

Artist Visa Applications: Arguments for Success

When you deal with visa issuing offices and embassies it may sometimes be useful to refer to various points set out in international conventions and recommendations.

Here are a few references that you can mention when you argue for smooth visa handling:

1) The UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions

This is one of the most important points as the convention argues for mobility of artists. All countries in Europe have signed the convention; most of them have ratified it.

There are two articles to which you can refer to and make authorities aware of:

Article 14 – Cooperation for development

“Parties shall endeavour to support cooperation for sustainable development and poverty reduction, especially in relation to the specific needs of developing countries, in order to foster the emergence of a dynamic cultural sector by, inter alia, the following means:

(a) the strengthening of the cultural industries in developing countries through:

(i) creating and strengthening cultural production and distribution capacities in developing countries;

(ii) facilitating wider access to the global market and international distribution networks for their cultural activities, goods and services;

(iii) enabling the emergence of viable local and regional markets;

(iv) adopting, where possible, appropriate measures in developed countries with a view to facilitating access to their territory for the cultural activities, goods and services of developing countries;

(v) providing support for creative work and facilitating the mobility, to the extent possible, of artists from the developing world;

(vi) encouraging appropriate collaboration between developed and developing countries in the areas, inter alia, of music and film;

(b) capacity-building through the exchange of information, experience and expertise, as well as the training of human resources in developing countries, in the public and private sector relating to, inter alia, strategic and management capacities, policy development and implementation, **promotion and distribution of cultural expressions**, small-, medium- and micro-enterprise development, the use of technology, and skills development and transfer.”

Article 16 – Preferential treatment for developing countries

“Developed countries shall facilitate cultural exchanges with developing countries by granting, through the appropriate institutional and legal frameworks, preferential treatment to artists and other cultural professionals and practitioners, as well as cultural goods and services from developing countries.”

The convention can be downloaded here:

http://portal.unesco.org/en/ev.php-URL_ID=31038&URL_DO=DO_TOPIC&URL_SECTION=201.html

WHAT IS A CONVENTION?

In this case the **convention** is a set of agreed, standards, norms and criteria, which the involved countries are obliged to implement into their national legislation. As the European Union has co-signed the convention there are several policy papers describing follow up procedures and recommendations, so you may also need to refer to some of these documents. I shall only mention two:

2) POLICY PAPERS AND REPORTS

A) Directorate General for Internal Policies, Policy Department, B) Structural and Cohesion Policies: 'The Implementation of the UNESCO Convention on the Diversity of Cultural Expressions in the EU's External Policies'

This recent report dealing with the external EU policies is of particular interest as it mentions specifically that the member countries haven't progressed enough on visa/mobility issues.

This report points out:

"Overall, the EU's development policies have been increasingly aligned with the provisions of the Convention, particularly in the ACP context. Among the issues which should still be addressed are the following:

Visas: *difficulties found by artists and cultural professionals from non-EU countries in obtaining visas have become a recurring concern, which impacts negatively on cultural mobility and cooperation, as expressed by the European Parliament, national governments and several civil society organisations. Both the Convention and the increasing interest paid by the EU to cultural mobility call for this situation to be addressed. The EU Visa Code which came into force in April 2010 should contribute to simplifying administrative procedures and increasing transparency. However, concerns remain as regards the lack of harmonisation among Member States, as well as the awareness of the specificities of cultural mobility among officials in charge of visa procedures."*

The report can be downloaded here:

www.europarl.europa.eu/activities/committees/studies/download.do?language=en&file=31351

What is the EU Visa Code?

The Visa Code is an EU Regulation adopted by the European Parliament and the Council (co-decision procedure) in June 2009, directed to the Consulates of States applying the common visa policy.

It is supposed to be applied as from 5 April 2010 by the states' consulates all over the world.

The EU Visa Code can be downloaded here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:243:0001:0058:EN:PDF>

For those of you attending the seminar session 'Barriers of Entry, Artists and Visas: Mobility of artists and cultural professionals' at WOMEX 2010, there's another report worthwhile reading:

B) Final report and recommendations to the Cultural Affairs Committee on improving the conditions to support the mobility of artists and culture professionals

During the last couple of years the EU Commission in collaboration with several arts organisations, mobility experts, etc., have looked into this very complex issue. The final report from the working group has a dedicated chapter on visa issues, and it recommends to the EU Commission and the EU member states that *"...the member states should promote close cooperation between culture and visa authorities at all levels especially within embassies on implementing Visa Code"*

The full report can be downloaded here:

http://ec.europa.eu/culture/key-documents/doc/MOC_final_report_en.pdf

'Visas / the discordant note'

At Freemuse we are indeed pleased to see that **'Visas / the discordant note'** presented at WOMEX 2008 in collaboration with ELMF and ECA is still used as a reference document.



The white paper is available from here: www.freemuse.org/sw30346.asp

I would once again like to thank those of you who contributed to this report.

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