

## **Annex to Article 15 of the seventh periodic report of the Federal Republic of Germany under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights**

### **Reporting period:**

**2016 to the end of 2022 (partly mid-2023)**

### **On Article 15**

*Right to participate in cultural life, to share in scientific progress and to copyright protection*

#### **Dealing with cultural artefacts from colonial contexts**

1. All people should be able to experience and engage with their rich material cultural heritage in their countries and communities of origin and pass it on to future generations. We therefore want to deal responsibly with cultural artefacts from colonial contexts in close exchange with the countries of origin and the affected communities of origin.

#### **Cultural aid due to Russia's war of aggression against Ukraine, which violates international law**

2. With funds from the supplementary budget for Ukraine, the Federal Government Commissioner for Culture and the Media was able to allocate a total of 18.2 million euros for sensible cultural-political aid measures in the 2022 budget year. The focal points were: Protection of cultural assets (approx. 3.5 million euros), media (Deutsche Welle, JX-Fund (European Fund for Media in Exile), media in exile from Ukraine and Russia approx. 8.3 million euros), grants/fees/residence programmes (approx. 5.1 million euros) as well as cultural offerings/socio-cultural events (approx. 1.3 million euros).

3. In the field of protection of cultural assets, the Federal Government Commissioner for Culture and the Media, together with the Federal Foreign Office, launched the "Cultural Assets Protection Network Ukraine" at the beginning of March 2022. The central steering hub of the network was the German national committee of the International Council of Museums. The Federal Institute for Culture and History of the Germans in Eastern Europe in Oldenburg and the private initiative of the "Ukraine Art Aid Center" also played a central role coordinating most of the funds (about 3 million euros) for protection in Ukraine.

4. Together with the Federal Foreign Office, the Federal Government Commissioner for Culture and the Media launched the Hannah Arendt Initiative in October 2022. The initiative is a protection programme for media professionals and defenders of freedom of expression in crisis and conflict areas abroad and in exile in Germany (Federal Government Commissioner for Culture and the Media in Germany, Federal Foreign Office abroad). The network is to be continuously expanded.

The Länder also make their contribution to this topic within the framework of the funds available in their budgets.

### **Cultural education for children and young people**

5. Cultural education is vital for engaging in cultural and social activities, and it enhances participation in the democratic process and social skills. Furthermore, the involvement of children and young people with artistic and cultural forms of expression enhances their personal development and communication abilities. This requires institutions that open up reliable, inspiring offerings and new perspectives beyond family, daycare, school and training. The funding of the nationwide infrastructure for cultural child and youth education with funds from the Child and Youth Plan of the Federation is an important contribution to children and youth's upbringing. It aims to build confidence, foster a sense of community, and encourage exploration, all of which are essential for their growth. The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder has been engaged in cultural education for several years, including in connection with the expansion of all-day school programmes, and is dedicated to fostering collaborative education, culture, and youth policies. In 2007, for example, it issued a recommendation on cultural education for children and young people.

6. Against the background of current social transformation processes, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder revised the recommendation again in 2022 after an update in 2013. A broad understanding of culture influenced the revised recommendation, which not only includes the arts in the narrow sense (literature, music, theatre, art, etc.), but also (socio-)cultural practices. It anchors cultural education in early childhood education, in school and in cultural institutions and encourages stronger cooperation between cultural and educational institutions, including the creation of legal and financial framework conditions. Against the background of the increasing pervasiveness of digital technologies, the recommendation also emphasizes the use of digital learning formats. When it comes to the training of educators and experts, it is advisable to provide instruction that imparts both the theoretical and practical fundamentals of cultural education, as well as the skills needed to collaborate effectively with cultural institutions and actors.

### **Support for cultural workers and cultural institutions to mitigate the impact of the COVID-19 pandemic**

7. To reduce the effects of the COVID-19 pandemic, the Federation and the Länder have launched various support measures and programmes for cultural workers and cultural institutions. This support assisted in mitigating the financial impacts of COVID-19-related closures and protective measures on cultural institutions, cultural event businesses, and artists, both public and private, thereby safeguarding the varied cultural sector in Germany.

