

# EUROPEAN PARLIAMENT

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*Committee on International Trade*

**2007/2211(INI)**

23.1.2008

## **OPINION**

of the Committee on International Trade

for the Committee on Culture and Education

on a European agenda for culture in a globalising world  
(2007/2211(INI))

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## SUGGESTIONS

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

- A. whereas, on the one hand, European creators, artists, and cultural industries have a decisive role in the creation of a European cultural identity, the sharing of values, and in the continuous development of European citizenship that both transcends the nation state as well as recognises the cultural diversity on a European, national, regional and linguistic scale,
- B. whereas, on the other hand, European creators, artists, and cultural industries also have a real impact on economic incomes, sources of wealth, and the creation of jobs within the EU,
- C. whereas technological progress means that cultural products are increasingly produced, disseminated and consumed in digital form, and policy must take account of this development,
- D. whereas European cultural industries find themselves in a protected space with regard to trade rules, adequately reflecting European perceptions that cultural products and services differ from other kinds of goods and services, necessitating specific rules,
- E. whereas the EU's major museums and cultural institutions are increasingly carrying out economically significant exchanges with equivalent institutions from elsewhere in the world, which are producing substantial revenue over and above what is derived from tourism,
- F. whereas the historical, cultural and archaeological heritage of the Member States deserves maximum protection from the risks of illegal exports and illicit trade in general, as provided by the Convention of 14 November 1970 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and other applicable international instruments,
- G. whereas the EU must show solidarity in protecting the cultural heritage of third countries, in particular those with the weakest cultural sectors, and actively prevent the illegal import of cultural works which are protected in their State of origin,
- H. whereas the EU's trade balance in cultural goods and services is unfavourable,
- I. whereas economic globalisation and the build-up of global cultural industries challenge language and cultural diversity which are values in themselves, therefore making it important to find a European common approach to these challenges,
- J. whereas the tourism industry and related services are one of the points where international trade and culture meet, and in relations between the EU and third countries may be the best means of giving European cultural destinations a higher profile while at the same time benefiting trade, thus helping to ensure social, cultural and environmental

sustainability,

- K. whereas there are hardly any reliable and meaningful statistics on international trade in cultural goods and services,
  - L. whereas digital technologies are to be understood as an original opportunity for disseminating cultural products and services globally which can advance cross-cultural understanding under the premise of free and fair access and respect for cultural and linguistic divergences,
  - M. whereas new media technologies, including open source based internet portals and services and their development, are acquiring an increasing amount of content in order to be competitive,
  - N. whereas these developments pose unprecedented challenges that call for new thinking on how to manage and regulate issues that affect the protection of intellectual property rights, piracy and unauthorised digitalisation, taking into account the need for an appropriate balance with fair access to cultural products and services and with new forms of artistic and intellectual creation,
  - O. whereas counterfeiting and piracy of cultural products lead to job losses in the EU, and undermine the competitiveness of cultural industries and the quality of products, which particularly affect Member States which derive their basic revenue from the production of cultural goods and their use for economic purposes,
  - P. whereas ultimate power has been conferred on the Commission to protect intellectual property rights of European industries in all international *fora* as well as before those trade partners that do not have adequate legislation in this field,
  - Q. whereas culture is specifically included in the EU's free-trade agreements (FTAs) and other trade instruments,
1. Urges the Commission and the Council to guarantee that the rules governing commercial relations at both the bilateral and the multilateral level are transparent, fair, open, and market-access oriented; further insists that these rules must allow European cultural industries to develop all their potential, particularly in the audiovisual, musical and publishing sectors;
  2. Calls on the Commission to revise the mechanisms for customs control and exchange of information with the Member States to ensure that they are as effective as possible in combating illegal exports and imports of works of art and other protected cultural goods;
  3. Calls on the Commission to take the appropriate measures to initiate a thorough revision of the protection of intellectual property rights, in order to better balance the conflicting goals of right-holder protection and free and fair access to cultural products and services in the EU's *acquis communautaire*, World Trade Organisation (WTO) rules and EU bilateral agreements in order to eradicate the root causes of counterfeiting and piracy;
  4. Calls on the Commission to use its powers to ensure that all trading partners enforce the

obligations of the agreements within the framework of WTO and international trade law, including the potential activation of dispute-settlement instruments provided for by international agreements;

5. Calls upon the Commission to develop a reliable and coherent set of indicators and instruments to measure and evaluate international trade in cultural products;
6. Taking into account that cultural tourism is an ever growing segment of the cultural industry worldwide, calls on the Commission to incorporate in EU trade policy agreements clauses on the spread of and trade in products with cultural and historical value;
7. Calls upon the Commission and the Member States to increasingly take into account the clauses of the EUs FTAs and other trade instruments that deal with trade in cultural products when following up these trade agreements;
8. Stresses the importance of supporting the transborder flow of cultural products through enhanced mobility of artists and workers in the cultural sector; considers that transborder mobility of European arts and culture has a significant role to play in disseminating European values as well as maintaining and developing cultural diversity and intercultural dialogue;
9. Calls on the Commission to identify possible non-tariff barriers imposed by third countries in commercial transactions for certain European cultural goods and services and, if necessary, to take steps to eliminate them;
10. Stresses, in this regard, that the EU should support and facilitate access to its market in cultural products and services as regards developing countries, paying particular attention to the positive impact that this may have on job creation and technological development in their cultural industries.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	23.1.2008
<b>Result of final vote</b>	+ : 20 - : 2 0 : 3
<b>Members present for the final vote</b>	Kader Arif, Francisco Assis, Graham Booth, Carlos Carnero González, Daniel Caspary, Christofer Fjellner, Glyn Ford, Béla Glattfelder, Ignasi Guardans Cambó, Jacky Hénin, Alain Lipietz, Caroline Lucas, Marusya Ivanova Lyubcheva, Erika Mann, Vural Öger, Georgios Papastamkos, Godelieve Quisthoudt-Rowohl, Peter Šťastný, Gianluca Susta, Daniel Varela Suanzes-Carpegna, Iuliu Winkler, Corien Wortmann-Kool
<b>Substitute(s) present for the final vote</b>	Jean-Pierre Audy, Zbigniew Zaleski
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	