

# REQUEST FOR CONTRIBUTIONS FOR THE INFORMATION SESSION ON THE IMPACT OF THE COVID-19 PANDEMIC ON THE COPYRIGHT ECOSYSTEM

## INTRODUCTION

During the upcoming 42<sup>nd</sup> Session of the Standing Committee on Copyright and Related Rights (SCCR), an Information Session on the Impact of the Covid-19 Pandemic on the Copyright Ecosystem will take place. In order to provide a clear overview of the “impact on the cultural, creative and educational ecosystem, including copyright, related rights, and limitations and exceptions”, the Secretariat kindly invites Member States and Observers to share existing examples of situations that arose and actions that were taken and/or interventions that were made during the Covid-19 pandemic with respect to the industries or institutions that are being considered in the Information Session. We ask you to describe these situations or actions by providing the information requested below. If you are able to give us some elements of your response before March 15, it could help our researchers who are preparing the overview. In addition, all contributions received by the eve of the Information Session will be uploaded (with your permission) onto the WIPO web site.

Please send this form by email to the following address: [copyright.mail@wipo.int](mailto:copyright.mail@wipo.int) with the subject: “Information Session”.

## INFORMATION REQUEST

1. Full name of the entity or individual submitting the response.  
Ministry of Culture, Czech Republic

2. Contact person with email address and telephone number for questions or clarifications about the submission.  
Adéla Faladová, [adela.faladova@mkcr.cz](mailto:adela.faladova@mkcr.cz) ; +420 257 085 322

3. Would you accept having your response made public (e.g. posted on the WIPO website)?

Yes

No

4. Do you accept having the information contained in your responses mentioned in studies and presentations for the Information Session?

Yes

No

5. **Brief** description of example, measures or interventions that took place (up to 200 words).

*(Explanation: Please briefly explain the situation and why it is of interest for the Information Session. Examples could include policies put in place or other measures aimed at increasing the resilience of an industry or institution, or to assist the people they serve.)*

The Ministry of Culture of the Czech Republic has taken a number of measures in the form of subsidy programs. For example, one-off financial support was provided for artistic and artistic-

technical professions (for the self-employed) in the fields of music, theatre, dance, fine arts or literature. In addition, compensation was provided for eligible expenses incurred in vain for canceled events, for entities continuously active in culture (festivals, music clubs, theatres). In addition, support was provided to audiovisual businesses (staff professions, creative film professions and performers, cinema operators, distribution and production companies). Subsidy programs were also supported by subjects in the field of live performing arts (organizing and providing music, drama, dance and theatre programs) and were intended for individual artists, selected entrepreneurs, self-employed persons and non-profit organizations. In the field of cultural heritage, support was provided to operators of publicly accessible cultural monuments (castles, chateaux, church monuments, open-air museums) and owners and administrators of museum collections and administrators of collections and mobile funds to present cultural heritage. A "Sustainability Program for Museums Established by Non-State Entities" was launched to support losses in museums and galleries, the aim of which was to cover losses from the organization's demonstrably incurred costs for cancelled, limited and suspended projects as a result of government measures to minimize the impact of the 2020 pandemic or demonstrably associated with the difficult return or export of collection items caused by the closure of the borders of the Czech Republic. In 2021, museums and galleries were supported through a new, also exceptionally announced subsidy program "Sustainability Program for Museums II.". The months in which operations in these entities were made impossible or significantly limited in 2020 in direct connection with extraordinary government measures in the Czech Republic were decisive for the granting of the subsidy. An extraordinary scholarship program was announced twice for the craftsmen awarded the title Holder of Folk Crafts Traditions, which made it possible to maintain their production in the event of a loss of sales opportunities.

Under the "Rescue Package" program, the year-round activities of continuously active institutions without a founder (including self-employed persons), which were affected by the loss of planned income, were co-financed through subsidies.

Through subsidies and compensatory measures of other ministries, measures were taken to postpone or waive mandatory payments (levies, taxes, loan repayments, rents, tax refunds, nursing allowances for the self-employed, etc.), SMEs had the opportunity to apply for soft loans; vouchers for future cultural events, etc. were introduced.

6. Territory where it took place (continent, country, and city or region).  
Europe, Czech Republic

7. Relevant sector or sectors.  
Audiovisual including cinema, Music, Visual Arts  
Performing Arts, Publishing, Museums, Libraries, Galleries

7.1 Additional observation or sector not listed above:  
*None*

8. Please provide the key lessons from this example.

The pandemic crisis has exposed the weaknesses of the cultural sector in relation to creators and performers. The cultural sector is characterized by the following attributes: predominant share of the self-employed persons, fragmentation of the cultural scene and low level of collective organization, high rate of part-time work, insufficient social protection of cultural workers, dependence on state financial support and grant funding, weak bargaining position of cultural

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workers in relationship with the contracting counterparties, complex models of remuneration depending on the extent of use of works and artistic performances protected by copyright and related rights, etc.

The most affected group of the cultural sector are independent artists and performers, whose activities consist of individual art projects in which they participate, which brings a number of uncertainties. The definition of an artist (definition of the so-called “status of the artist”) in the form of a legislative norm could, in the future, avoid many of the problems that have arisen in connection with the pandemic crisis in this area. The status of the artist should provide a certain guarantee of social and economic security, including the possibility of collective bargaining of the self-employed, and prevent precarious work in this area.

In comparison of cultural entities in terms of legal personality, business entities and non-governmental non-profit entities were most affected. The established cultural entities were less affected by the pandemic crisis. In terms of activity, the entities operating in the field of live art and production were most affected. These entities indicate higher declines in revenues and income during the covid crisis. As a result, they were forced to end their cooperation or lay off their employees to a much greater extent than cultural entities set up by the public administration. In 2021, two research projects were launched to map the impact of covid-19 on public cultural services. The aim of the projects is to identify the limitations of cultural and social life within the impacts of covid-19, to evaluate the attitudes of the operators of cultural facilities and the attitudes of the main representatives of public administration.

9. Please provide links to relevant documents or other sources that could provide further information about this example.

Zahrádka, Pavel (ed.), *Dopad epidemie nemoci COVID-19 na distribuci, prezentaci a monetizaci kulturního obsahu: hudba, film a divadlo*, 2022; available (in Czech only) at z <https://www.divadlo.cz/wp-content/uploads/2022/03/DOPAD-EPIDEMIE-NEMOCI-COVID-19-na-KKP.pdf>

10. Please provide any additional comment you might have.

*None*

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