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gLAWcal
Comment #294

**CULTURE, CHINA AND WTO OBLI-
GATIONS**

Based on

**Rogier Creemers “Cultural Products and
the WTO: China’s Domestic Censorship
and Media Control Policies”**



gLAWcal
Global Law Initiatives for Sustainable Development



Routledge
Taylor & Francis Group

A gLAWcal comment on Rogier Creemers “Cultural Products and the WTO: China’s Domestic Censorship and Media Control Policies” in Paolo Davide Farah and Elena Cima (Eds.) **China’s Influence on Non-Trade Concerns in International Economic Law**

As a “fundamentally domestic affair”, the domestic markets that have been difficult to penetrate with foreign media products. The WTO obligations state that they must allow reasonable flow of products into and out of China to ensure that the entire global markets are operating in a fair manner. The first WTO trade case for the nation, China – Publications and Audiovisual Products, underscored and reframed their obligations to their trade partners to not outright ban importing movies into China. It is understandable that China wishes to maintain a state run enterprise in all available areas, but it is difficult to continue to allow to make exceptions for China in these circumstances, from the perspective of the WTO. It was a remarkable victory for the global markets to have the ascension of the nation into the organization. As

it has been stated, it would be difficult for the WTO to truly be a global regulatory organization without the partnership of one of the largest exporter/importer in China. Yet, their seeming unwillingness to abide by the spirit of China – Publications and Audiovisual Products, it speaks to a particular contentious relationship between China and their trade partners. Notably, the text offers a prognostication that the procedural aspects of China’s Internet censorship may be in violation of WTO norms and rules, potentially causing yet another case to be undertaken to provide some respite for the other trade partners attempting to be more in line with these WTO standards. This is an issue that has no straightforward result without ignoring the immense history of singular cultural attempts in China.

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The gLAWcal comments are insight and short analytical pieces written by the gLAWcal team. The gLAWcal comments are based on, and inspired by, the books and chapters published within one of the [gLAWcal book series](#) published by Routledge Publishing (New York/London).

gLAWcal is an independent non-profit research organization (think tank) that aims at providing a new focus on issues related to economic law, globalization and development, namely the relationship between international economy and trade, with special attention to a number of non-trade-related values and concerns. Through research and policy analysis, gLAWcal sheds a new light on issues such as good governance, human rights, right to water, rights to food, social, economic and cultural rights, labour rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security.

OUR MISSION

To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

OUR GOALS

To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal’s publication results.



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