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UNESCO's
1980 Recommendation
concerning

THE STATUS OF THE ARTIST

Promoting the professional,
social and economic
rights of artists

THE STATUS OF THE ARTIST



The cultural and creative industries are major drivers of social and economic development. The creative sector contributes significantly to the global economy, representing 3,1% of global GDP and 6,2% of all employment. **Developing and retaining creative talent** is at the core of this process and requires integrated policies and regulatory frameworks that ensure **decent working conditions, fair remuneration, and training opportunities** for artists and cultural professionals.

The 1980 Recommendation concerning the Status of the Artist calls upon all UNESCO Member States to improve the professional, social, and economic status of artists through the implementation of policies and measures related to training, social security, employment, income and tax conditions, mobility, and freedom of expression. It also recognizes the right of artists to be organized in trade unions or professional organisations that can represent and defend the interests of their members.

The Recommendation

was adopted by the UNESCO General Conference at its twenty-first session in 1980. At the time, the need to understand and strengthen the role of the “creative worker” was already recognized by Member States as well as the need to improve the status of such workers considering both the particular conditions of their profession and their contribution to development. Decades later, the Recommendation remains as relevant today as in 1980 considering the remaining challenges worldwide in the area of social and economic rights and the impact of digital technology on the work of artists.



The vigour and vitality of the arts depend, inter alia, on the well-being of artists both individually and collectively

The UNESCO 1980 Recommendation concerning the Status of the Artist

1980 Recommendation concerning the status of the artist: What does it mean?

‘Artist’ is taken to mean any person who creates or gives creative expression to, or recreates works of art, who consider their artistic creation to be an essential part of their life, who contributes in this way to the development of art and culture and who is or asks to be recognized as an artist, whether or not they are bound by any relations of employment or association.

‘Status’ signifies, on the one hand, the regard accorded to artists, defined as above, in a society, on the basis of the importance attributed to the part they are called upon to play therein and, on the other hand, recognition of the liberties and rights, including moral, economic and social rights, with particular reference to income and social security, which artists should enjoy.

SUPPORTING ARTISTS

To support artists, States, non-governmental organisations, the private sector, and other stakeholders can develop and implement policies, measures, and initiatives related to:



Training

Training includes formal and informal education opportunities, including technical and vocational education and training (TVET), as well as life-long learning opportunities. It is essential to ensure that training and education opportunities are available and accessible to stimulate artistic talent and inspire vocations, including infrastructures and resources to enable the teaching of particular artistic disciplines.



Developing national or regional art institutes; granting of fellowships or paid educational leave to help artists access educational opportunities; providing adequate learning facilities and infrastructures; providing funding for digital hubs, incubators, and clusters that equip young people with technical skills; creating vocational and technical training programmes.



Social security

Artists should enjoy the same legal, social, and economic rights as are conferred on a comparable group of the active population by national and international legislation in respect of employment and living and working conditions, and self-employed artists should enjoy, within reasonable limits, protection as regards income and social security.



Establishing social security programmes for or accessible to artists (pension, health, accident, parental leave, unemployment insurance etc.); aligning pension benefits and copyright income; making special provisions for freelance artists; establishing special legal advisory services for artists.



Employment

The International Labour Organisation (ILO) estimates that 30-50% of workers in Europe's creative sector are self-employed, rising to between 40-60% in developing countries. The high prevalence of freelancing, informal employment and irregular contracts across the creative workforce creates a constant lack of predictability and security for artists, who often fall outside of social and economic security nets and struggle to access established opportunities and traditional financing avenues.



Developing and implementing national legislations defining the status of the artist; ensuring the conditions of work and employment conform to standards defined by the International Labour Organisation (ILO); encouraging the formalisation of contracts for artistic services; eliminating precarious working conditions; undertaking advocacy campaigns for decent working conditions for artists.



Income and tax conditions

Member States are invited to take into consideration, when designing subsidy systems or tax regimes, the atypical nature of artistic activity and processes which often entail periods of intermittent employment and income instability due to informal or undocumented work arrangements, and to recognise the value of time that is taken to develop a creative practice or body of work during which an artist may not receive any income or struggle to access funding.



Universal basic income and/or minimum income scheme for artists; tax exemptions, including for public grants paid to artists or on creative income; tax-free and duty-free import/export of artistic equipment; income tax averaging measures to account for income fluctuations; remunerated residencies and fellowships to allow artists to develop their practice.



Mobility

The inward and outward mobility of artists leads to dynamic and enriching cultural exchanges which in turn foster creativity and increase representation of cultural goods, services and artists from developing countries in global markets. Yet, 50% of the world remains more difficult to access for 70% of the world's population [UNESCO Global Report *Reshaping Policies for Creativity* (2022)]. Member States and civil society are therefore called to implement initiatives to support the mobility of artists, especially from and within the Global South and to create opportunities for transnational cultural cooperation.



Simplifying visa procedures and lowering visa costs for artists and cultural professionals (especially those from developing countries); revising visa regulations to allow artists to engage in paid work in host countries; establishing international art residencies opportunities and supporting co-production agreements; creating mobility grants; setting up information services that provide structured knowledge on mobility opportunities and support for related administrative procedures.





