

# Global watch on culture and digital trade

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## THE TRADE AGENDA OF THE TRUMP ADMINISTRATION AGAINST CULTURAL POLICIES

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Analytical report, May 2025

The May report begins with the Trump administration, which announced a 100% tariff on “foreign films”, calling them a national security threat. In response, over 100 global film and TV organizations urged governments to protect cultural policies and support independent production. They highlighted the risks to regulations like the European Union (EU)’s Audiovisual Media Services Directive (AVMSD) and called for reaffirming the 2005 UNESCO Convention on the Diversity of Cultural Expressions. In addition, the report considers a coalition of European rightsholders which criticized the EU’s third draft of the Code of Practice on Artificial Intelligence (AI) for weakening copyright safeguards and demanded mandatory transparency on AI training data. Moreover, in the United States a court ruled that AI-generated works without human input cannot be copyrighted, while the Trump administration dismissed the US Copyright Office head, who had warned against protecting AI-created content. Finally, the report focuses on recent developments concerning digital platforms, notably Netflix, Prime Video, Deezer, and YouTube.



Regulation issues, digital trade and culture

### **Global Declaration for Artistic Freedom, Cultural Diversity and Cultural Sovereignty**

In early May, “in an effort to bring film productions back to the United States”, US President Donald Trump announced a 100% tariff on films produced outside the United States, claiming that the American film industry was experiencing a “very fast death” due to the incentives offered by other countries to attract filmmakers. President Trump described this situation as a “concerted effort by other nations”, labeling it a national security threat. He further argued that “the influx of foreign films constituted not only an economic issue but also a form of messaging and propaganda”, as stated on his Truth Social platform.

According to Politico, “Los Angeles has seen feature movie shoot days plummet – from 3,901 in 2017 to 2,403 in 2024, a 38% drop highlighting its dwindling role on the global scene”. However, as Screen Daily mentioned, “it was unclear when and precisely in what form film tariffs would come into effect and whether they include post-production services. Until now Trump’s tariff proposals have not extended to services”. According to Le Monde, “the US risks facing trade retaliation from other countries that could impose tariffs on American films. This would be a disaster for Washington, as cinema is one of the US’s most export-driven industries. Already, China announced at the beginning of April its intention to further reduce the number of American films shown on its territory”.

A week after President Donald Trump announced his plan to impose tariffs on “foreign” films, over 100 film and television organizations have issued a collective appeal to governments, urging them to uphold and protect the systems that sustain the independent film sector. On the eve of the Cannes Film Festival, these global film and television organizations called on EU institutions and governments to defend the integrity of the film industry ecosystem in response to President Trump’s proposed tariffs on film imports. The letter begins by “underscoring the crucial role of public funding, cultural policy, and regulation in nurturing independent production”. The letter identifies the following measures as being particularly threatened: the EU’s AVMSD, the proposed local content obligations in Australia, the screen quotas in Asia, and requirements for streaming services to contribute to domestic production in Canada. The signatories firmly oppose any political, legal, or economic initiative that seeks to undermine national or international frameworks designed to preserve artistic freedom and cultural diversity within the film and audiovisual sectors. Specifically, they emphasize the right of public authorities to develop and maintain their own cultural policies and regulatory systems, which are essential for controlling, owning, and monetizing intellectual property.



Furthermore, the signatories call on governments to reaffirm their commitment to the [UNESCO](#) Convention on the Protection and Promotion of the Diversity of Cultural Expressions. “We urge all governments to stand firm and protect the systems that support independent film and audiovisual creation, ensuring that culture, creativity, and democratic access to a diverse range of stories continue to thrive”. Signatories include the European Producers Club, Animation in Europe, South Africa’s Independent Directors Association, the Australian Directors’ Guild, and the Alliance des producteurs francophones du Canada.

Finally, it is worth noting that according to [Euractiv](#) in March a group of 50 members of the European Parliament led by Socialist lawmaker Emma Rafowicz sent a [letter](#) to the European Commission, urging them to defend the audiovisual law. “The letter has so far gone unanswered”.

### **Rightsholders warning on the EU’s draft AI code of practice**

A coalition of European authors, producers, performers, and other rightsholders has issued a joint statement addressing the third draft of the EU’s General-Purpose AI Code of Practice. This statement comes as the EU continues to refine its guidelines for the [AI Act](#). The coalition, which includes prominent professional organizations such as the European Producers Club, the European Composer & Songwriter Alliance, and the International Federation of the Phonographic Industry ([IFPI](#)) (representing the global recording industry), has strongly criticized the third draft, calling it “completely unacceptable”. It argues that the draft “undermines the objectives of the AI Act, contravenes EU law, and ignores the intention of the EU legislator,” as stressed in a [statement](#) published on 28 March.

In the previous draft of the Code of Practice, providers of general-purpose AI models - such as [OpenAI](#), Google, Anthropic, Meta, Cohere, and Mistral - were required to implement a copyright policy in compliance with EU copyright law. However, the third draft no longer mandates that signatories publish this policy, instead, they are merely “encouraged” to do so. The coalition expressed concern that this change undermines the AI Act’s adequacy requirements, stating that the draft should not be approved without significant revisions. One of the key principles of the AI Act, according to the coalition, is that AI companies operating within Europe must adhere to European copyright law and maintain transparency regarding the content used to train their AI models. This transparency is essential for determining whether these companies are in compliance with copyright regulations, and the coalition insists that the third draft falls short of these expectations.



