



Film Heritage and EU policy

Legal Framework

Lisbon Treaty:

- *Article 3: The EU shall ensure that Europe's cultural heritage is safeguarded and enhanced.*

- *Article 167.2: Action by the Union shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in conservation and safeguarding of cultural heritage of European significance.*

2005 Recommendation of the European Parliament and of the Council on film heritage and the competitiveness of related industrial activities

Film Heritage Recommendation Implementation Reports

- *Member States report on the application of the Recommendation every 2 years.*
- *1st Implementation Report: 8/2008*
- *2nd Implementation Report: 7/2010*
- *3rd Implementation Report: 12/2012*
- *4th Implementation Report: 4Q/2014*

Film Heritage Recommendation Implementation Reports

- *Transparency: MS reports published on the web in English and original language*

<http://ec.europa.eu/digital-agenda/en/protection-film-heritage>

- *Summary tables by subject allow identification of best practices*
- *Very positive feedback from Film Heritage Institutions*

Other European support activities

- *Cinema Expert Group / Subgroup Film Heritage: platform for exchange of best practices.*
- *European standards on interoperability of film databases*
- *Framework contract on voluntary deposit of cinematographic works*

Council activities in relation to film heritage

- *Council Conclusions on European film heritage, including the challenges of the digital era (18/11/2010)*
- *Belgium Conference (10/2010)*
- *Hungarian Conference (4/2011)*
- *Polish Conference (7/2011)*

Issues in film heritage

- *Collection of analogue and digital material*
- *Storage and long-term preservation of analogue and digital material*
- *Restoration*
- *Digitisation and integration in Europeana*
- *Access through new technologies*
- *Digital cinema*
- *Professional training*
- *Film literacy*

EU funding for film heritage

- *No specific EU funding available*
- *Possible funding under other instruments:*
 - **Research**
 - **Structural funds**
 - **EIB loans for digitisation**

Study on a digital agenda for European Film Heritage

- *Update on*
 - **collection of digital films**
 - **Preservation and long-term accessibility**
 - **Digital restoration**
 - **Digitisation**
 - **Access to collection through the web**
 - **Digital projection**
- *Published in January 2012*
http://ec.europa.eu/avpolicy/docs/library/studies/heritage/final_report_en.pdf

Film funding and film heritage

- **EUR 2 billion for film funding in the EU in 2009**
- **Some MS have linked film funding policy and film heritage with a double purpose:**
 - Enforce contractual deposit
 - Facilitate cultural and educational use of funded filmsDenmark, Spain, Sweden, Latvia.
- **Good practice to be extended.**

Film Heritage and copyright

- **Directive copyright (2001/29/EC)**
- **2011 Green Paper**
- **Directive on orphan works**
 - Adopted on 4 October 2012
 - Includes FHI
 - 2 years for MS to transpose
- **Public domain**
- **Contractual and voluntary approaches**

Film Heritage and Directive copyright

Voluntary exceptions:

- **Reproduction for preservation - Art. 5(2)(c)**

All MS except UK and Bulgaria have transposed it. But is some MS cinematographic works are not covered.

- **In situ consultation for researchers – Art. 5(3)(n)**

12 MS report that is is transposed.

- **Ilustration for teaching or scientific research – Art. 5(3)(a)**



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