

## Support for Saint Lucia to Implement the Gender-Responsive National Strategy for the Development of the Four Priority Services Sub-Sectors



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## Market Pointer – Exporting “Creative” Services to the United States

### Demand

The ITC data for the United States is available until 2019 for Audiovisual and related services and for Other personal, cultural, and recreational services. The United States imported approximately \$18.9Bn. USD in Audiovisual and related services in 2019, representing an increase of 8.6% over the corresponding import figure of \$17.4Bn. USD in 2018. Also, the United States imported \$2.2Bn. USD in Other personal, cultural, and recreational services in both 2019 representing an increase of 22.2% over the corresponding import figure of \$1.8 Bn. USD in 2018. Even more than the United Kingdom, the already huge market demand and growing trend in imports make the United States market makes it attractive for Saint Lucian artistes to explore.

The United States boasts a large number of annual events at which Saint Lucian entertainment artistes can perform. Some of these include Sundance Film Festival (Park City, Utah); Super Bowl Sunday (Hard Rock Stadium, Miami, Florida); Mardi Gras (New Orleans, Louisiana); Masters Golf Tournament (Augusta National Golf Club, Georgia); Coachella (Empire Polo Club in Indio, California); The Boston Marathon (Boston, Massachusetts); Independence Day (Throughout the USA); Comic-Con International (San Diego, California); Lollapalooza (Chicago, Illinois); Burning Man Festival; and US Open Tennis Championships; among many others. Below is some more detailed information for some of these events.

*Sundance Film Festival (Park City, Utah)* is the largest independent film festival in the United States. It is a program of the Sundance Institute and takes place in Park City, Utah, each year. The festival serves as a showcase for local and international indie filmmakers. It celebrates documentaries, feature films and shorts. Sundance is a great option for film lovers who enjoy innovative movies. There are also panel discussions.<sup>1</sup>

*Super Bowl Sunday (Hard Rock Stadium, Miami, Florida)* is as American as cornbread and fried chicken. Once a year, the two top American football teams square off amidst plenty of fanfare. This sought-after event normally takes place in one of the USA sunbelt cities' large football arenas. Aside from the game, a big drawing card is the halftime entertainment. It normally features an elaborate performance by huge artists like Beyoncé or Madonna. Tickets are expensive. It can go up to \$4,000 per seat.<sup>2</sup>

*Mardi Gras (New Orleans, Louisiana)* is a wonderful carnival that takes place in New Orleans each year. The festival can be traced back to medieval Europe. It was brought to America by the French-Canadian explorer Jean Baptiste Le Moyne Sieur de Bienville. He settled near New Orleans in 1699. The first Mardi Gras was celebrated in 1703. Today it is a family-friendly carnival with floats, entertainment, and exceptional food. It is a whole lot of fun and a great way to experience the inimitable Louisiana ambience.<sup>3</sup>

*Masters Golf Tournament (Augusta National Golf Club, Georgia)* as one of the four major events in professional golf, it is an epic show of sportsmanship. It takes place at the Augusta National Golf Club in Georgia every year. Due to event popularity, prospective attendees have to enter a 'lottery' to secure a ticket. The first tournament was played in 1939 and was notable for being the first golf event broadcast on radio.<sup>4</sup>

*Coachella (Empire Polo Club in Indio, California)* is one of the best-loved music festivals in the US. It is actually officially called the Coachella Valley Music and Arts Festival. As such, there is an art component to it as well. The festival is hosted annually at the Empire Polo Club in Indio, California and it is named after the valley in the Colorado desert where it takes place. Here, one can encounter some of the most famous artists and bands in the world. It is also a fashion hotspot.<sup>5</sup>

*The Boston Marathon (Boston, Massachusetts)* is an annual running event that takes place throughout various cities in the greater Boston area in Massachusetts. It began in 1897, with only 15 participants, and is the world's oldest annual marathon. The marathon draws runners from far and wide, and spectators line the streets. The event takes place on Patriot's Day (the third Monday of April). Registration begins in September each year.<sup>6</sup>

