



Commissioner Mariya Gabriel
Innovation, Research, Culture, Education and Youth
European Commission

Commissioner Thierry Breton
Internal Market
European Commission

Dear Commissioners,

Following the launch of the European Commission Communication on “a common path to safe and sustained re-opening”, we are writing to you as representatives of the live events sector and creators community to share our views and recommendations on the necessary next steps to be taken for a coordinated, swift and safe reopening of live events.

As rightly mentioned in the Communication “Reopening will take longer, cost more, and be less sustainable if the Member States do not work together; moreover reopening in a coordinated manner ensures the continuity of the internal market which is inextricably linked to the economic and social life of Europeans”. This naturally requires coordination at EU level. The political commitment shown in the Communication was a major and long-awaited initiative for our sectors.

There is not much time to make a meaningful change for the coming months, which are vital for the very existence of many artists and cultural businesses in the EU. The signatories of this letter have worked closely with national and local governments, and national and EU health authorities. We have organised test events, developed scientific evidence and standards presenting how to create safe events for audiences, which can be the initial basis and a useful reference point for the European Commission to further work on this topic. And we are devoted to continue to give our input and exchange with you, with the aim to begin this crucial process as soon as possible.

There have been good and important developments in some Member States and specific regions, however the level of political commitment varies from one country to another. The European Commission’s role in making this a political priority, promoting best practices and persuading Member States to develop a perspective for a safe and sustained reopening is therefore absolutely crucial for our sector, for the entire

European economy and for the health, safety and trust of its citizens.

We believe that the initiative needs to take into consideration the following guiding principles:

- European Commission coordination that builds on existing national solutions, best practices and evidence, some of which we have included in the attached document;
- The close involvement of key stakeholders and careful assessment of their experiences in order not to duplicate work. The several papers and fact-sheets published by the signatories of this letter can give useful examples in this respect;
- Immediate engagement between Member States, health authorities and the sector, followed by an intensive and focused work plan at EU level. Though we are all working on this issue in our respective countries and regions, EU coordination is what will make the real difference;
- A practical approach that focuses on the coordination of best practices, direction of health authorities and clear political pressure, as opposed to the prolonged development of new procedures and red-tape that requires consensus at EU level.

We have outlined in the attached document our initial views and proposals on the necessary first steps that we believe can assist your work on a coordinated re-opening strategy. Obviously, we see this as a work in progress, in which our sector can work with you to develop and adapt practical and dedicated solutions.

We remain at your disposal for further details and clarifications and very much look forward to the start of what promises to be another historic European Commission mobilisation to address the needs of EU citizens in this crisis.

Your sincerely,

AFEM – Association for Electronic Music

ARA – Arenas Resilience Alliance

GESAC – The European Grouping of Societies of Authors and Composers

LIVE DMA – European Network for Live Music Associations

Liveurope – The live music platform for new European talent

PEARLE – Live Performance Europe

YOUROPE – The European Festival Association



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Towards a coordinated approach to re-opening live events

Facilitating re-opening measures and managing audiences

- Urge governments to establish reopening calendars based on transparent criteria (vaccination rates, hospitals capacity, number of positive cases...)
- Support governments implementing relevant national protocols to ensure audience safety when attending concerts.
- Support the confidence of audiences returning to cultural events: venues applying the protocols are safe places.¹
- The responsibility and costs of mass testing protocols, if mandatory, must be on the public authorities.

Providing policy instruments to support the re-opening

- Governmental compensation schemes for limited capacity re-openings and/or with restrictions on their food & beverage sales (see Annex 1).
- A consistent approach to government-backed insurance or cancellation funds. (see Annex 2).
- Member States to be encouraged to reduce the VAT rates on ticket sales for the next 12 months.²
- Establishment of a transparent and clear approach for international touring and the organisation of cross-border cultural events within the EU, based on the ECDC map of the different zones of contamination.
- A European coordination on free movement, as cross-border travel of artists is an essential component to the reopening of the sectors.

¹ Example of a campaign from Spain: <https://culturasegura.org/>

MEP Iban Garcia Del Blanco mentioning a European Cultura Segura : https://www.europarl.europa.eu/doceo/document/E-9-2021-000527_EN.html

Compare also the campaign "This summer I visit Europe" which focused on cultural heritage in summer 2020

² An overview of VAT rates in the EU, 2020. <https://www.live-dma.eu/vat-in-the-european-live-music-sector/>

- Urge Member States to include a sustainable long term investment perspective for the cultural and creative sectors in their national recovery plans.
- Include specific calls for cultural infrastructures within the dedicated regional and InvestEU funds (see Annex 3);
 - with a view to compensate the future financial difficulties due to lasting damages caused by audience behavioural change.
 - to help invest in health and safety systems in cultural venues and events.
- Facilitate the return to sustainable European touring by amplifying the support to the circulation of European diversity in the next generation of Creative Europe.

Gathering information

- Reduce the need for duplication of similar test event types in each country across Europe if there is alignment to accept the results as valid.³
- Aligment on rapid-testing protocols:
 - which test type(s), where administered, who administers, how long negative result valid for.
 - which COVID Status Apps / COVID-Clear Certification are approved - to enable vaccinated, or recently negative tested, or proof of immunity attendees to access events and festivals.
 - which apps are robust enough - to provide credible and secure vaccination or recent negative test, or proof of immunity evidence for event operators to trust
 - Coronacheck used in Netherlands festival test events, Youcheck used in small scale event tests UK for example.

Annex 1: Governmental compensation schemes for limited capacity re-openings and/or with restrictions on their food & beverage sales (Annex 1).

