

The Return of Major Music Festivals in Romania, Postponed due to the COVID-19 Pandemic: Controversies over Possible Discriminations Regarding Not Allowing the Participation of Non-Vaccinated Spectators

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Abstract

Events play a major role in promoting the localities that host them and in attracting tourists to the respective destinations. Among the various categories of events, sports events, and festivals, especially music festivals distinguish themselves by the large number of spectators.

In the last decade, in Romania, several music festivals have had great success with the public, the number of participants increasing significantly. The measures taken by authorities in the fight against the SARS-CoV-2 virus led to the cancellation, respectively the postponement of important music festivals in Romania, in 2020.

This paper analyzes the situation and evolution of the three most important festivals in Romania (UNTOLD, Electric Castle and NEVERSEA) in recent years and the prospects of their organization in the year 2021. The Romanian authorities have decided to restrict access to major events for the people unvaccinated against COVID-19, a measure which can be considered discriminatory.

Key words: major events, music festivals in Romania, vaccination against COVID-19, possible discrimination, SARS-CoV-2

J.E.L. classification: D63, I10, I14, I18, J71, M38, O10, Z32

1. Introduction

One of the most affected sectors of activity in Romania, during the COVID-19 pandemic, alongside HoReCa industry, travel agencies and passenger transport, was and still is the event planning sector.

The organizers of the festivals established in recent years have had to postpone the events, have tried to maintain good relations with the guests and sponsors, and to rethink the safety and distancing measures for the next events (Hațegan, 2021, p.1).

Unfortunately, the protection measures for these companies, from the Romanian authorities came very late, and some previously announced measures, since the year 2020, were still not being applied by June 2021.

The losses recorded due to the restrictions imposed by the Romanian authorities during the measures taken to protect the population from getting the COVID-19 disease have affected not only the companies organizing the events, but also the local communities, which had a lot to lose. Thus, in Cluj-Napoca, the place where the UNTOLD festival was organized, over 60 million euros remained within the community in 2019, representing the revenues obtained, during the 4 days of the festival, by those who offered services related to accommodation, restaurants and cafes, shopping centers, public transport, etc. Also, in Constanța, the place where the NEVERSEA festival is organized, in the year 2019, the financial contribution of the festival to the local community was over 40 million euros, according to the organizers' statements.

The Romanian authorities' delay in taking the decisions regarding the conditions under which events, such as festivals, will be organized, in the summer of 2021, endangers the organization in good conditions of some of them.

2. Literature review

Many tourist cities are busy creating a competitive advantage, so as to differentiate themselves from others by the events they organize, attracting more tourists and thus succeeding in increasing the benefits from the tourists' expenses in the respective destinations. Major events have become an important tool for many cities, both in terms of the profits obtained from them, and in terms of attracting media attention, stimulating tourism development and generating economic growth (Richards, 2017).

The “eventful city” concept is becoming more and more attractive, within a differentiation strategy, as events can offer many benefits to the community and are flexible, compared to investments in fixed structures and they can have a certain reproducibility (frequency) in terms of their organization (Richards, 2017). Moreover, events can be considered true drivers of economic development (OECD, 2017).

Cities have always organized various events, but only in recent decades have they begun to be seen as an *urban phenomenon*, due to the significant increase in their number and size, all over the world (Quinn, 2005). In the specialized literature, terms such as “*Eventification of place*” (Jakob, D., 2013) or even “*Festivalisation*”, when it comes to festivals (Häußermann and Siebel, 1993) have appeared in recent decades. Gradually, *events* have become more and more common in our daily lives, becoming important marketing tools.

Event planning remains an important element of *communication*, distinguishing itself from the traditional advertising activities. It is “a composite communication system, developed by an organization, by associating its name or brand with a sociocultural event” (Baux, 1991).

