security, taxation, external relations ...).

Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?
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No

The Commission will explore the possibilities to co-finance the start-up and maintenance of the mobility information services network on a matching basis in the current Culture Programme and incorporate the support of the networking of these services into its proposal for the future Culture Programme.

Could the options have significant impacts on (i) simplification, (ii) administrative burden or on (iii) relations with third countries?
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The fourth option will have significant positive impacts on administration and on relations with third countries.

Mobility information services aim at the provision of relevant, accurate, updated information which is brought together coherently and is clear to the customer. Promoting transparency, availability and accessibility of information will most certainly reduce red tape. An investment in building strategic partnerships at national level (inter alia cooperation between national services having the expertise in certain domains) and networking at EU level, is necessary to succeed. Moreover reporting on the mobility services network will have a positive return in simplifying administration in the longer term.

As Visa is one of the information items, as incoming and resident third country nationals will belong to the target group of mobility services, option 4 will have positive impacts on relations with third countries.

## **E. Planning of further impact assessment work**

When will the impact assessment work start?

March 2010.

(i) What information and data are already available? (ii) Will this impact assessment build on already existing impact assessment work or evaluations carried out? (iii) What further information needs to be gathered? (iv) How will this be done (e.g. internally or by an external contractor) and by when?  
(v) What type and level of analysis will be carried out (cf. principle of proportionate analysis)?

### **1) Studies**

#### **Impediments to Mobility in the EU Live Performance Sector and on Possible Solutions", 2007**

The study on "*Impediments to Mobility in the EU Live Performance Sector and on Possible Solutions*", conducted by Richard Polacek for the Mobile Home Partners, January 2007, concluded that: "There is a need to increase transparency through the exchange of information about nationally applicable rules and procedures in the four key areas (...). National authorities have a particular responsibility to make relevant information in the four key areas easily accessible, (...)."

<http://www.pearle.ws/news.php?ID=10>

In conclusion: Information is a key to address obstacles.

#### **Mobility Matters, 2008**

The European Commission launched a study funded by the Culture Programme, to provide an overview and typology of the mobility schemes which already exist in Europe, to identify any gaps and to propose recommendations for possible action at the EU level. The study was carried out by the ERICarts Institute. The report entitled "Mobility Matters" was published in November 2008.

While the study "Mobility Matters" revealed "a diverse landscape of cultural mobility schemes, gaps and imbalances in provision remain. (...) This gap in provision perpetuates East-West imbalances (in Europe) and North-South imbalances (globally)."

[http://ec.europa.eu/culture/key-documents/doc1795\\_en.htm](http://ec.europa.eu/culture/key-documents/doc1795_en.htm)

In conclusion: Information is a key to address these imbalances.

#### **"Information systems to support the mobility of artists and other professionals in the culture field: a feasibility study", 2009**

In 2008 the European Commission launched another study funded by the Culture Programme: a feasibility study on a comprehensive European wide system of information for artists and cultural workers on the different legal, regulatory, procedural and financial aspects to mobility in the cultural sector. The study "Information systems to support the mobility of artists and other professionals in the culture field: a feasibility study", was conducted by ECOTEC and was published in April 2009. In its executive summary ECOTEC explains its objectives:

"In the era of globalisation and easy travel, the European Union provides an historical opportunity for such exchanges and cross-fertilisation to take place on an unprecedented scale. But important obstacles remain. This study, (...) examined one of these obstacles – one, indeed that arguably plays the pivotal role in enabling cross-border mobility to happen: the uneven and inconsistent availability of information."

[http://ec.europa.eu/culture/key-documents/doc2039\\_en.htm](http://ec.europa.eu/culture/key-documents/doc2039_en.htm)

In conclusion: The model proposed by ECOTEC is the model that is retained for the proposed Recommendation on a mobility information services network (=option 6).

### **2) Involving Member States, the Open Method of Coordination**

In the Council **Work Plan on Culture 2008-2010** - implementing the European Agenda for Culture - Member States agreed to work through the Open Method of Coordination by "The

setting up of a working group on the mobility of artists and other professionals in the cultural field comprising MS experts".

The Open Method of Coordination Working Group on mobility of artists and culture professionals was set up on 1 March 2008. 22 EU-countries expressed their interest to work together. In organizing its work the expert working group agreed as its first priority area the multiple problems related to information (= processed information, intelligence or knowledge) and mediation (personal approach including inter alia advice, guidance, administrative support, etc) on mobility in the field of culture.

