

VISA PACKAGE PROPOSAL

professional labour mobility
in live performance sector
HEARING EP COMMITTEE LIBE
17/06/2015

fully supporting the proposal of the Recast visa code

- amendments are necessary for the live arts sector**
- better procedures**
- no unnecessary administration**
- quicker application and issuing**

our point of view on the proposal of the new touring visa

- touring = the essence of performing arts**
- from our experience and cases**

Lies Martens

manager, coach, consultant for artists and their organizations
(dance, music, theater)

2011- 2014 company manager for Eastman, dance company of Sidi Larbi Cherkaoui

- Belgium based (residency deSingel), worldwide recognized
- much rewarded (dancer, choreographer, productions,...)
- Oscar winning movie Anne Karenina
- European Cultural Ambassador 2013
- La Scala, Cirque du Soleil, Sadler's Wells, La Monnaie, Paris Opera,...
- on a long term basis (financially) supported by the Flemish government

Eastman company in 2013:

- 120 performers & other artistic personnel
- 31 nationalities (13 from EU)
- producing & touring own productions
- average of 100 performances/year

Puz/zle performance (Olivier Award best new dance production)

- cast of 12 dancers and 8 musicians
- 2 Canadian dancers, 1 South-Korean dancer, 1 Japanese musician
- touring 70 performances (3/4th in Schengen)

Touring issues

- Canadian dancer released from the refugee center
- South-Korean dancer refused boarding the plane in Seoul, flight to Europe was rebooked with another company some days later
- the Japanese musician invited for workshops in London (on non-working days during the tour), problems with re-entering Belgium
- decision not to prolong the tour as it posed too many problems and uncertainty
- replacements not possible because of the specific skills of the highly professional dancers and musician
- too many / too expensive rehearsals needed for the group as a whole

Touring issues

- with the help of the Belgian government: “exceptions” = flying to Brussels
- lobbying with the Federal Minister of Work, the Regional Minister of Work, the Federal Secretary of State for Immigration
- multiple delays & requests at the borders
- different interpretations
- emotions and panic amongst the dancers and musicians
- harm to our reputation
- asking Pearle* for help and solutions

Pearle* - Live Performance Europe

- Nearly 7000 enterprises represented through its members associations across Europe
- European Employers association:
 - Sole representative European employers association recognized by the EU
 - Consulted under art 154 TFEU on social matters
- Members negotiate collective agreements at national level for the sector:
 - Wages
 - Working conditions
 - Others (pension, training, ...)

Live Performance facts&figures

- one of the most dynamic and growing sectors
- central to Europe's economy and competitiveness
- the cultural and creative industries represent **4,2% of GDP**
- have an employment of more than 7 million workers (19% youth)
- 50% festivals in Europe and 50% in the rest of the world (in top-10 most frequented)
- in London 14,7 million people saw a performance in 2014 (increase with 1,1%)
- live performance enterprises are over 80% SMEs
(SMEs recognized in Europe as drivers for growth and change)

Live performance: touring

- Touring is in our **DNA**
- Audience **demand and taste**
- Artistic desire to share its creations with the world
- Artistic desire to be **nurtured** by other forms of dance, music, ... other cultures
- Economic necessity : **main source of income**
- **Ambassador through Art**

Live performance: nationalities < company

- international casts : **nationality doesn't play a role**
- it's about the person's skills and experience
- unique portfolio
- reputation and excellence
- it's about their specific background and culture
- the mixture of nationalities allows to generate artistic ideas and quality to the performances
- and artists take home their experience and knowledge
- **art** really **unites through diversity** and builds bridges

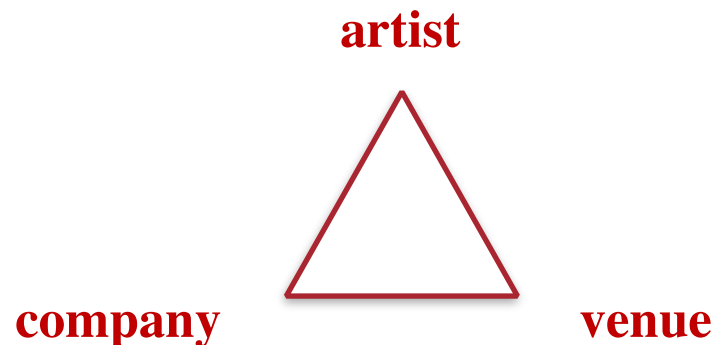
Live performance: nationalities < audience

