

PRECAR IOUS *for* BEGI NNERS

**art, labour
and
how to act
for better
conditions**

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INTROD

Why this publication?

Being precarious as an independent artist and cultural worker has become an everyday and constant talk in all circles of society, especially in contemporary art and culture.

Also, being burned out. Because, in reality, we are burned out.

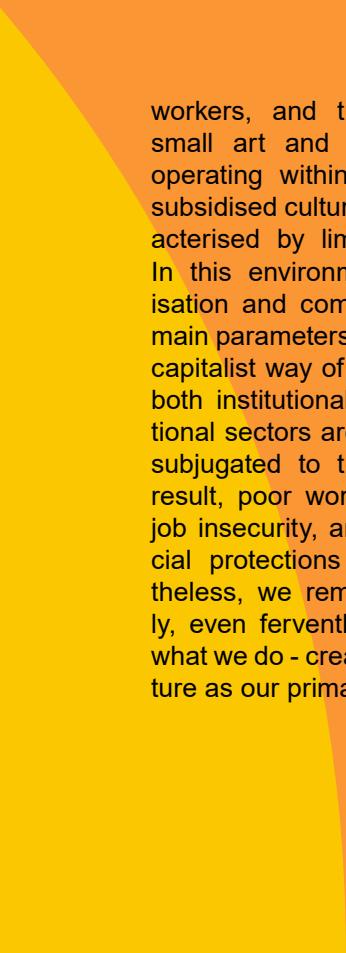
We are constantly under pressure, juggling multiple jobs at once, moving from one project to another, with no fixed working hours, often short on time to meet deadlines, and often relying on unpaid help from friends. Most of us lack access to basic protections such as sick leave, maternity leave, unemployment benefits,

social security, health insurance, or a stable income. There are no collective agreements or trade unions to safeguard our rights.

In market-driven societies and under outdated cultural policies that fail to address the needs of artists and cultural workers, many are forced to work on a contractual basis. Unable to establish formal employment relations or protect their labour rights, these artists and cultural workers often find themselves without a regular monthly income, which makes it difficult to meet the basic standard of living.

This publication refers to all non-institutional artists, cultural

UCTION



workers, and those managing small art and cultural entities operating within the sphere of subsidised culture, which is characterised by limited resources. In this environment, individualisation and competition are the main parameters of the dominant capitalist way of production, and both institutional and no-institutional sectors are immersed and subjugated to that logic. As a result, poor working conditions, job insecurity, and a lack of social protections prevail. Nevertheless, we remain passionately, even fervently, committed to what we do - creating art and culture as our primary drive and the

sole path toward a forward-thinking, emancipatory, contemporary, and inclusive society. Freelancers aim to uphold values and missions that are grand, noble, and deeply humanistic: to support a society on the verge of an ecological catastrophe, to engage with and assist migratory movements, and to resist dehumanisation, capitalist exploitation, and state violence but often on the account of self-precariation, self-exploitation and exploitation of colleagues, friends and collaborators... Isabell Loray would say that it is our self-realisation fantasies that force us to bear the brunt. Or "Perhaps

those who work creatively, these precarious cultural producers by design, are subjects that can be exploited so easily because they seem to bear their living and working conditions eternally due to the belief in their own freedom and autonomy, due to self-realisation fantasies”¹.

We are two friends and collaborators from Skopje. Like many others, we are tired of constantly having to prove ourselves and our work, despite our strong professional background and experience in the cultural field shown through our many projects, research and collaborations. **Violeta** is a cultural manager, producer and researcher in culture, working as a consultant in policy development, financial manager, graphic designer, DJ and social media content creator; and **Ivana** is a curator, art historian, producer, writer, occasional PR and financial coordinator... This publication, our latest joint effort, arises from a desire to summarise and share our personal experiences and challenges in advocacy work, which we have undertaken in collaboration with other artists and cultural

workers. Over the past decade, although this work has been ongoing, it has been carried out in a fragmented manner, as part of various initiatives, projects, advocacy campaigns, protests, and consulting processes aimed at developing cultural policies.

Thus, this publication provides a personal perspective on the context of being an independent artist and cultural worker, the regulations governing working conditions, and the models of struggle, as well as suggestions to improve them. Furthermore, we aim to leave behind practical guidelines and a testimony for future generations of artists and cultural workers. This will help them better understand the conditions that shape their reality, enabling them to better position themselves or continue the struggle by building on the experience already gained in the field.

We believe in the public and emancipatory character of art, asserting that it should genuinely serve broader public interests and remain socially relevant, rather than merely representing and reinforcing dominant power structures and private interests.

¹ https://transversal.at/transversal/1106/lorey/en#_ftn16



SEVERAL HISTORICAL FACTS ABOUT THE POSITION OF THE *Artist* *(as cultural worker)*

In 1980, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) issued the “Recommendation concerning the Status of the Artist”, according to which artists should be recognised as cultural workers and, therefore, entitled to the same legal, social, and economic benefits as other workers. Although this recommendation is non-binding, it remains the key standard for defining the status of artists.

In 1982, the Socialist Federative Republic of Macedonia, as part of the Yugoslav Feder-

ation, introduced the “Law on Freelance Artists.” This law implemented liberalisation policies for freelance artists, who earn income from their individual work while having the same civil and economic position, rights and obligations as workers in the Basic Organisation of Associated Labour (BOAL)². Under this law, freelance artists could use public resources for their work and were eligible to apply for benefits covering health, pension, and disability insurance through the Republic’s cultural community.

The same regulations contin-



ued to apply after the dissolution of the Yugoslav Federation in the independent Republic of Macedonia. However, the “Law on Freelance Artists” was replaced in 2000 by a Book of Rules, which established a system for awarding monthly benefits from the state budget for contributions to health, pension, and disability insurance, as well as personal income tax. Ever since, the Book of Rules has been amended several times to remain the sole regulation recognising the labour rights of freelance artists. Despite the updates, challenges persist, such as the need to expand the list of artistic professions, include cultural workers in the benefits system, improve selection criteria, address annual renewal requirements, and integrate net salaries into the benefits system. In 2024, only 172 freelance artists use this benefits system, which falls short of meeting the needs of the broader sector.

2 The Basic Organisation of Associated Labour (BOAL) was the smallest unit of the enterprise which constituted a political and economic entity. Each of these smaller enterprise units was equipped with its own set of self-management bodies and joined the larger collective voluntarily, based on a self-management contract and a delegation in the central workers' council. The Yugoslav self-managing enterprise in late socialism was a 'work organisation' – an association of BOAL's enjoying full legal and political sovereignty.

<https://www.tandfonline.com/doi/full/10.1080/0023656X.2017.1244331>

structure of the publication

This publication looks into the labour rights of independent artists and cultural workers as well as the efforts to improve their conditions. It explores these issues within the broader context of the country's cultural policies that shape the overall working conditions in the non-institutional cultural sector.

The publication is structured into three chapters:

Chapter 1: Glossary and Foundational Context

This chapter provides a foundation for understanding the challenges faced by artists and cultural workers in North Macedonia. It includes key terms, definitions, and an overview of the historical evolution of cultural policies that have shaped the current landscape. By exploring the legal and institutional frameworks governing the cultural sector, this chapter equips readers with essential context for understanding the issues discussed in later chapters.

Chapter 2: Politics of Struggle: Moving the Boundaries (The Work Done)

This chapter explores the political and social struggles that have influenced the fight for better conditions in the non-institutional cultural sector. It highlights the collective efforts of artists and cultural workers in North Macedonia to address systemic issues and improve their status. Through an analysis of advocacy initiatives, the chapter discusses both the success and the ongoing challenges in the quest for recognition and fair treatment.

Chapter 3: Taking actions for a better future

Building on the historical and political context provided earlier, this chapter focuses on practical strategies for artists and cultural workers to navigate precarious conditions. It presents examples and proposals, from unionisation efforts to individual survival tactics, which have been effective in North Macedonia and beyond. The chapter offers actionable advice for advocating for better working conditions and facing the challenges of freelance work.



Chapter 1 **GLOSSARY AND FOUNDATIONAL CONTEXT**

1.1

Law on Culture

This law regulates the exercising of public interest in culture in the Republic of North Macedonia, the entities that exercise public interest in culture, the establishment, management and governance of the institutions in the field of culture, the mechanisms and conditions for funding the public interest in culture, the supervision of the implementation of this Law, as well as other issues of interest for the exercising of the public interest in culture³.

All the definitions and provisions mentioned in this publication, which regulate the field of culture on a national level, are taken from the *2023 Draft Law on Culture*. We are using this document as the most updated

draft regulation that refers to the current conditions in the field of culture, resulting from a seven-year-long process of preparation including the participation of institutional and non-institutional cultural actors⁴.

The first Law on Culture in the Republic of Macedonia was adopted in 1998. Since then, the law has been amended 16 times⁵, primarily to align it with other systemic laws, which influenced the loss of clarity and efficiency of the concept of national interest in culture.

The National Strategy for the Development of Culture in the Republic of Macedonia 2018-2022 raised the need for a new law on culture. The new Draft Law on Exercising the Public Interest in Culture was published in the Unique National Electron-

³ Ministry of Culture of the Republic of North Macedonia, Draft Law on Culture, (27.06.2023) published on the Unique National Electronic Register of Regulations of the Republic of North Macedonia (ENER), Chapter one, Basic Provisions, Subject of regulation, Article 1, page 1, https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=79453

⁴ The names of the representatives of the cultural sector who participated as consultants in the creation of the law were not publicly announced.

⁵ Last amended in 2018, The Official Gazette of the Republic of Macedonia, no. 11 dated 18.01.2018

ic Register of Regulations of the Republic of North Macedonia (ENER) in June 2018, and up for public debate. After that, the Ministry of Culture suspended all further steps in the implementation procedure. Due to the disastrous results in the support given to the non-institutional sector within the Ministry's annual programme in 2019, a self-organised initiative: "Culture is the headline of every society"⁶, protested against the mistreatment of the sector, asking for revision of the results and urgent adoption of the Draft Law on Public Interest in Culture. By September 2019, the updated version of the draft law was ready and was approved by the Government. The snap elections in 2020 confirmed the ruling position of the previous political structure, and even though the draft law reached Parliament, it wasn't passed. The proposal was put on hold until 2023, when the Ministry of Culture decided to

reopen the process. The revised Draft Law on Culture re-entered the Unique National Electronic Register of Regulations, followed by a public debate. The Government adopted the draft law in December 2023. **Yet, to date, it has not been put up for vote in the Parliament, and we are still using the amended version of the 1998 Law on Culture.**

Both proposals, the one dated 2019 and the one dated 2023, addressed the requirements for more substantial and conceptual changes in the normative regulation of the broader interest in culture, providing a legal basis for better conditions for artistic creation and work in all fields of culture.

The notion of "public" interest in culture as a substitution for the hitherto used term "national" was introduced. The text was released from the rigid definitions and provi-

⁶ A public proclamation, signed by 84 representatives of the non-institutional cultural sector, including individuals and organizations, demands the following: an official meeting with government officials and representatives of the Ministry of Culture, a transparent review of the results from the Ministry of Culture's 2019 annual calls, the establishment of new evaluation criteria, an increased budget for cultural and artistic programs, and the finalization and implementation of the Draft Law on Public Interest in Culture.

