

Article

EAEU's Creative Industries: Regulatory Policy, Policy Priorities, State Support

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Abstract

The effect of creative industries in modern post-industrial realities is increasingly significant, becoming one of the economic drivers for developing countries. The creative sphere is more frequently being considered both in scientific circles and government programs in various countries, and the states of the Eurasian Economic Union (EAEU) are no exception. These countries have significant potential to develop creative industries due to the need for more efficient growth in new areas of the economy. The creative sector, in turn, can stimulate these economies by increasing jobs, heightening export volumes, and attracting investment. Governments are taking active measures to develop this sector by updating the regulatory framework and introducing effective ways to support entrepreneurship. This study analyzes the regulatory legal acts of the EAEU countries in the field of the creative economy. As a result, the main directions of development, measures of state support, and gaps in the existing legislative bases of the countries under consideration were identified. Based on the analysis, the authors have compiled recommendations for the development of policy in the creative sector. The application of the developed recommendations in practice can have a positive impact on the effectiveness of the creative economy's development, both at the country level and at the level of the Eurasian Economic Union as a whole.

Keywords: creative industries; creative economy; EAEU; legal regulatory acts; policy regulations; economic development; state support; policy priorities



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1. Introduction

Currently, the challenges arising in the global economy and politics are stimulating countries to increase their competitiveness. This issue is especially acute in developing countries. As a result, their regional associations aim to strengthen economic integration between participating countries. One example is the Eurasian Economic Union (EAEU), whose members include Armenia, Belarus, Kyrgyzstan, Kazakhstan, and Russia. The EAEU is one of the integration associations capable, to a certain extent, of resisting negative trends in world politics and economics: EAEU member states have managed not only to prevent a large-scale economic downturn, but also to ensure macroeconomic stability. The EAEU needs new drivers of social and economic development, one of which could be creative industries [1]. The most important mechanism for the effective implementation and dissemination of creative industries is a well-structured government policy. The relevance of studying creative industries in the EAEU and state policies in this area is emphasized by the absence of a research center aimed at member countries of the association. Publishing activity on the creative industries is most pronounced in the UK, Australia, Europe, the

USA, and China [2]. Despite the low prevalence of research on creative industries in the EAEU, their importance has been repeatedly emphasized both in the reports of individual government organizations and at the level of the association as a whole. In particular, each of the participating countries is taking measures to legislatively consolidate the creative industries through the development of public policies and regulations. According to the data of the Eurasian Economic Committee, GDP growth is observed in 2017 and can reach 2% (as of 1 September 2017 it has reached 1.9%), mutual trade has increased by 27% compared to last year period, the volume of industrial production grew by 2.3%, while in agriculture, the growth in production was 2.7%, and there was also an increase in freight turnover within the Unified Energy System [3]. This clearly confirms the need for mutual development, which, among other things, can be achieved in the field of the creative sector, the states of the Eurasian Economic Union, in order to accelerate their economic growth.

The purpose of the present study is to assess the formation of the policy institutional environment for regulating creative industries in EAEU countries.

To achieve this goal, the following tasks were completed:

- the specifics of identifying objects of state influence in the creative industries in EAEU countries are characterized;
- a comparison of the institutional environment of implemented national policies is carried out based on a set of criteria provided by the authors;
- gaps in the institutional environment are identified, and recommendations for their elimination are presented.

At the moment, the innovative development and potential of the creative industries in the countries under consideration are at different stages. In the scientific literature, approaches to assessing the level of development of innovation systems, especially in the conditions of regional and interregional integration, are insufficiently developed [4]. It is worth mentioning that the sources of information allowing us to assess the spread of the creative and innovative economy in EAEU countries are limited or cannot be fully applied to assess all the countries under consideration. One of the publicly available indicators for this assessment is the Global Innovation Index (hereinafter GII), which is calculated annually by the World Intellectual Property Organization. GII analysis of EAEU countries from 2019 to 2023 indicates that the most stable positions are occupied by Russia and Kazakhstan. Russia occupied 51st place in the GII ranking in 2023 and was able to maintain its leadership among EAEU countries, despite a decrease in the overall ranking by four positions. Armenia took second place in 2023 among the countries under consideration and moved up eight positions compared to last year. Third and fourth place belong to Belarus and Kazakhstan, respectively. Kyrgyzstan, in turn, ranks fifth. In addition to the final assessment of innovative development, the rating includes an assessment of countries by a sub-index as the results of creative activity. It reflects the level of development of intangible assets, creative goods and services, as well as online creativity. This sub-index is calculated as a weighted average of the aforementioned indicators. The positions of EAEU countries in the GII rating based on creative outputs in 2023 are similar to the distribution of positions in the general GII 2023 rating. In particular, according to the information of the rating under consideration, it was revealed that the highest innovative potential is in electrical engineering, computer technology, civil engineering, and biotechnology [5].