8. The cultural sector workforce in particular suffered from a significant reduction in income resulting from the limitations enforced during the pandemic. Lawmakers responded to this with the social protection package. In order to provide assistance as unbureaucratically and accurately as possible, access to basic income support was streamlined from 1 March 2020 to ensure livelihoods. In the case of existential needs, the basic income support scheme applies to everyone, including those working in the arts, and is independent of the cause of the situation. The housing costs, which include expenses for accommodation and heating, were fully recognised during the initial six months of benefit receipt. In addition, the existence of assets was not assessed for the most part. The period was extended several times and finally ended on 31 December 2022 with the introduction of

the Citizen's Benefit in 2023. In the summer of 2020, the Federal Government Commissioner for Culture and the Media set up the future-oriented programme "A new start for culture" with a total volume of two billion euros. It consists of 78 sub-programmes that were developed and implemented in coordination with the Länder and in close cooperation with cultural associations and funds. As of 31 December 2023, around 1.7 billion euros had been approved for the final recipients. Most of this (around 1.5 billion euros) has already been contracted and disbursed. Programme funding was possible until 30 June 2023.

9. The special federal fund for cultural events with a volume of 2.5 billion euros was set up as a further aid programme. It started in July 2021 and ran until the end of 2022. The Federal Ministry of Finance and the Federal Government Commissioner for Culture and the Media, which was also in charge of the management of funds, were jointly responsible. The handling was carried out by the Länder. The special fund included a) financial aid for smaller cultural events (up to 2,000 participants) that took place with a reduced number of participants due to the COVID-19 pandemic and b) insurance against cancellation for larger cultural events (over 2,000 participants) if they had to be cancelled or postponed due to the pandemic. As of 20 March 2023, subsidies of around 454 million euros had been paid out, applications with a volume of 25.7 million euros being processed. A further 159 million euros were tied up in registrations.

#### **Short-time work allowance, basic income support, artists' social insurance scheme**

10. During the COVID-19 pandemic, numerous companies, including those in the cultural sector such as those in the event industry, were supported with short-time work allowance. This was achieved through various special regulations such as easier access and utilisation. Extension of the period of entitlement and reimbursement of social security contributions to employers meant that it was possible for employees to be retained and redundancies were largely avoided. Even after the expiry of the special regulations related to the crisis on 30 June 2023, short-time work allowance can be paid in accordance with the general legal requirements if an unavoidable loss of work occurs.

11. In the years 2020 to 2023, the Federal Government also implemented measures in the artists' social insurance scheme to assist cultural and creative workers, and companies subject to social security contributions, in alleviating the detrimental effects of the pandemic. The minimum income limit of 3,900 euros for those insured under the artists' social insurance was suspended between 2020 and 2022. This means that falling below the minimum annual income of 3,900 euros required for insurance did not affect the continued existence of insurance cover. In addition, an exemption for the additional earnings limit for additional non-artistic self-employed activities (1,300 euros per month) was created, although limited until the end of 2022. Up to this amount, the artists' social insurance scheme continued to provide health and long-term care insurance. Finally, with additional federal funds of around 176 million euros, it was possible to prevent or mitigate an increase in the artists' social insurance contribution rate for companies subject to social security contributions.

12. The Länder have been closely involved in the conception of the federal support offers and were partly responsible for its implementation. An IT platform for the disbursement of the supporting funds and a call centre for questions from all over Germany were contributed by the Länder. In addition to the support programmes of the Federation, separate programmes have also been set up to protect artists, cultural workers and cultural institutions.<sup>1</sup> In the summer of 2021, the culture ministers of the Länder adopted the guidelines "Facilitating culture!" in line with the easing of restrictions in all areas of life, in order to enable cultural events and offerings to be resumed while complying with protective measures. The Länder emphatically spoke out in favour of continuing financial aid for cultural workers and institutions in order to further stabilise the cultural and creative sector. During the entire duration of the COVID-19 pandemic, the Länder were in very close contact and exchanged information in order to jointly cushion the effects of the pandemic on cultural workers and cultural institutions.

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<sup>1</sup>An overview of the various Länder programmes can be viewed on the website of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder:  
<https://www.kmk.org/de/themen/kultur/aktuelle-hilfsprogramme-fuer-kulturschaffende.html>.