<https://www.facebook.com/notes/3376102265790454/>

<https://www.facebook.com/notes/982353512234059/>

sions of art and cultural practices, to open the understanding of culture as an individual artistic and institutional cultural field. It also included and thus promoted terms such as mixed institution, decentralisation in culture and three years of funding in addition to the annual project-based support.

It is worth noting that this new text of the Law is liberal and market-oriented, created under the banners of individualisation and competition and thus, pushing the position of artists as entrepreneurs instead of artists being public figures that invest their work for wider public interest. But in this rigid capitalist framework, aiming and wanting a complete change of the socio-political context in the long-run, the urgent and short-term mechanisms were to improve the current law as much as possible and make it more accessible and suiting the current needs of the cultural sector.

(1) The institution, according to its founder, can be a public institution (national or local), mixed or private institution...

(3) A **mixed institution** can be founded by the Republic with assets owned by the state, by the municipality or the City of Skopje with assets owned by the municipality, i.e. the City of Skopje, and by domestic and foreign legal and natural persons with assets in private ownership, in accordance with the Law on Institutions⁷.

Including the ‘mixed’ institution in law opens new possibilities where the state initially enters as a co-founder with a private person or entity. A hybrid (mixed) institution based on public-civil partnership is possible on a local level under the Municipal Statute and the Law on Concessions and Public-Private Partnership.⁸

⁷ Ministry of Culture of the Republic of North Macedonia, Draft Law on Culture, (27.06.2023) published on the Unique National Electronic Register of Regulations of the Republic of North Macedonia (ENER), Chapter one, BASIC PROVISIONS, Subject of regulation, Article 18, page 7

The Government of the Republic of North Macedonia, at the proposal of the Minister of Culture and after prior consent of the local self-government unit, may, by decision, transfer the founding rights of a national institution to the local self-government unit where the institution's headquarters is located, on the basis of which it acquires the status of a local institution. The decision is based on a report which contains real indicators to justify the transfer of the founding rights of the institution and the financial capacities of the local self-government unit for sustainable funding of the institution's activity.⁹

Decentralisation in culture extends the possibilities of cultural practices in the local communities and supports open institutions and cultural democratisation. The provisions that sup-

port decentralisation in culture enable more cultural spaces to be run by local governments. Witnessing the interest in partnerships between the local governments and the representatives of the non-institutional culture, more infrastructure governed by the municipalities should lead to new working opportunities for the sector and the creation of better cultural content in the local communities closer to the citizens.

(I) The Minister of Culture, based on an open call, signs a *three-year agreement on funding programmes*, i.e. projects of private institutions, associations and foundations, and other legal entities whose founder is not the Republic of North Macedonia, i.e. local self-government units, i.e. those not established with public funds.¹⁰

8 A successful example is the Socio-Cultural Center Jadro, a public cultural institution based on public-civil partnership
<https://centarjadro.mk/>

9 Ministry of Culture of the Republic of North Macedonia, Draft Law on Culture, (27.06.2023) published on the Unique National Electronic Register of Regulations of the Republic of North Macedonia (ENER), Transfer of founding rights, Decision on transfer of founding rights to an institution, Article 40, page 17

10 Ibid, Open call on funding programmes, i.e. projects for a period of three years, Article 60, page 27

1.2

National Strategy for the Development of Culture

The National Strategy for the Development of Culture in the Republic of North Macedonia is the principal strategic document in the field of culture, both regarding the work of the Ministry of Culture and regarding other entities operating in the field of culture.

In 2023, the Ministry of Culture launched a process for the creation of a National Strategy for the Development of Culture in the Republic of North Macedonia 2023-2027¹¹. The process included some of the key actors¹² from

11 Since the country's independence in 1991, culture has been governed by the 1998 Law on Culture. In 2004, an important document called the National Programme for Culture 2004-2008 was introduced. This programme was followed by two national strategies including the National Strategy for the Development of Culture in North Macedonia 2013-2017 and the National Strategy for the Development of Culture in North Macedonia 2018-2022 <https://dejure.mk/zakon/nacionalna-programa-za-kulturata-za-periodot-od-2004-do-2008-godina> <https://kultura.gov.mk/nacionalna-strategija-za-razvoj-na-kultura/>

12 Katerina Pejkova (Ministry of Culture), Slavica Babamova (Archaeological Museum), Konstantin Dimitrovski (Conservation Center Skopje), Maja Veljkovikj-Panovska (Drama Theatre), Nesrin Tair (Turkish Theatre), Robert Alagjozovski (National Coordinator for interculturalism, one society, cultural development and inter-ministerial cooperation in the Government of the Republic of North Macedonia), Biljana Rajchinova-Nikolova (Institute of Macedonian Literature), Dita Starova Qerimi (National Gallery) and representatives from the non-institutional culture sector Biljana Tanurovska-Kjulavkovski, Violeta Kachakova, Filip Jovanovski, including Jane Vrteski as strategic consultant.

the institutional and non-institutional cultural sector to develop a Draft Strategy Proposal.¹³

The document reflects the current situation and conditions in the field of culture and proposes strategic goals, measures, actions and indicators related to the needs of the institutional, non-institutional and creative industries sectors.

The proposed strategy is aligned with the 2023 proposal for the law on culture and considers the functional review of the previous cultural strategy. The

functional review done by international consultants was part of a project proposing reforms to strengthen the effectiveness and efficiency of the administration in culture for professional development and performance improvement in the sector.¹⁴

Once again, same as the proposal on the law on culture, the proposal on the national strategy for culture, adopted by the Government in December 2023, has not been passed in Parliament to date.

¹³ Draft national strategy for the Development of Culture with an action plan (2023-2027), (13.07.2023), published on the Unique National Electronic Register of Regulations of the Republic of North Macedonia (ENER) <https://ener.gov.mk/Default.aspx?item=newdocumentdetails&detailId=62>

¹⁴ Towards aligning with the EU rules and standards, as part of North Macedonia's accession negotiations, the EU provided analytical and advisory support to the Ministry of Culture, the Direction for the Protection of Cultural Heritage and the Film Agency through the project "Technical assistance to the Ministry of Culture and the selected specialised bodies for carrying out a functional review of the institutions" (April, 2021-May, 2022). The project aimed to propose reform options for strengthening the effectiveness and efficiency of the administration in culture for professional development and performance improvement in the sector. Output A2 from the project implementation presented a "Report on assessment of the policy strategy formulation process and recommendations".

1.3 Entities in Culture

“The entities exercising public interest in culture are authors, artists, cultural workers, freelance artists, associations and foundations in the field of culture, institutions in the field of culture and legal entities that work and have activities in the field of culture“¹⁵

Even though both sectors have equal positions, according to the law, as entities that exercise the public interest in culture, the conditions in which they work are far different and in favour of the institutional sector. The one thing that both sectors share is the non-existent art market and regulations that stimulate private investments in culture which can go in favour of the stimulation of different mechanisms of the public character of art.

institutional cultural sector

Represented by the national and local cultural institutions.

The sector is financially supported by the national and local governments, which cover their infrastructural, running, operational, programme and personnel costs.

The sector's participation in European projects is insufficient, although they are encouraged to do that and can co-finance projects within the institutional budget.

The sector has enabled infrastructure and technical conditions for work and programme implementation.

The artists and cultural workers are employed in the institutions. Their labour rights are protected by the Law on Working Relations and Collective Agreement in Culture.

The work of the sector is advocated and protected by the two unions, the Union for Education, Science and Culture (SONK) and the Trade Union of Culture of the Republic of Macedonia (SKRM).

The precise number of the sector's representatives is presented each year in a Report from the Register of Public Sector Employees.

¹⁵ Ministry of Culture of the Republic of North Macedonia, Draft Law on Culture, (27.06.2023) published on the Unique National Electronic Register of Regulations of the Republic of North Macedonia (ENER), Glossary, Article 2, page 2,
https://ener.gov.mk/Default.aspx?item=pub_regulation&subitem=view_reg_detail&itemid=79453

non-institutional cultural sector

*or popularly known as the
independent cultural scene*

Represented by artists, cultural workers, and legal entities – private institutions from the field of culture, associations, alliances, companies, sole proprietors (freelance artists) and other legal entities registered in the Republic of North Macedonia by the law.

The sector is self-organised and self-financed through diversified sources usually on project-basis by the national and local authorities with insufficient, inconsistent and annual-based funding, which doesn't cover the operational structure and personnel cost.

The sector is highly active in Regional, European and International cooperations that support their programmes, operational structures and personnel costs.

The sector lacks basic infrastructure (space and technical conditions) for work and programme implementation.

The representatives of the sector are unemployed or self-employed with unprotected labour rights. Partial protection is given to a limited number of freelance artists by the Ministry of Culture within the system of monthly benefits.

The sector lacks a formal organisation, union, or regulatory body dedicated to advocating for and upholding the labour rights of its constituents.

Official figures and data on the number of active individuals and entities working in the sector are missing.

1.4

Artist and Cultural Worker

An “*artist*” is a natural person who creates an author’s work (hereinafter referred to as: the author) or a natural person who performs an author’s work or work of national creativity;¹⁶

A “*cultural worker*” is a natural person who performs expert, scientific and scholarly research, theoretical and critical, educational and curatorial work in the protection of cultural heritage and culture, as well as organisational and managerial (production) work in culture;¹⁷

16 Ibid

17 Ibid

Who are the *Artists*?

The artists are the creative force in the society whose work, in addition to its aesthetic value, bears a vision of a better society and acts as reflector and corrector of the larger socio-political context. Expressing value through creativity is their urge and quest for a better context and community of equal and plural identities and opportunities.

Opposed to the artist genius, they are public figures, public servants, and professional occupations. Moreover, when the context of art creation is non-marketable and non-lucrative, support mechanisms are needed for these entities to be sustainable.

Cultural workers - producers, managers, curators, stage specialists, light and sound technicians, theoreticians, coordinators are those caring, helping, supporting, and nurturing the creative processes of the artists, working closely with the artists. These professions are often undervalued in the art world as much as in the legal regulations.

The inclusion of cultural workers in the legal framework stemmed from persistent advo-

cacy efforts, dating back to 2016, directed at the Ministry of Culture by a coalition of cultural workers and artists who leveraged their expertise as consultants in shaping law proposals, strategies for culture and the Book of Rules for freelance artists.

There is no mention of cultural workers in the law currently applied. Proposed legislation on culture in 2019 and consecutively in 2023 acknowledges cultural workers as essential contributors to the public interest in culture. Yet, they currently do not receive the same level of support as artists within the existing regulatory framework due to the delay in passing this law in the Parliament.

How many artists, cultural workers and private entities work actively in the field of culture? This information is missing in the official statistics. Moreover, the governing intuitions in the field of culture never showed an initiative to support the creation of an official database of non-institutional cultural actors.

