OPINION

of the Committee on Culture and Education

for the Committee on International Trade

on recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP) (2014/2228(INI))

Rapporteur: Helga Trüpel
SUGGESTIONS

The Committee on Culture and Education calls on the Committee on International Trade, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

– having regard to Article 167 of the Treaty on the Functioning of the European Union (TFEU),

– having regard to the EU directives for the negotiation on the Transatlantic Trade and Investment Partnership between the EU and the US adopted by Council on 14 June 2013, that were made public by the Council on 9 October 2014,

A. affirming the EU’s legal commitment to the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

B. recalling that, under Article 167 of the TFEU, ‘the Union shall take cultural aspects into account in its action under other provisions of the Treaties’, in order to respect and to promote the diversity of cultures; recalling that these other provisions include the common commercial policy as defined in Article 207 of the TFEU;

C. reaffirming that existing and future provisions and policies in support of the cultural sector, in particular in the digital world, lie outside the scope of the TTIP negotiations;

D. recognising the special role of services of general interest – in particular in education – as defined in Article 14 of the TFEU and Protocol No 26 to the TFEU;

E. recognising that cultural diversity is a feature of the EU because of Europe’s history, its rich variety of traditions and strong cultural and creative industries, and that the promotion of cultural diversity will remain a guiding principle, just as it has been in other EU trade agreements;

F. recalling that cultural and creative industries contribute around 2.6 % of EU GDP, with a higher growth rate than the rest of the economy; underlining the fact that the development of trade in cultural and creative industry goods and services will constitute an important driver of economic growth and job creation in Europe;

G. recalling that it is standard practice to exclude subsidies, in particular for the cultural and educational sectors, from EU trade agreements;

I. Addresses the following recommendations to the Commission:

(a) ensure, via a legally binding general clause applicable to the complete agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions and fully respecting Member States’ practices, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services, both online and
offline, in line with democratic, social and cultural requirements;

(b) ensure that the exception for audiovisual services, including online services, is future-proofed and shall neither be called into question by any provisions of the future agreement, such as those on investment, nor be hampered by technological developments, for instance the convergence of audiovisual, telecommunications and e-commerce services;

(c) continue the current efforts to increase transparency and promote an even closer engagement with Parliament and full involvement of civil society and social partners, given the potential impact which the TTIP will have on the lives of EU citizens;

(d) ensure that services with a strong cultural component, such as libraries, archives or museums, will not be challenged by the TTIP agreement beyond the EU’s commitments in existing agreements;

(e) confirm that fixed book price systems and price fixing for newspapers and magazines will not be challenged by the obligations under the TTIP agreement;

(f) ensure with a general clause the right of EU Member States to adopt or maintain any measure with regard to the provision of all educational and cultural services which work on a non-profit-basis and/or receive public funding to any degree or state support in any form, and to ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

(g) specify that nothing in the agreement shall affect the ability of the EU or EU Member States to subsidise and provide financial support to cultural industries and cultural, educational, audiovisual and press services;

(h) ensure that EU plastic artists receive a percentage of the selling price of their works of art when they are resold by an art-market professional, thereby encouraging European artists to market their works in the US.
RESULT OF FINAL VOTE IN COMMITTEE

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<tr>
<th>Date adopted</th>
<th>16.4.2015</th>
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<tbody>
<tr>
<td>Result of final vote</td>
<td>+: 24</td>
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<tr>
<td></td>
<td>-: 2</td>
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<td>0: 4</td>
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<tr>
<td>Members present for the final vote</td>
<td>Isabella Adinolfi, Dominique Bilde, Andrea Bocskor, Silvia Costa, Jill Evans, Giorgos Grammatikakis, Rikke Karlsson, Andrew Lewer, Svetoslav Hristov Malinov, Curzio Maltese, Fernando Maura Barandiarán, Luigi Morgano, Momchil Nekov, Michaela Šojdrová, Yana Toom, Helga Trüpel, Sabine Verheyen, Julie Ward, Bogdan Brunon Wenta, Bogdan Andrzej Zdrojewski, Milan Zver, Krystyna Łybacka</td>
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<td>Substitutes present for the final vote</td>
<td>Sylvie Guillaume, Mary Honeyball, Marc Joulaud, Dietmar Köster, Ilhan Kyuchyuk, Michel Reimon, Hermann Winkler</td>
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<tr>
<td>Substitutes under Rule 200(2) present for the final vote</td>
<td>Remo Sernagiotto, Dario Tamburrano</td>
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