Hosting major events is a unique opportunity to rethink or reposition a destination and to support the development of modern infrastructure. Thus, many countries nowadays consider the successful hosting of such events as a vehicle for economic growth, job creation, branding, well-being, and urban regeneration (OECD, 2017).

Special events take the form of carefully planned arrangements, designed to attract the attention of that part of the potential domestic and international clientele for whom the respective events are the main reason for the trip (Getz, 2005, p. 132). However, if the decisions of the authorities are delayed, there will not be enough time for the organization in good conditions of large-scale (major) festivals, in the summer of 2021.

3. Research methodology

In the elaboration of this paper, we have considered that a combination of research methods offers the possibility to conduct a more realistic analysis on the subject of major music festivals' planning during this period (Jupp, 2010; pp.95-97; 102-103; 113-115; 117-119). Thus, the desk research aimed at collecting secondary, quantitative information from the specialized literature on the organization of major events, especially the festival type of events, as well as secondary information on the evolution of regulations regarding the conditions and restrictions related to the organization of events in Romania during the COVID-19 pandemic. We have also carefully monitored the websites of the three music festivals analyzed (UNTOLD, NEVERSEA and Electric Castle), of other similar festivals in Europe and around the world, along with the publications that addressed topics related to the 3 festivals.

As for the direct research, carried out in the form of meetings and direct discussions of the author with representatives of event organizers (festivals) in Romania, as well as with representatives of the public administration in Constanța, we have used quantitative and qualitative information, direct, with a longitudinal profile, which ensured the most complete approach of the researched subject, from several perspectives (Jugănar, 1998, pp. 15-17; 23-25; 29-30).

4. Findings

The Travelship travel agency made a ranking of the most liked festivals in Romania, according to the opinions of the participants (travelship.ro). Among the music festivals, NEVERSEA, UNTOLD and Electric Castle took the first places.

Thus, NEVERSEA ranked first, being organized in Constanța, on a beach, on the Black Sea coast. On its official website (<https://neversea.com/>), the festival is also called "Island of Dreams" and distinguishes itself by the fact that it managed to bring on the same stage, among artists and guests, almost all the types of music existing in the world. UNTOLD, the largest music festival in Romania, organized every year, starting with 2015, in Cluj-Napoca, came second. The third place was occupied by Electric Castle, organized near Bánffy Castle, from Bonțida, a commune located near the city of Cluj-Napoca.

4.1. The most important music festivals in Romania and their evolution

UNTOLD - the largest electronic music festival in Romania

A group of young enthusiasts from Romania managed, starting with 2015, to organize annually an electronic music festival that would get larger and larger, becoming very well-known internationally and even being awarded, with the “Best Major European Festival” award, in 2015. The first edition of the UNTOLD festival took place between July 30 and August 2, in the Romanian municipality of Cluj-Napoca, at Cluj Arena. During the 4 days of festival, on average, 60,000 people participated daily, being the most important event in the action program of the Cluj-Napoca 2016 Program, the European Youth Capital. About 15% of the total spectators were foreigners. The average expenses made by tourists were 100 euros per day, for accommodation, meals, and shopping.



Photo source: Facebook/ @UNTOLDFestival

The fact that, during the European Festival Awards Gala 2015, organized in the Netherlands, UNTOLD received the “Best Major European Festival” award, has attracted the attention of the public interested in this kind of event, thus in the following editions the number of participants increased significantly.

The second edition of UNTOLD took place between August 4 and August 7, 2016. The approximately 300,000 participants spent 23 million euros, 3 million euros more than during the previous edition. A record number of spectators was documented on the third day of the festival, when Armin Van Buuren took the stage. On that day, there were 15,000 more participants than on the best evening of the first edition of the festival. At this edition, about 10% of the participants were foreign tourists. Between August 3 and August 6, 2017, the third edition was organized. Throughout the 4 days of the festival, over 330,000 spectators were registered, and the number of artists present was over 200. The fourth edition of the festival took place between August 2 and August 5, 2018. On the first day of the festival over 84,000 people attended, special guests being the band Chainsmokers, who came for the first time on a stage in Romania (Adevarul.ro, 2018). The audience record was set on the second day of the festival, at about 100,000 spectators. The fifth edition took place between August 1 and August 4, 2019, and during the 4 days of the festival over 372,000 participants were registered (Mediafax, 2019).

The evolution of the budgets allocated to this festival was impressive: from 5 million euros, during the first edition, it reached 26 million euros, in 2019 (Clujul cultural, 2019).

NEVERSEA Festival

It is the largest music festival organized on a beach in Romania, in Constanța (on Neversea Beach).

The first edition took place between July 7 and July 9, 2017, and in the 3 days of the festival on average, 40,000 people attended, per day. The NEVERSEA organizers are the same ones that organized, starting with 2015, the UNTOLD festival, in Cluj-Napoca. The second edition of



Photo source: Facebook/ @NeverseaFestival

NEVERSEA took place over 4 days, between July 5 and July 8, 2018. The third edition took place between July 4 and July 7, 2019. Over 150 musicians sang and it was the first time the American singer G-Eazy came to Romania.

Between the organizing company (Neversea Cluj Ltd) and the City Hall of Constanța a collaboration protocol was signed for organizing a festival with a new identity, adapted to the specificity of the area.

While in the 3 days of the first edition of NEVERSEA, in 2017, more than 153,000 people participated, spending over 30 million euros on accommodation, meals, transport and entertainment, in the 4 days of the 2018 edition there were, in total, over 210,000 spectators, and at the 2019 edition the number of participants reached 240,000, in the 4 days of the festival. Additionally, the festival's budget increased from 3 million euros, in 2017 to 5 million euros, in 2018 and 8 million euros, in 2019.

Electric Castle festival

Starting with 2013, in the commune of Bontida, in Cluj County, located near the city of Cluj-Napoca, in the Bánffy Castle, the Electric Castle Festival was organized every year. The originality of this festival is that it combines a varied musical line-up, from rock, reggae, to hip hop, electronic music, etc. **Bánffy Castle** is a Baroque-style architectural monument, built in the 15th century, located in Bontida commune, located near the city of Cluj-Napoca. The building was neglected during the communist period and it deteriorated, and nowadays is being restored by the Transylvania Trust to be used as a cultural center. Electric Castle contributes to the restoration of the castle through donations and social campaigns.

The first edition, which took place between June 21 and June 23, 2013, was attended by 32,000 spectators, in the 3 days of the festival, over 90 artists performing on 4 stages. The second edition, held between June 19 and June 22, 2014, under the motto "Bigger, Stronger, Better", registered 79,000 participants. The duration of the festival was extended from 3 to 4 days and the number of scenes was increased to 5. It thus became *the largest festival in the history of Romania until then* (Florescu, 2014). The third edition took place between June 25 and June 28, 2015 and documented a new record of spectators (about 97,000 people, in 4 days), over 150 artists performing on the 6 stages, the area occupied by the festival increasing to over 10,000 sqm (Digi 24TV, June 30, 2015).



Photo source: Facebook/ @ElectricCastle

The fourth edition took place between July 14 and July 17, 2016, with over 120,000 spectators. The fifth edition,

between July 12 and July 16, 2017, had the motto "The most spectacular EC yet", the duration of the festival being extended to 5 days, and the number of spectators exceeding 171,000. At the sixth edition, held between July 18 and July 22, 2018, under the motto "Meet me at the Castle", the area used for the event increased by 30% (Aldea, July 16, 2018).

The 7th and last edition so far of the festival took place between July 17 and July 21, 2019, under the slogan "All things hidden / All things beautiful".

The evolution of the number of spectators attending the most important music festivals in Romania is presented in Table no. 1.

