

HOW TO BECOME A MEMBER OF EURIMAGES?¹

	Member States of the Council of Europe	Non-member States of the Council of Europe
1.	The competent authorities of any Council of Europe member State which wishes to accede to the Eurimages Fund can send a letter, at any time, to the Secretary General of the Council of Europe. This letter is generally sent by the minister for foreign affairs, the minister for culture or by the Permanent Representative to the Council of Europe of this State.	A non-member State of the Council of Europe may accede to the Fund first as an 'associate member' ² for a period of at least four years and then as a full member. An official letter by which the State requests to accede to the partial agreement must be addressed to the Secretary General of the Council of Europe by the minister for foreign affairs of the applicant country or a diplomatic representative empowered to do so.

¹ See Article 6 of the [Resolution CM/Res\(2020\)8](#).

² The status of an "associate member" is equivalent to that of a full member of the Fund, with the exception of decisions concerning the policy of the Fund, which can be taken only by full members (see Article 6 of the [Resolution CM/Res\(2020\)8](#)).

	Member States and non-member States of the Council of Europe
2.	The Secretary General forwards this letter to the Executive Director of Eurimages who informs the Board of Management of the Fund.
3.	The President of Eurimages contacts the applicant country and requests the preparation, in English and in French, of a report on the film and audiovisual industry in the applicant country. This report shall describe the existing legal and institutional frameworks and technical infrastructure, as follows: ✓ the legislation to protect copyright and intellectual property and regulate the audiovisual sector in line with the spirit of the Council of Europe Convention on Transfrontier Television (ETS No. 132, 171), the European Convention relating to questions on Copyright Law and Neighbouring Rights in the Framework of Transfrontier Broadcasting by Satellite (ETS No. 153), the European Convention on Cinematographic Co-production (ETS No. 147) and the Council of Europe Convention on Cinematographic Co-Production (revised) (CETS No. 220); ✓ the situation of arts and culture with regard to international trade negotiations. The applicant country should have protected itself in the cultural sphere against the most-favoured nation clause (WTO); ✓ the status, legal means, financial resources and functioning of the national authority with responsibility for film; ✓ the scope and functioning of national support systems for production and distribution, the number of films produced annually, their average budget, and the total annual amount of investment in production; ✓ the studio and technical infrastructure for film and audiovisual production, the distribution and exhibition network and methods used to collect statistical information on the film and audiovisual industry; ✓ the existence and implementation of gender equality, diversity and inclusion policies in the film and audiovisual industry, as well as available related data; ✓ the existence and implementation of environmental sustainability policies and green practices in the film and audiovisual section, as well as available related data.
4.	For practical reasons relating to the calculation of the member States' contributions, the applicant country must supply statistical data on cinematographic production (national productions, majority and minority co-productions) for the ten years preceding the year of its accession. Furthermore, it must be able to supply to the European Audiovisual Observatory the number of admissions in theatres of all the films released in the national territory. To that end, the applicant country should have an independent technical infrastructure for collecting cinematographic data.
5.	The President of Eurimages will acknowledge receipt of the report and inform the applicant country of the date of its examination by the Executive Committee of Eurimages.
6.	After examination of the report by the Executive Committee, the President sends a letter to the authorities of the applicant country reporting on the discussions held and inviting a delegation to attend a meeting of the Board of Management to present its report. The Board of Management may request any clarification it finds necessary on that occasion.

	Member States of the Council of Europe	Non-member States of the Council of Europe
7.	Following an interview between the delegation of the applicant country and the Board of Management, the President of Eurimages sends ✓ a letter to the authorities of the applicant country confirming the Board of Management's recommendation. If the Board of Management's opinion is favourable, the President will invite the authorities of the applicant country to notify by letter to the Secretary General the decision to accede to the Eurimages Fund, with acceptance of the financial consequences and the appointment of a representative to the Eurimages Board of Management.³ Accession to the partial agreement will take effect on the date of receipt of the declaration by the Secretary General, unless another date is specified in the declaration.	Following an interview between the delegation of the applicant country and the Board of Management, the President of Eurimages sends ✓ a letter to the Secretary General informing him/her of the opinion of the Board of Management, ✓ a letter to the authorities of the applicant country informing them of the Board of Management's recommendation, subject to the approval of the Committee of Ministers.
8.	The Secretary General will address a letter to the applicant country to acknowledge receipt of the accession notification.	The Committee of Ministers, in its composition limited to the member States of the Fund, examines the request for accession of the applicant country.
9.		Once the decision is taken by the Committee of Ministers, the Secretary General of the Council of Europe immediately informs the authorities of the applicant country. If the decision of the Committee of Ministers is favourable, the authorities of the applicant country will be invited to notify by letter to the Secretary General the decision to accede to the Eurimages Fund, with acceptance of the financial consequences and the appointment of a representative to the Eurimages Board of Management.³ Accession to the partial agreement will take effect on the date of receipt of the declaration by the Secretary General, unless another date is specified in the declaration.
10.		The Secretary General will address a letter to the applicant country to acknowledge receipt of the accession notification.

