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AUDIO 19  
CULT 18  
POLCOM 52  
RELEX 209  
COMER 25  
JUR 131

## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION renewing the period of entitlement for audiovisual co-productions as provided for in Article 5 of the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part

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**COUNCIL DECISION (EU) 2026/...**

**of ...**

**renewing the period of entitlement for audiovisual co-productions  
as provided for in Article 5 of the Protocol on Cultural Cooperation  
to the Free Trade Agreement  
between the European Union and its Member States, of the one part,  
and the Republic of Korea, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision (EU) 2015/2169 of 1 October 2015 on the conclusion of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part<sup>1</sup>, as amended by Council Decision (EU) 2022/2335<sup>2</sup> of 28 November 2022 amending Decision (EU) 2015/2169 on the conclusion of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, and in particular Article 3(1) thereof,

Having regard to the proposal from the European Commission,

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<sup>1</sup> OJ L 307, 25.11.2015, p. 2, ELI: <http://data.europa.eu/eli/dec/2015/2169/oj>.

<sup>2</sup> OJ L 309, 30.11.2022, p. 6, ELI: <http://data.europa.eu/eli/dec/2022/2335/oj>.

Whereas:

- (1) On 1 October 2015, the Council adopted Decision (EU) 2015/2169.
- (2) The Protocol on Cultural Cooperation<sup>3</sup> (the ‘Protocol’) annexed to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part<sup>4</sup>, sets up the framework within which the Parties are to cooperate for the facilitation of exchanges regarding cultural activities, goods and services, including in the audiovisual sector.
- (3) The Protocol exceptionally includes provisions on the entitlement for audiovisual co-productions to benefit from the respective schemes that is in principle reserved for developing countries with developing audiovisual industries.
- (4) Pursuant to those provisions of the Protocol, following the initial period of three years, that period of entitlement is to be renewed for further successive periods of the same duration, unless a Party terminates the entitlement by giving notice in writing at least three months before the expiry of the initial or any subsequent period. In accordance with those provisions, the period of entitlement was last renewed until 30 June 2026, neither Party having terminated it. The actual effects of the Protocol in relation to audiovisual co-productions are to be assessed in due time by the Committee on Cultural Cooperation and to serve as the basis for the Union’s decision on whether to renew the entitlement for a further period of three years until 2029.

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<sup>3</sup> OJ L 127, 14.5.2011, p. 1418.

<sup>4</sup> OJ L 127, 14.5.2011, p. 6.

- (5) In accordance with Decision (EU) 2015/2169, the Commission is to provide notice to the Republic of Korea of the Union's intention not to extend the period of entitlement to co-production pursuant to Article 5 of the Protocol following the procedure set out in the Protocol unless, on a proposal from the Commission, the Council agrees four months before the end of such period of entitlement to continue the entitlement. If the Council agrees to continue the entitlement, that procedure is to become applicable again at the end of the renewed period of entitlement.
- (6) On 12 December 2025, the Committee on Cultural Cooperation assessed in accordance with the Protocol the results of the implementation of the entitlement in terms of enhancement of cultural diversity and mutually beneficial cooperation on co-produced works.
- (7) The Union's Domestic Advisory Group established pursuant to the Protocol has been consulted on the renewal of the period of entitlement.
- (8) In view of the close, historical and unique relationship between the Union and the Republic of Korea, and as EU-Republic of Korea co-productions are potentially mutually beneficial both economically and culturally, the period of entitlement for audiovisual co-productions to benefit from the respective schemes of the Parties for the promotion of local/regional cultural content as provided for in the Protocol should be renewed. That entitlement also has the potential to create additional opportunities for all Member States, including those that have so far been unable to develop co-productions bilaterally.

- (9) This Decision does not affect the respective competences of the Union and the Member States. In particular, it does not affect the competence of Member States to conclude co-production agreements,

HAS ADOPTED THIS DECISION:

*Article 1*

The period of entitlement for audiovisual co-productions to benefit from the respective schemes of the Parties for the promotion of local/regional cultural content, as provided for in Article 5, paragraphs (4) to (7), of the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, shall be renewed for three years, from 1 July 2026 to 30 June 2029.

*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Council*

*The President*

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