## United States: copyright and AI-generated works

The US District Court for the District of Columbia, a federal court, unanimously ruled that “AI-generated works without human involvement do not qualify for copyright protection in the US”. “The Copyright Act of 1976 requires all eligible work to be authorised in the first instance by a human being” said Circuit Judge Patricia Millett for the US Court. “Photography, sound recordings, video recordings, and computer programs are all technologies that were once novel, but to which copyright law now applies,” Judge Millett continued, noting that Congress is key in updating copyright law, not the courts.


Mid-May, the Trump administration has fired the nation’s top copyright official Shira Perlmutter. According to Reuters, the Copyright Office under Perlmutter released a report, on 9 May, advising that technology companies’ use of vast amounts of copyrighted works to train AI systems which “produce expressive content that competes with them in existing markets” may not be protected by US copyright law. According to Associated Press, in January, the office stressed the “centrality of human creativity” in authoring a work that warrants copyright protections. The Office receives about half a million copyright applications per year covering millions of creative works. “Where that creativity is expressed through the use of AI systems, it continues to enjoy protection,” Perlmutter said in January. “Extending protection to material whose expressive elements are determined by a machine [...] would undermine rather than further the constitutional goals of copyright”.

## Musicians seeking protection from AI

According to BBC, early May, Coldplay, Dua Lipa, Sir Elton John, Sir Ian McKellen and Florence Welch are among a list of stars calling on the Prime Minister Sir Keir Starmer to update copyright laws in a way that protects artists from AI. More than 400 artists, creative industries workers and executives have signed a letter to UK Prime Minister urging his government to mandate transparency in the training of AI, and to create a licensing marketplace for AI developers and copyright holders. The campaign was organized by the Creative Rights in AI Coalition which includes several organizations such as the British Phonographic Industry, the Association of Independent Music, the Music Publishers Association, as well as the British Copyright Council.

## Worldwide activities of online platforms

According to data published by Digital-I, Amazon’s strategy to transition its existing Prime Video subscriber base to an ad-supported tier—rather than introducing a separate, lower-cost option—has rapidly established a significant advertising market. As a result, approximately 88% of Amazon Prime Video subscribers are currently utilizing the ad-supported model. The ad tier of Prime Video now reaches more than 130 million US customers, that is up from 115 million. Furthermore, “35% of Disney+ subscribers access the service through an ad-supported tier, alongside 26% of Netflix subscribers and 22% of Max subscribers. This data encompasses markets across the United States, Canada, Latin America, the Asia Pacific region, and Europe”.



According to [The Hollywood Reporter](#), on its 20<sup>th</sup> anniversary, YouTube stated that as of March 2025, more than 20 billion videos have been uploaded since the creation of the platform. YouTube said that more than 20 million videos are uploaded every single day and that in 2024 users posted more than 100 million comments on videos, on average, every day.

According to [Music Business Worldwide](#), France-headquartered music streaming service Deezer revealed that approximately 18% of all tracks being uploaded to the platform are fully generated by AI. [Deezer](#) mentioned that more than 20 000 AI-generated tracks are being delivered to the platform every day. “AI-generated content continues to flood streaming platforms like Deezer and we see no sign of it slowing down”.

As reported by [ScreenDaily](#), [Netflix](#) experienced a nearly 20% year-on-year increase in film viewership across the Asia-Pacific (APAC) region in 2024. This data was disclosed during a showcase event held by the streaming platform in Tokyo on 21 April. Minyoung Kim, Netflix’s Vice President of Content for APAC, noted that films originating from the region featured more frequently in the company’s weekly global top 10 rankings for non-English language films than those from any other region over the past year. The statistics were presented “in conjunction with a preview of Netflix’s forthcoming APAC film slate, which includes titles from countries such as Japan, South Korea, India, Indonesia, and Thailand”.

**Additional readings for the May report:**

- Why Trump’s plans for tariffs on foreign films probably won’t have a happy ending, The Conversation, 7 May 2025, [Link](#).
- How do you put a tariff on movie? Here’s what Trump’s plan could mean for Australia, The Conversation, 7 May 2025, [Link](#).

## Indicative sources :

- Trump's movie tariff plot twist: what's a Hollywood move anyway, CNN Business, 14 May 2025, [Link](#).
- Trump's movie tariff threat puzzles Europe, Politico, 5 May 2025, [Link](#).
- Trump plans to impose 100% tariffs on foreign films to save 'dying' Hollywood, Le Monde, 5 May 2025, [Link](#).
- American Sniper: Trump threat on movie tariffs catches EU filmmakers off guard, Euractiv, 8 May 2025, [Link](#).
- European Union's latest draft AI code of practice renders copyright 'meaningless', rightholders warn, MusicBusiness Worldwide, 31 March 2025, [Link](#).
- Trump administration fires top copyright official days after firing Librarian of Congress, Associated Press, 12 May 2025, [Link](#).
- Netflix film viewing in Asia-Pacific up nearly 20% in 2024, ScreenDaily, 21 April 2025, [Link](#).
- On YouTube's 20<sup>th</sup> Anniversary, the Platform says over 20 billion videos have been uploaded, The Hollywood Reporter, 23 April 2025, [Link](#).

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