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Information Society and Media Directorate-General

Audiovisual, Media, Internet
Audiovisual and Media policies

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REPORT

CINEMA EXPERT GROUP / SUBGROUP ARCHIVES

18/06/2009

The Cinema Expert Group was established pursuant to the Cinema Communication of 2001, with the aim of facilitating communication between the Commission and the sector as well as exchange of good practices in all areas of interest of the sector. A Subgroup Archives has been established, for dealing in particular with film heritage issues.

PRESENTATIONS

All presentations are available in the website:

http://ec.europa.eu/avpolicy/reg/cinema/experts/index_en.htm

PARTICIPANTS

Around 75 participants from 23 countries attended the meeting, from the following categories:

- National Ministries in charge of film heritage issues
- Film Archives, film museum and other institutions related to film heritage
- Permanent Representations
- European professional associations

The meeting was chaired by Jean-Eric de Cockborne (JEC).

Other participants from the Commission included: Mari Sol Pérez Guevara (MPG), Burak Özgen (DG INFSO¹ A1), Hughes Becquart (DG INFSO A2), Luca Martinelli

¹ Information Society and Media Directorate-General

(DG INFSO), Elaine Miller, Justyna Lawniczak (DG MARKT² D1), Pierre Godin (DG REGIO³).

Introduction to the meeting

JEC and **MPG** welcomed the participants. **JEC** set out the objectives of the meeting:

1. To keep the European film heritage community informed of relevant EU policies;
 2. To promote the exchange of best practices;
 3. To receive a feed-back from the participants.
- He then thanked Gabrielle Claes and the Cinematek, for graciously hosting the meeting and gave her the floor to welcome the participants.

Second report on the implementation of the Film Heritage Recommendation

Presentation: Mari Sol Pérez Guevara (DG INFSO A1)

- 16 November 2009 is the deadline for Member States' to report on the implementation of the Film Heritage Recommendation. Based on these reports, the Commission will draft the second implementation report. Its adoption is planned in July 2010. In order to help Member States to structure their reports, the Commission circulated a Questionnaire on 5 May 2009. All public film heritage institutions are concerned (national, regional, local). The questionnaire is available on the web, but replies to be submitted through national authorities:
http://ec.europa.eu/avpolicy/reg/cinema/report_2/index_en.htm
- The questionnaire covers 5 themes:
 1. Updating information of the 1st report (questions 1-10, 14-16)
 2. Following-up of the 8 priorities identified in the 1st report (question 11)
 3. Challenges of the Digital era (question 12)
 4. Film policy and film heritage (question 13)
 5. Open question on the need for further EU action (question 17)

² Internal Market Directorate-General

³ Regional Policy Directorate-General.

FIRST PANEL: Relevant European Union Initiatives

Introduction:

Commission officials presented some of the European Union policies which have an impact on film heritage.

- Firstly, **copy-right** related issues and in particular the follow-up of the **Green Paper on Copy-right in the knowledge economy** was presented by **Elaine Miller, Justyna Lawniczak** from DG MARKT. This Green Paper was published in July 2008. It opened a structured debate in relation to special derogations to copy-right for libraries and also in relation to orphan works, among other issues. Around 360 replies have been received, including those of ACE, FIAF and several film heritage institutions. The diverging views of the publishers and collecting societies on the one side and libraries, universities, archives and museums on the other side on the issue relating orphan works, digitisation and making available right have been outlined. The Green Paper on Copyright in the Knowledge Economy can be accessed from http://ec.europa.eu/internal_market/copyright/docs/copyright-info/greenpaper_en.pdf
- After that, **Pierre Godin**, from the Directorate General in charge of Regional policy presented the **Regional Policy and Funding Opportunities** for film heritage institutions under regional funds, as well as an example of a financed project in the Cinémathèque de Bretagne. He presented the structure and basic principles of the funding possibilities provided by Regional Policy and advised the audience on how to fit the applications relating film heritage under one of the existing structures. Summaries and links to regional/national web-sites can be found at: http://ec.europa.eu/regional_policy/atlas2007/index_en.htm
- Finally, **Luca Martinelli**, from the Directorate General Information Society, provided the latest news in relation to the **Digital Libraries Initiative: Europeana, study on "Public Domain", CIP/ICT-PSP Work Programme**. He gave latest information on those three subjects: Europeana, public domain, and funding opportunities for digital libraries under the Competitiveness and Innovation Framework Programme (CIP). He outlined the framework conditions for digitisation, online accessibility and digital preservation, and pointed out the present and future challenges that they have to deal with. For more information you can visit: Europeana at www.europeana.eu , on Digital Libraries initiative http://ec.europa.eu/information_society/activities/digital_libraries/index_en.htm, on eContentplus: <http://ec.europa.eu/econtentplus>, on CIP ICT – PSP http://ec.europa.eu/ict_psp, on Public Domain Study www.rightscom.com.

