

CULTURAL DIVERSITY AND REGIONAL TRADE AGREEMENTS — THE EUROPEAN UNION EXPERIENCE WITH CULTURAL COOPERATION FRAMEWORKS*

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ABSTRACT

The trade and culture debate has been raised both regarding WTO negotiations and on the occasion of negotiations of bilateral and regional trade agreements. This paper presents how bilateral and regional trade agreements may impact the exchanges of cultural goods and services and how the trade and culture debate has been dealt with in those agreements according to three distinct conceptions respectively adopted by the United States, Canada and the European Union.

It subsequently focuses on the European Union's recent experience in negotiating cultural cooperation rules together with trade provisions, in an attempt to implement the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. As an illustration of this experience, the Cultural Cooperation Protocols negotiated in the framework of the

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EU – Cariforum and the EU – Korea agreements are examined in a comparative and critical perspective, and French proposals for such cultural cooperation rules are put forward and explained.

Considering that legitimate public policies implying market protection in the cultural sector must not be mistaken for protectionism, and highlighting the importance of implementing the cultural cooperation section of the UNESCO Convention, the author argues that cultural cooperation to promote cultural diversity may go beyond market access and contribute to surpassing the opposition between trade liberalization and cultural diversity.

KEYWORDS: *regional trade agreements, cultural diversity, cultural cooperation, cultural exception, cultural expressions, trade and culture, UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions*