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50. Considers that the European Union should play a leading role in the development of policy options that would pave the way for radical behavioural changes in consumption and production patterns;
51. Stresses the importance of helping consumers to become more aware in their behaviour, which — going beyond the State legal framework — may have a positive influence on the extent and intensity of the environmental commitments of market actors;
52. Considers that the provision of proper information to citizens should be considered a priority; strongly supports the development of a clear and comprehensive labelling system as it would greatly contribute to helping consumers to ‘make the right choice’;
53. Insists that an overall assessment be made of the results of the Sixth EAP before the proposal for the Seventh EAP is finalised;
54. Takes the view that the final review of the Sixth EAP should be performed by an outside body independent of the Commission;

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55. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

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## Cultural industries in Europe

P6\_TA(2008)0123

### European Parliament resolution of 10 April 2008 on cultural industries in Europe (2007/2153(INI)) (2009/C 247 E/06)

*The European Parliament,*

- having regard to Article 151 of the EC Treaty,
- having regard to the United Nations Educational, Scientific and Cultural Organisation (Unesco) Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005,
- having regard to the Council conclusions of 13 and 14 November 2006 and 24 and 25 May 2007, in particular as regards the contribution of the cultural and creative sectors to the achievement of the Lisbon objectives, and the Council's resolution of 16 November 2007 on a European agenda for culture,
- having regard to Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities <sup>(1)</sup>,
- having regard to Council Decision 2006/515/EC of 18 May 2006 on the conclusion of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions <sup>(2)</sup>,
- having regard to the Commission communication on a European agenda for culture in a globalising world (COM(2007)0242) and the accompanying Commission staff working document (SEC(2007)0570),

<sup>(1)</sup> OJ L 332, 18.12.2007, p. 27.

<sup>(2)</sup> OJ L 201, 25.7.2006, p. 15.

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- having regard to its resolution of 4 September 2003 on cultural industries <sup>(1)</sup>,
  - having regard to its resolution of 15 January 2004 on a Community framework for collective management societies in the field of copyright and neighbouring rights <sup>(2)</sup>,
  - having regard to Commission Recommendation 2005/737/EC of 18 October 2005 on collective cross-border management of copyright and related rights for legitimate online music services <sup>(3)</sup>,
  - having regard to its resolution of 7 June 2007 on the social status of artists <sup>(4)</sup>,
  - having regard to Rule 45 of its Rules of Procedure,
  - having regard to the report of the Committee on Culture and Education and the opinions of the Committee on Industry, Research and Energy and the Committee on Women's Rights and Gender Equality (A6-0063/2008),
- A. whereas culture is a public good and an end in itself, fulfilling individuals and benefiting society and at the same time fosters economic growth, employment and social cohesion, and regional and local development, as demonstrated by recent research, particularly as highlighted in the study by KEA European Affairs for the Commission on the economy of culture in Europe,
- B. whereas cultural industries could neither exist nor add to European cultural and economic value without a regular input of new content from a thriving creative community of creators, in all artistic fields, such as film makers, composers, authors, visual artists and designers,
- C. whereas cultural industries are industries that give intellectual works additional economic value and at the same time generate new values for individuals and society; whereas those cultural industries include traditional industries such as the film, music and publishing industries, the media and industries in the creative sector (such as fashion and design), tourist, arts and information industries,
- D. whereas, in the light of the definition given by the Unesco Convention, cultural industries encompass all sectors that combine the creation, production and marketing of goods and services, the distinctive character of which lies in contents which are intangible and cultural in nature; whereas the product of cultural industries is typically protected by intellectual property rights,
- E. whereas, however, greater recognition, the securing of a special legal status and greater support for the entire cultural and creative industries, including micro businesses and SMEs as well as individual artists, are needed to help these sectors to achieve their full potential and contribute also to the Lisbon Strategy objectives,
- F. whereas cultural industries produce and disseminate a wide range of content to inform, educate and entertain the public, based increasingly on new technologies and new digital and audiovisual formats, in regard to which the Member States and the European Union must play their part as promoters and regulators, guaranteeing that just and adequate economic rewards accrue to the creators of original content through ensuring adequate and effective protection of copyright and related rights, thereby securing the sustainability of European cultural industries,
- G. whereas new forms of production, distribution and consumption are emerging in today's information and digital technology society and they are generating new cultural goods and services that need protection from piracy, but also, more generally, suitable entrepreneurial and economic models to ensure the accessibility, opening-up and diversity of products with a cultural content while preserving their specific nature as compared to ordinary commercial products and granting fair remuneration to all categories of right holders for the use made of copyright-protected cultural content,

<sup>(1)</sup> OJ C 76 E, 25.3.2004, p. 459.

<sup>(2)</sup> OJ C 92 E, 16.4.2004, p. 425.

