



EUROPEAN PARLIAMENT

2009 - 2014

Committee on International Trade

2010/2156(INI)

10.12.2010

AMENDMENTS

1 - 32

Draft opinion
William (The Earl of) Dartmouth
(PE452.826v01-00)

on unlocking the potential of cultural and creative industries
(2010/2156(INI))

AM\851152EN.doc

PE454.540v01-00

EN

United in diversity

EN

AM_Com_NonLegOpinion

Amendment 1

Syed Kamall

Draft opinion

Paragraph 1

Draft opinion

1. Underlines that the development of trade in cultural and creative-industry (CCI) goods and services **constitutes** an important driver of economic growth and job creation in Europe **and the world**; observes that, according to estimates, world trade in CCI goods and services has nearly doubled in the past ten years;

Amendment

1. Underlines that, **with a decline in the EU's competitiveness in traditional industries, the** development of trade in cultural and creative-industry (CCI) goods and services **will constitute** an important driver of economic growth and job creation in Europe; observes that, according to estimates, world trade in CCI goods and services has nearly doubled in the past ten years;

Or. en

Amendment 2

Helmut Scholz

Draft opinion

Paragraph 1

Draft opinion

1. Underlines that the development of trade in cultural and creative-industry (CCI) goods and services constitutes an important driver of economic growth and job creation in Europe and the world; observes that, according to estimates, world trade in CCI goods and services has nearly doubled in the past ten years;

Amendment

1. Underlines that the development of trade in cultural and creative-industry (CCI) goods and services constitutes an important **pillar for culture, development and democracy, and, at the same time, a** driver of economic growth and job creation in Europe and the world; observes that, according to estimates, world trade in CCI goods and services has nearly doubled in the past ten years;

Or. en

Amendment 3
Bernd Lange

Draft opinion
Paragraph 2

Draft opinion

2. Stresses that *legislation cannot force* creativity *and* innovation, *which are best encouraged by giving maximum freedom for entrepreneurs and creators to pursue their business and exert their talent;*

Amendment

2. Stresses that, *in the spirit of the EU 2020 Strategy, the regulatory framework should be used to promote not only* creativity, innovation *and sustainable jobs in the CCI sector but also cooperation between EU Member States and industries in the CCI field;*

Or. de

Amendment 4
Helmut Scholz

Draft opinion
Paragraph 2

Draft opinion

2. Stresses that legislation cannot force creativity and innovation, which are *best encouraged by giving maximum* freedom for *entrepreneurs and* creators to *pursue their business and exert their talent;*

Amendment

2. Stresses that legislation cannot force creativity and innovation, which are *very much linked to cultural identity and democracy, and that it is necessary to accompany the* freedom for creators *with an adequate cultural policy guaranteeing cultural diversity and access to culture for all citizens;*

Or. en

Amendment 5
Marielle De Sarnez

Draft opinion
Paragraph 2

Draft opinion

2. Stresses that legislation *cannot force* creativity and innovation, which are best

Amendment

2. Stresses that legislation *must establish a regulatory framework making it possible*

encouraged by giving maximum freedom for entrepreneurs and creators to pursue their business and exert their talent;

to promote creativity and innovation, which are best encouraged by giving maximum freedom for entrepreneurs and creators to pursue their business and exert their talent;

Or. fr

Amendment 6
Carl Schlyter on behalf of the Verts/ALE Group

Draft opinion
Paragraph 2

Draft opinion

2. Stresses that legislation cannot force creativity and innovation, which are best encouraged by *giving maximum freedom* for entrepreneurs and creators to pursue their business and exert their talent;

Amendment

2. Stresses that legislation cannot force creativity and innovation, which are best encouraged by *providing a favourable context* for entrepreneurs and creators to pursue their business and exert their talent;

Or. en

Amendment 7
Georgios Papastamkos

Draft opinion
Paragraph 2

Draft opinion

2. Stresses that legislation cannot force creativity and innovation, which are best encouraged by giving maximum freedom for entrepreneurs and creators to pursue their business and exert their talent;

Amendment

2. Stresses that legislation cannot force creativity and innovation, which are best encouraged by giving maximum freedom for entrepreneurs and creators to pursue their business and exert their talent;
however legislation can provide protection against abuse of intellectual property rights.

