*Annex 2 to Romania’s response to Joint questionnaire by Special Procedure mandate holders “Protecting human rights during and after the COVID-19 “*

*Supplementary information on the* ***cultural rights***

The next report to the Human Rights Council by the Special Rapporteur in the field of cultural rights, Ms. Karima Bennoune, will focus on the impact of the COVID-19 crisis on the exercise of cultural rights and on the role of culture and cultural rights in responding to the pandemic.

1. What have been the impacts on cultural rights and on cultural life\* of:
2. the pandemic?

A: ***The measures taken in the context of COVID-19 pandemic, including health and social recommendations and restrictions, have affected society at almost all levels. In an initial phase, it has closed theatres, cinemas, museums and concert halls, and, in general, has led to the cancellation of cultural events and closure of cultural institutions. The cultural and creative sectors were among the first to experience the negative effects of the pandemic. It has affected the lives of artists and cultural workers who have lost their regular income, especially independent artists and those working in the independent cultural sector. However, the cultural life continued online during the emergency situation, with several representative theatres providing for online streaming of representations – the National Theatre and several state or private owned theatres.***

***None of the stakeholders has been prepared for a crisis of this magnitude, but measures to resume outdoor cultural events were gradually taken when the state of alert has been introduced. See for example the solution found for the Transilvania Film Festival (TIFF) 2020***

b.)measures taken to respond to the pandemic?

A: ***On the 10th of March, a circular letter was sent to all the institutions subordinated to the Ministry of Culture, informing them that from that day on all activities and events involving public were suspended. The measure mainly concerned the institutions which organized performances or concerts, the museum institutions, the National Library of Romania and the cultural centres.***

***This measure was then further extended by the art. 2 of the Military Ordinance no. 1 of 17th of March 2020 (published on the 18th of March) approved by The Romanian Government, which states that all cultural, scientific, artistic, religious, sports, entertainment or gambling, spa treatment and personal care activities, held in confined spaces, were suspended.***

***Art. 3 of the Presidential decree no. 195 of 16th of March 2020 regarding the establishment of a state of emergency in the territory of Romania states that: Central and local public institutions and authorities, autonomous administrative authorities, autonomous administrations, national companies and companies and companies in which the state or a territorial-administrative unit is sole or majority shareholder, the companies with private capital, will introduce where possible, during the state of emergency period, work from home or telework, by the unilateral act of the employer.***

***Therefore the following measures have been taken:***

***- for each of the departments of the Ministry of Culture, 50% of personnel may work remotely;***

***- a circular letter has been sent to all the institutions subordinated to the Ministry in order for remote work to be encouraged;***

***- a specific plan of continuity has been drafted regarding the order of succession established for all management positions in the Ministry of Culture and the subordinated institutions.***

*\* Cultural rights include the rights to take part in cultural life without discrimination, to access and enjoy heritage, to artistic and scientific freedom, and to benefit from scientific knowledge and its applications. Cultural life includes performing arts, museums, heritage sites, sports and public spaces used for a variety of cultural and social gatherings*.

1. What efforts have been made to guarantee the exercise of cultural rights, in accordance with the requirements of public health? How has the message that cultural life must be enjoyed in ways that respect public health and medical expertise been communicated?

A: ***In order to guarantee the exercise of cultural rights in accordance with the requirements of public health, starting with 29 of May, the Minister of Culture and the Minister of Health, signed the Joint Order regarding the measures taken to prevent the contamination with the new SARS-CoV-2 coronavirus and to ensure the safe conduct of activities in museums and art galleries, libraries, bookstores, film and audio-visual productions, outdoor and drive in activities. These measures shall be applied during the alert period together with the need to ensure the safe development of the activity of cultural institutions.***

With the state of alert, there have been in place more measures in order to bring back cultural life to the Romanian citizens. The measures are being applied gradually. Online events continued.

1. What roles have culture and cultural rights played in responding to the pandemic:
2. At the individual and collective levels, including in building resilience and solidarity, and memorializing victims?
3. At the scientific level, to provide adequate information to inform public policy and ensure public awareness?
4. In any other relevant manner?

