



Ms Ursula van der Leyen
President of the European Commission

March 5th, 2021

Dear President von der Leyen,

You are certainly aware of the severe impact of the pandemic on the creative and cultural sectors and, in particular, the critical situation facing live entertainment, as well as film and TV production throughout all Member States of the European Union. As a result of health restrictions that have been in place for almost one year now, many of the creative and cultural sectors' companies and workers have lost most of their income. Our sectors are working hard to resume activities despite the continued challenging circumstances. However, all sectors will not be able to resume at the same speed and many businesses and individuals will not even be able to do so after the crisis, as, unfortunately, the national and European support measures fall far short of their needs.

You are also aware that the Trade and Cooperation Agreement regulating the EU-UK relationship post-Brexit makes no mention of the cross-border mobility of productions and workers - whether crew and talent - in our sectors. This situation exacerbates pressure on the overall economy of our industries, broadening the economic damage already caused by this crisis while discouraging future cultural and economic cooperation with the UK as an essential marketplace for our EU operators.

The touring of music or theatrical live productions is an essential feature to keep them profitable and sustain a diverse ecosystem of performances and services, giving our continent its unique artistic wealth. If nothing is done to offset the absence of adequate mobility protocols, we will inevitably be confronted with a decline in cultural exchanges when entertainment venues and live performance festivals re-open, as a result of rules applicable by default to visas, work permits or carnets for transporting equipment and limits on road haulage.

Likewise, audio-visual productions – whether feature films or broadcast content – will be affected. These productions often involve financial and creative contributors from several countries, including the UK, and often rely on talent, skilled workforce and equipment that would no longer be able to freely move across borders. By failing to address the mobility of entertainment workers and equipment, the EU-UK Trade and Cooperation Agreement will lead to considerable red tape and costs, further hindering access to funding and shrinking job and business opportunities, including in the EU-27.

In order to prevent additional financial pressure for companies and workers in our sectors, we are respectfully requesting that discussions be opened between the Commission and our representative organisations, so as to work out the terms of a swift and efficient response to the problem posed. It is essential to preserve the level of cultural exchanges and creative and business relationships between the European Union and the United Kingdom, in the interests of workers, companies, organisations, the public and, more generally, the Union's economy.

We are aware that with the UK becoming a third country vis-à-vis the EU, all sectors, including ours, have to deal with new barriers. However, given the importance of our sector's exchanges, we would appreciate the opportunity to look at possible solutions with you with a view to giving our sector the necessary flexibility. The signatory organisations are eager to further explore this matter with you and suggest balanced alternatives to address this problem. We also would like to inform you that exchanges with the relevant UK authorities on the same issue are also taking place in the United Kingdom.

Yours faithfully,

ACT

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