

## The Council of Europe Convention on Cinematographic Co-production (revised)

### Key Changes

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- The production of feature films as European multilateral co-productions is currently regulated by the European Convention on Cinematographic Co-production, a Council of Europe legal instrument which opened for signature in 1992, came into force in 1994 and has been signed by 43 European countries (text and list [here](#)).
- A revised co-production convention was opened for signature by states on 30 January 2017 in Rotterdam. It came into force on 1 October 2017 when three countries (Norway, Slovakia and Sweden) had signed and ratified the revised instrument. The text and explanatory reports in English and French together with a continually updated list of countries signatory can be consulted [here](#).
- The main changes made by the revised Convention are as follows:
  - Maximum and minimum participations in co-productions have been altered to provide greater flexibility for producers. For multilateral co-productions, the minimum participation will now be 5% instead of 10% and the corresponding maximum participation goes from 70 to 80%.
  - For bilateral co-productions, the minimum participation will now be 10% (previously 20%) and the maximum 90% (previously 80%).
  - However, for both multilateral and bilateral co-productions, national authorities can decide to bar or limit access to public support schemes where the participation is less than 20% or the co-production is financial only (i.e. there is no artistic and technical co-operation).
  - The revised Convention is also open for signature and ratification by non-European countries<sup>1</sup>. As a result, recognition of a co-production under the Convention no longer confers official 'European' co-production status. Instead it confers the status of an 'official co-production under the Convention'.
  - The points system used to measure the European elements of the co-production has been modified in line with this new perspective. It now measures the elements originating in States Parties to the Convention. Specific points systems are now proposed for fiction, animation and documentary projects.
  - Recognition of films as co-productions under the Convention will now be given using a two-step process: provisional recognition prior to start of principal photography and definitive recognition on completion of the film and submission of the final documents. This two-step process is currently employed by many national authorities so this change simply reflects the reality of current practice.
  - The revised Convention also provides for follow-up of the new text. The Board of Management of the Eurimages Co-production Fund of the Council of Europe will act as a monitoring body and can propose amendments to the technical appendices of the text. Countries non-members of Eurimages but which have signed up to the revised Convention will be represented when the Board carries out these tasks.
  - The revised Convention applies only to co-productions involving countries which have signed and ratified the new instrument. Co-productions where at least one country involved has not yet signed and ratified the new text will continue to be regulated by the 1992 Convention. Given the complexity for producers and national authorities of the co-existence of the two conventions, it is clearly desirable that the revised text be signed and ratified by Parties to the old text as soon as is feasible.

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<sup>1</sup> The accession of a non-European country requires the unanimous approval of the European States party.