Or. en

Amendment 8
Bernd Lange

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Stresses the great potential of CCI in international trade and assumes that its significance is being underestimated owing to the difficulty of gathering data;

Or. de

Amendment 9
Bernd Lange

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Strongly believes **that greater trade openness** in the CCI sector **would greatly benefit the global economy**; notes that **while world trade in CCI goods and services remains dominated by developed countries, the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting the rise of China**;

3. Strongly believes that **the EU should promote international cultural exchange and international trade** in the CCI sector **with a view to expanding the capacities and market access** of developing countries, **and that these countries should exploit the flexibility available under the GATS Agreement**;

Or. de

Amendment 10
Helmut Scholz

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Strongly believes that greater trade openness in the CCI sector **would greatly benefit the global economy**; notes that

3. Strongly believes that greater trade openness in the CCI sector **is not the panacea and that trade rules in this sector**

while world trade in CCI goods and services remains dominated by developed countries, ***the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting the rise of China;***

must be different to those used for common goods; notes that world trade in CCI goods and services remains dominated by developed countries, ***and considers that the Commission should take new initiatives to contribute to tackle this problem;***

Or. en

Amendment 11
Syed Kamall

Draft opinion
Paragraph 3

Draft opinion

3. Strongly believes that greater trade openness in the CCI sector would greatly benefit the ***global economy;*** notes that ***while world trade in CCI goods and services remains dominated by developed countries, the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting the rise of China;***

Amendment

3. Strongly believes that greater trade openness in the CCI sector would greatly benefit ***both the European and Global economies,*** notes ***the opportunities that globalisation has to offer in this area and urges the Commission to do more to allow for open trade of CCI goods and services, including the tackling of non-tariff barriers;***

Or. en

Amendment 12
Georgios Papastamkos

Draft opinion
Paragraph 3

Draft opinion

3. Strongly believes that greater trade openness in the CCI sector would greatly benefit the global economy; notes that while world trade in CCI goods and services remains dominated by developed countries, the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting

Amendment

3. Strongly believes that greater trade openness in the CCI sector would greatly benefit the global economy; notes that while world trade in CCI goods and services remains dominated by developed countries, the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting

the rise of China;

the rise of China; ***considers that the CCI have the potential to contribute towards the economic revitalisation of European regions and towns whose markets, based on producing and trading in traditional local craft products, have declined economically as a result of unfair competition with products from dynamically developing economies;***

Or. el

Amendment 13
Marielle De Sarnez

Draft opinion
Paragraph 3

Draft opinion

3. Strongly believes that greater trade openness in the CCI sector would greatly benefit the global economy; notes that while world trade in CCI goods and services remains dominated by developed countries, the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting the rise of ***China***;

Amendment

3. Strongly believes that greater trade openness in the CCI sector would greatly benefit the global economy; notes that while world trade in CCI goods and services remains dominated by developed countries, the market share of developing countries has been constantly increasing in the past ten years, particularly reflecting the rise of ***the emerging countries***;

Or. fr

Amendment 14

Carl Schlyter on behalf of the Verts/ALE Group

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that ***the*** protection of intellectual property rights ***is an issue central to securing*** the European cultural and creative industries ***and*** maintain incentives

Amendment

4. Recalls that ***effective*** protection of intellectual property rights ***requires a careful balancing of the interests of right holders and of society at large*** to ensure

for companies, artists and creators to innovate;

the *EU's leading role in the knowledge economy; believes that a satisfactory performance of the* European cultural and creative industries *is depending on finding such a balance to* maintain incentives for companies, artists and creators to innovate;

Or. en

Amendment 15
Syed Kamall

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that the protection of intellectual property rights *is an issue central* to securing the *European* cultural and creative industries *and maintain* incentives for companies, artists and creators to innovate;

Amendment

4. Recalls that the protection *and enforcement* of intellectual property rights *has a role to play in* securing the cultural and creative industries *in EU Member States, while maintaining* incentives for companies *to develop new service and business models and for* artists and creators to innovate;

Or. en

Amendment 16
Bernd Lange

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for companies, artists and creators to innovate;

Amendment

4. Recalls that the protection of intellectual property rights *in international trade agreements* is an issue central to securing the European cultural and creative industries and maintain incentives for companies, artists and creators to innovate;

Or. de

Amendment 17
Marielle De Sarnez

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for companies, artists and creators to innovate;

Amendment

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for companies, artists and creators to innovate; ***for this reason, the EU must rise to the challenge of establishing a copyright legislation for the new technology age, which is compatible with the requirements of individual liberties;***

Or. fr

Amendment 18
Georgios Papastamkos

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for companies, artists and creators to innovate;

Amendment

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for companies, artists and creators to innovate; ***maintains that international cooperation is the only way to combat piracy, counterfeiting and the violation of intellectual property rights;***

Or. el

Amendment 19
Helmut Scholz

Draft opinion
Paragraph 4

Draft opinion

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for **companies**, artists and creators to innovate;

Amendment

4. Recalls that the protection of intellectual property rights is an issue central to securing the European cultural and creative industries and maintain incentives for artists and creators to innovate, **but protection should be applied differently concerning LDCs and developing countries or competitors of industrialized countries**;

Or. en

Amendment 20
Bernd Lange

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Notes that the TRIPS Agreement should be extended to cover other areas of the CCI sector;

Or. de

Amendment 21
Bernd Lange

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Points out that copyright is intended principally to protect actual authors and originators, and that the protection of copyright should not undermine civil rights;