*Independence Day* is a patriotic US holiday celebrated on the 4<sup>th</sup> of July. It commemorates the publication of the Declaration of Independence, a document that was drawn up in 1776, stating the union's intent to challenge the British for their independence. These days, it is a public holiday and a festive affair

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<sup>1</sup> <https://expatexplore.com/blog/americas-top-annual-events/>

<sup>2</sup> <https://expatexplore.com/blog/americas-top-annual-events/>

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

throughout the country with plenty of barbecues everywhere. The Independence Day spirit can be enjoyed anywhere in America on the 4<sup>th</sup> of July.<sup>7</sup>

*Comic-Con International* takes place in San Diego each year. This multi-genre entertainment and comic convention is a must for lovers of pop culture where they will find all the latest in comics and graphic novels, as well as anime and manga. Video games, movies and collector's items also feature prominently, but the real reason many people go is to enjoy the costumes, which Comic-Con participants are renowned for. Many fans dress up as their favourite characters from graphic novels and movies.<sup>8</sup>

*Lollapalooza* in Chicago is the music festival for those into heavy metal, pop, or rock music. This festival also features EDM bands, artists, dancers, and stand-up comedians. It basically plays host to A-list bands across all genres. Grant Park provides the perfect backdrop for this remarkable event.<sup>9</sup>

*Burning Man Festival* is an iconic counterculture event that draws visitors from around the globe. It takes place in the Black Rock Desert of northern Nevada each year where a temporary city is built to host the festival. Burning Man started in 1986, with burning a wooden-figure of a man on a beach in San Francisco – there were 20 people present that night and by the next year, it had increased to 80.<sup>10</sup>

*US Open Tennis Championships* is one of the most important hard-court tennis championships in the world and it takes place annually at the USTA Billie Jean King National Tennis Center. Tickets are made available almost a year in advance, so fans can secure their seats and plan their travels accordingly.

## Market entry requirements

Saint Lucian passport holders require a visa for travel to United States under all circumstances and this can be obtained by application at the United States Embassy in Barbados. Recently, the US Government has approved application for certain types of visas online for qualifying Saint Lucians who already have biometric data in the system. However, in relation to the creative industries the United States has a different visa regime. Artistes can enter the United States either under the O1 Visa, P1 Visa, P2 Visa, and P3 Visa. Spouses or other dependents of the main artistes can enter under the P4 visa.<sup>11</sup>

The *O1 visa classification* is generally available to those who possess “extraordinary ability” in the arts, science, business, education, athletics, or those in the motion pictures or television industries who are going to the United States to perform for a temporary period. *Only individual artists and entertainers qualify for the O1 visa category*, meaning that a group of entertainers or a band for example, will not qualify on a single application. However, individuals who will accompany an O1 artist or entertainer to assist in a specific event or performance, and whose assistance is ‘essential’ to the completion of the artist’s or entertainer’s performance may seek an O2 visa. The O1 applicant must file a petition with the *United States Citizenship and Immigration Service* (USCIS) with the accompanying documents evidencing extraordinary ability in the field. A written advisory opinion from a peer group or labor organization or a

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<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> <https://www.visapro.com/resources/article/us-visa-for-artists-and-entertainers/>

person designated by such a group with expertise in the artist's or entertainer's field of ability must also accompany every O1 petition.<sup>12</sup>

The *P1 visa classification* is available to artists and entertainers going to the United States temporarily to perform as a *member of an entertainment group* that has been recognized internationally as outstanding for a sustained and substantial period of time. However, as opposed to the O1 visa classification, which is available to individual artists and entertainers, *the P1 visa classification is intended for those performing as part of a group*. Along with artists and entertainers, essential support personnel, who are an integral part of the performance of P1 artists or entertainers, and who perform support services which cannot be readily performed by a US worker are also eligible for P1 classification. For the entertainment group and its members to qualify for the P1 visa, at least 75 percent of the members of the group must have had a substantial and sustained relationship with the group for at least one year. Also, the entertainment group must be internationally recognized, meaning, it must have a high level of achievement evidenced by a degree of skill and recognition substantially above what is ordinarily encountered. The reputation of the group, not the individual achievements of its members, must be internationally recognized.<sup>13</sup> To obtain a P1 artist visa or P1 entertainer visa, the US employer of the entertainment group or its US agent must file a P1 petition with the USCIS, along with a consultation from an appropriate labor organization regarding the nature of the performance, or a statement proving that the group has been established and performing regularly for a period of at least one year.<sup>14</sup>

The *P2 visa classification* is available to artists and entertainers going temporarily to the United States to perform, either individually or as part of a group, *under a reciprocal exchange program* between an organization in the United States and an organization in another country. Essential support personnel who are an integral part of the performance of a P2 artist or entertainer, and who performs support services that cannot be readily performed by a US worker are also eligible for P2 classification. To obtain the P2 visa for artists and entertainers, the sponsoring organization in the United States, or the US employer, must file a P2 petition with the USCIS, along with a written consultation from an appropriate labor organization. Evidence that the organization in the US was involved in negotiating or has concurred with the reciprocal exchange of US and foreign artists and entertainers must be submitted. The petition should also include the *itinerary of events* (if more than one event).<sup>15</sup>

The *P3 visa classification* is available to artists and entertainers going temporarily to the United States to perform, teach or coach, either individually or as part of a group, *under a program that is culturally unique*. Essential support personnel who are an integral part of the performance of a P3 artist or entertainer and who perform support services that cannot be readily performed by a US worker are also eligible for P3 classification. To qualify for the P3 visa the artists or entertainers must be going to the United States for the purpose of developing, interpreting, representing, coaching, or teaching a unique or traditional ethnic, folk, cultural, musical, theatrical, or artistic performance or presentation. In addition, he or she must be going to the United States to participate in a cultural event or events, which will further the understanding or development of his or her art form. To obtain a P3 visa, the US employer or the sponsoring organization must file a P3 petition with the USCIS, along with a written consultation from an appropriate labor

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

organization, and either, affidavits, testimonials or letters from recognized experts attesting to the authenticity of the individual's or group's skills in performing, presenting, coaching or teaching the unique and traditional art forms; or documentation that establishes that the individual's or group's performance is culturally unique, as evidenced by reviews in newspapers, journals or other published materials. Also, if the events or performances will take place in multiple areas, an itinerary, listing the dates and locations of the events, must be submitted.<sup>16</sup>

Entertainment artistes can also enter the United States under the B1 visa, but this is subject to extremely strict conditions, including:

(1) where the professional entertainer is going to the US to participate only in a cultural program sponsored by the sending country, where he or she will be performing before a nonpaying audience, and all of his or her expenses will be paid by the sending government.

(2) where the professional entertainer is going to the US to participate in a competition for which there is *no remuneration other than a prize* (monetary or otherwise) and expenses.

(3) where a musician is going to the US in order to utilize recording facilities for recording purposes only, and the recording will be distributed and sold only outside the United States, and *no public performances* will be given.

(4) where an artist is going to the United States to paint, sculpt, etc., and is not under contract with a US employer, and does not intend to regularly sell such artwork in the United States.

## Future Trends

In the *United States* as the streaming wars intensify, can consumers expect to see more diverse on-demand options in the year ahead? Kevin Westcott, Deloitte's US leader of telecommunications, media, and entertainment, explores the biggest media trends for 2020—from content re-aggregation and ad-supported video to esports and 5G.

