

European Coalitions for Cultural Diversity

*(Austria, Belgium, Finland, France, Germany, Hungary, Ireland, Italy,
Portugal, Spain, Slovakia, Switzerland, UK)*

Paris, March 18th, 2009

M. José Manuel BARROSO
President of the European Commission
Rue de la Loi
B-1049 Bruxelles

Dear M. President,

The European Coalitions for Cultural Diversity are extremely worried that the European Commission pursues the negotiation of a free trade agreement (FTA) with Korea without taking into account the concerns of the European cultural sector.

The FTA with Korea, which includes a Protocol on Cultural Cooperation, actually takes culture back into trade negotiations. This is unacceptable for the European Coalitions for Cultural Diversity, who have strongly supported the UNESCO Convention on the protection and promotion of the diversity of cultural expressions and the long-established position of the European Union not to make any commitments on audiovisual services in international trade negotiations.

You will find enclosed the European Coalitions' comments on the draft Cultural Cooperation Protocol with Korea. The European Coalitions urge you to disconnect the discussions on the Protocol with Korea from the global trade negotiation of the FTA, in order to adopt a clear cultural perspective for the Protocol. This is the only way to guarantee that the Protocol is not a hidden trade instrument to circumvent the official EU stand not to make any commitment on audiovisual services.

Considering your special attention to cultural issues, the European Coalitions rely on your intervention on this very important issue for the European cultural sector.

Yours sincerely,



Beat Santschi
Vice President for Europe
International Federation of Coalitions for
Cultural Diversity

cc : Baroness Catherine Ashton
M. Jan Figel
Mrs. V. Reding

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Comments of the European Coalitions for Cultural Diversity on the Concept Paper on the draft Cultural Cooperation Protocol with Korea

The European Coalitions for Cultural Diversity thank the European Commission for having transferred civil society stakeholders its Concept Paper on the draft Cultural Cooperation Protocol with Korea for comments on 19 February, as a follow-up of the information meeting organised on 26 January.

The European Coalitions welcome the step made by the European Commission in the direction of the comments made by the civil society stakeholders at the information meeting, which is the principle that the protocol shall enter into force only when Korea will have ratified the UNESCO convention on the protection and promotion of the diversity of cultural expressions. Nevertheless, this move in the right direction is not enough for the European Coalitions to find the Protocol acceptable as it stands.

The Concept Paper is a quite general and vague document which does not give any figure for the co-production criteria nor does it give any indication of the time-table for the negotiation of the Protocol with Korea. More importantly, the European Coalitions consider that the main features of the Protocol, as described in the Concept Paper, do not comply with the objectives, principles and obligations of the UNESCO convention.

- The Commission's approach to the Protocol does not request the ratification of the UNESCO convention as a pre-condition for engaging in the negotiation of a Protocol.
- The Commission's approach to the Protocol does not guarantee the autonomy of discussions on cultural aspects in the negotiations of the global free trade agreement with Korea.
- The Commission's approach to the Protocol does neither include any preliminary study of the cultural and audiovisual landscape of Korea nor any mid-term impact study. It neither includes any not long term reflection on the impact of such Protocols in the series of free trade agreements the European Commission is negotiating.
- The Commission's approach to the Protocol includes preferential treatment measures in favour of a developed country, which is not requested by the UNESCO convention.

Accordingly, as some of them already stated at the information meeting of 26 January, the European Coalitions for cultural Diversity request that:

- Any Protocol should only be proposed to a country which has ratified the UNESCO convention.

- The discussions on the Protocol should be disconnected from the general negotiations of the free trade agreement in order for the cultural and audiovisual sectors not to be pressured by the calendar and offers and demands on other economic sectors which are part of the negotiation of the free trade agreement.
- The European Commission team of negotiation for the Protocol should follow the model of the team of negotiation of the UNESCO convention, which gives the leadership to DG Culture and include DG Trade.
- Preferential measures such as the inclusion of co-produced works in the European broadcasting quotas should be reserved to countries which cultural and audiovisual industries are in development, which is not the case of Korea. For countries with developed cultural and audiovisual industries like Korea, the Protocol should encourage the negotiation of new and implementation of existing co-production agreements between the Member States and the country concerned.
- A global and long-term strategy should be developed in order to design different categories of cultural protocols which would fit with the different categories of countries concerned, in partnership with Members States and civil society stakeholders.