A: ***A significant part of the artistic community ”enrolled” in the awareness campaigns on social media and contributed to provide adequate information to the large public. The online theatrical representations, for example, had a broad audience, especially among Romanians living abroad (see the responses below).***

***In this sense, it worth mentioning that, starting with September 2020, the National Romanian Television, through its international channels, will broadcast 10 theatrical representations, as part of a project ”Theatre at the National Romanian Television 2020”. These representations were among the 41 live representations, registered in the summer garden of the Romanian Television, between July and August 2020.***

***On 10 July 2020, the Ministry of Culture launched the Romanian Summer Music Session 2020, while obeying the rules imposed in the context of the pandemic. 11 Romanian institutions, from all over the country, organized their own outdoor music sessions: National Art Centre ”Romanian Youth”, National Chorus ”Madrigal”, ”George Enescu” Philharmonic, the national opera centres from the main cities of Romania. These representations were widely advertised and promoted on the internet and social media.***

1. What steps have been taken to mitigate the impacts of the pandemic, and of measures to counter the pandemic, on the cultural sector and on the human rights of those working in it (including artists, athletes, cultural heritage professionals, cultural workers, librarians, museum workers and scientists)?
2. How have the cultural sector and those working in it adapted to the pandemic? How have these adaptations been received by the public and how have they been supported, including financially? Are there sectors of the population that may risk exclusion from such adaptations?

R: ***On 27 March, the Ministry of Culture officially launched the "ACCES Online 2020" funding programme dedicated entirely to the private cultural sector. It is a financial support tool for cultural projects which can be disseminated exclusively in the online environment. The programme was designed to support independent artists and culture professionals who cannot carry out their activities with the public during this crisis period.***

***The main objectives are: to ensure the continuity of the creative process in key areas of the cultural field such as: theatre, music, dance, visual arts, intangible heritage; to promote contemporary cultural values in Romania; and to stimulate the valorisation of contemporary creation through cultural actions and projects that foster innovative ways to operate in the cultural field.***

***The amount allocated for this programme is 1,000,000 lei (approximately 200.000 Euro). The maximum amount that can be requested for a cultural project / action is 50,000 lei (approx. 11.000 Euro). In order to be eligible, the cultural offers submitted under the ACCES Online ProgramME must run between May 30 and August 31, 2020. The deadline is April 30, 2020.***

***Source:***[***http://www.cultura.ro/lansare-program-acces-online-2020***](http://www.cultura.ro/lansare-program-acces-online-2020)***.***

***On 26 March, the Romanian Government approved an ordinance, which also includes special provisions for individuals who have income exclusively from copyright and related rights and which are affected by the current COVID-19 crisis – applicable to artists and other CCS professionals. They will receive a financial support of 75% from the average gross salary at national level.***

***Source:***[***http://www.cultura.ro/informatii-pentru-persoanele-care-obtin-venit...***](http://www.cultura.ro/informatii-pentru-persoanele-care-obtin-venituri-din-drepturi-de-autor)

***Cultural institutions in Romania are restlessly working in order to broadcast theatre and opera performances online, post online tools for museum visits and other such activities. The social media channels as well as the institutional websites are the preferred platforms of promotion. On the 17th of March, the Ministry of Culture asked all its subordinated institutions to send information on digital archives/virtual tours/online catalogues/streaming of performances or other activities that may attract and involve the public that is in isolation at home due to the situation caused by the COVID-19 virus. Thus, after receiving all the responses, the Ministry of Culture has developed a strategy of promoting these digital resources/activities on its social media channels.***

***Among the institutions that opened their cultural offer online we can mention:***

***- ARTEXIM, the organizer of the George Enescu International Festival, offers an online version of the festival starting with 18th of March on www.festivalenescu.ro, with a record number of viewers in the first 24 hours (11.460 viewers);***

***- The Grigore Antipa National Museum of Natural History offers a virtual tour of the museum available at http://www.imagofactory.ro/muzee/antipa/antipa.html;***

***- The National Museum George Enescu ensured an online presence through a virtual tour of the museum, online exhibitions and recitals hosted by the museum;***

***- The National Theatre of Cluj-Napoca distributed on-line some of their most appreciated productions. The theatre counted over 40.000 visualizations of its performances at the end of March;***

***- The Brukenthal National Museum has available on its webpage an online exhibition tool since 2015 and a page with downloadable publications (since 2009). The Facebook platform is currently used to disseminate information and resources concerning exhibitions that were cancelled. A virtual tour of the museum as well as objects on display in the museum can be accessed online as a result of projects realised with the Google Cultural Institute;***

***- The National Museum of History of Romania provides online visits (both 2D and 3D) of its permanent exhibition, as well as past exhibitions;***

***- The National Village Museum Dimitrie Gusti disseminates relevant cultural resources (traditional crafts films, virtual tours, contests, workshops for children, virtual exhibitions etc.) on their official page as well as on social media (Facebook, Instagram);***