Based on the dynamics considered, it is possible to conclude that EAEU countries in the creative industries do not occupy leading positions at the global level but have the potential for development in this direction. The presence of this potential, in addition to the indicator under consideration, is also supported by the desire of government bodies to update the existing regulatory framework in order to more effectively develop the creative and innovative sphere.

2. Literature Review

Issues related to the development of the creative sphere have become increasingly important over the last decade. Researchers have highlighted a number of existing advantages in the sphere [6–10]. Thus, authors emphasize that the introduction of creative industries into a country has an impact on both the development of the internal (stimulating innovation and investment, entrepreneurship development, impetus to create a qualified workforce) and external economic sphere (profits from creative goods/services), as well as the social sphere (overcoming social exclusion and inequality, urban and social revival).

Despite the interest of researchers in the field of creative industries, there is no single concept, which is due to the significant interdisciplinarity of existing research in the creative field. Some articles indicate that creative industries are based on creative individuals who possess unique talents in the field of applied arts, the so-called “creative class” [11]. Others support a broader understanding of creativity, considering creative technologies and creativity as a resource in all spheres [7]. An important point is to take into account the commercial component of a significant part of researchers when defining creative industries. At the same time, according to some authors, the creative economy is based on a social rather than a material basis [12]. The lack of unity in the theoretical framework of creative industries is emphasized by the presence of terms related to creative industries, for example, “cultural industries”, the definition of which also varies from source to source, and sometimes these terms are interchangeable.

The authors of the article considered the issue of defining creative industries and believe that it is based on two criteria: the presence of high added value due to the creative component of the creators’ work, as well as the presence of an intellectual component [8]. The classification of different economic activities as creative industries will be based on a combination of these criteria to varying degrees.

However, some activities may or may not directly relate to the creative industries, so it is important to consider all aspects when making this determination. For example, innovation activity is characterized by a high level of technological component, which, as it may seem, is completely unrelated to creativity, but innovations can cover both traditional creative industries and high-tech sectors. Innovations in the field of creative industries can be divided into two groups. For the first group, fundamental is the “creative” content of a product that can be provided through innovation [13]. Thus, with the synergy of intellectual property and creative work, the following classical creative industries can be observed: the film industry (building online cinemas), music and sound recording (creating streaming platforms), publishing and media (online reading services), web-design, advertising, and marketing (digital advertising, creation of online catalogs and websites) [14]. This is based on innovations, which are complemented by a creative component: virtual and augmented reality, artificial intelligence in creativity, NFT, software development [15,16]. Thus, the interconnection of creative industries and innovations can significantly increase the competitiveness of enterprises, as well as increase the economic value of their products and services [17].

Regulatory policy is the basis for ensuring the effective implementation and development of the creative industries. The goal of implementing measures within the framework of regulatory policy is to create the most favorable legal environment, one that meets the principles of stability, consistency, transparency, openness, and economic feasibility [18]. In the process of implementation, governments are faced with disputes regarding the choice of policy instruments [19]: these encourage government authorities to analyze current international and domestic practices in order to determine the optimal instruments of influence within the framework of established legislation. In particular, a number of researchers

emphasize the need for government regulation at various political levels due to significant regional differences [20].

Of particular importance for assessing the development of the creative sector are works related to the effectiveness of existing measures for the introduction of creative industries at the state level in European countries [21–23] and in individual countries participating in the EAEU [24–26]. These works allow us to identify the most successful activities and measures for supporting creative industries, as well as to evaluate the timing and features of their implementation.

In particular, there are works based on a comparative analysis of countries' creative spheres and the identification of different paths and models for their further development [27,28]. Currently, researchers have identified four models for the development of creative industries: Asian (Hong Kong, Singapore, Taiwan, China, South Korea, Japan), European (Great Britain, Germany, Spain, Italy, France), Scandinavian (Sweden, Denmark, Finland), and American (USA, Canada, Latin America). Attribution to a particular model is based on the characteristics of the product of creative industries (the area of realization of creative potential). None of the described models includes EAEU countries. A comparative analysis of the creative sphere is currently presented for the three countries of Russia, Armenia, and Belarus. The existing scientific literature does not fully cover issues related to the regulatory policy of EAEU countries in the creative industries, while this mechanism ensures the sustainable and efficient functioning of the economy and the achievement of important socio-economic goals.