Question: FERA (Federation Européenne des réalisateurs de l'audiovisuel) stated their concern on the participants of High Level Group on digital libraries, in which the audiovisual rights holders are not represented.

Answer: L. Martinelli replied that the group was limited to 20 participants appointed in a personal capacity, making it impossible to ensure representation of all the stakeholders. As starting point priority was given to the book sector. The audiovisual sector can take advantage of the presence of the Chairpersons of ACE and INA, while IFRRO (International

Federation of Reproduction Rights Organisations) acts as a kind of umbrella organisation for rightholders. However, he stated, in the process that led to the Sector Specific Guidelines for Orphan Works and to the Memorandum of Understanding, the participation to the process was enlarged to many other rightholders organisation in the audiovisual and film sector, such as FIAPF, FIAD, FERA, EFCA and AEPO-ARTIS. These associations are also signatories of the Memorandum.

Question: FERA referred to the MoU on orphan works and asked who would be following up this process at the Commission and whether there would be any consultation or exchange with interested parties?

Answer: L. Martinelli responded that the sub-group on copyright is revising and evaluating the issue. The Commission services will continue to favour and monitor the implementation process. He emphasised the difficulty to measure the actual impact at this moment, as it is a moving process. He will provide more information on this in the coming meetings.

Question: T. Kowalski, from the **Polish Film Archive**, explained that he had recently presented 157 movies to an EU project. Some of these films were nitrate-based, and in a very bad state. They EU criticised that the project included films for which the archive did not have the rights (orphan works). He suggested as a solution to create a fund, to which the archive could pay for the use of the films, and that would be available for the rightholders if they appear.

Answer: E. Miller invited him to send this kind of examples to DG MARKT.

Question: S. Bromberg asked what the definition of orphan was: a film for which no one claims to have the rights? A film without a legitimate owner?

SECOND PANEL: European Projects Funded by EU

The second panel dealt with 4 projects financed by the European Union.

- Firstly, **Ronny Loewy** gave an update on the status of the **European Standardization to facilitate the interoperability of film databases**. The first European Standard is already approved, and there is a second one in preparation. He gave a detailed explanation on the CEN Standards for metadata about cinematographic works. R. Loewy said that they are planning to disseminate more information on the use of these standardisation systems by organising seminars throughout Europe, providing hands-on trainings and materials, preparation of a workbook, public domain schema and software components for re-use. More information can be found at: <http://www.filmstandards.org>.
- Secondly, **Georg Eckes** from the Deutsches Film Institut, spoke about the project "**European Film Gateway**". The European Film Gateway is a project supported by the eContentplus programme of the European Commission. The project seeks to integrate various European film archives and cinemathèques into the development of an online platform designed to present cultural heritage in a digital format and to provide access to a combined archive of catalogue data concerned with film. The EFG serves as an aggregator service in relation to Europeana. More information available at <http://www.europeanfilmgateway.eu/>

- Thirdly, **Nicola Mazzanti** gave a presentation on the project **EDCine - Enhanced Digital Cinema project**. The last EDCine symposium took also part in the same premises on the following day. EDCine is funded by the Commission under the 6th Framework Programme. It started in July 2006 and is ending in June 2009. The project has focused on future enhancement of digital cinema technology in three areas: - Networked content streaming to cinemas, - Advanced movie experience beyond DCI, - Digital archives and access to film archives. N. Mazzanti explained different techniques and models they have used for the preservation of the film archive works, i.e. Master Archive Package (MAP), and for distribution of those works, i.e. Intermediate Access Package (IAP), which are usually quite different from each other. More information can be found at: www.edcine.org, www.cinamatek.be/edcine/
- Finally, **Piero Attanasio** described the **ARROW project**. ARROW is an acronym for Accessible Registries of Rights Information and Orphan Works towards Europeana. This project aims to be a key initiative to support new models for managing effectively copyright in the publishing sector. But their experience can be of great interest also for the audiovisual sector. P. Attanasio stated that tangible book industry especially for recent works is based on a good information infrastructure. However, there is still many data missing. ARROW, he stated, also facilitates the due diligence search for the implementation of MoU on orphan works. For more information: <http://www.arrow-net.eu/>

Question: L. Martinelli asked to what extent the right's information was included to the CEN Standardization systems.

Answer: R. Loewy said that they were not dealing with any copyright issue at all.

THIRD PANEL:

Introduction:

The third panel continued with projects co-financed by the EU and was devoted to the project "Prestoprime" and to the MEDIA programme.

- Firstly, **the Prestoprime project** was presented by **Jean-Hugues Chenot** from the French INA (Institute National de l'Audiovisuel). Prestoprime is funded with 8 million from the Seventh Research Framework Programme of the EU. The project started in January 2009, and it will run until June 2012. Its purpose is to research and develop practical solutions for the long-term preservation of and access to all types of digital audiovisual collections. Prestoprime is working on some specific issues related to film heritage, such as a device for digitally scanning films at high speed and a film restoration software tool its use is connected with the projects Europeana 1.0, Europeana Connect, European Film Gateway and VideoActive / EUScreen. More information can be found at <http://www.prestoprime.eu/>

- The **MEDIA 2007 programme** was introduced by **Hughes Becquart**, from the European Commission. The MEDIA 2007 programme is aimed at supporting the European audiovisual sector. The overall budget is €755 million over seven years (2007-13). Two projects financed by MEDIA 2007 are related to film heritage: "European Film Treasures" and "Europe's Finest". MEDIA programme can be reached from: http://ec.europa.eu/information_society/media/index_en.htm
- "**European Film Treasures**" was presented by **Serge Bromberg**. Mr. Bromberg explained the idea behind the project and the way that they designed to realise that idea. "European Film Treasures" website offers free access to selected films from 28 film archives of 19 countries films through the Web. It is aimed to create an appetite and curiosity for the audience in order to direct them to the world of film heritage and to the national film archives. The website is now available in five languages including the subtitles and source and archive information. Web page was opened on 1 May 2008. The interest to the web-side was un expectedly high, so they had to run some technical maintenance to respond the high demand of visitors. Mr. Bromberg also presented the website by showing couple of short films that are visited most. Website of the project is: <http://www.europafilmtreasures.eu/>
- **Tilman Scheel** presented the project "**Europe's Finest**", which is a digital cinema distribution project aimed at cinema exhibitors. It offers a digital delivery of a catalogue of heritage films to cinemas for theatrical exploitation. Europe's Finest recently has 50 classics in its library that they have digitised, subtitled and made ready for digital theatres across Europe. They have cleared the rights for those films in 20 territories made the material available in all languages. The also produce a digital promotion material to be used by the theatres. Their main challenge is the number of digital cinemas in Europe. Apart from Norway which digitised all of their cinemas and the UK that is starting a similar initiative the numbers across Europe is not sufficient enough. For more information: www.finest-film.com

Question: Greek Film Archive stated their interest and willingness to contribute to European Film Treasures and Europe's Finest projects with their works.