1.5

The Status of a Freelance Artist

Freelance Artists and Cultural Workers

The author, the artist, i.e. the cultural worker who carries out the artistic, i.e. the expert work professionally as an occupation, can acquire the status of a freelance artist, in accordance with this law (hereinafter referred to as: the freelance artist) if they, in accordance with the law, register for performing an activity in the field of culture.¹⁸

What is the difference between artists and freelance artists i.e. cultural workers?¹⁹ By presenting your active work under a selected profession from the Book of Rules²⁰ and meeting the criteria aligned to the same profession, you can acquire the status of a freelance artist, which was established in socialist Yugoslavia. But before that, you need to be administratively and legally eligible i.e. register as sole proprietor²¹, to obtain the statutes of freelance artist and to be able to enter the open call by the Ministry of Culture for entering the system of monthly benefits. By registering as sole proprietors, freelance artists are subject to regulations applicable to private entities and must enhance their

18 Ibid, Article 41, page 18

19 We kept the division between artists on the one hand and cultural workers on the other, for the sake of clarity because that's how they are divided in the abovementioned Law. But on a theoretical as well as practical level, artists are cultural workers too.

20 "Book of Rules for the criteria, procedure and manner of granting favourable conditions and benefits from the state budget to freelance artists" used for the public call in 2023 for obtaining the statutes of freelance artist in 2024

[https://kultura.gov.mk/wp-content/uploads/2023/11/%D0%9F%D1%80%D0%B0%D0%B2%D0%B8%D0%BB%D0%BD%D0%BD%D0%B8%D0%BA-%D0%B7%D0%B0-%D1%81%D0%BD%D0%BC%D0%BE%D1%81%D1%82%D0%BE%D1%98%D0%BD%D0%B8-%D1%83%D0%BC%D0%B5%D1%82%D0%B8%D0%BD%D1%86%D0%B8-2022-2-1.pdf](https://kultura.gov.mk/wp-content/uploads/2023/11/%D0%9F%D1%80%D0%B0%D0%B2%D0%B8%D0%BB%D0%BD%D0%B8%D0%BA-%D0%B7%D0%B0-%D1%81%D0%BD%D0%BC%D0%BE%D1%81%D1%82%D0%BE%D1%98%D0%BD%D0%B8-%D1%83%D0%BC%D0%B5%D1%82%D0%B8%D0%BD%D1%86%D0%B8-2022-2-1.pdf)

21 Under the National Classification of Economic Activities in the country - NKD Rev.2, Republic of North Macedonia, State Statistical Office, https://www.stat.gov.mk/KlasifikaciјiNomenklaturi_en.aspx?id=2#~text=The%20National%20Classification%20of%20Activities,development%20and%20its%20structural%20changes.

skills to ensure their artistic work is in line with these regulations. An accountant is typically employed to oversee this task, even though, in most cases, the only activity of the registered sole proprietor is to administrate the monthly benefits (or that's why the artists open this private entity although they can use it for their salaries, wages and other material expenses and professionally function through their operation). **Thus, even with this system of benefits, the position of the freelancers in arts and culture is precarious because the administrative requirements make the artists run a private entity; it doesn't cover net salary; the number of artists using these benefits is limited; the artists need to apply each year; and for seven years the cultural workers cannot enter this system as the Draft Law on Culture has not been passed.** In 2024, only 172 freelance artists are using the system of monthly benefits. To make a comparison, in 2023,

we had 3,305 employees in the national public cultural institutions, 9 in the Film Agency and 49 in the Direction for Protection of Cultural Heritage.²²

The current status of freelance artists doesn't include the professions of cultural workers because **there is no mention of cultural workers in the law currently applied.**

Even though the system of monthly benefits is accessible only for certain art professions, the payment of these benefits by the Ministry of Culture is often late, leaving the artists with no health insurance for several months!

22 Ministry of Information Society and Administration, Report from the Register of Public Sector Employees for 2023,
<https://miao.gov.mk/content/%D0%A4%D0%98%D0%9D%D0%90%D0%9B%D0%95%D0%9D%20%D0%98%D0%97%D0%92%D0%95%D0%A8%D0%A2%D0%90%D0%88%20%D0%B7%D0%B0%202023%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D0%B0%2001.04.2024.pdf>

1.6

Book of Rules

“This *Book of Rules* sets the conditions, criteria and procedure for allocating monthly benefits derived from the Budget of the Republic of North Macedonia for contributions to health, pension and disability insurance, as well as personal tax income of freelance artists (hereinafter referred to as: monthly benefits)“.

The Book of Rules was introduced in 2000 with the proclamation of the status of a freelance artist in the Law on Culture in the Republic of Macedonia²³. It is a support mechanism for freelance artists that replaced the 1982 Law on Freelance Artists²⁴, which ceased to exist a year after the introduction of the 1998 Law on Culture. The Book of Rules sets the conditions, criteria and procedures for the artists registered as sole proprietors to enter the system of benefits.

Unlike employees of cultural institutions who receive decent gross salary after the “levelling of salaries in culture” done in 2019, freelance artists can benefit only by receiving contributions to health, pension and disability insurance, as well as personal tax income calculated on the basis of the average salary in the country, but without net salary. This unequal position is further increased by the exemption of all the professions of freelance cultural workers in the country, and also by the continual decrease of funds for the support of the non-institutional sector in the annual call in recent years.

Under the Book of Rules in 2024, the following artistic professions are eligible for the status of freelance artists: visual arts²⁵; architecture and applied arts (fashion design, graphic design and woodcut); music art (author of music and performer of music); dance art (ballet dancer, contemporary dance performer and choreographer); literature, translation and criticism (writer,

23 Official Gazette of the Republic of Macedonia no. 31/98

24 Official Gazette of the Socialist Republic of Macedonia no. 46/82



translator or author of critiques); performing arts, film and other audiovisual works (costume designer, scenographer, actor, director, director of photography, chief cinematographer, editor, chief cartoonist in an animated film, writer of drama texts and screenwriter of a film, television film and other audiovisual work).

25 Visual arts is presented only as a general category without defining the scope of professions

1.7

The support system of the non-institutional cultural sector in the country on national and local level

The most common mechanisms of support to the non-institutional cultural sector are the annual calls for projects that comply with the national or local interest in culture, in which the institutional and non-institutional sectors participate, issued by the Ministry of Culture or the City of Skopje as well as different municipalities. While the annual call issued by the Ministry of Culture is steady, local calls can vary depending on the actual local government and the mayor's decision.

A negative example is the overall destructive public policy, especially evident in the field of culture, by the current Mayor of the City of Skopje, Danel Arso-

vska. Here are some information related to the funding of the non-institutional cultural sector by the City of Skopje:

- **In April 2021**, the City of Skopje opened a call²⁶ on long-term funding of programmes and projects in the field of culture, which meant two years of support intended for 2021 and 2022. The supported cultural association on this call, didn't receive the funding intended for 2022.
- **In October 2021**, the City of Skopje opened a call²⁷ on annual funding of programmes and projects in the field of culture for 2022. The results from this call were not offi-

26 <https://skopje.gov.mk/mk/apliciraj/javni-povici/29-04-2021-javen-povik-kultura-dvegodisni-programi-2021-2022/>

27 <https://aplikacii.skopjelab.mk/kultura/>

cially published by the City; followed by pressure from the cultural sectors and the media, the City eventually disclosed the list of supported projects;

- **In September 2022**, the City of Skopje opened a call²⁸ on annual funding of programmes and projects in the field of culture for 2023. The results from this call were not officially published by the City.
- **In March 2024**, the City of Skopje opened a call²⁹ on annual funding of programmes, projects and activities in the field of culture for the same year. To date, the results from this call have not been officially published by the City.

The **calls for culture on a municipal level** vary. In certain municipalities, calls for funding the non-institutional cultural sector are issued annually, whereas in others, upon the need and decision of the local government. The support is often symbolic, with limited funding that may not

fully cover small-scale projects. In certain municipalities, there is no public call for culture and the programme is curated internally by the municipal administration.

Every year, the **Ministry of Culture** allocates funds to non-institutional culture through:

- **annual calls for projects of national interest in culture,**
- **calls for international and European co-funding support,**
- **occasional (thematic) calls and**
- **the abovementioned call for monthly benefits of freelance artists.**

The funding is typically project based and often falls short of the total amount required for project implementation. Project holders must cover all costs for the programme implementation, including space, technical and human capacities.

The **annual calls for support of national interest in culture**

28 <https://skopje.gov.mk/mk/apliciraj/javni-povici/javen-povik-kultura-2023/>

29 <https://skopje.gov.mk/mk/apliciraj/javni-povici/javen-povik-finansisk-sredstva-kultura-2024/>

are organised in the frame of an art discipline.³⁰ The calls provide access for all constituents of the non-institutional sector. The annual calls need improvement in the evaluation criteria and in the decision-making procedures. Another stake is the full authority granted to the Minister for the final decision upon the project selection.

In 2017, the Ministry of Culture upgraded the annual calls³¹ by improving the conditions, priorities and criteria for each art discipline, refining application and reporting forms, and introducing a new call for interdisciplinary projects. However, since 2019, every newly appointed Minister has been making changes in the application criteria of the annual calls in internal procedures.

In general, the budget for culture in the country is low, es-

pecially the funds allocated in support of the non-institutional cultural sector. According to 2019 data from the region, North Macedonia is in the penultimate place, with state investments of 0.5% of GDP in budget item 708 - "Recreation, culture and religion". **In addition, the percentage of funds allocated through annual calls to support the national interest in culture is unsatisfactory with a downward trend of 10.4% (2020), 6.5% (2021) and 6.1% (2022) from the overall budget for culture.**³²

Since 2008, the Republic of North Macedonia has participated in the **EU's programme for culture**: Culture Programme 2007-2013, Creative Europe 2014-2020 and Creative Europe 2021-2027. Despite the Ministry of Culture's responsibility to co-fund European projects, history

³⁰ Visual Arts, Architecture and Design; Theatre; Protection of immovable cultural heritage and protection of audiovisual goods; Library; Museum and protection of intangible cultural heritage; Interdisciplinary projects; Creative industries; Literature and publishing; Events and festivals in the field of theatre; Music and music-stage events and festivals in the field of music and musical-scenic performance; Events and festivals in the field of folklore; Events and festivals in the field of literature and publishing; Music and musical-scenic activity; International cooperation; Folklore.

³¹ Minister Robert Alagjozovski hired two independent consultants, Oliver Musovik and Violeta Kachakova to upgrade the annual call. The improvement of the calls resulted from research conducted based on interviews with artists, cultural workers and representatives of legal entities from the non-institutional sector, or those applying to the annual calls, as well as interviews with all departments in the Ministry of Culture, or those who administrate the calls and the implementation of the projects. In addition, an analysis was carried out on the context and conditions of the work in each art discipline including the application procedures for projects supported by the EU programme for culture.

has witnessed situations in which we had irregular co-funding calls and projects that didn't get any financial support. Many cultural operators enter European collaboration to enhance collaboration and project funding. They have developed strong capacities in building solid partnerships that have opened new prospects for work and exchange of artists and cultural workers. The Ministry of Culture implemented fixed rates of co-funding for European projects to create a more sustainable funding structure. This includes the Ministry of Culture contributing up to 30% of the total financial share required from a project partner in a European Cooperation project. As a result, cultural

organisations must apply for additional grants to cover the remaining 70% of the co-funding obligation, which can be challenging in a country that doesn't have many foundations dealing with art and culture. Nevertheless, not all of them possess the necessary human resources or capabilities to fulfil the participation criteria or undertake the leadership and execution of large-scale projects, especially concerning the mandatory co-funding components. **It is necessary to enhance the level of co-funding within the country to enable suitable support to the cultural entities involved in European collaboration projects.**

32 Jovanović Branimir, (2022). The national financial policies in culture versus the economic and social conditions for the work of the independent cultural sector, JADRO - Association of the independent cultural scene, p. 12 and 20,

https://drive.google.com/file/d/1Otpxv- Ih2LYGULEUDHWMys_fanpgtBN/view

1.8

Law on Labour Relations and Collective Agreement in Culture

(1) This law regulates the labour relations between the workers or the employees and the employers, established under an employment contract.

(2) The employment relationship is governed by this and other law, collective agreement and an employment contract.³³

In the country, we have Collective Agreement in the Public Sector, Collective Agreement in the Private Sector, as well as Collective Agreement in Culture³⁴. They regulate the fair treatment and the protection of labour rights of the workers by the employers. The trade unions in culture (the Independent Trade

Union for Education, Science and Culture (SONK) and the Trade Union of Culture of the Republic of Macedonia (SKRM)) ensure that these rights are respected. These relations are applicable in the institutional sector, having the state or the local governments through the cultural institutions as employers on one side and the workers employed on the other. Due to the active work of the Trade Union of Culture of the Republic of Macedonia (SKRM), employees in the cultural institutions have their labour rights protected under The Collective Agreement in Culture³⁵, as well as more equal and higher salaries in the sector after the “leveling of salaries in culture” done in 2019. Many challenges arise when putting the non-intuition-

³³ Ministry of Labour and Social Policy, Law on Labour Relations, Article 1, Page1, <https://mtsp.gov.mk/content/pdf/2023/trud/ZRO.%20precisten%20tekst%202023.pdf>

³⁴ Official Gazette of the Republic of North Macedonia no. 10/20 dated 16.01.2020, “The Collective Agreement in Culture” <https://dejure.mk/zakon/kolektiven-dogovor-za-kulturata>

³⁵ Ibid

al cultural sector in this frame. First and foremost, many of the non-institutional workers are not regularly employed and perform their work compensated on a fee basis. Others employ themselves in small associations or companies regulating their employment status and costs through the projects they develop. These entities are often small and operate in the context of non-existing art and cultural markets, working in a non-profit manner. Even though their work falls under the Collective Agreements in the Private Sector, in some situations, for example when only one person manages to be employed in NGO (while other team members work on a fee basis since funds are lacking), this person employed paradoxically acts on both sides of the labour relations, as a worker (employee) and as an employer. The reality of the situation calls for different regulations that will protect the labour rights of the non-intuitional cultural actors.

In the case of freelance artists who are part of the system of monthly benefits, the employer is the Ministry of Culture. Here, advocacy action

must lead to greater openness and inclusion of all artists and cultural workers in the system of monthly benefits, with net salary as part of such benefits. New regulations are needed for the other representatives of the non-institutional sector, together with the improvement of the public calls where the annual programme funding will be increased and new calls introduced for funding the costs of infrastructure, equipment and salaries for artists and cultural workers employed in their small cultural entities.

1.9

Associations in the non-institutional sector

Some of the independent artists and cultural workers are members of **professional associations**: the Association of Fine Artists (DLUM), the Writers' Association, the Association of Architects, the Association of Film Workers and the Composer's Association of Macedonia (SOCOM). They are mainly programme-based associations, not so much working on advocacy and lobbying for artists' labour rights. An exception to this can only be the work of the Association of Film Workers, who sometimes lobby for better conditions for the film workers.

The artists and the cultural workers of the non-institutional sector are not yet unionised nor have an agency that tends to their labour rights. Still, networks and initiatives represent this sector, advocating for better conditions by taking

actions (letters, protests, press conferences) on different unfavourable decisions and actions by the Ministry of Culture and local governments. These include Jadro - Association of the Independent Cultural Scene and the non-formal initiative "Culture is the front page of every society".* COVID-19 provoked the creation of another professional network, the Cultural Promoters (KP), formed as an association of organisations and companies, mainly from the music sector, aiming to lobby for better working conditions in the cultural sector. They develop protocols, later accepted by the Government, for organising cultural programmes and events during COVID-19 in indoor and outdoor cultural venues. There is also an Association of Jazz Musicians and Freelance Artists.

*In 2020 the initiative issued a public proclamation, signed by 60 representatives (private persons and entities) of the non-institutional sector to all political parties to show that CULTURE is one of the key pillars in the democratisation and Europeanisation of society. Demand for a contemporary, live and free culture that will not create divisions, intolerance or any form of discrimination. The demands referred to: 1. Approval of a draft law on culture; 2. Fulfilment of the National Strategy for the Development of Culture 2018-2022; 3. Establishment of a foundation to support the non-institutional cultural sector following the example of Kultura Nova from Croatia; 4. Support the development of new public institutions based on public-private/civil partnerships; 5. Revival of abandoned buildings into new working spaces for freelance artists and cultural workers; 6. Establishment of an institute for culture and cultural policies; 7. Support for new programs in the field of art and culture in educational institutions that will employ new professional staff suitable for the new curricula; 8. Transformation of personnel policies from

partisan employment to professional staff managing the cultural institutions. Support of decentralisation and departmentalisation of the Ministry of Culture.

<https://docs.google.com/document/d/1eTUiHnsk-7GNKRNOCpXd6T1sR6HqSgWBxOHgMbazoqnQ/edit>

Chapter 2

POLITICS OF STRUGGLE: MOVING THE BOUNDARIES (THE WORK DONE)

CASE STUDY
**NORTH
MACEDONIA**

Labour rights in the non-institutional arts and culture in North Macedonia are partially recognised, valued and protected in the current legal framework that lacks mechanisms to provide the necessary working conditions of the artists and cultural workers. The persistent notion of artistic work as exceptional or the widespread belief that artists are geniuses inspired by muses (placing them in an exclusive category, rather than recognising them as cultural workers) perpetuates outdated views of art that no longer align with contemporary needs³⁶. In the current neoliberal context, this notion is

further intensified and supported, thus excluding the artists from the social relations and responsibilities and pushing them towards bigger competition along with intensified use of different promotion and marketing strategies. Independent artists and cultural workers are often underpaid and they receive smaller remunerations compared to others in the still hierarchical art system (aside from the employed curators, technicians etc. there are translators, graphic designers, technical support, photographers and video editors who receive bigger fees than the artists)³⁷. There is no price list as referential value

36 Art work, on the other hand, is seen as a result of artistic genius and happens "without labour" or the one that flows from the artist and therefore essentialisation is positive. This, says Katja Pražník, reinforces the notion that art needs no payment since it is not real labour. Pražník reminds us that the historic separation of artistic labour from money (payment) and work (labour rights) was a class project of the bourgeois society through which art work became a "depoliticised category that also neutralised the class dimension of art production". And this is why, according to her, it is important to approach invisible unpaid labour in the arts with the labour-centred discourse and the tools of social dialogue, such as the Guideline for artists' fees, unionising and collective bargaining.

<https://qsg.hr/en/news/labour-reworked/>

37 For example, when artists or cultural workers are employed in their own cultural entity, they often pay themselves a minimum salary, which as of August 2024, has a net value of 22,568 denars (366 EUR). In contrast, salaries in the institutional cultural sector have increased by 43% since 2021, following the General and Collective Agreement in culture, with the latest raise in September 2023. To illustrate, the salary of an employed violinist increased from 39,843 denars (647 EUR) in 2021 to 58,499 denars (950 EUR) in 2023.

<https://kultura.gov.mk/%D0%BA%D0%BE%D1%81%D1%82%D0%B0%D0%B4%D0%B8%D0%B-D%D0%BE%D0%B2%D1%81%D0%BA%D0%B0-%D1%81%D1%82%D0%BE%D1%98%D1%87%D0%B5%D0%B2%D1%81%D0%BA%D0%B0-%D0%BF%D0%BB%D0%B0%D1%82%D0%B8%D1%82%D0%B5-%D0%R2%D0%BF/>

Other professions, such as graphic designers and video editors, are often employed by commercial marketing or publishing companies, where they receive wages based on market values. In addition, these professionals often work as freelancers for small cultural entities, providing services on contractual basis.

to calculate contributions for different artistic and cultural work³⁸. Furthermore, although the legal system is aware of professions such as curators, art theorists, art managers, and art producers, it has excluded them from labour rights protection mechanisms by not passing the proposed cultural law. This suggests that the system views these professions as incidental and temporary roles that can be taken up by anyone as needed. **Consequently, the prevailing notion persists that artists and cultural workers engage in creative activities but do not perform formal labour.**

In this context, representatives of the non-institutional sector face the most challenging and precarious conditions. Their work is only partially covered by labour rights provisions and is frequently inadequately financially compensated. They are

constantly fundraising to sustain their activities and lack basic infrastructure. Moreover, there is no formal structure or agency to advocate for and protect their rights, nor is their work properly acknowledged. **On the other hand, the non-institutional cultural sector is known for its dynamism, flexibility, and mobility. It integrates contemporary artistic and cultural practices across various areas, including programme development, production, organisation, and collaboration both nationally and internationally. This sector values openness, inclusivity, cooperation, democracy, and solidarity, creating an environment that promotes equal opportunities for all stakeholders and contributes to a more favourable socio-cultural landscape.**

Despite possessing these key features, the non-institution-

³⁸ W.A.G.E - Working Artists and the Greater Economy was founded in 2008 in New York City by a group of visual and performing artists and independent curators with a single achievable goal - regulating the payment of artists' fees in the nonprofit sector. W.A.G.E.'s mission is to establish sustainable economic relations between artists and the institutions that contract their labour, and to introduce mechanisms for self-regulation into the art field that collectively bring about a more equitable distribution of its economy. W.A.G.E. Certification publicly recognises those nonprofits demonstrating a history of, and commitment to, voluntarily paying artists' fees that meet W.A.G.E. standards. It is the first model of its kind as well as the first in the U.S. to establish national compensation standards and a clear set of guidelines for the conditions under which artistic labour is contracted. WAGENCY provides artists with a means to request and negotiate W.A.G.E. fees with non-certified institutions, <https://wageforwork.com/about#top>

al culture still lacks the recognition and support it deserves as a significant and essential contributor to cultural development, which is not the case with the institutional culture. Under these circumstances, when non-institutional cultural actors are hired on a contractual basis to address capacity gaps within institutions, they are underpaid due to the lack of a standardised price list for various professional artistic work. However, the institutional context presents its own challenges. There are often insufficient funds allocated for addressing infrastructure or technical issues, as well as for renovations. In addition, programme funding is reduced each year, and the institution's programme vision can be heavily influenced by the director, who is appointed based on a decision of a ruling party's coalition. The institutions are accustomed to receive public funding and almost 100% are dependent on the state and in very few cases³⁹, try to find alternative sources of funding. In this

context, what seems to matter the most is that institutional employees have guaranteed monthly wages. Although the facilities may not be in the best condition and often require improvement, the space is available. Also, there is an established team and personnel, regardless of their work ethics or the quality of their performance. There is a significant hierarchy and division not only in the distribution of public resources and the working (labour) conditions, but also in the representative voice of both sectors. Usually, institutions have a decisive and valid voice in saying which things matter, and the activities of the non-institutional sector are perceived as by-products, rarely archived or given proper attention. However, the civil sector often steps in as a crucial resource for addressing urgent issues, providing up-to-date skills that are lacking within institutions. Despite this, the fees for freelancers' contributions are frequently minimal⁴⁰.

39 One positive example was the work of the local cultural institution the Youth Cultural Centre (MKC) in the 2011-2022 period

40 Based on a one-time contribution or several months' fees on a contractual basis, the monthly compensation is usually lower than the amount of a minimum net wage.

In implementing their programmes, entities within the non-institutional sector are often encouraged to use existing spaces, typically those owned by national or local institutions. However, they also frequently make use of less well-equipped alternative public and private spaces. When using public cultural infrastructure, the relations can be free of charge, often encountering difficult working conditions or defined by a fee under commercial terms. All this results from the fact that **the non-institutional sector doesn't get structural support in the form of space, operating and personnel costs**. Consequently, the work of the non-institutional sector becomes uncertain and subservient compared to the institutional sector, and that highly influences the opportunity to develop, financially support and implement their programme.

In comparison to the institutional sector, the non-institutional sector particularly showed how vulnerable, unprotected and pre-

carious it is during the pandemic. The emergence of COVID-19 (as in every corner in the world) posed a threat to the sector, affecting in particular individuals involved in live arts such as music, theatre, dance, and performance. **The government's efforts to assist this sector were inadequate and selective. This also resulted from the lack of official figures and data on the number of active individuals and entities working in the sector.** The government established limited and short-term support mechanisms for freelance artists registered as sole proprietors⁴¹, but only for those already part of the Ministry of Culture's benefits system. The absence of accurate statistics on freelance artists, cultural workers, and individuals employed in arts and cultural organisations resulted in their exclusion from the support programme. In response to pressure from the civil sector, the Ministry introduced highly restrictive funds for individual applications by cultural

41 Ministry of Culture of the Republic of North Macedonia, "An order with the legal force for financial support of artists and other natural persons who independently work and perform other activities in the field of culture during a state of emergency", which provided financial assistance of 14,500 denars (235 EUR) for April and May in 2020,

https://drive.google.com/file/d/1sXi_Lhd-o6cMhMJCpuuHzpjVaCoYcNuf/view

practitioners^{42,43}. There were initiatives from the civil sector for this data to be provided in collaboration with the Ministry of Culture and other relevant institutions (Bureau for Statistics, Public Revenue Office, Municipality registers, and ground research), but it didn't happen due to lack of funding and collaboration with the relevant institutions. Even in such circumstances, the focus of the non-institutional sector is to establish the framework and working conditions for freelance artists and cultural workers, enhance the capacities of the sectors, and promote non-institutional art and cultural production domestically and internationally through partnerships and networking. In numerous instances, they serve as architects of initiatives where they supplement

ment or take the place of an institutional framework that lacks the necessary mechanisms and contemporary practices for advancement in a specific artistic domain.

A limited number of non-institutional sector artists can operate under market conditions by selling products and offering professional services in the applied arts (product and web design, architecture, crafts), visual effects, animation, product design and similar fields. They operate under different conditions and will be exempt from the general analysis related to the non-institutional cultural sector.

What is urgently needed now is a thorough analysis of the position of freelancers and non-institutional entities within the prevailing mode of production. This involves critically examining their

42 Ministry of Culture of the Republic of North Macedonia, "The law on financial support of low-income citizens, pension beneficiaries, beneficiaries of the right to social security for the elderly, young people, single parents, children without parents and **parental care**, artists and other persons performing activities in culture, film workers and Estrada artists" in 2020, which provided a one-time financial assistance of 6,000 denars (97 EUR), intended exclusively for the purchase of Macedonian products and services until the end of 2020.

43 Ministry of Culture of the Republic of North Macedonia, Open call for one-time payment of financial assets for unemployed artists and cultural workers for a period of three months, in a monthly net amount of 14,500.00 denars, i.e. 18,000.00 denars, i.e. 21,500.00 denars, depending of the earned net income in the period from January to August 2020

January to August 2020.
<https://kultura.gov.mk/javen-povik-za-dodstavuvanje-baranje-za-finansiska-podrska-na-umetnicite-i-na-kulturnite-rabotnici/>

precarious work conditions and the devaluation of their labour. In addition, it is essential to reflect on and analyse how emancipatory arts and culture might provide systematic changes to improve the overall context.

Today, our artistic and cultural context needs a strong „kick“ from the side of emancipatory practices. The governments need vision and regulations to embrace the high importance of culture in the society, equaling the position for all cultural actors that create a public good no mat-

ter the institutional or non-institutional realm of their action. The struggle for public institutions, public goods, and stable public funding, as well as the penetration of stable strongholds as new public institutional models is more than necessary in the loss of the sense of functioning. We need to take the public resources back as a function of social benefit.

And at the new beginning of it all, of beginning anew, we urgently need systematic solidarity.

2.1

Advocacy towards a better system of monthly benefits for Freelance Artists and Cultural Workers

As of 2016⁴⁴, diverse advocacy actions were framed in different projects and activities as a self-organised initiative led by a collective⁴⁵ of cultural workers, artists, and associations in collaboration with other represen-

tatives of the non-institutional sector. Our work began with the general revision of the Book of Rules dated 2000⁴⁶.

Issues identified in the Book of Rules and the treatment of Freelance Artists:

44 Initial interest in improving the status of freelancers and cultural workers began in 2014 when much information was gathered on the topic. In 2014, Ivana Vaseva and Biljana Tanurovska-Kjulakovska made a performance/game "How to make a festival with 100 and 1.000.000 euros". A more concrete initiative followed in 2016, when the two of them presented the results from a research within the project Culture for Civic Changes, produced by Faculty of things that can't be learned (FRU). The presentation consisted of a comparative analysis of laws and regulations from the countries of the former Yugoslavia and the Balkans, vis a vis laws and regulations from Macedonia, as well as an analysis of documents from the European Union. After that, the first document that presents the upgraded 2000 Book of Rules for Freelance Artists was done by Biljana Tanurovska-Kjulakovska, Ivana Vaseva and Violeta Kachakova, resulting from thematic working groups based on artistic and cultural workers professions, alongside expert on workers' rights Milan Zivkovic. The proposal on improving the 2000 Book of Rules was forwarded to the Ministry of Culture, yet no action was taken by the institution to open discussion on this important issue. Then, the FRU produced the lecture performance "How My Life Turned into a Cultural Worker – Cultural Workers take the Stage" in 2016, made by Ivana Vaseva and Biljana Tanurovska-Kjulakovska; the Cultural and Artistic Centre "Textile", a durational collaborative project by Filip Jovanovski (2016 – 2020); and the international symposium "Rethinking the Future from a Labour Perspective, Precarious in Capitalist Culture - Should we continue living like this?" in Kino Kultura in 2019.

45 Musovik Oliver, Kachakova Violeta, Tanurovska-Kjulakovska Biljana, Vaseva Ivana, Jovanovski Filip, Ivkovic Anita, Association Faculty of things that can't be learned (FRU), Association Lokomotiva - Centre for New Initiatives in Arts and Culture

46 "Book of Rules on the criteria, procedure and manner of granting favourable conditions and benefits from the republic budget to freelance artists", <https://kulturna.gov.mk/wp-content/uploads/2019/02/Pravilnik-za-utvrudanje-na-kriteriumite-postapkata-sa-mostojni-umetnici.pdf>

- The criteria for each artistic profession were outdated and not in line with contemporary art practices. They were primarily quantitative and did not account for certain art professions;
- The documentation lacked qualitative criteria and did not provide support in cases of specific situations such as illness, elderly artists, or maternity leave;
- The 2000 Book of Rules included provisions for cash benefits, workspace and equipment, publication of works without compensation, insurance of artworks, instruments and body parts of the artists, which were never granted;
- Cultural workers were excluded from receiving any benefits under the existing system;
- The evaluation procedure for granting the status of Freelance Artists was done internally by a commission from employees in the Ministry of Culture;
- The National Register of Artists and Cultural Workers didn't exist as a base presenting the number and needs of freelance representatives of the non-institutional cultural sector.

The Book of Rules underwent a thorough revision, resulting in a proposal for amendments submitted to the Ministry of Culture. At the time, the Ministry didn't take this proposal seriously. In 2017, the changed political context was open to negotiating towards the position of the freelance artists and cultural workers. We successfully advocated a working group in the Ministry of Culture to improve the Book of Rules according to the proposed amendments. At the end of the process, followed by a public debate, the upgraded Book of Rules⁴⁷ was officially proclaimed by the Ministry of Culture. The document underwent positive revisions which include:

- Enhancing the terminology used in the artistic professions to align with current art practices;

⁴⁷ Officially accepted and confirmed in the Official Gazette of the Republic of Macedonia no. 180/2017

- Updating the criteria for various artistic professions to reflect the actual scope of work of the artists;
- Introducing new artistic professions along with comprehensive criteria (such as photography, contemporary dance, interdisciplinary artists and sound design) to broaden the system of benefits to more artists;
- Introducing qualitative criteria to improve the evaluation process.

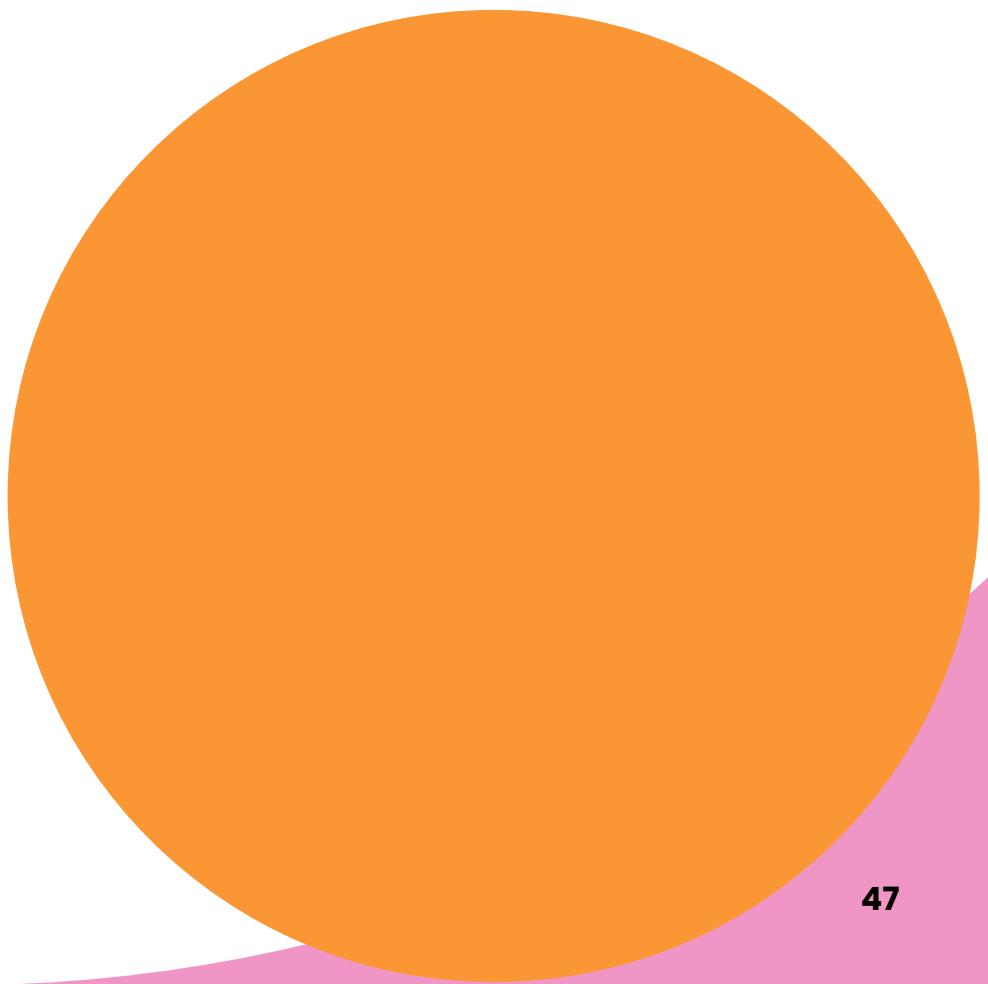
The upgraded Book of Rules marked a significant advancement. However, unresolved issues regarding the status and labour rights of freelance artists and cultural workers required further attention through upcoming measures.

