

TRADE NEGOTIATIONS: PROTECTING AUDIOVISUAL GOODS AND SERVICES

For several decades, the EU has recognised the dual nature of audiovisual works, not limited to their economic dimension. Their cultural dimension justifies a specific approach and protection, both in the EU (state aid rules, AVMS Directive, MEDIA programme) and in external relations. Such a protection shall not be undermined by trade agreements negotiated by the European Union. This “**cultural exception**” guarantees the right of States that so wish to adopt appropriate support measures that often derogate from the rules of ordinary law: implementation of quota policies to ensure the visibility of European creation, specific taxation to finance local creation, etc.

These principles have been enshrined in the 2005 UNESCO **Convention on the Protection and Promotion of the Diversity of Cultural Expressions**, ratified by the European Union in 2006. However, threats are regularly made, leading to fears that in the digital environment, the Union’s trading partners may seek to challenge the existence of specific rules for European audiovisual services that protect European creation.



Society of
Audiovisual
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Did you know?

- Most bilateral and regional trade agreements have included exemption clauses for the cultural and creative sectors, confirming their status as public goods and exceptions to free trade.
- However, as part of the WTO negotiations on global electronic commerce, this long-established policy could be challenged.

How you can help

- Call on the European Commission to protect cultural exception and to maintain the exclusion for audiovisual goods and services in all trade negotiations.
- Ensure that possible trade negotiations on electronic commerce or digital products do not circumvent this principle.

Find out more

- [Council Decision](#) of 18 May 2006 on the conclusion of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions
- [WTO Joint Initiative on E-commerce](#)