Artistic freedom

Artistic freedom is the freedom to imagine, create and distribute diverse cultural expressions free of governmental censorship, political interference or the pressures of non-state actors. It includes the right of all citizens to have access to these works and participate in cultural life, and is a cornerstone for functioning democracies. Member States and civil society must ensure that artists are unequivocally accorded the protection provided for in this respect by international human-rights frameworks.



Establishing safe-haven programmes and relocation initiatives for artists at risk or in exile; providing legal assistance to defend and protect the rights of artists; developing synergies with media freedom advocacy communities to upscale the protection of artistic freedom on the international agenda; creating independent bodies to monitor violations to artistic freedom; setting-up international coordination networks for artists' protection in emergency contexts.



Gender equality

A multi-faceted gender gap persists across the cultural and creative sectors: women remain under-represented in positions of leadership, have less access to public funding and their work is far less visible and acknowledged than their male counterparts. For instance, representation of women remains low among recipients of national art prizes (32%), film awards (33%), conductor performances (8%), gaming work force (30%) [UNESCO Global Report *Reshaping Policies for Creativity* (2022)].



Implementing affirmative action measures to achieve gender parity, especially in leadership positions; establishing leadership or mentoring programmes for women, particularly in creative sub-sectors in which women are severely underrepresented; developing initiatives to support the participation and representation of women in cultural life, especially those belonging to vulnerable groups; monitoring gender equality by collecting gender-disaggregated data; eliminating precarious labour practices in the culture sector that are incompatible with domestic care responsibilities.



Digital environment

While the acceleration of the digitization of the creative value chain has provided new opportunities for artists, it has also led to significant challenges, related in particular to the risks affecting discoverability and the digital literacy gap, the protection of intellectual property and piracy, and the high prevalence of unsustainable remuneration models for creators. Furthermore, there is a growing trend of artists suffering online harassment, threats, and attacks.



Designing economic models that fairly remunerate creators online, implementing policies to support digital creativity, enterprises and markets; reinforcing digital literacy skills and competencies of artists; promoting artistic freedom and gender equality in the digital environment; increasing access to equipment and infrastructures required to produce, disseminate and access creative works online.

WHO DOES WHAT?

Recommendations are legal instruments in which the UNESCO General Conference formulates principles and norms for the international regulation of particular questions. Member States, civil society, artists, cultural professionals, the private sector and non-governmental organisations have a role to play in their implementation and monitoring around the world.



■ **UNESCO Secretariat:** The UNESCO Secretariat is responsible for monitoring the implementation of the 1980 Recommendation and other related normative instruments, such as the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. It is also responsible for advancing knowledge by undertaking ad hoc research and global quadrennial consultations on the implementation of the 1980 Recommendation; strengthening the capacities of governments and civil society by providing technical assistance and trainings; providing financial assistance for the implementation of projects through the *UNESCO-Aschberg Programme* and the *International Fund for Cultural Diversity*, and engaging in advocacy and awareness-raising initiatives.

The UNESCO-Aschberg programme for artists and cultural professionals provides concrete technical and financial assistance to government institutions and civil society organisations to revise or design regulatory and policy frameworks that strengthen artistic freedom, including the social and economic rights of the artist as well as preferential treatment measures to increase the mobility of artists and achieve a balanced flow of cultural goods and services.

■ **UNESCO Member States:** Member States are invited to take legislative or other steps to implement the principles outlined in the 1980 Recommendation within their respective territories, in conformity with the constitutional practice of each State. As such, the Recommendation should influence the development of national laws and practices regarding artists, both directly and indirectly. As the thematic areas of the 1980 Recommendation cover a range of policy issues that extend beyond the cultural sector such as labour, trade, welfare and education, mechanisms to support inter-ministerial dialogue and coordination that involve civil society, trade unions and professional associations are crucial to ensure that all stakeholders are engaged in a transversal approach to formulate effective policies. Member States are also invited to submit, every four years, a report on the implementation of the Recommendation within the framework of the global consultation carried out by UNESCO.

■ **Civil Society:** National and international non-governmental organisations dispose of a breadth and depth of expertise in advocacy, conducting research, and funding initiatives aiming to promote the social, legal, and moral rights of artists. As independent bodies, NGOs and INGOs play a crucial role in evaluating the efficacy of policies and measures put in place by public bodies which contributes to the identification of priority areas of action and the formulation of evidence-based policies. Such organisations also often fill the gaps where public funding and support are scarce and engage with the public to raise greater awareness of the contributions of artists to society.

■ **Artists and cultural professionals:** As the creators and disseminators of contemporary cultural expressions, artists and cultural professionals are at the very heart of the cultural fabric of society, yet they often remain conspicuously absent in policy discourses. The creative community is encouraged to come together, notably by joining trade unions and professional associations, to strengthen its capacity for collective mobilisation and bargaining power to advocate for the rights of artists. Creative workers are also encouraged to engage in knowledge and experience sharing among their peers to ensure greater transmission of skills and information.

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Imagine what the world would miss if there were no artists, actors, musicians, or painters... How can we shape new narratives, explore new ideas and discover new perspectives if those who dare to express themselves differently are suppressed? Without the freedom to create, we cannot ensure that diverse expressions are heard, seen, enjoyed and appreciated by all.

Irene Khan, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (2022 Global Report)

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Diversity of
Cultural Expressions