Twitter Thread by Tony Connelly

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Here are some observations from the EU side on the touring issue facing musicians

2/ The European Commission offered the UK a standard mobility clause in its draft legal text back in March last year that would cover musicians, sportspersons etc... It's on page 354 of the EU's opening text ahead of the negotiations https://t.co/mBHyBnLqt4

3/ Under a standard mobility clause, acc to one official, EU member states can ask for visas for certain people coming to carry out paid activity. However, there's a list of exemptions for people who don't need visas:

4/ This list includes those "travelling for the purpose of business deliberations..., sportspersons or artists [including musicians] performing an activity on an ad-hoc basis, journalists sent by the media of their country of residence, and intra-corporate trainees."

5/ In other words, under a standard mobility provision, musicians, journalists, sports people and business people who travel to discuss contracts etc do not need visas. Officials say this is the standard EU arrangement for third countries, eg the US.

6/ However, according to officials, the UK rejected this opening offer in March, emphasising ending free movement of people.

7/ Then in Sept/Oct the UK brought up the issue of musicians in the services part of the negotiations, in particular the negotiations around Mode 4

8/ Mode 4 is a WTO term which refers to the issue pf people crossing borders to provide a service, but not seeking access to the job market, citizenship, residence or employment on a permanent basis

9/ The European Commission argued that that was not the proper mechanism for musicians, sportspersons, artists, journalists etc. Mode 4 is normally for very specific business professionals, managers, intercorporate transferees etc

10/ Secondly, acc to an official, Mode 4 is "visa neutral", meaning it would not address the visa question. That would remain outstanding unless it was addressed through the "mobility" negotiations

11/ Thirdly, the EU says the UK offered 30 days under Mode 4 which was what they were offering the rest of the world anyway. "What's the incentive for us to sign up to this if that's what you're offering anyway, because it doesn't solve the issue of visas," says source

12/ As a result, UK musicians, artists, sportsperons, journalists will have to check with each member state on their visa situation. "Will member states really ask for visas for British musicians? Probably not. France said they won't," says source

13/ One other hassle facing musicians is the tour bus. Under the EU UK TCA "cabotage", the ability for a truck/tourbus to travel in the EU is limited to two stops

14/ As @SamuelMarcLowe has written for @CER_EU "Under the cabotage rules of the TCA, British-owned transport companies can only make two drop offs in the EU before having to return to the UK. This massively constrains their ability to accommodate multi-country tours in Europe."

15/ That problem can only be resolved if musicians used EU operators

@OfficialSting @radiohead @NickyBenedetti @eltonofficial

16/ Any trade gurus out there are welcome to shine a light on the Mode 4 stuff.

Will update thread with UK response...

Response by UK govt spokesperson: “We absolutely agree that musicians should be able to work across Europe. The UK Government put forward a proposal, based on feedback from the music sector, that would have allowed musicians to tour - but the EU repeatedly rejected this.

18/ “The EU's offer in the negotiations would not have worked for touring musicians: it did not deal with work permits at all, and would not have allowed support staff to tour with artists.

19/ “The signatories of this letter should be asking the EU why they rejected the sensible UK proposal.
"We will continue to listen to the needs of the UK music sector, and are hosting a roundtable today. If the EU will reconsider its stance our door remains open."

20/ It’s understood the UK Culture Secretary will host a roundtable discussion with representatives from the music sector today to discuss ways the government can support the sector moving forwards.

21/ A UK source says EU draft text was non-binding, did not include touring or technical staff, and did not address work permits, nor was it consistent with the UK’s manifesto commitment to “take back control of our borders.”

22/ Source says UK approach wd have allowed musicians to perform in the UK & EU more easily without needing work-permits and wd have delivered an outcome that is closer to the UK’s approach to incoming musicians, artists and entertainers. “These proposals were rejected by the EU”

23/ Source says in an FTA “mobility arrangements are addressed through Mode 4 provisions. There was no agreement on the need for additional mobility provisions outside of this.”

24/ Source adds the Permitted Paid Engagement visitor route allows an artist, entertainer, or musician to carry out an activity directly relating to their profession, where they have been invited by a creative organisation, agent or broadcaster based in the UK for up to one month

25/ “Whilst there is no limit on the number of engagements, the visitor must have a main ‘sponsor’ organisation that issues the invitation.”