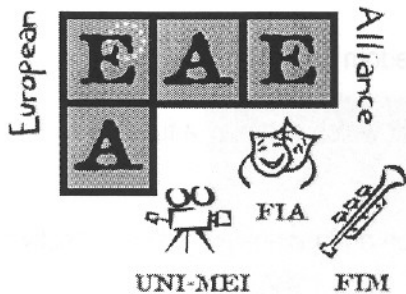


Arts and Entertainment



PEARLE™

*Performing Arts
Employers Associations
League Europe*

CONFERENCE "TOWARDS ENLARGEMENT OF THE EUROPEAN SOCIAL DIALOGUE IN THE PERFORMING ARTS SECTOR", TALLINN, 16 - 18 APRIL 2004

DECLARATION

1. Conference believes:

The performing arts are central to the identity of the European Union and to the cultural and economic health of its member states;

The social partners within the sector have a shared interest in cultural benefits throughout the European Union;

They are equally committed to ensuring the continuing vitality and quality of the performing arts;

Effective social dialogue within the European Union is particularly important in such areas as free movement and equitable treatment of labour, equality and social inclusion, taxation, health and safety at work, working time and technical training, and aspects of intellectual property rights.

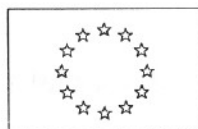
In this context the conference expressed its concerns over the possible impact on social dialogue at national level of certain provisions in the draft EU directive on services in the internal market.

Effective dialogue at the European level requires that individual member states should also have in place mechanisms and practices, which conduce to effective collective bargaining and social dialogue at national level.

2. In this context, Conference draws attention to the necessary conditions for effective bilateral dialogue between the social partners at national level:

Each of the partners must be assured of freedom of association;

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Such association must be both voluntary and genuinely representative;

Each of the partners must be allowed, and encouraged to pursue freedom of negotiation;

Each of the partners must be capable of constituting a bargaining unit, which can play a full and effective role in collective bargaining on behalf of those it represents;

There must be formal systems for ratifying the outcomes of negotiation and for ensuring their collective implementation;

Both partners must be willing and empowered to come together for the purpose of tripartite discussion and negotiation with government over all relevant issues of public policy.

3. Conference notes that, within the performing arts, these conditions are not yet satisfied in some member states of the enlarged European Union.

4. In order to encourage progress in this regard, Conference calls on the European Union:

To affirm its commitment to the development of effective social dialogue in the performing arts at both European and national levels;

To encourage all member states within the enlarged Union to take whatever action may be necessary to facilitate the fulfilment at national level of the necessary conditions for effective collective bargaining and social dialogue in the performing arts;

In particular to assist in establishing independent bodies representing each of the social partners;

To encourage such bodies to contribute to the social dialogue at the European level through the currently recognised channels of EAEA and PEARLE*;

To provide financial and other support to enable persons representing the social partners in accession states to learn from the experience, procedures and practice of the social partners in current member states;

Encourage all member states to ensure that their national legislation is consistent with the UNESCO recommendation on the status of the artist.

5. Conference considers this event a successful step towards the integration of social partners from accession countries into the EU committee for social dialogue in the live performance sector and states that

The social partners should continue to focus their work on social policy issues.

The European Commission should consult this social dialogue committee on all EU legislative initiatives in the field of employment, social policy and culture.

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