

Tuesday 20 November 2012

Action relating to information campaigns on quality wines

46. Calls on the Commission to assess the implementation in the EU market of information campaigns targeted at the adult population on the responsible consumption of European quality wines; notes that, in addition to the moderate consumption of these wines, such campaigns should highlight the cultural roots, qualitative properties and specific characteristics of European wines;

o
o o

47. Instructs its President to forward this resolution to the Council and the Commission.

P7_TA(2012)0421

Implementation of the Resale Right Directive

European Parliament resolution of 20 November 2012 on the Report on the Implementation and Effect of the Resale Right Directive (2001/84/EC) (2012/2038(INI))

(2015/C 419/04)

The European Parliament,

- having regard to Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right that benefits the author of an original work of art (hereinafter referred to as 'the Directive') ⁽¹⁾,
 - having regard to the report from the Commission to the European Parliament, the Council and the European Economic and Social Committee: Report on the Implementation and Effect of the Resale Right Directive (2001/84/EC) (COM (2011)0878),
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the opinion of the Committee on Culture and Education (A7-0326/2012),
- A. whereas the resale right is an author's right granted under Article 14ter of the Berne Convention for the Protection of Literary and Artistic Works;
- B. whereas the Directive has promoted harmonisation of the conditions necessary to apply the resale right in order to remove potential obstacles to the completion of the internal market;
- C. whereas the adoption of the Directive was important for artists, as regards not only their initiatives aimed at obtaining recognition and fair treatment as creative people, but also their role as contributors of cultural values; whereas, however, concerns remain as to its effects on European art markets and particularly on the many smaller and specialist auction houses and dealers in the EU;
- D. whereas the Directive was only fully implemented in all Member States on 1 January 2012;
- E. whereas the EU's global share of the market for works of living artists has declined significantly over the past few years;
- F. whereas artistic creation contributes to the continual development of the EU's cultural life and heritage;
- G. whereas the art and antiques market makes a significant contribution to the global economy, including the businesses it supports, especially those in the creative industries;

⁽¹⁾ OJ L 272, 13.10.2001, p. 32.

Tuesday 20 November 2012

- H. whereas the Directive places an administrative burden on dealers and puts EU dealers at a commercial disadvantage in relation to those in third countries;

Trends in the European and global art markets

1. Notes that 2011 was a record year for the art market and that total annual revenue was USD 11,57 billion, an increase of over USD 2 billion on 2010 ⁽¹⁾; stresses that the art and antiques market makes a significant contribution to the global economy, including the businesses it supports, especially those in the creative industries;
2. Points out that there was strong growth in the European art market in 2011; the United Kingdom maintained a 19,4 % share of the global market, with an increase of 24 % in sales volume; France's market share was 4,5 %, with a 9 % increase in turnover; and, Germany saw a 23 % increase in sales, with a market share of 1,8 % ⁽²⁾;
3. Notes that China achieved a 41,4 % share of the global market in 2011, overtaking the United States, which suffered a drop of 3 % in turnover and 6 % in market share, from 29,5 % in 2010 to 23,5 % in 2011 ⁽³⁾;
4. Underlines the impressive growth recorded by China; notes, however, that at present China's art market is restricted to artists from within the country;
5. Notes that the general trend for the centre of gravity of the art market shifting towards emerging countries is linked to globalisation, the rise of Asia and the emergence of new collectors in these countries;
6. Notes with satisfaction that third countries are planning to introduce the resale right into their national legislation; points out, in particular, that a draft bill was tabled on 12 December 2011 in the United States aimed at imposing a 7 % resale right charge on the resale of contemporary works of art; notes that the current copyright bill in China also provides for the introduction of a resale right (Article 11(13));

Implementation of the Directive

7. Notes that amounts involved in reproduction and representation rights are relatively insignificant in the case of the graphic and plastic arts, where revenue derives from the sale or resale of works of art;
8. Stresses that the resale right guarantees continuity of pay for artists, who very often sell their works at low prices at the start of their careers;
9. Notes that the Commission's report on the implementation and effect of the Directive and statistics from the sector do not suggest that the resale right has had a detrimental effect on Europe's art market;
10. Calls on the Commission to undertake an impact assessment of the functioning of the art market in general, including the administrative difficulties faced by smaller and specialist auction houses and dealers;
11. Notes that several of the Directive's provisions ensure a balanced application of the resale right, taking into account the interests of all stakeholders, in particular the gradual decrease in applicable rates, the EUR 12 500 ceiling on the resale right, the exclusion of small sales and the resale exemption for the first buyer; stresses, however, that the Directive places an administrative burden on dealers;
12. Notes that the resale right for the benefit of the living author of an original work of art can be a useful tool to prevent discrimination against artists;

Conclusions

13. Notes that the art market was valued at USD 10 billion in 2010 and almost USD 12 billion in 2012 and that the resale right accounts for only 0,03 % of those sums; considers this to be an important market from which artists and their heirs should receive fair remuneration;

⁽¹⁾ Artprice, Art Market Trends 2011, http://imgpublic.artprice.com/pdf/trends2011_en.pdf

⁽²⁾ Idem.

⁽³⁾ Idem.

Tuesday 20 November 2012

14. Notes that art market studies and statistics do not suggest that the resale right has a detrimental impact on the location of the art market or its turnover;
15. Notes that the Directive was only implemented in full in all Member States on 1 January 2012, although a resale right has been recognised in many Member States for several decades;
16. Highlights the importance of giving proactive support to local artists, including the youngest artists;
17. Considers it premature to reassess the Directive in 2014 as the Commission plans to do, and proposes that the reassessment be carried out in 2015 (four years after the assessment made in December 2011);
18. Encourages the Commission, in its next assessment report, to reconsider the relevance of applicable rates, the thresholds, and the relevance of categories of beneficiaries as specified in the Directive;
19. Calls on the Commission to work closely with stakeholders to strengthen the European art market's position and to address problems such as the 'cascade effect' and the administrative difficulties faced by smaller and specialist auction houses and dealers;
20. Welcomes the initiatives taken by third countries to introduce the resale right and urges the Commission to continue its efforts in multilateral fora to strengthen the European art market's position in the world;

o

o o

21. Instructs its President to forward this resolution to the Council and the Commission.

P7_TA(2012)0426

Card, Internet and mobile payments

European Parliament resolution of 20 November 2012 on 'Towards an integrated European market for card, internet and mobile payments' (2012/2040(INI))

(2015/C 419/05)

The European Parliament,

- having regard to Articles 26 and 114 of the Treaty on the Functioning of the European Union,
- having regard to the Commission Green Paper of 11 January 2012 entitled 'Towards an integrated European market for card, internet and mobile payments' (COM(2011)0941, hereinafter 'the Green Paper'),
- having regard to the Commission Communication of 11 January 2012 entitled 'A coherent framework for building trust in the Digital Single Market for e-commerce and online services' (COM(2011)0942),
- having regard to the public consultation organised by the Commission on the Green Paper from 11 January 2012 to 11 April 2012,
- having regard to the conference on card, mobile and internet payments, organised by the Commission on 4 May 2012,