<sup>(3)</sup> OJ C 301 E, 13.12.2007, p. 64.

<sup>(4)</sup> Texts Adopted, P6\_TA(2007)0236.

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- H. whereas cultural products and services have special characteristics which distinguish them from other products and services, and which must be taken into account when drawing up and implementing EU policies,
- I. whereas appropriate and effective protection of copyright and related rights is an essential means to enable creators to be fairly remunerated for their creative efforts within the context of the commercial exploitation of their works, and whereas such protection is therefore indispensable to the survival of cultural industries,
- J. whereas cultural industries and the creative community have a vital contribution to make towards promoting cultural diversity, ensuring consumer choice, increasing the diversity of entrepreneurship, democratising access to culture, enhancing European identity and integration, and promoting inter-cultural dialogue,
- K. whereas cultural industries contribute significantly to local and regional development and cohesion, since they are a magnet for tourist investments, create new categories of commercial products and services of a 'local' nature and, by creating new jobs and economic development opportunities, prevent the social marginalisation of remote or disadvantaged regions,
- L. whereas authors play a fundamental part in the activities of the cultural industries and should therefore be provided with an economic, legal and social environment that will enable the development of their creative potential,
- M. whereas there is a need to ally culture closely with education and training in order to increase the productive and creative capacity of the cultural sector,
- N. whereas experience with the 'European Capitals of Culture' has shown, in practical terms, how the cultural sector contributes to the economic and social life of the city and the enrichment of its inhabitants,
- O. whereas State aid and other subsidies for the benefit of the creative sector should be seen as an investment and not a luxury and must be evaluated equally in accordance with EU rules on competition, annexed the Protocol to the Treaty of Amsterdam on the system of public broadcasting in the Member States, Article 151 of the EC Treaty, and the Unesco Convention on Cultural Diversity,
- P. whereas private and public investment as well as patronage should be encouraged in the cultural sector,
- Q. whereas concentration in the cultural industries sector poses risks for diversity and the supply of cultural goods to consumers,
- R. whereas creativity is a condition for the development of innovation in Europe and European technology companies would benefit from working in symbiosis with creators within 'clusters',
- S. whereas there is a need for further support for small and micro businesses and for the promotion of their networks, and for the individual workers in those businesses, who contribute hugely to creating wealth in an economy, and whereas creators should be assisted in pursuing training as creative entrepreneurs and encouraged to live from their creativity,
- T. whereas the fragmentation of the creative sector in Europe, which can be only partially justified by reasons of language and national identity, and the absence of any genuinely European-scale cultural industries, are liable to limit Europe's cultural role globally,
- U. whereas cultural diversity and the free flow of ideas have their roots in originality, the multiplicity of identities and equality between men and women,
- V. whereas equality between men and women is one of the European Union's core values, which is passed on through culture, and whereas that transmission of values furthers European integration,

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- W. whereas gender balance is far from being a reality in the cultural industries,
- X. whereas women hold positions of responsibility in the cultural industry primarily in SMEs or when they establish their own businesses,
- Y. whereas the participation of women in the TIMES sector (telecommunications, Internet, media, e-commerce and software), a basic plank of the cultural industry, is extremely low at only 30 %, and whereas only 20 % of new businesses in that sector are established by women,
1. Welcomes the fact that the Council and the Commission are ready to recognise the central role played by culture and creativity as important factors in promoting European citizenship, bringing the arts closer to the European public and achieving the objectives of the Lisbon Strategy, thereby bolstering still further their importance in the development of the European project;
  2. Stresses that, within the framework of today's 'post-industrial economy', the competitiveness of the European Union will also have to be reinforced by the sectors of culture and creativity; calls, within this framework, on the Commission and the Member States to set as their priorities, policies based not only on entrepreneurial innovation, but on the innovation of cultural actions and creative economies;
  3. Notes that cultural industries are key providers of value-added services, which are the basis of a dynamic, knowledge-based economy and should thus be recognised as an important contribution to competitiveness in the European Union;
  4. Considers that cultural industries, which are an important source of job creation in the European Union, particularly need to harness creative talent; urges the Member States to encourage new, innovative types of life-long learning that foster creative talent;
  5. Calls on the Council and the Commission to clarify what constitutes the European vision of culture, creativity and innovation and to elaborate structured political measures for practical implementation in order to develop European creative industries, incorporating these in a genuine European strategy for culture; considers that, to this end, the identification of the sector of cultural industries and undertakings is a priority;
  6. Calls on the Commission, accordingly, to arrange for the collection of systematic statistics in this area, so that the European Union and the Member States have consistent and comparable statistical data, as these are needed to elaborate suitable targeted policies for promoting the cultural and creative sector;
  7. Calls on the Member States to include entrepreneurship studies in national secondary and higher education programmes, particularly in the humanities, arts and culture fields;
  8. Calls on the Commission and the High Representative for the Common Foreign and Security Policy to incorporate Europe's cultural dimension, and specifically its cultural industries and creators, more fully and effectively into the European Union's external relations, as well as into the European Neighbourhood Policy, and at the major forums for dialogue with other regions of the world;
  9. Considers that flourishing cultural industries depend to a large extent on the opportunities for ensuring cross-frontier mobility, and for this reason the problems of the European arrest warrant must be addressed and specific rules drawn up in this regard, and repeats the requests it set out in this connection in the above resolution on the social status of artists;
  10. Welcomes the idea of promoting mobility for the people, goods and services in the creative sector, with due regard for the rules and principles laid down in the Unesco Convention on Cultural Diversity, and calls on the Commission to present Parliament with a Green Paper on this subject, which does justice to the specificity of the sector as both a cultural and economic asset;

