



Culture and the Trade Agreements

Free trade agreements have compromised Canada's cultural sovereignty since 1989. Pressures from the U.S. continue and cultural exemptions are inadequate. We need a new international instrument on cultural diversity, and until then, Canada must make no commitments in trade talks that would either directly or indirectly affect our ability to support Canadian culture.

Why is ACTRA concerned?

Starting with the Canada/U.S. Free Trade Agreement in 1989, each new trade agreement has increased pressure on Canada to modify or eliminate significant cultural programs and support measures, including film and television policies.

Providing access to Canadian stories and creative products in all media requires public support for Canadian artists and producers through funding, content quotas, restriction on foreign ownership and other regulations. Such measures level the playing field for Canadians by helping to overcome the economies of scale that exist for producers in other countries. For ACTRA members, it's about work and a chance to appear in Canadian stories.

Recent problems for Canada include:

- the decision of a WTO dispute panel and appeal body to strike down all our magazine support measures;
- the CRTC withdrew its policy of replacing a foreign service when it licenses a competitive Canadian one after pressure from the U.S. during the Country Music Television/New Country Network dispute;
- the U.S. continues to argue that Canadian content rules and other cultural measures maintained by Canada are "barriers" to the free movement of their movies and other cultural products, despite the continuing domination of the Canadian market by U.S. cultural products.

The recent decision of the WTO in Doha Qatar to launch a comprehensive new round of trade talks is a serious threat to Canadian culture. The negotiations will include discussion on investment measures, competition policy and other issues. Meanwhile, the General Agreement on Trade in Services is also being renegotiated and the U.S. has tabled a proposal that the scope of GATS be expanded to include audiovisual services. .../2

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Negotiations on a Free Trade Area of the Americas (FTAA) were launched at the meeting in Quebec City in April, 2001. The FTAA would be the world's largest trading block and the risks for Canadian culture are significant given the power of the U.S. in the hemisphere.

How can we preserve Canada's cultural sovereignty?

The cultural exemptions in the FTA and NAFTA are inadequate, they define only the cultural industries existing at the time and the notwithstanding clause authorizes retaliation against cultural measures. FTA, NAFTA and the WTO have created an attitude among policy makers that we must find cultural measures "that do not require Canada to invoke the cultural exemption," for fear of launching a trade war.

ACTRA and others in Canada's cultural community are urging governments to negotiate and implement a New International Instrument on Cultural Diversity, both to protect the right of countries to support their own cultures and to ensure they do so.

What should Canada do in the FTAA and WTO negotiations?

Canada should support an open and transparent process with the release of all of the relevant documents.

Until a new instrument is negotiated and implemented, Canada must not make any commitments that restrict our ability to maintain existing cultural programs and to implement new ones, by:

- ensuring in the FTAA talks that the agreement has an effective cultural exemption, with an up-to-date definition of the cultural sector that includes performing arts, visual arts, crafts, new media, the Internet, as well as all of the traditional cultural industries.
- ensuring in the WTO and GATS talks, there are no commitments made that would either directly or indirectly, in areas such as of e-commerce or telecom services, restrict our ability to support Canadian culture,

Is it possible to achieve cultural diversity around the world?

All those who believe cultural diversity strengthens us all must join together to exchange information and pressure governments and the multinational institutions. ACTRA is doing this through its work as a founding member and ongoing supporter of the Canadian-based Coalition for Cultural Diversity and the International Network for Cultural Diversity, a global network of non-governmental organizations and cultural activists.

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