Table no. 1 The evolution of the number of spectators attending the most important music festivals in Romania

Year	Festival	UNTOLD	NEVERSEA	ELECTRIC CASTLE
2013		-	-	32,000
2014		-	-	79,000
2015		240,000	-	97,000
2016		300,000	-	120,000
2017		330,000	153,000	171,000
2018		335,000	210,000	210,000
2019		372,000	240,000	231,000

Source: Author's own processing of information published by the organizers, as well as information from various articles published by the local media

4.2. The great return of music festivals in Romania, in the year 2021, under the new conditions and constraints of the COVID-19 period

Although there are high expectations from music lovers in Romania and from abroad, who want to participate in festivals, due to the Romanian authorities' delays in taking the decisions regarding the announcement of the conditions under which these events can take place, there are still some great uncertainties regarding their organization in 2021.

2021 UNTOLD Festival

The 2020 edition was scheduled to take place between July 30 and August 2, but due to restrictions implemented after the emergence of the COVID-19 pandemic, the organizers announced on June 2, 2020 that they postponed it for the year 2021. Initially, the announced period was August 5-8, 2021, but it was rescheduled for September 9-12 because the Romanian authorities delayed the announcement of the new conditions for "relaxing" the restrictions regarding the organization of major events. UNTOLD could thus be one of the few international festivals that will take place in 2021 worldwide (Actual de Cluj: July 7, 2021).

According to the new regulations, issued by the Romanian authorities, starting with August, outdoor events can be organized without limiting the number of participants, if they are all vaccinated against COVID-19. Edy Chereji, the UNTOLD representative, stated that the limit on the number of participants is given by the capacity of the location. There will be 100,000 people per day "without the pressure of an exaggeratedly large audience" (Digi 24TV, 08.06.2021).

Immediately after the announcement, by the organizers, of the period in which the 2021 edition of UNTOLD will take place, the price for accommodation in Cluj and its surroundings has suddenly increased, in hotels, villas, campsites or rooms in yards, the rental rates being sometimes even 10 times higher than usual, for the September 9-12 period, which demonstrates the particularly high demand from the public (Digi 24TV, 08.06.2021).

NEVERSEA Festival

Due to the pandemic restrictions, the 2020 edition of the festival had to be canceled. For the year 2021, the festival was initially scheduled to take place between July 8 and July 11, but it was necessary to reschedule the event, for a date still unknown. Given that the organizers of NEVERSEA are the same as those of UNTOLD, it is unlikely that they will be able to mobilize for the organization of NEVERSEA in September of this year. Most likely, the festival will be rescheduled in 2022.

Electric Castle Festival

Due to the pandemic restrictions, the 2020 edition had to be postponed to 2021, between July 13 and July 17.

Considering that, according to the provisions of the National Committee for Emergency Situations in Romania, from May 14, 2021, the events that will take place during June will not be allowed to have more than 2,500 spectators, in order to avoid organizing an edition of compromise,

the organizers had to postpone this event for a year. However, they set out to continue the discussions with the Romanian authorities, so that "plans to offer the Electric Castle experience this summer, even in a modified and adapted form, could take shape" (HotNews.ro, 17 May 2021).

Thus, on June 8, 2021, the organizers of Electric Castle stated that the festival will still take place in 2021, but in a different formula, between August 6 and August 15, this being a *special edition* ("EC_Special", which will be organized in 30 different locations, both in the city of Cluj - Napoca and in the commune of Bonțida. On the official website of the festival, it is specified that EC - Special in 2021 is "a different kind of festival" created by Electric Castle, which will last 10 days in total and will have an extended number of venues (30 stages and 400 concerts). And, further down, an important clarification is posted for the participants: "according to the rules in force, vaccination is the only possibility to participate in the EC - Special" (Electriccastle.ro).

