



## Moving Beyond Brexit: Uniting the Cultural and Creative Sectors

**On Monday 24 September 2018 more than 60 leading experts from the cultural and creative sectors from Europe, including the UK, called on Brexit negotiators to address their urgent concerns related to mobility, funding and partnerships, as well as legal questions surrounding the future relationship between the UK and the EU.**

During the expert workshop organised by the Centre for Fine Arts Brussels (BOZAR) in partnership with the European Cultural Foundation and the British Council, cultural workers, directors, artists, and European federations assembled to raise their voices on the consequences of Brexit and its potential impact on their fields, including music, design, film, broadcast, architecture, visual arts, performing arts and publishing.

'Moving Beyond Brexit: Uniting the Cultural and Creative Sectors' is the latest in a series of events designed to put forward actionable next steps for negotiating the current and forthcoming challenges. It follows on from events organised in the last two years by stakeholders including the British Council (['EU-UK Culture and Education Series'](#)), the European Cultural Foundation, Culture Action Europe, Creative Industries Federation and BOZAR in capital cities such as Brussels, Madrid, Berlin and London.

Given the uncertainty of the situation, the goal of this workshop was to reaffirm shared intent and common values, and to produce practical recommendations from the cultural and creative sectors that go beyond those already made.

Participants expressed concerns that their interests have been overlooked in amongst the prevailed political discourse, and that the impact of the cultural and creative sectors on European societies has been underestimated. As one participant put it:

*'The UK is essential. (Brexit) forces us to rethink the models. It's not just the economic argument. The EU was a cultural project to secure peace in Europe. This needs reaffirming. It's not just about making deals.'*

The day's discussions focused on the mobility of artists, artworks and the distribution of audiovisual content; the access of UK partners to EU funding streams and collaborative schemes with their continental partners; and legal questions related to copyright, competition rules, the internal market, and future trade agreements.

## **Recommendations**

The creative and cultural industries are substantial contributors to the British and wider European economies. They drive innovation and cross-border collaborations which build shared values and secure an environment of peace. In a post-Brexit environment, we need to guarantee this framework of cultural exchange so that the next generation has the freedom to continue creating, inspiring and thriving. Our recommendations are intended to contribute to this goal.

In acknowledgement of the unique historical and mutually beneficial EU-UK relationship and the vital importance of continued cultural cooperation in the future, the recommendations from the workshops are outlined below.

### Legal Issues:

1. In recognition of the crucial role that the UK government and British Members of the European Parliament have played in the negotiations on the forthcoming Directive on Copyright in the Digital Single Market and irrespective of the timing of the final adoption at EU level, the UK Government should commit to the transposition of the Directive into UK domestic law.
2. Mindful of the needs of the next generation of creative talent, specific arrangements should be introduced that would allow artists, cultural and creative industries professionals, their teams, materials and equipment to move freely across borders between the UK and the EU.
3. In the event of a Brexit in which the UK is no longer part of the digital single market, the Audiovisual Media Services Directive's Country of Origin Principle, by which member states recognise the legality and compliance of channels broadcast from other member states, will no longer apply to channels aimed at EU viewers on Ofcom/UK licences. We ask that EU national regulators and Ofcom (facilitated by the Commission and the national Governments) work towards a framework of formal recognition for audiovisual-related legislation, in order to promote investment, consumer choice, plurality and cultural exchange.
4. Given the centrality of international collaboration to work in the creative, cultural and media sectors, we call on negotiators to maintain a robust legal basis following Brexit for: standardisation, competition law including state aid, maintenance of workers' rights, recognition of professional qualifications and the free flow of data.

### Funding & Partnerships:

The impacts and effects of European funding programmes which rely on multilateral partnerships go far beyond the funding that supports these. The added value of funding at European level for cultural programmes is crucial in supporting creative and cultural industries to grow, build international networks, generate jobs and skills,

grow audiences and markets, experiment, up-skill, and meet meaningful social objectives locally and internationally.

1. The cultural and creative sectors in the UK and the rest of Europe, already affected by the decision of the UK to leave the EU, recommend the EU Institutions and the UK Government provide clarifications and firm commitment on the following:
  - a. Immediate reassurance of UK eligibility for funding programmes during the transition period (in order to avoid negatively impacting hundreds of European partnerships and funding agreements)
  - b. Clarification of the end date/cut-off point of submission and selection of awarded projects
  - c. Confirmation of specific guidance on how HM Treasury will guarantee work and practices from all EU funding programmes.
2. The cultural and creative sectors in the UK and the rest of Europe recommend to the UK government and the European Institutions that a steering group made of representatives of the European creative sector should be created in order to advise UK-EU policy makers during:
  - a. The negotiations on the Culture and Education Accord or any future agreement and,
  - b. The design and management of European funding programmes for Culture post-2020.
3. The cultural and creative sectors in the UK and the rest of Europe recommend that EU Institutions and the UK Government ensure full UK participation in European culture programmes post-2020- in particular Creative Europe.
4. In addition to the above, the sectors recommend that the UK Government establish an initiative/fund to support British cultural organisations' development at the European level in order to continue Europe-UK cooperation.

#### Mobility:

1. Students who complete undergraduate or postgraduate studies in UK/EU higher education institutions should have the right to stay and work in the country they studied in for a period of two consecutive years within a five year period. Given the particular nature of career progression in the cultural and creative sectors, to offer these longer periods of time for students to remain or return would provide a more realistic opportunity for them and the country providing the education to capitalise on the knowledge transfer, the network effects and the economic value of their learning.
2. Mapping and analysis of international collaborations between EU member states and the UK should be carried out as soon as possible (and continued over time) at the regional and national level in order to inform new measures impacting the movement of labour in the arts and cultural sector. This information should also provide insights into the motivations for fostering UK-EU partnerships within the arts and cultural sectors.

3. Access to information on administrative issues (e.g. visas, work permits, taxation, social protection, customs, etc.) should be free and accessible to all artists and cultural professionals from the UK and EU27. Support from national and local governments should be ensured to set up, maintain and update online information services.
4. Based on previous recommendations, any new measures relating to the movement of people, goods and services should avoid burdensome administrative procedures and maintain mobility and residency rights for EU workers operating in the UK and vice versa. Regarding visas/work permits, we strongly recommend the continuation of visa-free movement between the UK and EU27. Alternatively, a visa-waiver could be implemented for certain categories of people (e.g. artists) and/or countries. There are several other scenarios that have been elaborated, e.g. House of Lords' recommended model<sup>1</sup> that need to be tested before any application, including the use of work permits. In all cases, it is crucial to negotiate to maintain the current visa free UK-Ireland travel area.

*The event 'Moving Beyond Brexit: Uniting the Cultural and Creative Sectors' was co-organised by BOZAR, the British Council and the European Cultural Foundation.*

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<sup>1</sup> See [Brexit: Movement of people in the Cultural Sector](#), UK House of Lords EU Home Affairs Sub-Committee (26<sup>th</sup> July 2018)