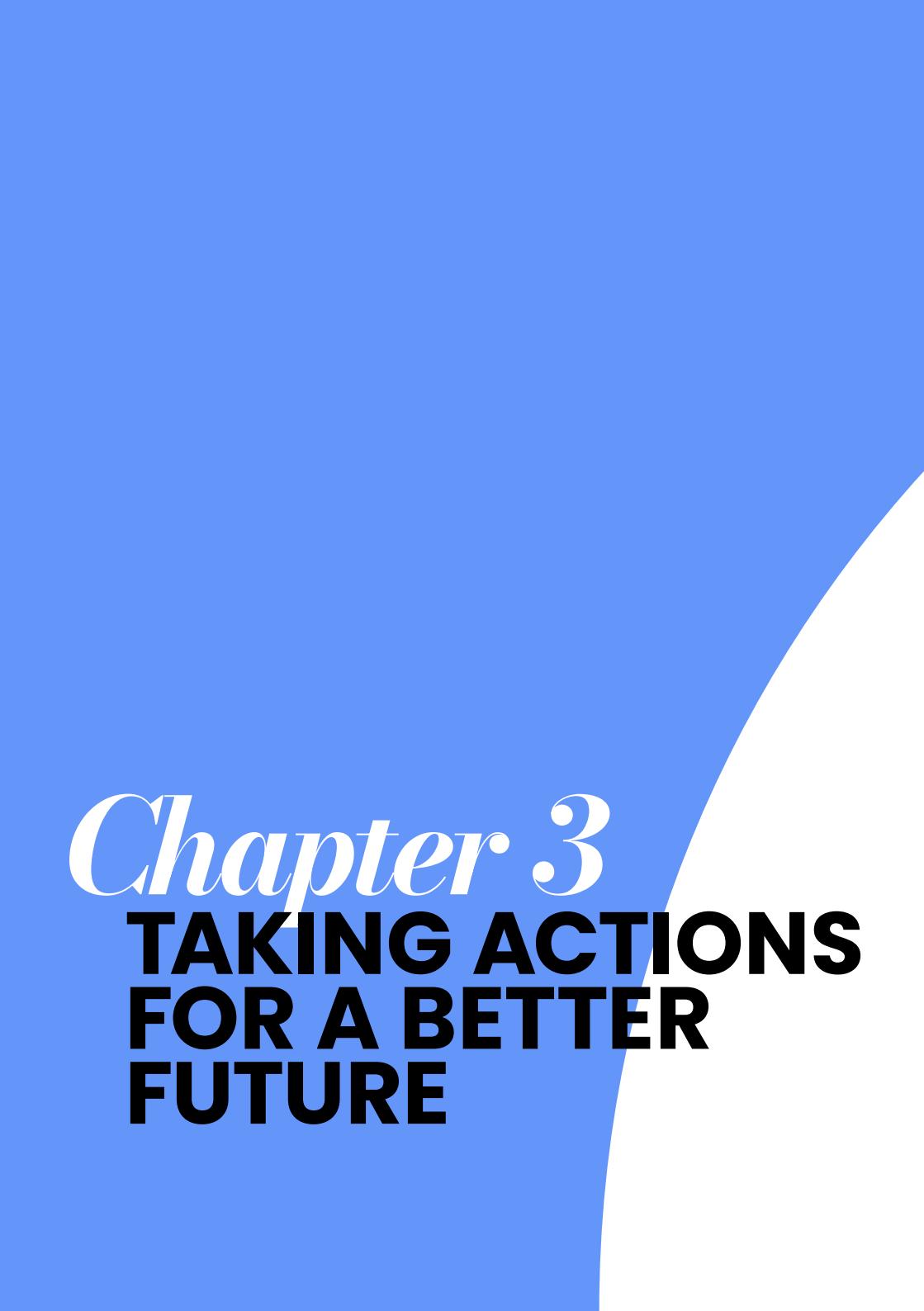
The 2018 initiative for a “New Law on Public Interest in Culture” presented an opportunity to incorporate provisions for Cultural Workers in the Book of Rules. Hired by the Ministry of Culture, Kachakova Violeta and Vaseva Ivana conducted a three-month research, interviewing approximately 100 artists and cultural

workers. This effort ultimately led to a new proposal for an improved version of the Book of Rules. This proposal included a list of professions with developed criteria under the notion of Cultural Worker alongside the additional update in the artistic professions. Unfortunately, none of this was implemented as the process of passing the draft law in Parliament was suspended.

In 2021, the Ministry of Culture internally revised the Book of Rules, without a public debate. A large part of the quantitative criteria were tailed off, making the competition more feeble, while the qualitative criteria were removed. In addition, some artistic professions (photographer, illustrator, cartoonist, production director and sound designer) were removed from the Book of Rules. The profession of a production director was again added in 2023, only to be removed again in 2024, following a media debate questioning their classification as author's work.

This debate within the sector could continue until the profession of cultural worker is not included in the regulatory framework.





Chapter 3

TAKING ACTIONS FOR A BETTER FUTURE

As we conclude this publication, it is crucial to recognise that the struggle for better conditions in the cultural sector is an ongoing one. Addressing the precariousness faced by artists and cultural workers requires both collective action and policy reform.

We encourage independent artists and cultural workers to use this text not only as a reflection of current struggles, but a roadmap in improving working

conditions. Every small action - whether advocating for better contracts, organising for collective bargaining, or pushing for policy reform - contributes to a larger movement towards a more just and equitable cultural sector.

Let us continue pushing boundaries, fighting for fair treatment, and working together to create a cultural landscape where all workers are valued and supported.

3.1

Good Practices in the Region

There are several good practices in the region⁴⁸ that work on improving the labour conditions in Serbia, Croatia, and Slovenia through advocacy for long-term organising among the whole non-institutional sector. Organised struggle is happening in the Association of Fine Artists of Serbia (ULUS), which aside from its programming is managing the artistic status as well. After several artists of the younger generation took over the institution by entering its executive board, the association went into struggles for better working conditions. ULUS⁴⁹ established solidarity funds during the coronavirus pandemic crisis in 2020, launched working groups geared towards several types of union organising and published several books as guides for freelance artists and handbooks for

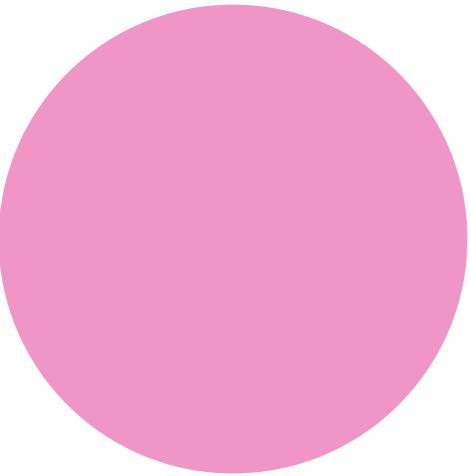
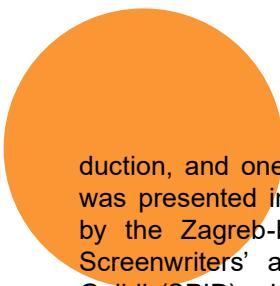
decision makers in the frames of the local management regarding the conditions and decisions on the rights of freelancers. There are several initiatives in Croatia. Apart from some occasional reactions to local problems regarding the artistic status by the Croatian Freelance Artists' Association (HZSU), there was a broad initiative "Enough with the Cuts!" that responded to budget cuts in culture and as a critique of the Croatian cultural policies, which afterwards formed the platform "For Bread" (Za K.R.U.H.)⁵⁰ that was aimed at improving the working conditions for all cultural workers and public funding in culture. They also made a "Fair Pay Protocol" (FPP) or codex of praxis⁵¹ - a document which defines the conditions of work, to be followed by price lists for different areas of artistic pro-

48 For more information see: Unionising Art Workers on the European Periphery Organisations across the region are taking steps towards a more militant approach by Ana Kutleša,
<https://www.rosalux.de/en/news/id/45751/>

49 <https://ulus.rs/>

50 <https://zakruh.wordpress.com/>

51 <https://zakruh.wordpress.com/kodeks-prakse/>



duction, and one such price list was presented in October 2021 by the Zagreb-based Croatian Screenwriters' and Playwrights Guild' (SPID), along with an initiative for it to also be introduced and implemented in the Museum of Contemporary Art in Zagreb⁵². But the aim of the activistic scene around these initiatives is unionising cultural production. The initiative Cultural Work Inspection (Kulturna inšpekcija dela) set up in Slovenia by Katja Praznik aims to gather cases of exploitation among cultural workers. Also, the Slovenian network Association (Asocijacija) which gathers non-profits and self-employed workers in culture, engages in a broad range of activities, from counseling to advocacy and even protesting.

⁵² [http://www.msu.hr/dogadanja/tribina-pod-kojim-uvjetima-\(ne\)-mogu-izvesti-rad-za-ovu-izlozbu/1266/hr.html](http://www.msu.hr/dogadanja/tribina-pod-kojim-uvjetima-(ne)-mogu-izvesti-rad-za-ovu-izlozbu/1266/hr.html)

3.2

EU framework on the status of the artists and the working conditions in the cultural and creative sectors (CCSs)

The issue of the status of the artists on the supranational level was introduced by the United Nations Educational, Scientific and Cultural Organization (UNESCO) at the 21st General Conference meeting in Belgrade in November 1980. Framed in a “**Recommendation concerning the Status of the Artist**”⁵³, the document affirms the rights of artists to be considered as cultural workers and consequently to benefit from all the legal, social and economic advantages pertaining to the status of workers. Despite its

non-binding nature, it remains the principal standard-setting instrument specifically dedicated to the status of the artists.