- audiences: **do not wonder about nationality** of the performers
- they want to see the show, the concert, the performance
- they go for the content or the production
- they go for the reputation and name of the band or touring company
- they are delighted by discovering new arts, music styles, mixture of recognizable arts with foreign influences

The economic impact

The actual 90/180 period **prevents** touring for longer than 3 Months

Pearle* did a **simulation**, economic impact on 3 fields :



The economic impact: ARTIST

Direct impact:

- obliged to return after 3 months and to apply for a new visa
- costs between 1.000€ - 2.000€ (local and international travels, application fee, accommodation,...)
- 3000 companies * 1 artist a year = **3 à 6 million € / year**

Indirect impact:

- interrupted work periods
- able to fill up the gap with new offers ?
- no work = less consuming
- time consuming visa applications
- sometimes far away from home (travel, accommodation,...)

The economic impact: COMPANY

Direct impact:

- performances limited to 90 days in Schengen
- costs of the artist (as above) not counted here
- fees between 7.500€ and 25.000€ per performance
- 3000 companies * 1 lost performance = **22,5 à 75 million € / year**
- note
 - (Eastman : average of 10 performances per month)
 - (replacement not always possible because of specific skills, rehearsal period too long, too expensive,...)

The economic impact: COMPANY

Indirect impact:

- uncertainty to obtain the visa on time
- uncertainty to engage the artist for a long term = loss of investment to the production
- staff time investment (specialized)
- complex scheduling
- lost opportunities for employment, company income, sustainability, artistic development, customer relations, awareness,...

The economic impact: COMPANY

Indirect impact towards outsourced goods and services

- service suppliers (technical, light/sound/stage,...)
- travel (flights, trains, coaches,...)
- transport of set, costumes,...
- hotel
- catering
- 3000 companies * 10 people * 200€/day * 30 days = **180 million €**

The economic impact: VENUE

in case the performance is cancelled due to visa problems
(rarely considered as a *force majeure*) :

Direct costs:

- booking a new group (25 people * travel/hotel/visas/... = 16.500€
- or reimbursing tickets (500 tickets * 25€ = 12.500€)
- promotion, leaflets, tickets, brochures,... = 25.000€
- 4000 promoters * 1 time/year = **between 150 and 166 million €**

Indirect costs:

- spending by consumers, venues, company,...
- sponsoring
- credibility, audience development, faith in good management

The economic impact:

conservative calculation

loss of around 500 million €

up to 2 à 4 billion €

1€ invested in culture = 4 à 8 € returns to economy

Touring visas for whom?

- **for visa required countries**
- **for visa exempt countries**
 - often countries investing in culture (Canada, Japan, South-Korea, America, Australia, New-Zealand,...)
 - low risk for illegal immigration
 - no possibility to ask a prolonged stay in Schengen
- **for professional artists** : generate an income from touring

Guarantee by enterprise

bona fide :

- artist invited by a **legal entity** (company, theater, festival,...)
 - strict working rules, **protected** through workers contracts
 - proven income paid to the artist (professionals)
 - **known** by the national authorities
 - extra control when receiving public funding
 - touring **schedules planned** long time in advance
 - letter of intent or **contract** signed
 - programs communicated & printed
 - responsible for accommodation, catering, travels, insurances,... also during short stays in between performances
-
- not been sanctioned for undeclared work or illegal employment or other
 - not insolvent (cfr. Seasonal Workers Directive)
-
- mala fide enterprises wouldn't like to come in the picture through those procedures

Security or migratory risk ?

- professional artists count on a **long term relationship** with their employers
- and **build up careers** thanks to good references on their CV
- **not higher risk** then without the touring visa
- **part of the risk is in hands of the company** = split responsibility

- **recast visa code + new touring visas = indispensable**
- **economic growth**
- **job creation**
- loss of **more than 1 billion € a year** for EU based companies, promoters, venues, festivals, ... (conservative estimation)
- **multiple** if we also count the non-EU companies coming to tour in Schengen (and spending)
- less legal uncertainty, **administrative** burdens, unnecessary costs, time consuming procedures
- also for governmental administrations
- will **generate extra tax incomes** (city, tourism, national, VAT,...), social security contributions, expenses daily living, outsourced goods&services
- **attraction** for **tourism** and international **visibility**
- **everybody will win : artist, company, government, local communities, audience,...**



**Performing Arts Employers League Europe
Saintelettesquare 19, 1000 Brussels**

tel. +32 22 03 62 96

www.pearle.ws