Answer: This was accepted also with great interest by Mr Scheel and Mr Bromberg.

Question: JEC asked **Mr Scheel** whether Europe's Finest is a viable business model.

Answer: It is usually depending on the number of digital cinemas. It is still a very volatile and unforeseeable, however, they are planning to continue and work on it, as some one has to take the initiative to make things happen. For instance there was almost no digital cinema in Europe when they started.

Question: Whether the MEDIA programme was essential for those two projects to start them over or would that also be possible without it was asked by one of the participants.

Answer: S. Bromberg said it would not be possible without the MEDIA programme. As it is a free on-demand service and they have no other income apart from sponsorships, it has been essential to have the support. T. Scheel also stated the importance of the support as they would not be able to recoup the investment they

have made for the project due to very low number of digital cinemas in Europe when they first started.

FOURTH PANEL: Examples of Best Practices

In the last panel, 3 examples of best practices in the field of film heritage and digitisation of films were presented.

- First of all, **Jürgen Keiper** from the Deutsche Kinemathek made a presentation on “**The Lost Films project & Moments in Time 1989/1990**”. The project uses the Web as a tool for enriching the collections. Lost Films is an open source database used for compiling information about lost silent films. Lost silent films are round 80-90 % of the film produced and 80% of those films are lost. One of the most challenging issues is obviously determining what is lost and which films are lost, according to J. Keiper. For the films that cannot be identified they put fragments or all of the films on the web that works as a wiki and community identifies the works. Then they run a research to confirm the data they collect. It creates a self-concept as an open platform, new collaborations and sustainability. To visit the websites:

<https://www.lost-films.eu/>, www.wir-waren-so-frei.de

- Second, **Cecilia Cenciarelli** from the Cinemateca di Bologna presented the **World Cinema Foundation**, for which she is co-ordinator. The World Cinema Foundation is a non-profit organization founded by Martin Scorsese, directed by many well-regarded directors from around the world, and dedicated to preserving and restoring neglected films from around the world – in particular, those countries lacking the financial and technical ability to do so. C. Cenciarelli explained the different technical procedures they have used for the digitisation of some of the films they have restored, and she also told the exciting stories about finding the originals of those old films. For more information:

<http://worldcinemafoundation.net/>

- Finally, **Rafael Sánchez** from Spanish Association representing audio visual producers EGEDA (Entidad de Gestión de Derechos de los Productores Audiovisuales) introduced a Video-on-Demand service, provided through the website "**Filmotech.com**". R. Sánchez first gave information about EGEDA and its role in protecting the intellectual property rights and commercial interests of rights holders. He then explained how they used EGEDA Digital project for facilitating new technologies for creating an online market place. Filmotech.com has been established by rights holders as a VOD service to give them an opportunity to directly manage their rights in digital distribution without interference. Filmotech, today, offers audiovisual content from Spain, Latin countries and many other countries available in many countries that change according to the rights clearance and licensing coverage of each work.

www.filmotech.com

Question: JEC asked what percentage of the works in and audience of Filmotech is Spanish?

Answer: R. Sánchez said that 70% of the content is Spanish and the remaining 30% from other countries. 20% of the users are accessing the site from countries other than Spain

Closing of the meeting

Before closing the meeting JEC gave the floor to **Marc Vernet** from the French *Institut National du Patrimoine*, who informed the participants about the Archimages workshops, which will be organized in Paris in November 2009.

The next **Cinema Expert Group / subgroup film heritage** will be convened in 2010. Communication of useful information will be done on a regular basis via e-mail and published on the Commission's website:

http://ec.europa.eu/avpolicy/reg/cinema/news/index_en.htm

Report prepared by Burak Özgen and Mari Sol Pérez Guevara.