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11. Points to the need to develop a social and economic model which provides a suitable safety network for creative entrepreneurs, principally for those who are self-employed, in the sectors of culture and the creative economy, sectors where there has so far been a high percentage of partial employment and unstable working conditions;
12. Considers that well-organised collective cross-border management of copyright and related rights and business models respectful of the rights of all right holders are essential to allow creative potential to be exploited to the full whilst securing fair remuneration to all categories of right holders;
13. Reminds the Commission of its abovementioned resolution of 13 March 2007, and calls for a Community approach taking account of the specific nature of the digital era, the importance of safeguarding European cultural diversity, small stakeholders and local repertoires, on the basis of the principle of equal treatment;
14. Requests the Commission, to proceed systematically and as soon as possible with the full application of Article 151(4) of the EC Treaty, in order to ensure that culture and the cultural sector are taken into account in all the other Community policies, in particular those relating to the internal market, competition, trade, enterprise and research and development, and to take better account of the special nature of the cultural sector in implementing those policies as well as in external policy relating to the conclusion of international treaties in accordance with the Unesco Convention on Cultural Diversity, and to play a proactive role and improve international cooperation;
15. Calls on the Commission and the Member States to inject new life into the Unesco Convention on Cultural Diversity and fully to take into account the principles on which it is based in their internal and external policies;
16. Calls on the Commission to put in place a structure for strengthening the coordination of activities and policies which have an impact on the cultural and creative sector and to set up a task force for culture and the creative economy, so as to explore more closely the direct contribution of culture and of creativity on innovation, economic growth and social development in the European Union; and to propose concrete measures in cooperation with Parliament in the context of Community policies;
17. In the context of rapid technological and market evolution, and with a view to ensuring that cultural industries and creators benefit from the development of digital platforms, urges the Commission to rethink the critical issue of intellectual property from the cultural and economic point of view and to invite all those active in the sector, involving in particular telecom operators and Internet service providers, to join forces and seek solutions that are equitable to large and small stakeholders, in the interest of a balance between the opportunities for access to cultural events and content and intellectual property rights that guarantee fair, effective remuneration to all categories of right holders, real choice for consumers, and cultural diversity; draws attention, on this point, to the fact that criminalising consumers who are not seeking to make a profit is not the right solution to combat digital piracy;
18. Invites the Commission to take measures relating to prevention, education and awareness-raising among consumers, especially among young people in schools on the value of intellectual property and creativity in general and to encourage consumers to respect intellectual property;
19. Calls on the Commission in particular to support efforts to introduce new business models in the digital age that enable the consumer to reap the full benefits of new technologies and at the same time preserve the legitimate right to payment for artistic and cultural creation;
20. Calls on the Commission to recognise that, as a result of the Internet, traditional ways of using cultural products and services have completely changed and that it is essential to ensure unimpeded access to online cultural content and to the diversity of cultural expressions, over and above that which is driven by industrial and commercial logic, ensuring moreover, fair remuneration for all categories of right holders;