As major networks and studios continue to launch their own direct-to-consumer streaming services in 2020, competitors will likely scramble to offer content libraries broad enough to both attract and retain customers. According to Kevin Westcott, vice chairman and Deloitte's US telecommunications, media, and entertainment leader, Deloitte LLP, this creates opportunities for media, and entertainment firms to "reaggregate" their content libraries with a wide array of offerings—from video, music, and gaming services to ad-supported content.<sup>17</sup>

The United States media and entertainment (M&E) industry is a \$703 billion market, comprised of businesses that produce and distribute motion pictures, television programs and commercials, streaming content, music and audio recordings, broadcast, radio, book publishing, video games and supplementary services and products. The U.S. M&E market, which is 33% of the global M&E industry, is the largest M&E market in the world. The U.S. M&E industry is expected to reach \$804 billion by 2021,

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<sup>16</sup> Ibid.

<sup>17</sup> <https://www2.deloitte.com/us/en/pages/technology-media-and-telecommunications/articles/media-and-entertainment-industry-outlook-trends.html>

according to the Entertainment & Media Outlook by PriceWaterhouseCoopers. The M&E industry can be partitioned into four main verticals: film, music, book publishing and video games.<sup>18</sup>

The U.S. filmed entertainment industry is principally comprised of films, movie theaters, TV subscriptions, streaming content, and the distribution of the filmed entertainment. Box office sales reached just over \$11 billion in 2017, and home video reached \$107.9 billion in 2017. The United States has a mature TV market and Deloitte's industry analysis estimates television subscriptions will remain static at \$100.8 billion through 2018.<sup>19</sup>

Many of the prominent motion picture studios are part of larger media conglomerates that often include television, video and streaming services, music services, newspaper, cable, and magazine segments. The U.S. filmed entertainment sector enjoyed a trade surplus of \$16.3 billion in 2014 (latest available data), which was 5 percent of the total U.S. private sector services trade surplus that year.<sup>20</sup>

The U.S. gaming industry consists of a significant amount of the M&E industry: \$36 billion in revenues in 2017. Today's consumers have access to multiple devices for gaming, including PCs, mobile phones, digital or physical consoles, and tablets. The sector is comprised of physical, digital, and online games; mobile apps; and virtual and augmented reality (VR/AR). Electronic sports, also known as "eSports" or "e-sports", generally professional gaming, in which players compete before a live audience. The eSports industry is growing at 22.6 percent, signaling potential opportunity. In 2017, eSports ticket sales in the U.S. grew at a 19.7 percent, while eSports streaming advertising grew 35 percent. Current eSports revenue sits at \$275 million in the US with Asia in the lead at \$318 million.<sup>21</sup>

The industry is constantly innovating and bringing new applications to market. VR sets, which include home, mobile and portable sets, are expected to increase sales up to 80 percent between 2017 and 2018. The U.S. recorded music industry (including concerts and touring) grew to \$18.3 billion in 2017, up from \$17.2 billion in 2016. Collectively, the industry is the largest global music market. Digital technologies have revolutionized the music industry by creating high quality, low-cost recording technologies and digital distribution, along with the explosion of devices to download or stream music.<sup>22</sup>

The U.S. publishing sector, which includes both physical and digital books, is the largest in the world with \$37 billion in sales. The worldwide market stands at \$116 billion, measured across three major segments: professional, educational, and consumer publishing. Consumer books cover the largest market share, followed by educational and then professional books. Consumer demand and reading experiences have evolved to favor digital distribution, in the form of e-books and audiobooks.

Online retailer Amazon has opened physical bookstores (for both physical and ebooks), while also owning the largest audiobook distributor, Audible. More than 70 percent of American adults own a smart phone, roughly 45 percent own a tablet, and one in five own an eReader. Audiobook revenue has recently surpassed e-book revenue, with 2016 figures respectively at \$2.1 and \$1.1 billion.<sup>23</sup>

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<sup>18</sup> <https://investmentbank.com/>

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

The M&E industry is large and varied, constantly under pressure to innovate and explore emerging technologies for the potential impact on development. As a \$703 billion market, with consumer trends indicating more growth, the M&E industry is one to watch closely in the next five years, with Deloitte and PriceWaterhouseCoopers expecting significant growth.