



CETA TTIP TiSA AEC Policy Paper

The AEC is an association representing the interests of higher music education institutions across Europe. Its members include nearly 300 conservatoires, music academies, and music universities, making up more than 90% of all existing institutions in this educational area.

The negotiations currently taking place regarding free trade agreements between the European Union and other nations (CETA, TTIP, TiSA) are carried out by the Directorate General for Trade (DG Trade) as representative of the European Commission. This is in line with the logic of the actual goal of these negotiations - the phasing-out of trade restrictions. However, other areas of civil society are also affected by these negotiations. Negative effects are to be expected for the cultural and educational sectors. The members of the AEC are, therefore, doubly affected by the planned trade agreement.

On behalf of its members, the AEC would like to express its concern that the planned free trade agreements between Europe and Canada and between Europe and the USA, and in particular the multilateral Trade in Services Agreement (TiSA), threaten the foundations upon which the extensive and effective system of public funding for arts, culture, education and science is built.

The richness and diversity of European cultural life as well as the high standard of Europe's primarily publicly organised education system, which offers equal access for all persons regardless of their social background or economic situation, can only be preserved if the areas of culture and education are completely excluded from the negotiations regarding CETA, TTIP, and TiSA. If not, all forms of public financing or state subsidy will fall under the verdict of "distortion of competition" and no longer be possible.

The AEC states that:

- The planned trade agreements do not stop protectionism, but instead they simply protect different target groups. The agreements would strengthen the rights of international investors, protecting them more than before against government control. This results directly in a weaker capacity to address the concerns of civil society, such as equality of opportunity, data protection, intellectual property protection, nature and environmental protection.
- In order to preserve equal, non-discriminatory access, the provision of educational opportunities is fundamentally the responsibility of the state and should not be subject to the mechanisms of the free market.
- Almost all European institutions for higher music education are financed by a mixture of state and private funds, and the relative proportions of these funding sources differ from state to state. CETA, TTIP and TiSA do not include legally secure regulations to protect institutions from the claims of private educational institutions from participation in public subsidies. Even those institutions will be affected that are only to a small percentage privately funded.
- As a consequence of the implementation of TiSA, public institutions would not be allowed to expand their civil services, to offer new services, and to bring previously privatised services back into public hands.

- The negotiations regarding CETA, TTIP, and TiSA are carried out solely on the level of the European Union. The areas of culture and education affected by the regulations being discussed in these negotiations are however - in contrast to questions of trade - regulated and represented not solely on the EU level. By neglecting to involve legislative bodies on the corresponding national and federal levels, the EU oversteps its mandate.

The AEC demands:

- A general exception for arts and culture, education and science in all chapters of the CETA, TTIP and TiSA agreements.
- The recognition of the double character of culture as both an intellectual and economic resource in keeping with the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression.
- The guarantee that the right of authorship that is valid in most European countries and which is based on the author's personal rights of usage will not be replaced by copyright laws as practiced in the USA, which are based on the economic exploitation interests of publishers and agencies.
- Replacement of the "negative lists" as planned in the context of TiSA (i.e. all services that are not included in the "negative list" in the agreement must be open to privatisation in the future) by "positive lists", to ensure that newly developed technologies, forms of communication and methods of distribution in the areas of arts and culture be guaranteed the same protection as traditional media.

We demand that the secret negotiations regarding TTIP and TiSA must be stopped, CETA must not be ratified, and the public - particularly representatives of the affected areas of civil society - must be involved in all further negotiations.