3. Materials and Methods

This study uses methods of empirical knowledge, such as research and analysis, including a comparison of the regulatory environment of the states under consideration. Thus, the study is based on examining the content of regulations in the creative industries, identifying key areas, and assessing their reliability and significance. When using this method, it is important to determine the unique characteristics of the regulatory environment of a particular state for further comparative analysis. This allows for a comprehensive assessment and identification of existing regulatory gaps, the elimination of which will allow the development of the creative industries to a fundamentally new level.

The stages of the research and the results are shown in Figure 1. Thus, at the initial stage, the regulations governing creative industries in EAEU countries were determined, and information was collected from official sources on measures being taken to stimulate creative industries. In the next stage, familiarization with the content of regulatory legal acts was carried out, and criteria were identified for comparing policies in the creative industries based on the components of regulatory policy. As a result, a comparative analysis was carried out. The final stage of the study involves the formulation of recommendations for adjusting public policy at the level of participating countries and the level of the regional association as a whole.

This study is based on the legal acts of EAEU member countries defining the basic principles and approaches to the development of creative industries, as well as establishing the expected results of the implementation of state policy. Thus, concepts for the development of creative industries (Kazakhstan, Kyrgyzstan, Russia) and the development program and law in the field of innovation (Belarus, Armenia) are considered. These sources are significant for examining state regulation for several reasons. First, a well-developed regulatory framework makes it possible to clearly define the concept of the creative sphere and its components (subjects, objects, institutions, and types of activities classified as the creative sphere). Second, such a framework provides a guarantor of legal protection for economic entities in the creative industries. Third, it determines the necessary and effective measures

of state support that play an important role in the development of small and medium-sized businesses, forming the backbone of the creative sector. Fourth, the development of a regulatory framework in one area encourages reforms in related areas (such as reform of patent law due to the development of creative industries).

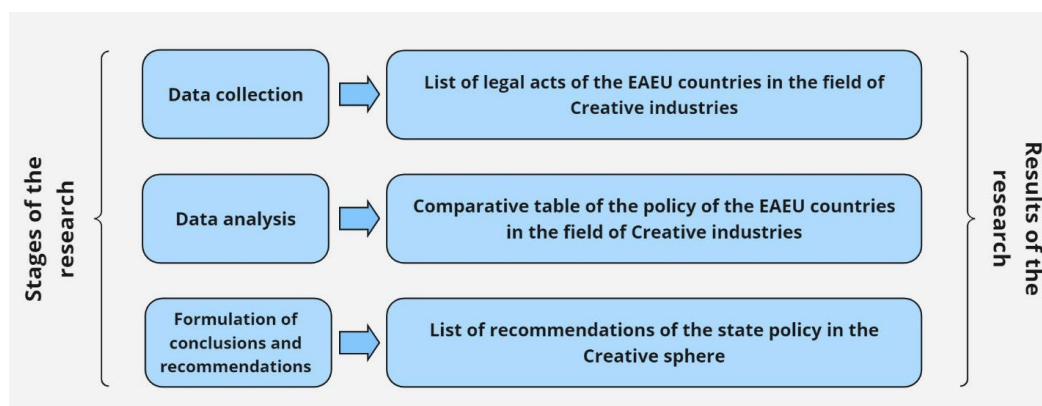


Figure 1. The stages of the research and their results.

In addition, the article provides a classification of the countries under consideration according to the level of development of regulatory policy in the field of creative industries. The authors distinguish three levels: high level, medium level, and low level. The high level is characterized by the presence of an accepted concept (national strategy), identified areas of creative industries, the presence of specialized laws in related fields, as well as developed measures of state support for business in the creative field. It is important to follow interdepartmental coordination and a clear understanding of the directions of development of the creative sphere in the state when defining a country on this level.

The middle level is characterized by the presence of an official document defining the goals of the development of creative industries, as well as priority creative sectors, and the availability of targeted measures to support the creative sector. The main disadvantages of this level are the lack of a system of state financial support, which is one of the most significant mechanisms for stimulating creative industries at the state level.