Since the outbreak of COVID-19, the status of the artists and the working conditions in the cultural and creative sectors (CCSs) have been raised as an issue at the EU level. The Council of the European Union highlighted this issue in its “**Resolution on the EU Work Plan for Culture 2019-2023**”⁵⁴ followed by the report “The Status and Working Conditions of Artists

53 https://culturalrights.net/descargas/drets_culturals409.pdf

54 [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022G1207\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022G1207(01))

and Cultural and Creative Professionals”⁵⁵

On 21 November 2023, the **European Parliament** adopted a resolution with recommendations to the Commission on an **“EU framework for the social and professional situation of artists and workers in the cultural and creative sectors”**⁵⁶

“...This framework was defined by the following key elements:

1. New legislation: a directive establishing decent working conditions for CCS professionals and ensuring the accurate determination of their employment status.
2. Information exchange: the establishment of a European platform to enhance the exchange of best practices and mutual understanding among Member States.

3. Fair funding: adapting EU programmes supporting CCSs, such as Creative Europe, to reinforce social conditionality...The response⁵⁷ from the European Commission to the European Parliament’s resolution underscores a commitment to prioritising the critical issue of working conditions in CCSs. While new legislation is not currently on the table, the Commission expressed its commitment to actively engage with stakeholders, optimise existing tools and frameworks, and foster the exchange of best practices among Member States, as well as encourage and support them in their reform processes...”⁵⁸

55 This report is the result of the work of the EU Open Method of Coordination (OMC) group of Member States' experts on 'The status and working conditions of artists and cultural and creative professionals'. The group worked in a cross-sectoral way and included experts in the field of culture, experts in areas of employment and social and economic affairs, as well as experts from all 27 Member States. It was convened by the European Commission in 2021–2023 and held 6 plenary meetings and many exchanges, formulating a set of recommendations on further policy learning and development. The report examines in detail the following aspects of artists' and creative sector professionals' working conditions: artist status and social security, fair practice, skills and life-long learning and artistic freedom,

<https://op.europa.eu/en/publication-detail/-/publication/01fafafa79-1a13-11ee-806b-01aa75ed71a1/language-en>

56 [https://www.europarl.europa.eu/thinktank/en/document/EPRS_STU\(2023\)747426](https://www.europarl.europa.eu/thinktank/en/document/EPRS_STU(2023)747426)

57 https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/CULT/DV/2024/03-11/COM_response_INL_socialandprofessionalsituationofartists_EN.pdf

58 Elena Polivtseva, Creative FLIP expert, Response to the European Parliament's call, “Artists' working conditions to remain a priority for the European Commission”,

<https://creativesunite.eu/article/artists-working-conditions-to-remain-a-priority-for-the-european-commission>

3.3

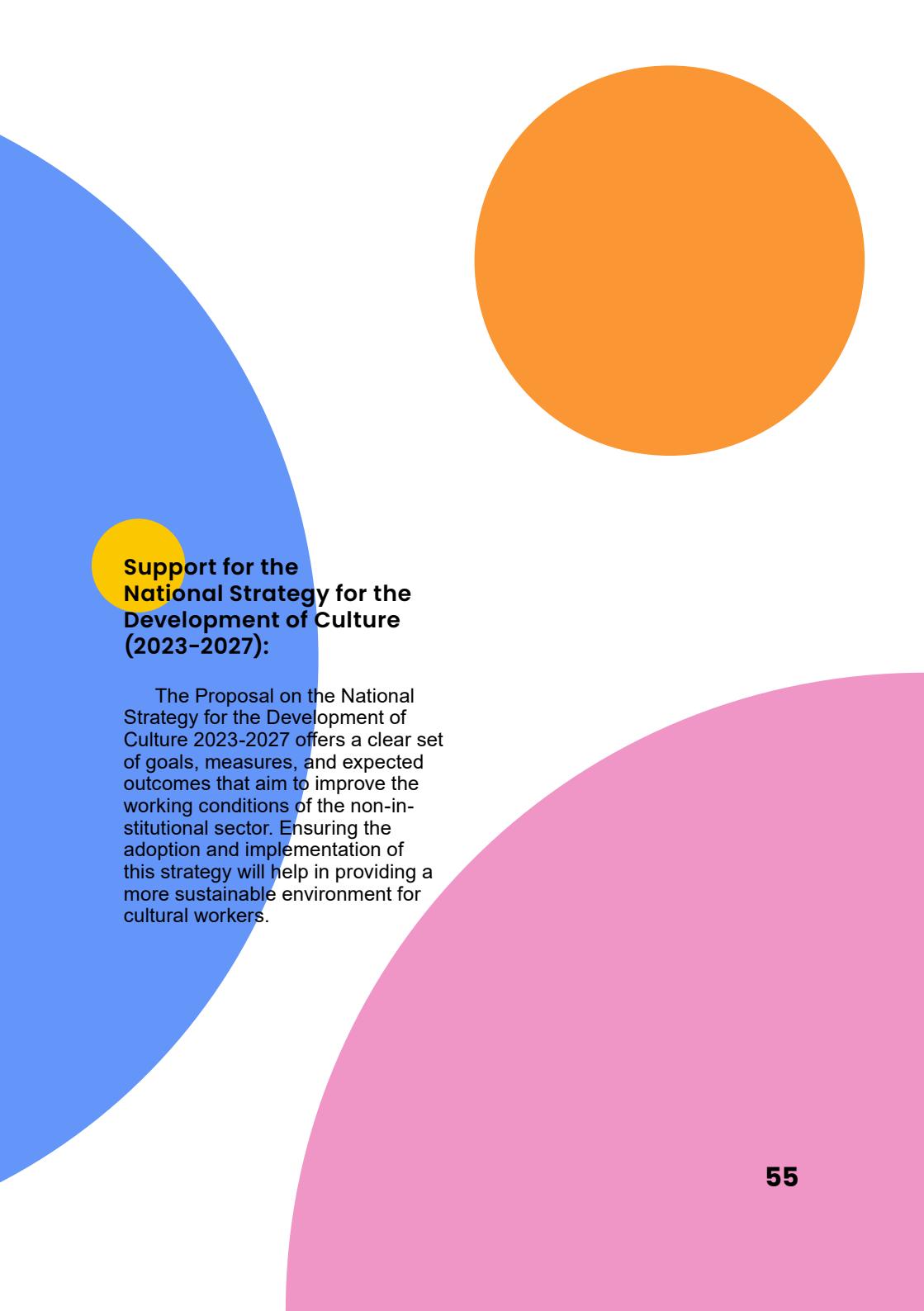
Set of Practical Struggles and Survival Tactics

Continued Advocacy for Cultural Policies Addressing Non-Institutional Culture:

It is essential to maintain and expand advocacy efforts aimed at developing cultural policies that address the needs of the non-institutional cultural sector. These policies provide a legal framework within which actions can be taken to improve working conditions and overall well-being for this sector

Support for the 2023 Draft Law on Culture:

Collective action is necessary to push for the adoption and implementation of the 2023 Draft Law on Culture. This law could establish the much-needed protections and resources for non-institutional cultural actors.



Support for the National Strategy for the Development of Culture (2023-2027):

The Proposal on the National Strategy for the Development of Culture 2023-2027 offers a clear set of goals, measures, and expected outcomes that aim to improve the working conditions of the non-institutional sector. Ensuring the adoption and implementation of this strategy will help in providing a more sustainable environment for cultural workers.

Create a register of non-institutional cultural actors:

- Design and distribute a survey to gather detailed information on the number, activity, demographic structure, and territorial distribution of non-institutional cultural actors.
- Collaborate with Key Stakeholders: The Ministry of Culture, the Bureau for Statistics, the Public Revenue Office, and Municipality registers to ensure data collection is thorough and integrated.
- Set up processes for collecting and updating data regularly. This might include online forms, interviews, and data sharing agreements with relevant institutions.
- Compile and analyse the data to identify trends, gaps, and areas for improvement. Produce reports to inform policy development and regulatory changes.
- Ensure that representatives from the non-institutional cultural sector are involved in discussions about data collection and policy development to ensure their needs and perspectives are considered.
- Use the data to create and implement specific policies aimed at improving regulations and support for the non-institutional cultural sector at both national and local levels.

Unionisation of the non-institutional cultural sector:

- Build a shared vision by uniting diverse non-institutional cultural actors around a common vision and goals. Highlight the similarities in their challenges and the benefits of collective action.
- Develop initiatives and forums to build trust among cultural actors. Regular meetings, workshops, and networking events can facilitate communication and collaboration.
- Form a legal entity such as an association, union, or agency that will represent the interests of non-institutional cultural actors. This entity should have clear objectives, governance structures, and membership criteria.
- Use the legal structure to advocate for improved working conditions, better funding, and more supportive policies. This can involve lobbying, organising protests, and engaging with policymakers.
- Collect and analyse data on the challenges faced by the sector. Use this information to support advocacy efforts and to develop evidence-based strategies for improvement.
- Increase the visibility of non-institutional cultural actors through media, public events, and partnerships with other organisations. Raising awareness about their contributions and needs can help garner support and influence policy changes.
- Develop a plan for long-term sustainability of the legal entity, including funding strategies, membership engagement, and ongoing advocacy efforts.

Enhance regional and European networking:

- Build relationships with cultural organisations, unions, and advocacy groups across the region and Europe. Attend regional and European cultural events, conferences, and forums to network with key stakeholders.
- Stay informed about labour rights developments and the status of non-institutional cultural sectors across different countries. Follow relevant reports, policy changes, and news from organisations such as the Culture Action Europe, European Cultural Foundation, the European Union, Kooperativa, and other regional bodies.
- Share best practices for improving labour rights and sector conditions with peers in other countries. Organise webinars, workshops, or roundtables where representatives can discuss and share experiences.
- Join forces with regional and European networks to strengthen advocacy efforts. Collaborate on campaigns, research projects, and policy proposals to advance common goals.
- Recognise and address the unique challenges and opportunities in different regions.
- Promote visibility of non-institutional cultural actors in the broader regional and European context. Use publications, social media, and international forums to raise awareness and build support.
- Leverage funding opportunities by exploring and applying for funding from regional and European sources that support cultural projects, advocacy, and capacity-building for non-institutional cultural actors.



Develop fair pay standards and equitable compensation for all types of artistic, cultural, technical, and maintenance work:

- Conduct a comprehensive review of existing pay practices within the non-intuitional cultural sector. Identify gaps and inconsistencies in how artists and cultural workers are compensated.
- Create guidelines or a framework for fair pay that considers factors such as type of work, engagement period, and working conditions.
- Use existing models as references, for example the Netherlands' visual artist fee guidelines⁵⁹ or the Paying Artists Campaign in the UK⁶⁰ and the "Fair Pay Protocol" (FPP) from Zagreb's "For Bread" (Za K.R.U.H.) platform. Adapt these models to fit the local context and needs of your sector.
- Collaborate with cultural organisations, unions, and independent artists to develop and refine the pay standards.
- Implement and promote guidelines as new pay standards across the sector. Offer training and resources to help artists, cultural workers, and institutions understand and apply these guidelines.
- Regularly review and update the pay standards based on feedback and changing conditions in the sector.
- Use the established pay standards as a basis for advocating for policy changes at national and local levels. Engage with policymakers to support the adoption of fair pay practices within the broader cultural sector.