France - CNM

The ticketing compensation fund:

The compensation fund is addressed to structures for which the distancing measures imply such a reduction in ticketing revenues that they are not able to schedule or produce economically viable shows without compensation.

The compensation fund is reserved for actors who assume the risk of ticketing. These are therefore organisers (venues, festivals, etc.) and promoters who rent rooms for their shows.

The amount of support is calculated using the following two formulas:

- Compensation for seated performances = number of paying seats that would have been open in normal times x 40% x average price of the ticket.
- Compensation for performances initially planned standing = number of paying seats that would have been open in normal times x 60% x average price of the ticket.

Bonus: for actors assuming the risk of ticketing in a place where the usual maximum safety gauge (standing or seated) is less than or equal to 300, a bonus of 50% of the compensation is introduced.

³ Example test results from Spain - <https://www.primaverasound.com/en/news/resultados-estudio-prima-cov> and from The Netherlands <https://fieldlabevenementen.nl/>

In the case of postponement of the show, this portion may be retained, provided that the postponement does not exceed the term of 3 months.

This compensation fund goes along with a Support to Alternative Programming and a Fund for the Protection of Performing Music.

The Support to Alternative Programming aims at supporting innovative projects, which guarantee artistic employment and favor links with the public (programming outside the venues, safaris, remarkable sites, etc.).

Max amount: 50% of the overall cost of the project or 25K €; this ceiling may be increased to € 75K for a show that is the subject of commercial audiovisual exploitation in the form of a pre-purchase of a broadcaster.

In addition to the cross-cutting measures of the State, the Fund for the Protection of Performing Music intended to offset a share of these operating losses over the period from April 1, 2020 to March 31, 2021.

The aid is calculated according to the following scale:

- 70% of the share of operating losses between € 0 and € 250,000;
- 65% of the share of operating losses between € 250,001 and € 500,000;
- 60% of the share of operating losses between € 500,001 and € 1,000,000;
- 50% of the share of operating losses between € 1,000,001 and € 1,500,000;
- 40% of the share of operating losses between € 1,500,001 and € 2,000,000;
- 30% of the share of operating losses greater than € 2,000,001;
- all within the limit of a ceiling of € 1,500,000 per “single company”

Norway

The Business Compensation Scheme

The Business Compensation Scheme provides enterprises that face a large loss in income as a result of the virus outbreak, a financial compensation to cover fixed, unavoidable costs.

It goes along a compensation scheme for self-employed persons and freelancers. More information (in Norwegian) here: <https://www.skatteetaten.no/en/measures/#the-business-compensation-scheme>

Annex 2 : A consistent approach to Government-backed insurance or cancellation funds

The Netherlands

The Dutch government agreed on a guarantee fund for festivals. All the festivals and events taking place from the 1 July 2021 are able to get an insurance funds provided by the government. When organising an event that is going to take place between 1 July and 31 December 2021 you may have to cancel it because of corona measures. If this should happen, with this scheme you may be reimbursed for costs you have already made. More information here: <https://business.gov.nl/subsidy/events-cancelled-corona-measures/>

Other examples of European cancellation schemes:

European schemes

Country	Protection
Germany	<ul style="list-style-type: none"> • €2.5bn reinsurance pot to allow event organisers to plan for Q3 and Q4 2021. • “To ensure the whole machinery, with the many self-employed soloists and musicians, gets back on its feet”, <i>Olaf Sholz, German Finance Minister.</i>
Austria	<ul style="list-style-type: none"> • €300m cancellation fund for events that are cancelled or curtailed due to Covid-19 lockdown restrictions.
Netherlands	<ul style="list-style-type: none"> • €300m for events planned in Q3 and Q4 2021. • “The event industry has long come to a standstill due to Corona. Guarantee is needed to get it back on track”, <i>Ingrid Van Engelshoven, Dutch Culture Minister</i>
Denmark	<ul style="list-style-type: none"> • €67.2m safety net for festivals and major events • “Organisers can continue to plan soundly with peace of mind. With the agreement, we ensure that festivals will be compensated if they have to cancel due to restrictions”, <i>Joy Mogensen, Danish Culture Minister</i>
Norway	<ul style="list-style-type: none"> • €34m insurance fund for festivals • “To create predictability now, so that the industry can start planning different scenarios and be confident that if things go wrong, we will stand up for them”, <i>Abid Raja, Norwegian Culture Minister</i>
Estonia	<ul style="list-style-type: none"> • €42m aid package and €6m risk fund

Annex 3: Include specific calls for cultural infrastructures within the dedicated regional and InvestEU funds

Switzerland

The government is funding what is called “transformative” projects. Cultural venues can apply when they have to restructure their organisation to comply with the new COVID measures. It is a 80% co-funding rate with a maximum grant of 300,000 swiss francs (around 270,000€). Projects must be organised around a defined and temporary goal, related to COVID-19. They include two categories of projects, those aimed at:

1. A structural reorientation of the cultural enterprise
2. To win back the public or to reach new categories of public.

Award criteria

The criteria for granting the contribution are the same for all transformation projects. These are assessed according to an overview based on the following criteria:

- Concept clarity, plausibility and quality
- Innovation
- Expected effectiveness of the project in terms of adapting to new circumstances related to the COVID-19 epidemic
- Expected durability

More information about the transformative project in French <https://www.fr.ch/dics/secu/actualites/projets-de-transformation> and in German here: <https://www.fr.ch/de/eksd/ka/news/transformationsprojekte>

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