Finally, the low level is characterized by the existence of laws and development strategies that regulate only certain areas of the creative industries (for example, innovative development strategies, laws on culture, etc.) and do not separate the creative industries into an independent sphere of the economy. In the countries belonging to this type, there is no logically structured system of creative industries, both at the theoretical (consolidation of the concept and clear directions of creative activities) and at the practical levels (financial and non-financial measures of state support), which allows us to conclude that the state regulation of creative industries of the countries it needs serious revision.

4. Results

As a result of the regulatory policy analysis of creative industries in EAEU member countries, the main trends and existing shortcomings were identified.

4.1. Definition of Creative Industries in EAEU Countries

Currently, if we consider the legal consolidation of types of economic activities related to the creative industries, no legislation in the countries being discussed has approved a complete list of activity types classified as the creative sector. Countries define only certain areas of the creative industries (Table 1).

Table 1. Creative industries are enshrined in the regulatory legal acts of EAEU countries [29–33].

Country	Creative Industry Sectors
Armenia	Focus on the innovative industry
Belarus	Focus on the innovative industry
Kazakhstan	There are currently 14 creative industries identified: design, art, fashion, cinema, music, media, computer graphics, education and other areas based on intellectual activity.
Kyrgyzstan	There are currently 20 creative industries identified: publishing, ICT (including computer games), music, photography, communications, architecture, advertising, design and fashion, art, cinema, jewelry, education, tourism, handicrafts and arts, literature, public relations, creative recreational activities spaces and public events (including scientific ones), as well as the activities of accelerators and business incubators.
Russia	There are currently 4 creative industries identified: the historical and cultural heritage industry; the art industry; the industry of modern media and digital content production; applied creative industry.

Belarus and Armenia have broader regulatory frameworks that consider creative industries as part of the innovation economy. Due to the position of the authors, it is proposed to consider regulatory legal acts in the field of innovation, since the impact of these laws, among other things, will have an indirect impact on the development of creative industries in the field of innovation. Thus, the leading regulatory legal act in Belarus is the State Program for Innovative Development of the Republic of Belarus for 2021–2025 (approved by decree of the president of Belarus from 15 September 2021, no. 348) [29]. In Armenia, the corresponding legislation is a law dated 14 June 2006 (no. ZR-63, “On state assistance to innovation”) [30].

The government of Kazakhstan approved a concept for the development of creative industries for 2021–2025 (30 November 2021, no. 860) [31]. Currently, a list of creative industries at the state level has not been developed in Kazakhstan. The concept of Kazakhstan adopts the approach developed by the United Nations, which includes 14 areas of creative industries.

A resolution of the Cabinet of Ministers of the Kyrgyz Republic (dated 21 April 2022, no. 228) approved a concept for the development of the creative economy for 2022–2026. The document identifies 12 industries of the creative sector as sectors of the creative economy of Kyrgyzstan [32].

A decree of the government of the Russian Federation (dated 20 September 2021, no. 2613-r) approved a concept for the development of creative industries and mechanisms for the implementation of state support in large and major urban agglomerations until 2030 [33]. This regulatory legal act classifies four fundamental industries as creative. Despite the existence in Russia of about 20 regulatory legal acts regulating such areas of creative industries as information technology, architecture, film production, fine arts, etc., they do not contain a single conceptual apparatus and are limited to the regulation of certain types of activities. A similar situation is typical for other EAEU countries.

4.2. Policy Priorities for the Development of Regulatory Policy in the Creative Industries

Each of the EAEU countries under consideration determines policy priorities for the development of regulatory policy in the creative industries (Table 2).

Table 2. Policy priorities for the development of regulatory policy of EAEU countries in the creative industries [29–33].

