

23 recommendations in the Racine Report

Responding to the demand for a specific status by defining the profession of artists-authors

- **Recommendation n°1:** Take into account criteria of professional status to allow authors to benefit from an assumption of over-contribution by the social action commissions of social security organisations responsible for creators and visual artists [and so allow them to access benefits], when they do not meet the condition of income and they request it.

- **Recommendation n°2:** Simplify and make more flexible the harmonisation mechanisms to take into account the income received by artist-authors (calculation of contributions and taxes) and allow them to spread out their payments.

- **Recommendation No. 3:** Extend the scope of ancillary activities and increase the annual number of permitted activities as well as the associated income ceiling, in order to better take into account the author's activities.

- **Recommendation No. 4:** Extend the right to vote in professional elections [i.e. for trade unions – who then support the management of the social security system)] to all artists-authors who meet the income requirement (the equivalent of 900 hours worked at the hourly minimum wage)¹ in at least one of the past four years; subsequently, provide for arrangements to allow for the participation in elections of artists-authors who do not meet the income requirement but who may be regarded as professionals on the basis of objective criteria, when they so request.

Strengthening artists-authors collectively

- **Recommendation No. 5:** Organise professional elections in each sector of artistic creation as soon as possible in order to provide artist-authors with representative organisations, funded by collective management organisations.

- **Recommendation No. 6:** Generalise sectoral mediation bodies and strengthen their role by enabling them to intervene to resolve individual disputes between artists-authors and downstream stakeholders (publishers, producers, broadcasters).

- **Recommendation No. 7:** Create a National Council composed of representatives of artists-authors, collective management bodies and representatives of producers, publishers and broadcasters, responsible for formulating proposals and conducting collective negotiations on any subject concerning the status of artists-authors and their relations with the operators of works.

- **Recommendation No. 8:** Strengthen the representation of authors within the Higher Council for Literary and Artistic Property (CSPLA)² and extend its missions to the study of the status of artist-authors.

- **Recommendation No. 9:** Create a delegation for authors at the Ministry of Culture as a single entry point, responsible for coordinating the policy of artists-authors of the Ministry of Culture and its public establishments, piloting territorial consultation led by the DRACs³, preparing reforms concerning artists-authors and providing the secretariat of the National Council of Artists-Authors.

¹ This is based on the current French system.

² CSPLA = Conseil Supérieur de la Propriété Littéraire et Artistique

³ DRAC = Direction régionale des affaires culturelles/Regional Directorates for Cultural Affairs.

- **Recommendation No. 10:** Organise consultation and collective bargaining with a view to achieving, by the end of 2021: the determination of a reference rate of proportional remuneration for authors by sector, the establishment of greater transparency on the results of the exploitation of their works, first and foremost in terms of sales monitoring, the introduction into the Intellectual Property Code [law] of a commission contract remunerating the working time related to creative activity through copyright, the dissemination of good professional practices, in the sense of a better balance in relations between artists-authors and the valuing of creation, as well as the encouragement of diversity in creativity.

- **Recommendation No. 11:** Create an observatory within the National Council of Artist-Authors in order to implement a refined and reliable statistical and qualitative monitoring.

Supporting individual artist-authors

- **Recommendation No. 12:** Increase the share of public subsidies allocated to culture for artists-authors.

- **Recommendation n°13:** Clarify article L. 324-17 of the IP Code⁴ by providing for a minimum share of credits for cultural artistic action to be used by CMOs in direct support of authors.

- **Recommendation No. 14:** Facilitate access to the rules applicable to artist-authors by creating an information portal managed by the Ministry of Culture in conjunction with the Social Security Department and the Ministry of the Economy and Finance.

- **Recommendation No. 15:** Ensure that all social security bodies are aware of the rules applicable to artist-authors and have a resource person identified as a contact point.

- **Recommendation n°16:** Generalize without delay the right to be paid for the exhibition or reading of works in all temporary exhibitions in public institutions.

- **Recommendation n°17:** Establish in partnership with the National Book Centre⁵ and French Society for the Interests of Writers⁶ a remuneration for authors of comic strips and children's literature, in the context of their participation in fairs and festivals.

- **Recommendation n°18:** To make the allocation of public aid conditional on the respect of rules and good practices relating to artist-authors.

- **Recommendation No. 19:** Identify the factors of inequality among artists, according to the social or geographical origin or gender, and introduce appropriate measures to counteract their effects.

- **Recommendation No. 20:** Ensure that students in arts education institutions receive training in the legal, administrative and commercial aspects of their future careers.

- **Recommendation No. 21:** Make provision for aid schemes likely to support artists/authors in the long term and, in particular, study, in sectors where this would be relevant, the possibility of setting up a system comparable to the commissioners in the Scandinavian countries.

- **Recommendation No. 22:** Strengthen and multiply international exchange programmes for the benefit of artist-authors, art critics, exhibition curators and curators.

⁴ Intellectual Property Code

⁵ Centre National du Livre

⁶ SOFIA: Société Française des Intérêts des Auteurs de l'Écrit

- **Recommendation No. 23:** Organise an event or series of exhibitions on a national scale around contemporary creativity aimed in particular at showing its vitality and territorial diversity.