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21. Is of the opinion that a reform of intellectual property rights is vital for promoting creativity and encouraging the development of cultural works; recommends the 'Paris Accord' as a framework for a achieving a fair balance of interests between creators and consumers;
22. Calls on the Commission and the Member States to provide the necessary resources to ensure that intellectual property rights are respected and protected;
23. Calls on the Commission and the Member States to recognise that the Internet is a vast platform for cultural expression, access to knowledge, and democratic participation in European creativity, bringing generations together through the information society; calls on the Commission and the Member States, to avoid adopting measures conflicting with civil liberties and human rights and with the principles of proportionality, effectiveness and dissuasiveness, such as the interruption of Internet access;
24. Urges the Commission, in the fight against piracy, to make all parties, including consumers, aware of their responsibilities and to put in place awareness-raising and education campaigns;
25. Considers it essential to have adequate funding for cultural and creative industries as well as for creative communities, and calls on the Council, the Commission and the Member States to take the action required, recommending mixed methods of funding and financial security, and promoting a regulatory and fiscal framework that favours cultural industries as well as creative communities, and more particularly by applying tax credits and reduced rates of VAT to all cultural products, including online works;
26. Stresses the significance to the European creative sector of free information infrastructures such as the WorldWideWeb, which are based on open participation models and open standards and asks the Commission to put forward a strategy for more open and interoperable information infrastructures;
27. Considers it necessary for the Structural Funds, programmes for SMEs and the Seventh Framework Programme for research, technological development and demonstration activities (2007-2013) to give pride of place to development and allocate sufficient funding for the cultural and creative industries, including SMEs and individual artistic undertakings in the field, and repeats its request that the Commission put forward a study on the impact of funding from the Structural Funds, and the Seventh Framework Programme, for the cultural and educational sectors;
28. Reiterates the importance, and calls for the prioritisation of the European Investment Bank's objectives within the Innovation 2010 Initiative (i2i); encourages the Commission and the Member States to explore further ways of providing financial assistance for the start-up and growth of SMEs in the cultural and creative sectors (for example by means of the Seventh Framework Programme; encourages the use of the Structural Funds to support traditional art and heritage sectors and cultural and innovative industries; calls on the Commission to monitor those activities and help the dissemination of best practices;
29. Calls on the Commission to promote access to cultural industries in connection with technical assistance programmes for third countries, in particular with China, India and Latin America;
30. Calls on the Commission to encourage and support partnerships between the cultural industries sector and the information and communication technology sectors in order to promote synergies between creativity and innovation within the context of the Lisbon Strategy;
31. Calls on the Commission to look into the possibility of setting up a programme similar to the MEDIA Programme, complete the procedures for implementing the initiative for the European digital library, stimulate and support the music, theatre and publishing industries in order to facilitate the transnational distribution of works, and, as a preliminary step, set up a mechanism under the 'Culture' programme allowing non-audiovisual cultural industries to have access to Community funding to promote books (inter alia by way of joint stands at book fairs), and also promote music and professional training;

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32. Calls on the Commission and the Member States to increase the amount of aid for translation, as the budgets allocated to the European cultural programmes are not sufficient to enable their aims to be fulfilled;
33. Considers that there is a need to encourage the cultural and creative sector by improving qualification, apprenticeship and training systems, in particular by seeking to provide students at all levels of education in cultural and artistic disciplines with training that will prepare them for professional life, as well as by encouraging better synergies between businesses in the sector and schools and encouraging closer ties between schools and institutions in the Member States that are already working to that end; considers that there is also a need to make further progress towards the mutual recognition of diplomas in art studies;
34. Emphasises the special nature of certain professions or crafts and skills in the cultural, creative and craft sectors, the continuity of which must be safeguarded by means of appropriate mechanisms for passing on knowledge;
35. Calls on the Commission and the Member States to take appropriate steps to enhance the status of traditional skills in order to encourage mobility and facilitate access to employment for those occupied in the relevant sectors in the European Union;
36. Calls on the Member States to pay particular attention to women's earning levels in the cultural industry, with a view to ensuring that pay schemes do not result in gender-related salary discrimination;
37. Stresses the important role of cultural industries in the fight against gender stereotypes, promoting equality between men and women and changing mentalities; invites the Member States to encourage cultural industries to transmit those ideas through their initiatives;
38. Calls on the Member States and their local authorities to ensure better communication between the creative industries and the financiers with the development of services for business management consultancy, financial consultancy, information and training for small businesses, entrepreneurs and those working in the cultural and creative sector;
39. Attaches great importance to the provisions of Directive 2007/65/EC and calls on the Member States to ensure its timely transposition and on the Commission to provide Parliament with information on the implementation of that directive;
40. Emphasises the opportunities created by far-reaching, high-speed broadband and by new wireless technologies in the development and dissemination of new innovative cultural services and content across both rural and urban areas in each of the 27 Member States; furthermore, calls on the Member States to give priority to the development of broadband networks in rural and peripheral areas in order to overcome the digital divide; notes that technological advances enable consumers to access cultural content more quickly;
41. Reminds the Commission and the Member States of the position they have so far taken as regards audiovisual services within the framework of international trade talks and calls upon them to continue in future, within the framework of the WTO-GATS negotiations, to make neither offers to liberalise audiovisual services nor demands that they be granted a derogation from the application of most favoured nation treatment;
42. Welcomes the creation in 2007 of Parliament's annual film prize (PRIX LUX) as a means of strengthening cultural policy, promoting cultural and linguistic diversity, preserving cultural tradition and supporting cultural exchanges; calls for that prize to take account, in particular, of women's participation and creativity in recognition of their contribution to the development and advancement of European cinema;
43. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, Unesco and the Council of Europe.
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