Country	Directions for Development
Armenia	— promoting the creation and development of innovative infrastructures; — improvement of the regulatory framework; — formation of public infrastructure incentives, including financial incentives, for projects of various scales; — granting the right to use state property; — assistance in the training, retraining, and advanced training of personnel carrying out innovative activities.
Belarus	— creation and development of innovative infrastructures and institutional environment; — improvement of the regulatory framework; — formation of public infrastructure incentives, including financial incentives, for projects of various scales; — formation of a full-fledged market for scientific, technical, and innovative products; — creation of a national technology forecasting system; — creation and stimulation for the development of experimental implementation structures; — creating conditions for attracting specialists, including young ones; — export-oriented innovative sphere.
Kazakhstan	— synchronization of activities in the development of creative industries at various levels of government. management; — formation of public infrastructure incentives, including financial incentives, for projects of various scales; — creation of creative products based on the unique cultural code of the Kazakh nation; — ensuring the recycling of creative products; — reforming education to stimulate creative and innovative thinking; — export-oriented creative sphere.
Kyrgyzstan	— formation of public infrastructure incentives, including financial incentives, for projects of various scales; — promoting the creation and development of innovative spaces; — ensuring full accounting of creative industries in the national statistics system; — export-oriented creative sphere.
Russia	— promoting the creation and development of infrastructure for creative entrepreneurship; — improvement of the regulatory framework; — formation of public infrastructure incentives, including financial incentives, for projects of various scales; — development of knowledge and competency systems in the creative field; — creating conditions for attracting specialists, including young ones; — use of historical, cultural, and intangible heritage; — export-oriented creative sphere.

The priority direction for the implementation of regulatory policy for all EAEU member countries is the creation and promotion of infrastructure development in the creative/innovative sector. This emphasis reflects an objective assessment of the existing economic situation, as well as other conditions related to ensuring the most favorable development of the creative sector in the white economy zone. An important area is the development of state support measures through financial and non-financial instruments. All countries under consideration, except for Armenia, note the export-oriented nature of the creative sector, which consists of providing priority incentive measures to creative industries and projects focused on export markets. For example, as part of the implementation of projects and activities of the State Program for Innovative Development in Belarus, it is planned to create more than 100 highly profitable export-oriented industries. In particular, the countries have identified a priority direction regarding the highly qualified human resources necessary for the development of creative industries. Thus, the concept of Kazakhstan emphasizes the need to reform education in order to stimulate creative and innovative thinking.

It is important to note the need for synchronizing activities at various levels of government. An attempt to implement this is reflected in Draft Law no. 474016-8, dated 31 October 2023, "On the development of creative industries in the Russian Federation". The government bodies of some countries, in addition to administrative and financial issues, have also paid attention to the historical, cultural, and intangible heritage of the creative sector. Thus, the desire to reflect the national identity of the country is a unique characteristic of state policy in this area in Russia and Kazakhstan.

4.3. State Support in the Creative Industries

The issue of government incentives for the creative sector is important for each EAEU country. As mentioned earlier, all regulations related to the creative and innovation sphere reflect the intention to develop material and non-material support. Countries need to develop measures to support entrepreneurs in the creative industries, stimulating the development of this industry and minimizing the financial losses of the state from their implementation. These measures can be presented in the form of financial support (providing loans on preferential terms, subsidies, grants, other forms of financing), information, and consulting support (creation of methodological materials and organizations providing consulting assistance in budgeting, tax optimization, accounting services, attracting investments and loans, as well as patent and licensing support for activities). These measures can also be presented through public-private partnerships by concluding contracts between state or municipal authorities and commercial organizations [34]. The measures to support creative business and innovation enshrined at the legislative level are presented in Table 3.

In the Republic of Armenia, there are no separate support instruments for innovative companies. At the same time, there are separate support instruments for the cultural sphere in the country within the framework of state programs.

Support measures in Belarus are quite limited and apply exclusively to implementers of the state program for the development of innovation. These subjects of the innovative economy are granted exemption from import duties, land tax, and rent for plots owned by the state. There is also a possibility of making an investment deduction in relation to the costs of production and sale of goods (works, services). According to data from the State Committee on Science and Technology of the Republic of Belarus, in 2022, within the framework of the state program in the field of innovation, 66 innovative production projects received state customs and tax benefits [29]. One of the projects currently being implemented is the creation of a new facility for the production of competitive fabrics for business and economy classes (JSC Kamvol). It is worth noting that as part of the ongoing

projects, more than 700 new jobs were created, which exceeds the forecast indicators of the State Program for Innovative Development of Belarus by almost 4.5 times.

Table 3. Legislative measures to support creative businesses in EAEU countries [29–33].

Country	Measures to Support Creative Businesses
Armenia	– Separate instruments for supporting the cultural sphere within the framework of state programs.
Belarus	– Availability of benefits for performers within the framework of state programs for the development of innovations, individual government instruments to support the cultural sector.
Kazakhstan	– Separate instruments to support the cultural sphere within the framework of state programs.
Kyrgyzstan	– Selected government instruments to support the cultural sector; economic regimes provided for subjects of high-tech parks and free economic zones; tax incentives for innovation activities provided for by tax legislation.
Russia	– Tools to support individual industries within the framework of state programs.

