[FR] Negotiations on the EU/USA Free Trade Agreement: National Assembly Defends Cultural Exception

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On 10 and 17 April 2013, first the French National Assembly's European Affairs Committee and then its Cultural Affairs Committee adopted a draft resolution defending the cultural exception as part of the negotiations on the free trade agreement between the European Union and the United States. On 12 March 2013, the European Commission had adopted a draft mandate authorising the opening of negotiations on a comprehensive agreement on trade and investment between the European Union and the United States, entitled "Transatlantic Trade and Investment Partnership", which would include cultural and audiovisual services. "This is the first time in twenty years that the Commission has failed to respect the principle of the cultural exception by not specifically excluding the audiovisual sector from an international trade agreement, a fortiori with the United States," deplored the MPs behind the resolution, who feel that "this is an unprecedented liberal offensive that cannot leave national representation indifferent", as "culture cannot be considered as just another type of merchandise, unless we are prepared to accept the disappearance of cultural diversity".

By their resolution, and in order to ensure the continued existence of the European cinematographic and audiovisual industry, particularly in the digital environment, the MPs are calling on the French government to claim the explicit exclusion of audiovisual services from the Commission's negotiation mandate, which is scheduled for approval by voting at the meeting of the General Affairs Council to be held on 14 June. Failing this, the text invites the government to use its right of veto, if necessary, in order to protect cultural diversity, in application of Article 207, paragraph 4 of the Treaty on the Functioning of the European Union. The resolution adopted also affirms its attachment to the principle of technological neutrality, by virtue of which the type of medium does not alter the content of the work, and emphasises that including information and communication technologies in the free trade agreement cannot constitute a means of circumventing the protection of cultural diversity, particularly with regard to audiovisual and cinematographic content. In early April, the European coalitions for cultural diversity (including the French coalition) had reminded Mr Barroso of the European Union's undertaking to protect and promote the diversity of cultural expression at the time of signing the UNESCO Convention in 2006. They immediately called on him to obtain the exclusion of the cultural and audiovisual sector from the framework of commercial negotiations with the United

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States. For Aurélie Filipetti, Minister for Culture and Communication, “the draft negotiation mandate that the European Commission has just adopted raises problems for us (…). Yet this choice is not in response to either an actual claim on the part of the United States or to a political or economic necessity. This disturbing rupture justifies extensive mobilisation. (…)”: “We shall not sell the cultural exception down the river.”

Proposition de résolution européenne relative au respect de l’exception culturelle, présentée par Mme Danielle Auroi et M. Patrick Bloche, députés

http://www.assemblee-nationale.fr/14/dossiers/respect_exception_culturelle.asp

Proposal for a European Resolution on observance of the Cultural exception, submitted by Ms Danielle Auroi and Mr Patrick Bloche, members of the French National Assembly

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