

## SUMMARIES OF THE COUNCIL OF EUROPE TREATIES

The summaries available hereunder are designed to meet a practical need, that of supplying the public at large with concise descriptions of the Council of Europe treaties. The summaries are necessarily short and can therefore only give a first introduction to the main features of each treaty.

Subject-matter: **CINEMA**

**European Convention on Cinematographic Co-Production** ([ETS No. 147](#)), open for signature, in Strasbourg, on 2 October 1992.

Entry into force: 1 April 1994.

The aims of this Convention are to promote the development of European multilateral cinematographic co-production, to safeguard creation and freedom of expression and defend the cultural diversity of the various European countries.

In order to obtain co-production status, the work must involve at least three co-producers, established in three different Parties to the Convention. The participation of one or more co-producers who are not established in such Parties is possible, provided that their total contribution does not exceed 30% of the total cost of the production. The co-produced work must also meet the definition of a European cinematographic work set forth in Appendix II to the Convention.

Once these conditions have been fulfilled, the Convention assimilates all co-productions, which have been given the prior approval of the competent authorities of the Parties, with national films, i.e. they are entitled to the benefits granted to the latter. The Convention also covers the following: the minimum and maximum proportions of contributions from each co-producer; the right of each co-producer to co-ownership of the original, the picture and the sound; the general balance of investments and compulsory artistic and technical participation; the measures to be taken by the Parties to facilitate the production and export of the cinematographic work and the right of each Party to demand a final version of the cinematographic work in one of the languages of that Party.

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**Council of Europe Convention on Cinematographic Co-Production (revised)** ([CETS No. 220](#)), open for signature, in Rotterdam, on 30 January 2017.

Entry into force: 1 October 2017.

The purpose of the revised Convention is to provide a legal and financial framework for the co-production of feature-length films involving production companies established in three or more states Parties. The revised Convention can also be used as a bilateral framework in the absence of a specific co-production treaty between two Parties. The participation of one or more co-producers who are not established in such Parties is possible, provided that their total contribution does not exceed 30% of the total cost of the production. The co-produced work must also meet the definition of an officially co-produced cinematographic work set forth in Appendix II to the Convention.

This Convention brings up to date the provisions of the 1992 European Convention on Cinematographic Co-production (ETS No. 147), in order to reflect the profound changes undergone by the film industry in the intervening period.

The key revisions of the text aim to:

- broaden the scope of the Convention by opening it to accession by non-member States of the Council of Europe and introducing the notion of “official international co-production” to replace that of “official European co-production”;
- adjust the minimum and maximum proportions of contributions from each co-producer, to make it easier to participate in official co-productions, while at the same time providing safeguards for national authorities, should they wish to bar access to national production funding schemes;
- ensure monitoring and sharing of best practice in the application of the revised Convention; These functions are to be filled by the Board of Management of the Eurimages Fund, meeting in an enlarged configuration to include all Parties to the revised text;
- facilitate the work of the competent authorities responsible for its application, by updating the procedure for recognition under the Convention to reflect widespread practice.

The revised Convention applies to co-productions where all of the production companies involved are established in Parties to the updated text. The 1992 Convention will continue to apply to any co-production where at least one of the companies involved is established in a Party only to the 1992 Convention.