In Kazakhstan, according to JSC Damu Entrepreneurship Development Fund, 255 projects in creative industries (arts, entertainment and recreation, information and communications, professional, scientific and technical activities) were supported in 2020 in the amount of about 20 billion tenge through lending and subsidizing businesses [32].

In the Kyrgyz Republic, economic regimes are provided to the subjects of high-tech parks and free economic zones, as well as tax incentives for innovation activities.

An important step towards stimulating the creative economy in the Russian Federation is Bill no. 474016-8 (31 October 2023: “On the development of creative industries in the Russian Federation”). This bill establishes the following possible areas of state support:

- financial support in the form of tax benefits, government guarantees for the obligations of creative industries, subsidies, and grants on a competitive basis;
- property support in the form of the transfer of ownership/use of state-owned movable and immovable property on a reimbursable and gratuitous basis, as well as on preferential terms;
- educational and consulting support carried out by creating conditions for training, educational, methodological, and scientific-methodological assistance, the creation of organizations providing consulting services in the creative industries, compensation for the costs of paying for consulting services;
- information support in the form of the creation of federal and regional information systems, official websites for the information support of creative industries, including online.

It should be noted that during the pandemic, all countries took measures to support businesses, which also extended to business entities in the creative sector.

4.4. The Level of Development of Regulatory Policies in EAEU Countries in the Creative Industries

As a result of the regulatory policy analysis of the EAEU member states in the development of creative industries and the innovation network, a distribution of countries was carried out (Table 4). This distribution was carried out in accordance with the following criteria developed by the authors: low level—the presence of regulations in related and

supporting areas (for example, innovation strategies); medium level—the presence of an approved concept for the development of creative industries, as well as the presence of developed measures of state support for creative businesses; high level—the presence of an approved concept for the development of creative industries, certain regulations in related areas, the presence of developed measures of state support for creative businesses, and the presence of an approved list of creative industries.

Table 4. Distribution of EAEU countries by level of development of regulatory policy in the creative industries.

Country	Level of Regulatory Framework Development in Creative Industries
Armenia	Low (priority for the innovation sphere development)
Belarus	Low (priority for the innovation sphere development)
Kazakhstan	Medium (no unique list of creative industries established at the national level)
Kyrgyzstan	High (meets all stated criteria)
Russia	High (meets all stated criteria)

Despite Armenia's fairly high position in the Global Innovation Index's 2023 rankings, according to CreativeOutputs, the country is characterized by a low development level of its regulatory legal framework. At the legislative level, the creative industries are not fully secured; regulation is limited exclusively to the innovation sphere.

The legislation of Belarus consists of separate laws regulating certain creative activities, but there is no normative concept that enshrines the very essence of the creative sector. In this regard, it is not possible to determine clear directions and trends in the development of this area, establish support measures for entrepreneurs, and, in general, analyze the prevalence of the creative sector.

The regulatory framework of Kazakhstan in the creative industries has an average level of development. There is a concept for creative sector development, which defines basic principles. To identify creative areas in the country, the UN concept was established. The country has several separate instruments to support the cultural sphere. In particular, Kazakhstan is taking active measures for technical cooperation with other states, which are implemented through the transfer of knowledge, skills, and technologies in areas in which the country has comparative advantages [35]. It is important for the further development of the regulatory framework to identify creative types of activities specific to the country in question, taking into account the national classifier of types of economic activities, including the need to carry out work to fill the conceptual apparatus and measures to support entrepreneurship.

The Kyrgyz Republic is taking quite active measures related to the development of the creative economy, in particular, in the development of a regulatory framework. As mentioned earlier, Kyrgyzstan ranks last among the EAEU countries in the Global Innovation Index's 2023 rankings. Despite this, the country has a concept for the development of creative industries, as well as a number of other regulations in this area, which allows us to assess the level of development of its regulatory framework as high. In particular, the country has a fairly developed mechanism of state support. According to the authors,

the next stage to bring the creative industries to a higher level would be the practical implementation of this concept and the creation of separate government institutions performing functions within the framework of the developed regulations. It is necessary to carry out further development of the concept and ways to support entrepreneurs, as well as to conduct an analysis of the prevalence of creative industries in the republic.