³ See appendix for description of the role of the Eurimages representative

Appendix: extract from [Rules of Procedure of the Board of Management](#) –

Article 2 - Membership

Article 2 Membership

1. The members of the Board shall be national representatives of the governments of member States of the Fund¹.
2. The role of the national representatives is to:
 - a) represent the interests of the member State in the definition of the policy and strategy of the Fund;
 - b) contribute with their experience of public policy in the film and audiovisual field and provide high-level guidance to the activities of the Fund.
3. National representatives should:
 - a) be able to devote sufficient time to prepare thoroughly the meetings of the Fund;
 - b) be constantly in contact with the film and audiovisual professionals of their country;
 - c) possess a good knowledge of film and audiovisual business practices;
 - d) possess a good knowledge of English or French.
4. Any appointment of a national representative or a substitute representative must be communicated by means of an official letter from the competent national authorities. This letter should be addressed to the Executive Director of the Fund (hereinafter called "the Executive Director") via the national Permanent Representation to the Council of Europe. Any national representative may be replaced by a person whose name, position and function have previously been notified to the Executive Director by the competent national authorities. The provisions laid down in paragraphs 6 and 7 below shall also apply to anyone replacing a representative or substitute member. The names and professional contact details of the national representatives and their substitutes are published on the website of Eurimages and can also be published in other Eurimages publications.

The competent national authorities shall keep in mind the equal opportunities policy pursued by the Council of Europe which aims to achieve parity in the number of men and women in its various bodies.

5. Any national representative may be accompanied by advisers who, at the national representative's request and with the consent of the President of the Board (hereinafter called "the President"), may speak at the meeting.
6. Any member of the Board (President, representatives or substitutes) shall be required to declare under the conditions defined hereafter any financial, business or personal interests or any other interest which could, or appear to, distort his/her judgment during the award of financial or other support and hinder the impartial and objective performance of his/her duties. Actual, potential, or perceived conflicts must be declared.
 - a) With regard to Eurimages, the following shall be deemed to constitute financial, business or personal interests:
 - current paid employment in a private entity in the film and audiovisual sector,
 - previous employment or collaboration in a private entity in the film and audiovisual sector in the 12 months having preceded the appointment as representative or substitute²,
 - partner or shareholder status in a private company in the film and audiovisual sector,
 - family ties with a person having financial interests in a public or private entity in the film and audiovisual sector.

The national representatives of the Board shall be free to declare any other factors which might, in their own judgment, constitute a financial, business or personal interest or any other interest going beyond the above definition (for example unpaid activity, non-family personal link, activity outside the film and audiovisual sector, etc.) which could, or appear to, hinder the impartial and objective performance of their duties.

- b) Any national representative with a financial, business or personal interest in, or any other conflict of interest relating to, a project or an item on the agenda shall neither participate in the examination nor vote on the project or item in question during the plenary meeting or working groups. The national representative in question shall inform, preferably via the online platform, the President or the Executive Director once the first meeting agenda is issued, and preferably no later than four weeks prior to the plenary meeting or the working group at which

¹ See Article 2.1 of Resolution Res(88)15 as amended by Resolution CM/Res(2020)8 on 9 September 2020.

² If a person has been involved in the development and/or production of a project included on the agenda, the conflict of interest remains, even after the 12-month rule has expired.

the project or item is likely to be examined. The President shall rule whether or not such a conflict of interest exists and immediately notify the national representative concerned of his/her decision. If the conflict of interest is confirmed, the national representative concerned shall be replaced for the examination and/or vote on the project or item concerned in accordance with paragraph 4 above, provided that the project or item in question is on the agenda when the examination of projects or the meeting in question begins.

- c) At the beginning of each meeting of the Board and the working groups, the President or the Chair of the meeting will ask the participating national representatives whether or not there are any conflicts of interest which have not been declared beforehand in conformity with point b) above. If a conflict of interest is declared on this occasion by a member of the Board, the other national representatives of the Board participating in the meeting in question shall decide by majority vote how this conflict of interest should be dealt with. The declarations made by the participants and any decisions taken by the Board shall be mentioned in the minutes of the meeting.
 - d) If the President declares a financial, business or personal interest in, or any other conflict of interest relating to, a project or item on the agenda, the other members of the ExCo or, if appropriate, the Board shall collectively rule whether or not such a conflict of interest exists and how it should be dealt with.
7. Further to the appointment and on an annual basis thereafter, each member of the Board (representative and substitute) as well as the President, shall sign a declaration whereby she/he acknowledges that the proceedings of the Board, including all information exchanged during the plenary meetings and the meetings of working groups and of the ExCo, are subject to strict confidentiality and cannot be disclosed to third parties.