Or. de

Amendment 22
Bernd Lange

Draft opinion
Paragraph 5

Draft opinion

5. Supports the development of mutually beneficial and voluntary cooperation between EU Member States in the field of CCI, noting that when such cooperation is voluntary it does not result in any extra regulatory burden or unnecessary and unwanted financial cost;

Amendment

deleted

Or. de

Amendment 23
Helmut Scholz

Draft opinion
Paragraph 5

Draft opinion

5. Supports the development of mutually beneficial and voluntary cooperation between EU Member States in the field of CCI, noting that when such cooperation is voluntary it does not result in any extra regulatory burden or unnecessary and unwanted financial cost;

Amendment

5. Fully supports the development of *more ambitious EU policies as well as* mutually beneficial and voluntary cooperation between EU Member States in the field of CCI, in *the perspective of the 2005 UNESCO Convention on the protection and promotion of the diversity of cultural expressions*;

Or. en

Amendment 24

Carl Schlyter on behalf of the Verts/ALE Group

Draft opinion
Paragraph 5

Draft opinion

5. Supports the development of mutually beneficial and voluntary cooperation between EU Member States in the field of CCI, **noting** that when such cooperation is voluntary it does not **result** in **any extra regulatory burden or unnecessary and unwanted financial cost**;

Amendment

5. Supports the development of mutually beneficial and voluntary cooperation between EU Member States in the field of CCI, **notes** that when such cooperation is voluntary it does not **preclude international legislative efforts, such as spelled out in the copyright directive 2001/29**;

Or. en

Amendment 25
Georgios Papastamkos

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment 26
Bernd Lange

Draft opinion
Paragraph 6

Draft opinion

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore

Amendment

5a. Considers that ACTA is a means of enhancing the effectiveness of existing standards for the benefit of EU exports and the protection of copyright holders, who are confronted on the world market with widespread infringements of their intellectual property rights, trademarks, patents, designs and geographical indications;

Or. el

Amendment

deleted

believes that attempts to regulate them will always be at least a generation behind, and thus largely pointless and damaging to the cultural and creative industries of EU Member States.

Or. de

Amendment 27

Carl Schlyter on behalf of the Verts/ALE Group

Draft opinion

Paragraph 6

Draft opinion

6. Notes that e-commerce and the internet are *developing at such a pace, with ‘generations’ of technology growing shorter geometrically*, and therefore believes that *attempts to regulate them will always be at least a generation behind*, and *thus largely pointless and damaging to the cultural and creative industries of EU Member States.*

Amendment

6. Notes that e-commerce *in the EU is sustained by an ambitious regulatory framework providing for a balanced enforcement of IPRs and the limitation of intermediary liability and that legislative constraints on internet content are subject to ECHR, in particular articles 6, 8 and 10 thereof*; therefore believes that *any regulatory initiative relating to CCI must beforehand assess the impact on effective knowledge sharing and the development of the economy of the commons*;

Or. en

Amendment 28

Georgios Papastamkos

Draft opinion

Paragraph 6

Draft opinion

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore believes that attempts *to regulate them will always be at least a generation behind*,

Amendment

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore believes that attempts *should be made to bring the Union's regulatory response*

and thus largely pointless *and damaging* to the cultural and creative industries of EU Member States.

into line with current social and commercial requirements so that it does not become pointless *through lagging* behind *and obstruct the full unlocking of the potential of* the cultural and creative industries of EU Member States.

Or. el

Amendment 29
Marielle De Sarnez

Draft opinion
Paragraph 6

Draft opinion

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore believes that *attempts to regulate them will always be at least a generation behind, and thus largely pointless and damaging to* the cultural and creative industries of EU Member States.

Amendment

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore believes that *regulatory texts should be regularly adapted to support and encourage* the cultural and creative industries of EU Member States

Or. fr

Amendment 30
Helmut Scholz

Draft opinion
Paragraph 6

Draft opinion

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore believes that *attempts to regulate them will always be at least a generation behind, and thus largely pointless and damaging to the cultural and creative industries of EU Member States.*

Amendment

6. Notes that e-commerce and the internet are developing at such a pace, with ‘generations’ of technology growing shorter geometrically, and therefore believes that *the effort to regulate them quickly and properly should be intensified;*

Amendment 31
Carl Schlyter on behalf of the Verts/ALE Group

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Notes that the internet is developing organically with ever decreasing technology life cycles, and therefore believes that any initiative aimed at controlling infrastructure development without producing alternative business models will always be at least a generation behind and is likely to inhibit growth to the cultural and creative industries of the EU Member States,

Or. en

Amendment 32
Georgios Papastamkos

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Highlights the importance of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions as an essential instrument to guarantee that the 'cultural exception' in international trade in goods and services of a cultural and creative nature is maintained within the international framework of the WTO;

Or. el