



**EUROPEAN COMMISSION**

**MEMO**

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## **European Commissioner for Trade Karel De Gucht on the Transatlantic Trade and Investment Agreement: The cultural exception is not up for negotiation!**

Europe will not put its cultural exception at risk through trade negotiations. Nothing in the free trade agreement with the United States will harm - or even have the potential to harm - Europe's cultural diversity. The negotiations will duly take into account the different sectoral sensitivities of the European Union. The audiovisual sector has a clear place among these sensitive sectors.

Culture is not a commodity - far from it. It enjoys a special status within EU law. The European Commission is committed to this principle and is even obliged by law to defend this status under the European Treaties.

Our level of commitment and support to the audiovisual sector can be seen with the Audiovisual Media Services Directive, which prolongs and expands the protection provided by the previous "Television without Frontiers" Directive. Those Member States that wish to maintain their assistance to this industry are free to do so. France in particular remains perfectly free to maintain its subsidy schemes and quotas.

The Commission will also continue to support European creativity in this sector, through the MEDIA program and through the "Creative Europe" program which starts in 2014.

Furthermore, the EU is part of and fully endorses the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions which continues to allow us to preserve and promote cultural diversity.

I want to be clear that the EU will maintain this long-held position in its negotiations with the United States. Put simply - that means the cultural exception will not be negotiated. However, what we will do is to open up new opportunities for Europe's creative industries of the future, without compromising the choices of our society nor the pride we have for our culture.

So in this negotiation, Europe will not only defend and protect its unique cultural sector but ensure that European audiovisual and media businesses have the opportunity to secure a strong future in a high-tech sector that is developing at an extraordinary pace from social media to on-line distribution. Europe has a duty to ensure not only job creation in the audiovisual sector but also to make sure this vibrant, innovative, creative and ground-breaking sector can master future opportunities for decades to come.