4.3. A controversial measure of the Romanian authorities: the admission to events only of the persons who are vaccinated against COVID-19

The Government of Romania adopted Decision no. 580/2021 of 27 May, which modified some provisions of Decision no. 531/2021 on the extension of the state of alert on the Romanian territory starting with May 13, 2021, as well as the establishment of the measures applied during the state of alert in order to prevent and fight against the COVID-19 pandemic. According to this decision, in the counties and localities where the 14-day cumulative incidence of COVID-19 cases is less than or equal to 3 per 1,000 inhabitants, the participation of more than 1,000 spectators is allowed, on the condition that the 2 sq m distancing between the persons is respected, as well as wearing a protective mask. However, participation is *only allowed for persons vaccinated against COVID-19*, after at least 10 days have elapsed since the completion of their vaccination scheme (Government of Romania, 2021).

The Romanian Government Decision (GD), contested and partially annulled by the Cluj Court of Appeal

However, the Cluj Court of Appeal annulled some provisions of GD no. 531/2021, as amended by GD no. 580/2021. The provisions allowing the participation in events only for those vaccinated or with a negative PCR test were annulled, being considered *discriminatory provisions* and not legitimately justified. The court pointed out that there are many people who cannot be vaccinated, either because of health problems or religious beliefs, and the measure instituted by the Government's decision would exclude these people from sports, cultural, and social activities. Furthermore, the court also invoked the fact that in Romania the average net salary was, at the time of adopting the decision, about RON 3,500 net (approximately 700 euros), and many people have low incomes, not having the necessary financial resources to pay for anti-COVID-19 testing services, being thus forced to resort to the vaccine, which is free, in order to have the right to participate in these activities. The judgement of the court was pronounced in a public hearing on June 7, 2021 and is not final, being appealed by the Government of Romania (Cluj Court of Appeal, 2021). It remains to be seen whether this judgement will be upheld by the higher court. The Government may be forced to change this regulation.

Associations in the field of event industry accuse that the relaxation measures taken by the Romanian authorities severely discriminate against event organizers

Several relevant associations reacted quickly, through a joint statement, after the relaxation measures announced by the Romanian authorities on May 14, 2021. In this statement, the signatories accuse the authorities that these "relaxation measures" are, in fact, harsher than those valid a few months ago and that activities in this sector are being discriminated against compared to other sectors. They challenge the regulation according to which the infection rate, at county or locality level, of over 3 per 1,000 people is considered a criterion that can lead to the prohibition of all events, even if the persons admitted to participate cannot transmit the virus, since they are vaccinated, they have a negative result of the anti-COVID-19 test or they have a certificate which attests their having gone through the disease. The signatories of the statement expressed their perplexity regarding the fact that authorities consider that cultural events held outside are

considered more dangerous than sporting events, which have the possibility to receive, on stadiums, tens of thousands of spectators (Ionescu, 2021). On the other hand, the organizers of the UNTOLD and NEVERSEA festivals accuse the lack of vision of the authorities and the lack of predictability regarding the conditions for organizing the events. They consider that, through these adopted measures, the authorities managed to compromise the month of July 2021 also, in terms of the organization of events in Romania. Moreover, they point out that the restrictive measures, such as the 2 sq m distancing between the persons at the event, are no longer useful if all the participants in a concert are vaccinated.

A legislative initiative on banning the discrimination on grounds of vaccination

A group of parliament members from the "Alliance for the Union of Romanians" party has initiated a bill which intends to ban and sanction any form of discrimination on the grounds of vaccination. The draft stipulates that "any form or measure of exclusion, segregation, restriction, limitation, distinction, preference or differential treatment exercised over a person or categories of persons, based on the administration or not of any vaccine", which, under the provisions of this law, represents discrimination on the grounds of vaccination (Romanian Senate, 2021). The explanatory memorandum of this legislative initiative also presents some official data on the vaccination situation, on May 20, 2021. Thus, at that time, almost three quarters (78.85%) of the eligible population of Romania (aged over 16 years) was not yet vaccinated with a vaccine against SARS-CoV-2, respectively a number of 12,044,803 people. Given the objectives announced by the Romanian Government on the national vaccination campaign, the initiators of this bill believe that a new social problem could be created, which could harm social relations, favoring "confining, excluding, restricting or conditioning" of an increasing number of Romanian citizens' rights, based on the criterion of prior administration of a vaccine against SARS-CoV-2. However, given that the party to which the initiators of this bill belong is in opposition, it is unlikely that this bill will soon be debated and approved in the Romanian Parliament.