***- The National Theatre of Craiova organizes online performances and readings on Facebook;***

***- Bucharest National Opera makes available on line (on its website as well as on its Facebook page), starting with 23rd of March, twice per week, performances from its repertoire;***

***- Iași National Theatre offers to the public its collection of most valuable performances both on its website as well as on YouTube;***

***- Among other cultural institutions that have made available online their performances can be mentioned the National Theatre Târgu Mureș, the Hungarian Opera from Cluj, the Hungarian State Theatre Cluj.***

***Some private cultural institutions are selling tickets for online performances, such as un theatre which announced cheaper tickets for livestreamed plays involving maximum 3 actors. Other institutions such as Arte dell’Anima Theatre even organize online theatre courses of personal development for children. Private art galleries are presenting online guided tours of their projects and are creating new platforms with limited edition works, as well as accepting orders online.***

***Furthermore, some institutions have launched their own application – e.g. the The Comic Opera for Children has launched the Children's Opera app which allows subscribers to watch unlimited online shows from the institution's repertoire and cultural, fun and educational shows, wherever they may be.***

1. What kind of measures will be necessary to rebuild the cultural sector going forward? How will inclusion be addressed?

R: ***It can be said that this situation has exposed all the vulnerabilities of the cultural-creative sector. Digitization has been one of the main topics debated at European level in recent years, now having the opportunity, by chance, to all experience, on a large scale, its relevance and benefits. The crisis has allowed the cultural sector to explore more possibilities and opportunities that the internet offers. For example, today, people at a great distance have access to national theatres or operas through online platforms.***

1. Has your Government already envisaged / announced specific measures to support the culture sector during and after the pandemic? How will relevant constituencies participate in their development and implementation?

R: Among the ***adopted measures in the cultural field we mention the following:***

***- Romania offers monthly allowances for supporting the independent artists - 75% of the average gross salary. Also, other professionals from the cultural field (such as authorized individuals or individual societies) can benefit from social protection assistance.***

***- The state subsidizes technical unemployment for companies or NGOs that temporarily interrupt the employment contracts of their employees - 75% of the specific salary, but not more than 75% of the average gross salary.***

***- It has been decided to implement a multi-annual program to support small and medium-sized enterprises in order to reduce the effects of the spread of Covid-19, by guaranteeing loans and subsidizing interest for these loans.***

***- The Ministry of Culture has launched the ACCES Online 2020 financing project, dedicated exclusively to the private sector, as a tool to support cultural projects that can be fully implemented in the online environment. The allocated amount is 1 million lei, therefore 50,000 lei can be allocated for each project.***

***- The Project Management Unit launched the second session of the call Strengthening cultural entrepreneurship and developing the audience and the public, amounting to 2 million euros, through the Grant for South-Eastern Europe 2014 - 2021.***

***- A law has been drafted in order to increase the financing from the lottery to the film sector;***

***- The Ministry of Culture has initiated the procedures regarding the acquisition of contemporary art in the amount of 2 million lei. This is a solution taken in the context of the COVID-19 crisis in order to support Romanian artists, but also a long-term investment of the Romanian state.***

***- Following the same logic of the urgent measures, the National Institute for Cultural Research and Training, an institution subordinated to the Ministry of Culture, has created a platform for registering online cultural activities at national level, which is already available in Romanian and English starting April 8th . The platform identifies both the suppliers and the cultural contents which were produced and put into circulation during this period.***

***We want to emphasize that in these times of challenge generated by the coronavirus context, it is necessary to support funding for the cultural heritage. The National Heritage Institute, will launch a pilot call for funding from the amounts collected from the stamp of historical monuments. This financing line will cover small grants with a value of up to 150,000 lei. The total amount of the fund is 3 million lei, and the financing project will be launched in May.***

1. Have scientific and medical experts been able to express themselves freely about the pandemic, its impacts and needed responses? What measures have been taken to address the denial of scientific information about the pandemic, and to ensure access to reliable scientific information to guide policymaking and personal choices?

**R: *All the actors involved in the cultural sector*** ***had to adapt to this new context and also all had the freedom to express themselves clearly on the existing situation, as well as on the measures taken by the government.* *This happened on the online platform, on social networking sites, followed by millions of fans, who also had their own opinions about this situation.***

***Also, several government ministers were directly involved in discussions with people on social networking sites or by e-mail, by answering at the questions which were addressed to them.***