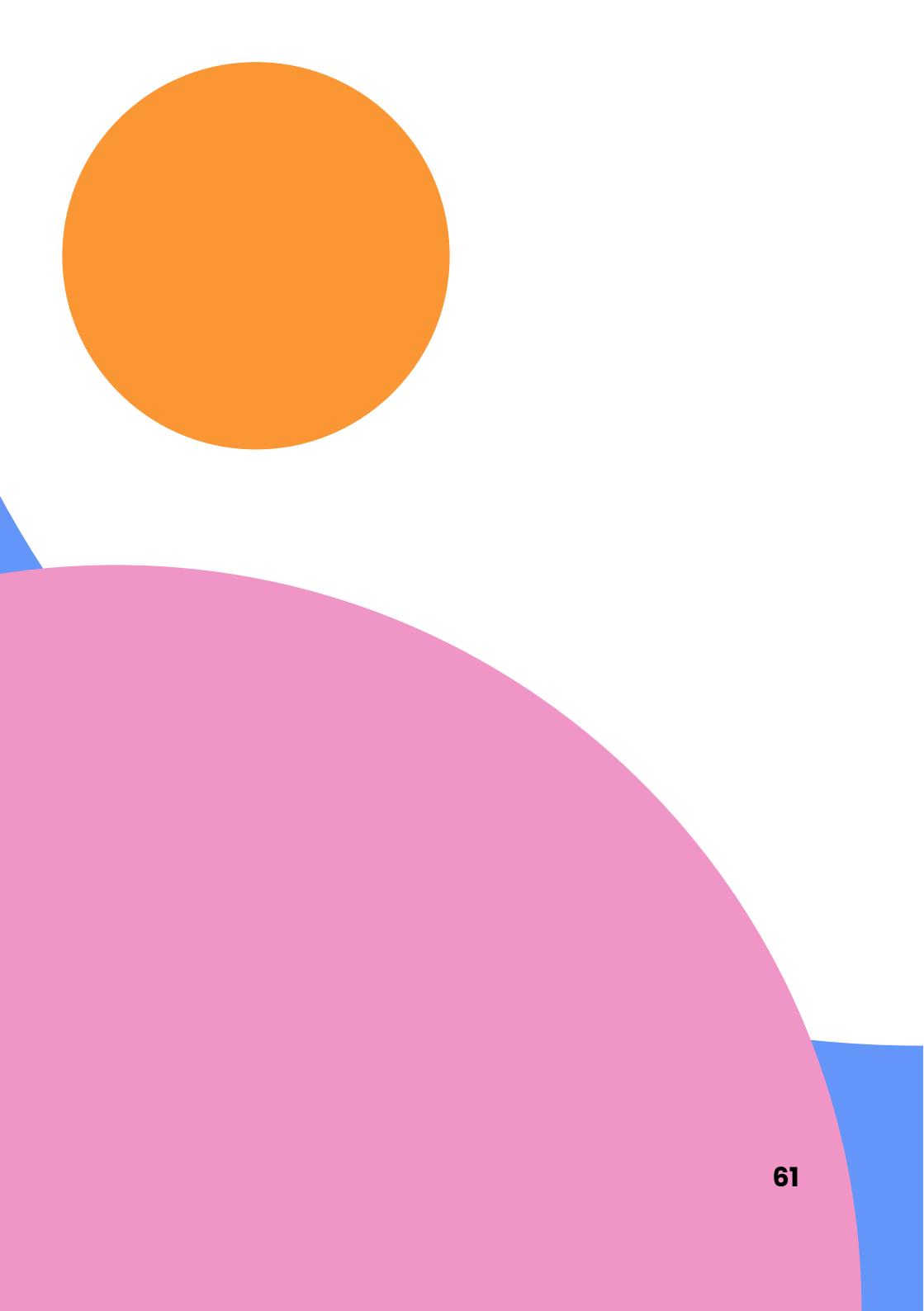
59 <https://kunstenaarshonorarium.nl/en/guideline-for-artists-fees/>

60 <https://www.a-n.co.uk/paying-artists/>



Explore Universal Basic Income (UBI) as a framework to support non-institutional cultural sectors:

- Initiate or support research on UBI's potential impacts on artists and cultural workers. This includes studying pilot projects, analysing existing welfare programmes that resemble UBI, and evaluating the outcomes of temporary support measures like those during COVID-19.
- Identify the specific needs and challenges faced by independent artists and cultural workers that a UBI system could address.
- Advocate for or participate in pilot projects to test UBI models specifically for the arts and culture sector.
- Review case studies from other countries that have implemented partial UBI or similar welfare programmes to understand their impact on the creative sector.
- Collaborate with advocacy groups, cultural organisations, and policymakers to build support for UBI initiatives within the arts and culture sector.
- Highlight how UBI can address gaps in existing welfare systems and support the unique needs of independent cultural workers.
- Raise awareness about the potential benefits of UBI for artists and cultural workers through public campaigns, media outreach, and community discussions.
- Engage with government officials and agencies to explore the feasibility of implementing UBI or pilot programmes within the arts and culture sector.



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3.4

Alternative Micro and Macro Struggles: Resisting Exploitation and Avoiding Perpetuation of Injustice

- Be aware of and get acquainted with your labour rights and the legal framework governing your work.
- Always include and calculate a fee for your work and that of your collaborators, ensuring fair compensation in Open Call applications. The same applies for when you are working for an institution (for example, ensure that as an externally hired cultural worker, you are compensated according to legal provisions and public sector pay grades for the work done).
- Always request a detailed contract specifying the scope of work, compensation amount, payment timelines, and penalties for delays whenever contributing or receiving contributions.
- Be supportive but avoid self-exploitation—set clear boundaries and limits when asked to take on tasks.
- Set a schedule that includes dedicated free time for yourself.
- Understand how to secure support from multiple sources, including public institutions, private foundations, and companies, and recognise the importance of public funding and the management of mixed funding for programmes.
- Culture that benefits society needs support, and artists deserve to be paid for their

work. Promoting “non-funded culture” as an ideology only exacerbates the existing precarity in the non-institutional art world.

- Be aware how you set the tone of your work and how you align your vision with the objectives of different foundations.
- Insist on transparency of funding and equitable distribution of funds;
- Always consider equal distribution of the budget;
- If possible, join or establish a union organisation or affiliation.
- Always have in mind that hyperproduction without proper financial compensation is increasing precarity.
- Never accept exhibiting without financial compensation for your work, just for the sake of visibility and exposure.
- Respect artistic autonomy and creative vision;
- Provide necessary resources, space, and support for the creation and presentation of work. If basic standards are not met, consider whether the project needs a different implementation timeline.
- Work on alternative anti-capitalist forms of collectivity and sharing.
- Stir up change whenever possible.

annex

To highlight the working conditions and labour rights of artists, we have included a **brief summary of a questionnaire as an annex, based on responses from artists and collaborators who participated in the international exhibition and public programme “No time to work. No time free of work.”**⁶¹ This questionnaire was a key research tool designed to gather insights into labour conditions, rights, and social justice in artistic production. Through a dialogue-based approach, artists were encouraged to share their thoughts and experiences, part of which were then integrated and quoted in the exhibition. The questions were framed around the idea that “the personal is political”, pointing out that the separation between the private and public spheres is both artificial and harmful in political discourse.

Personal Perspective on how independent artists and cultural workers, as individuals, navigate their roles within the private and larger societal contexts, while merging their personal identity with their professional position in the art system:

Pavla Sceranková (Slovakia) sees art as essential for navigating the world, tackling complex issues, and fostering understanding. For her, art provides relief and solutions, remaining a vital part of her life, even when it seems disconnected from her personal circumstances. While no specific needs undermine her practice, she acknowledges that better conditions for art would result in a happier life overall.

⁶¹ International exhibition and public programme, curated by Jindřich Chalupecký Society curatorial collective (Barbora Ciprová, Veronika Čechová, Tereza Jindrová, Karina Kottová) and Ivana Vaseva (Faculty of things that can't be learned – FRU / 19. AKTO Festival for Contemporary Arts), presented at the National Gallery of the Republic of North Macedonia – Mala Stanica, 3-24 September, 2024

Systemic Changes to better meet the needs of artists and cultural workers and their art practice:

Danilo Prnjat (Montenegro/Serbia) argues that artists should be supported like public figures, paid by the state with the expectation that they contribute to society. Instead of focusing on private collections, their work should address societal needs, integrated into public institutions such as health centres, shelters, and community spaces. This shift is vital for maintaining art's social relevance, supporting democratic processes, and fostering public engagement in social transformation.

Position of Artists and Cultural Workers regarding their socioeconomic status in the art system, including labour rights, remuneration, and career sustainability, compared to employees in state or local cultural institutions or public administration in culture:

The art collective Stony-Tellers (Czech Republic) notes that artists face financial instability, with inadequate income from

their art practice. They often rely on part-time jobs to support themselves, which contrasts with the more stable salaries of employees in state or local cultural institutions. While their financial situations vary, none of the collective members can sustain themselves comfortably on their art earnings alone, often struggling to cover costs and losing out on higher-paying opportunities.

For **Dorotej Neshovski (North Macedonia)**, it is crucial to ensure that no one's work is exploited. He consistently fights for fair compensation for everyone involved in his projects, including himself. However, he sometimes finds it easier to donate his artwork than to sell it at a low price, as people often assume art should be free.

Jiří Skála (Slovakia/Czech Republic) observes class issues in some of his art projects. While his work is often met with negative reactions from established figures in the art world, it is well-received by the general public, particularly those from underprivileged backgrounds.

Conditions of Creation of Artwork by type of work produced, material and immaterial processes, expenses, required finances, space, and support by other collaborators:

The Haveit Collective (Kosovo) often funds their own projects, borrowing or renting materials and tools to complete their work. Their four-woman collective was founded to address societal injustices, and while they rely on collective strength and artistic freedom to express their views, they face limited resources and systemic barriers.

Negative Prejudice on perceived physical, cultural, or social attributes of the artists and the artwork:

selma banich (Croatia) has experienced blacklisting and censorship due to her political and social activism. This has led to negative prejudice against her work, affecting her access to funding and project opportunities.

Utopian Future of possible ideal world in both private and professional surrounding to support best outcomes of the work:

Lukáš Hofman (Czech Republic) envisions an ideal world where he can continue his performative work beyond age 30, with a dedicated studio and ample time for research. However, as time has passed, his imagination has dimmed, and he no longer envisions a utopian scenario that meets his needs. He has become accustomed to the precarious nature of being an artist and acknowledges that this reality is disheartening.

Purpose of Art Spaces and the role of art in the capitalist world on the brink of climate catastrophe:

Lenka Đorojević and Matej Stupica (Montenegro/Slovenia) advocate for artists to create new models of work and collaboration that challenge individualism and competition in the cultural and economic systems. Establishing communal spaces can foster diverse and equitable autonomies, both now and in the future.

Barbora Kleinhamplová
(Czech Republic) believes that art should transcend its role as a commodity, offering subversive perspectives and engaging with various disciplines to address social and environmental issues. Her approach aims to foster empathy and develop innovative solutions for the ongoing climate crisis.

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