The level of Russia's regulatory framework development in the creative sector can be assessed as high. The country has a developed concept of creative industries, as well as narrower regulations for individual industries. As mentioned earlier, the four main creative industries have been approved in the Russian Federation, and measures of state support for creative businesses have been developed. It is worth noting that Russia is actively updating its regulatory framework, which will fill existing conceptual gaps, in particular regarding types of economic activities that could be classified as the creative sector, as well as a broader list of measures to support entrepreneurs in this area. Due to the presence of a broad legal field, it is necessary to establish consistency between existing regulations that consolidate the concept of creative sector development with more local acts. In particular, it is important to create a system for monitoring and stimulating the development of the creative sphere in the state.

5. Discussion

The legislation surrounding creative industries in EAEU countries, except for Armenia, is quite new, which indicates a growing interest in stimulating the creative sector of the economy in order to promote growth and normalize the regulatory framework in this area. Because of the initial stage development of the regulatory framework, legislators in EAEU states have identified a number of problems and gaps that need to be solved for the creative economy to function at its most effective.

Currently, a significant problem in the creative industries at the state level is the lack of unity of the conceptual apparatus within the legislative framework of each country individually and the association as a whole. In particular, despite the existence in Russia of about 20 legal acts regulating such areas as information technology, architecture, film production, and the fine arts, they do not contain a single conceptual apparatus and are limited to the regulation of certain types of activities. A similar situation is typical for other countries in the association. This problem makes it difficult to carry out reliable statistical accounting of creative industries: it also does not allow us to estimate the volume of tax and other revenues to the budget, as a result of which it is impossible to fully assess the contribution made by creative industries to the overall economic development of countries and their subjects. To solve the problem, it is necessary to develop the regulatory framework in accordance with the principle of consistency of legislation, in particular in terms of the conceptual apparatus.

The authors believe that an important direction of regulatory policy is the development of local documents that establish the principles and directions for the development of creative industries, as well as measures to support business entities in this area, taking into account the specifics of a particular subject. Currently, this practice is implemented only in the Russian Federation. Thus, the country has developed two strategies for the development of creative clusters (Oryol region, Republic of Crimea), five concepts for the development of creative industries (Belgorod, Novosibirsk, Omsk regions, Republic of Sakha, North Ossetia), three laws on the development of creative industries (Novgorod and Samara region; Khanty-Mansi Autonomous Okrug), two government resolutions on the implementation of a pilot project for the creation of creative clusters (Moscow, Republic of Dagestan), and an action plan for the implementation of the concept for the development

of creative industries and mechanisms for the implementation of state support in large and major urban agglomerations until 2030 in the Komi Republic.

In particular, at present, there is no clear division of responsibilities for the development of creative industries at different levels of government in the countries of the EAEU (local, regional, and state levels). This distribution is necessary due to the presence of peculiarities of different regions due to their geographical location, the level of economic and industrial development, as well as cultural diversity. Countries and their cities can achieve improved living conditions, business opportunities, and tourism conditions by leveraging their unique advantages. However, the realization of these goals requires comprehensive institutional and financial support from all levels of government [28].

The low development level of legal regulation in areas adjacent to the creative industries should be mentioned. All EAEU countries emphasize the need to develop a regulatory framework in areas adjacent to creative industries, as well as in areas that ensure their functioning. In particular, regulations regarding intellectual property, which underlie the creation of creative products and services, play an important role. The relevance of this issue is emphasized by the introduction of constant changes and additions to legislative acts regulating copyright and related rights, as well as intellectual property. Thus, Federal Law no. 235-FZ (13 June 2023) introduced an addition to Part 4 of the Civil Code of Russia regarding the protection of copyright in the event of the unlawful use of a derivative or composite work. The priority of this area is emphasized in Kyrgyzstan. Thus, the resolution of the Cabinet of Ministers of the Kyrgyz Republic (dated 20 May 2022, no. 265) approved the State Program for the Development of Intellectual Property and Innovation in the Kyrgyz Republic for 2022–2026. Therefore, governments should gradually improve the intellectual property system, include incentive policies, and provide legal advice, which can motivate enterprises to register intellectual property and comply with laws in this area in general [36].