It remains to be seen, however, whether or not the competent courts in Romania will annul the controversial provisions of the Government's Decision on the non-admission of unvaccinated persons to major events.

Have the Romanian authorities done wrong in connection with their attitude towards the organizers of concerts and festivals?

Although there have been numerous meetings between the representatives of this field of activity and policymakers, it has not been possible to reach a clear understanding regarding the date, period or timeframe when such events will be allowed again by the authorities and under what conditions.

Even after pilot events were organized in other countries to check whether or not there was a risk of COVID-19 infection if spectators were vaccinated, with the results as obvious as possible, in the sense that not many cases of infection were reported, the Romanian authorities continued to postpone taking decisions on this subject.

Former Romanian Minister of Labor, Violeta Alexandru, drew attention, in a post on her Facebook page, to the fact that in the concert industry work qualified people who, in the absence of clear perspectives on resuming these activities, will have to look for work in other fields of activity, in order to have something to support themselves and they will be difficult to replace when the respective activities would be resumed. She added that there was a need for predictability, that this category of events requires their preparation in advance and that the organizers cannot risk preparing a concert or a festival (with all the related expenses), and one day before the start date the authorities not allow the event to take place, on the grounds that a certain vaccination rate has not been reached, and such an evolution could not be attributed to the event organizers. One cannot allow such uncertainty and the risk of canceling an event already prepared. From this point of view, there is a need for financial assistance provided by the government to concert organizers in such situations (Ziarul Bursa, May 16, 2021).

On the other hand, Professor Răzvan Cherecheș, an expert in public health policies, argues that the Romanian state authorities were wrong when the restrictions were lifted for the entire population and not only for the people vaccinated against SARS-CoV-2 virus, as it would have

been normal. Thus, the motivation to get vaccinated of those who have not yet been vaccinated and are undecided will largely disappear (Iacob, 2021).

Some strategy mistakes regarding vaccination and some hesitations of the Romanian authorities have led to the situation of a relatively low vaccination rate so far, which makes uncertain the possibility of organizing large events in late summer and early autumn of 2021, given that a fourth wave of COVID-19 disease is expected in early autumn with more contagious strains of SARS-CoV-2 coronavirus. There is thus the risk of a rapid increase in the number of diseases with the new variants of SARS-CoV-2 and the resumption of measures to restrict the organization of major events in Romania. A new wave of restrictions would severely affect event organizers.

5. Conclusions

More and more cities are concerned with hosting and promoting events, having several objectives, mainly attracting tourists (as far as possible, in other periods than at the peak of the tourist season), in order to promote a better image of the destination.

In Romania, in the city of Cluj-Napoca, two music festivals appeared and developed, reaching impressive dimensions, from the point of view of the number of attracted spectators: UNTOLD and Electric Castle. Moreover, the UNTOLD organizers initiated and developed, in the city of Constanța, on the beach, by the Black Sea, another important festival - NEVERSEA.

Event organizers, along with travel agencies, aircraft carriers and HoReCa units suffered the most in Romania after the restrictions implemented during the COVID-19 pandemic. Practically, the events with a large number of participants were completely banned, from the spring of 2020 until the summer of 2021, and the Romanian authorities failed to provide, in due time, support measures in order to allow the survival of the organizers of such events. In the year 2020, due to the restrictions imposed by the authorities during the COVID-19 pandemic, all these events had to be postponed to 2021. However, due to some hesitations of the Romanian authorities in making decisions, the fate of many events planned to take place in the summer of 2021 remains uncertain.

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