In several countries, mobility studies and activities (conferences, meetings, events, publications, etc) supporting mobility issues have been conducted / are ongoing.

As mobility is a transversal issue, DG EAC involves other DGs, their policy and projects, into the work of the OMC group (DG Research, DG JLS, DG EMPL, DG RELEX, ...).

### **3) Involving civil society and the broad culture sector**

#### **The Civil society platforms**

Mobility is also a cross cutting theme in the three civil society platforms (Access to Culture, Cultural Industries, and Intercultural Dialogue). These platforms are set up by the Commission to facilitate a structured dialogue with the cultural sector. In the platforms' recommendations, mobility is an underlying condition in order to achieve certain goals.

##### *- Platform for Intercultural Europe*

"Intercultural Dialogue is an endeavour, which can only succeed, if different sectors and different levels of government collaborate". "Mobilising across boundaries" involves actions that overcome societal systems and structures in order to achieve a global understanding of and an evolution towards intercultural dialogue.

##### *- Platform on Access to Culture*

Mobility and exchange contribute significantly to the professional quality of cultural operators and to the education (in its broader sense) of audiences.

The Platform is in favour of advancing mobility and learning from others. The result should be broader possibilities of exchange and mobility for a larger group of people.

##### *- Platform on Cultural Industries*

The platform recommends the need to promote and to facilitate the circulation of artists, works and productions across Europe as it fundamental for cultural exchange and diversity.

#### **The European Culture Forum, September 2009**

During the European Culture Forum a workshop on "Mobility" took place and the chair of the OMC group presented the state of play of their work in an information session. Up to a thousand people were present at the Forum. Target groups were the broad culture sector (NGOs, project promoters, cultural institutions), EC colleagues, Member State national and regional culture policy makers and authorities ...

In the workshop on mobility Richard Polacek made a very clear and well structured statement on the present state of play on information on mobility and obstacles to mobility. The state of play today is a "scattered" landscape of information provision on mobility: different sources, not reaching out the mobile artists and operators at local level (uneven and inconsistent availability of information)

EU level and Member States have to think internationally their policy on mobility (incl. on funding). The work on the UN convention on diversity of cultural expressions is crucial in this respect. Artists and operators do not think and work with borders in their mind. Their work is naturally going beyond the EU.

### **4) The pilot project on mobility of artists and culture professionals**

At the end of 2007 and of 2008, the European Parliament voted an additional line on the budget dedicated to supporting the environment for the mobility of artists through a new pilot project for artist mobility.

A call for proposals for the "Networking of existing structures supporting mobility in different cultural sectors" was launched. Four projects were selected inter alia Practics and Space, dealing with information provision and data collection.

In March 2009 a new call for proposals was launched giving "contributions to the operational costs of mobility funds, programmes or schemes on a matching basis". Nine projects were selected.

In the context of mobility information services the PRACTICS project is relevant as it translated and tested the decentralised cooperation model into practice using a bottom-up approach.

Which stakeholders & experts have been/will be consulted, how and at what stage?
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Several consultations have been carried out with both the culture sector and with Member State culture policy makers, as detailed below. The model represented by Option 4, political commitment by MS and the Commission to a network of national mobility information services, has been thoroughly explored and well-received in these consultations.

- Open Method of Coordination Working group on mobility of artists and culture professionals (see section E2 above for details of the group's discussion on mobility information issues).

- Cultural organisations with a strong European dimension to their activities and membership were invited to contribute to the work of the civil society platforms (See section E3 above for details of the Platforms' recommendations on mobility).

- European Culture Forum (see E3 above for details of Forum discussions on mobility information services).

- Studies: extensive consultation with the culture sector was undertaken in the framework of the following studies.

- Impediments to mobility

- <http://www.pearle.ws/news.php?ID=10>

- Mobility Matters

- [http://ec.europa.eu/culture/key-documents/doc1795\\_en.htm](http://ec.europa.eu/culture/key-documents/doc1795_en.htm)

- Information systems to support mobility:

- [http://ec.europa.eu/culture/key-documents/doc2039\\_en.htm](http://ec.europa.eu/culture/key-documents/doc2039_en.htm)

Consultation of the general public is not relevant in the case of this initiative. The proposed mobility information service is not intended for use by the public or by students. The issues at stake and the proposed solutions can be understood and commented upon only by cultural operators and by authorities (public or private) responsible for culture policy. These stakeholders have been involved in several consultation exercises, as described above. Were a public consultation to be launched, the respondents would most likely be the same cultural operators and culture policy authorities who have already responded to the previous consultation exercises.