It is necessary to highlight the individual problems of countries in the creative industries. In Russia, there is a dispersal of “creative” specialists due to the uneven development of the creative sector regionally, which hinders the creation of sustainable business and significantly slows down the exchange of successful experiences and practices. A knowledge transfer network is increasingly important for companies when it comes to the ability to compensate for the lack of local resources and avoid threats to access intellectual property. Such networks lead to the development of external relations and raise questions about the usefulness and validity of geographic proximity [37]. The issue of geographical openness is also raised by foreign authors. Thus, the agglomeration of regional innovative elements is reflected in the work of authors from China. The efficiency of regional innovation can be enhanced through territorial openness in both the ecological environment and information services [38]. In particular, the importance of international open innovation is emphasized, thanks to which SMEs can gain access to new and advanced knowledge not available locally. This improves the innovative development of these economic entities [39]. The concept for the development of the creative economy of Kyrgyzstan emphasizes the limited potential of enterprises, as well as the small volume of the domestic market, which can lead to oversaturation. The low investment attractiveness of creative industries is a problem for Kazakhstan. Among other things, it is important for all the countries under consideration that there is no aggregated, homogeneous data reflecting the economic component of certain types of activities in EAEU countries. This introduces significant problems in the ability to assess the creative sector at the level of the association as a whole, as data transparency, that is, the free availability of relevant data, forms the basis for the quality assessment of relevant research results [40]. In this regard, an objective assessment of the creative sector cannot be fully realized.

Thus, due to the fact that the creative industries have only recently become a priority direction for EAEU countries, the legislation in this area has gaps and imperfections. If these are properly improved, they will allow states to bring creative industries to a higher level. In particular, the most important thing at the initial stage of state policy formation in this area is to determine a clear list of creative activities, both for individual states and for the entire EAEU.

6. Conclusions

Having studied the regulatory legal acts of EAEU countries in creative industries, it was found that the level of their development is at different stages. Russia and Kyrgyzstan possess the most developed legislative framework in this area.

An analysis and comparison of the “creative” policies developed and implemented by EAEU members showed that countries are currently taking measures to consolidate creative industries and innovation in legal frameworks. Creating policy related to the development of this sector is another crucial aspect. The few existing studies and the regulatory framework being developed for the creative and innovative economy indicate the potential for development at the association level, especially in terms of priority areas. Priority areas, if interaction is properly built, can give a significant synergistic effect at the association level. Such industries include the sphere of creative education and scientific research.

As a result of a comprehensive review of the regulatory sphere of EAEU countries, a number of gaps were identified, which can be supplemented with the following recommendations:

- (1) Development and consolidation of a unified conceptual apparatus regulating the sphere of creative industries. Definition of economic activities classified as creative industries;
- (2) Creation/empowerment of government ministries and departments in the field of regulation and control over the development of creative industries;
- (3) Distribution of powers of local self-government in the field of development of creative industries, the mechanism of their distribution between regional authorities and local governments.;
- (4) Development and implementation of measures to support entrepreneurship in the field of creative industries. In particular, special attention needs to be paid to supporting small and medium-sized businesses, which form the basis of the creative sector;
- (5) Drafting legislation in areas ensuring the development of creative industries (patent law, intellectual property);
- (6) Ensuring the integration of tasks and priorities for the development of creative industries into the system of program-targeted and strategic planning at the federal, regional, and local levels;
- (7) Creation of a unified innovative system for the effective exchange of knowledge and scientific developments within the EAEU, as well as accumulated experience in the creation and implementation of creative economic associations. Interregional cooperation of the territories in the sphere of research talent development will allow compensation for the lack of innovation infrastructure in the territory and create conditions for the development of an innovative economy [40].
- (8) Creation of programs for the creative sector development at the country level, taking into account the specifics of traditionally established types of economic activity in a particular territory in order to create a synergistic effect in the socio-economic sphere.

From the point of view of internal advantages, the development of policy in the creative sector can have a positive impact on the socio-economic development of countries and will strengthen their cultural identities. The external advantages of the active development of

creative industries include the creation of new markets for goods and services that will be the object of international interaction and cultural exchange between countries.

During the study, important areas were identified that will be the subject of further research by the authors. Thus, it is necessary to conduct a review of regulatory legal acts in the field of creative industries, at the level of other country associations, in order to identify the most successful practices in developing regulatory public policy in the field under study. In particular, an important point that will significantly deepen knowledge in this area is an interview with relevant stakeholders from the countries under consideration.

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Abbreviations

The following abbreviations are used in this manuscript:

EAEU Eurasian Economic Union

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