



ROME :



JUNE 2009 - 40

**Europe
special**

▶ **June 7 & 8 2009**

**Cinematographic
Film Production
European Seminar**

**Organised with the support
of the European Community**

by EURO – M.E.I.
(Media Entertainment International)

▶ **June 9 & 10 2009**

**General Assembly
of Euro-M.E.I.
Members**

Summary

▶ **Euro-Mei Cinematographic Film Production Seminar**

Stephane POZDEREC speech (General Delegate of SNTPCT)

<i>Preamble : What is cinema ?</i>	p. 3
<i>Cinema in Europe</i>	p. 4
<i>The support mechanisms for films production</i>	p. 6
<i>Fiscal incitements taken on States budget</i>	p. 7
<i>The circulation of movies from European countries inside Europe</i>	p. 8
<i>The workers and technicians of cinematographic Production</i>	p. 9

▶ **EURO-M.E.I. General Assembly**

**Following the seminar, text of the resolution presented by the SNTPCT,
adopted by all the trade unions of the countries of the Euro-MEI** p. 10

Audiens au service de vos professions

Audiens est le groupe de protection sociale de l'**audiovisuel, de la communication, de la presse et du spectacle**. Retraite complémentaire, santé, prévoyance, épargne, logement, Action sociale : Audiens protège les employeurs, les salariés permanents et intermittents, les demandeurs d'emploi, les retraités et leur famille, tout au long de leur vie.

Audiens, c'est aussi des solutions de gestion, des prestations ou des services adaptés aux réalités et aux besoins des différents métiers, pour accompagner les entreprises et les salariés au quotidien, afin de pouvoir répondre à toutes les problématiques qui relèvent de la protection sociale.

- Gestion du **Fonds de professionnalisation et de solidarité** pour les artistes et techniciens du spectacle : ce fonds, mis en place par l'Etat en avril 2007, et géré par Audiens et l'Unedic, prévoit un dispositif professionnel et social, pour les artistes et techniciens rencontrant des difficultés dans leur parcours professionnel.
- Gestion du régime prévoyance et santé des artistes et techniciens : depuis le 1^{er} avril 2007 pour la prévoyance et le 1^{er} janvier 2009 pour la santé.
- Depuis le 1^{er} janvier 2007, Audiens gère pour le compte du **Centre Médical de La Bourse** (CMB) l'appel de cotisation de la médecine du travail auprès des entreprises, ainsi que la convocation à la visite médicale des intermittents du spectacle.
- **CHSCT Cinéma** : Audiens a été désigné en 2008 par les représentants de la profession pour collecter des cotisations servant au financement du Comité d'hygiène, de sécurité et des conditions de travail de la production cinématographique.
- Audiens, en partenariat avec la Commission du Film d'Ile de France, réalise chaque année un baromètre de l'**emploi dans le cinéma et la production audiovisuelle**.
- Collaboration étroite avec les **observatoires des métiers** des différents secteurs professionnels.

Par la pratique des valeurs de solidarité, respect, qualité et progrès, Audiens affirme au quotidien sa vocation sociale par une politique de proximité et d'Action sociale vers ses adhérents en situation de difficulté.

www.audiens.org

Tél. : 0 811 65 50 50 (prix d'un appel local)

ROME June 7 & 8 2009

CINEMATOGRAPHIC FILM PRODUCTION EUROPEAN SEMINAR

organized with the support of the EUROPEAN COMMUNITY

by EURO - M.E.I. (Media Entertainment International)

Stephane POZDEREC speech (General Delegate of SNTPCT)

Preamble - What is Cinema ?



Dear Colleagues, dear Friends,

For the public, what does cinema means ?

Movies are a cultural show of feelings, which express themselves in a movie theater.

The film projection on big screen in an obscure theater house enables the spectator to enter into a universe, to share the feelings, the events, the tragedy or the comedy of the happenings from the pictures projected on big screen.

That's why the movies are the best way to materialize culture.

The moving picture house remains the collective place to go on your leisure moments with success holds out against the competition of audio-visual media broadcasting or even owing to this rivalry.

Under no circumstances the broadcasting of cinema films by audio-visual media will not take place of the film projection in theaters and of the perception that may have the public during the projection of a cinematographic production on big screen in a dark theater house.

The distribution by audio-visual media takes away the dimension of the artistic expression that offers the movie theater.

In others words audio-visual media couldn't substitute cinema.

Cinema in Europe

The cinema in the 27 states members of the European Union, although different results from one country to another, stands well and totals about 921 millions of tickets sold in 2007.

The films from different countries in Europe had made in 2007 – slightly in progress in comparison with 2006 – about 29 per cent of market shares.

The number of films produce in the 27 countries has also slightly gone up and reached 920 films.

From this situation arises that the market shares carried off by American films is preponderant globally in Europe and in each country.

If by that very fact, the cinema ignores the national boundaries and in spite of the fact that Europe must remain hospitable to others films production, we must protect determinedly the European diversity of cinematographic expression in particular, as from the whole world in general.

The standardization would be an immense danger. Imposed by the search of the largest benefit, its bring a flood of standardized films at witch we must resist.

The cinema is the exchange of our expressions and of one's own identity in the recognition and respect of the other.

Cinema is emancipation and opening out agent for all European countries in particular. It cannot be considered as a secondary cultural element but as a principal value, essential for our civilization.

Cinema cannot be bought into market play, and it is essential that public power, the one of our various States, but also the European one, interferes as guarantor of the liberty and diversity of the cinematographic expression on the whole of our countries.

But it's first of all the public power of the countries to define freely their politic concerning the cinema.

Europe who defends cultural expression, must recognize the natural specificity of Cinema under his political leadership.

The constitutional treaty of the Union promote its new slogan : « *United in diversity* » as fundamental objective.

Therefore, this affirmation must be firmly anchored in the respective competencies of the States and of the European Union endowing national economical rules necessary for this aim that European Union must warrant.

In fact this aim has economical roots. A public intervention is legitimate to comfort, develop and strengthen the production capacity of films appropriate to each of our countries.

To fulfil that, it would be advisable to secure the national system of support to the cinematographic production of films and to secure the regulation in connexion with cinematographic films broadcasting on audiovisual media ; to know :

- On the one hand the broadcasting chronology that means the deadlines which must elapse between the film exploitation in cinema hall and its broadcasting on various audiovisual media,
- On the other hand the investment and programming obligations registered in the directive « *Television without Borders* ».

We must exercise an extreme vigilance towards those principles.

We must also improve the circulation of cinematographic works from Europe inside the Union frontiers. In each of our countries, cinema of the others members is not enough present. That's why from a national point of view but mainly European, inciting measures must be taken to prioritise those exchanges.

The point is finally to assert without compromise that cinema is not a merchandise and that it cannot be submit and abandoned to the blind market game.

It's all the meaning of the struggle that we must lead so that the cinematographic exception and diversity be preserved for each country of the Union and on the whole of our countries.

The point is not only to assert that World Trade Organization and the negotiations which proceed cannot be the institutional setting to deal with cinema, but also we could no longer admit that cinema can come within Directorate General for Competition.

We emphasize in fact that UN.E.S.C.O. Convention settles an international document of capital consequence.

As for D.G. Competition, which tries to unsettle the national aids system considering that national aids to film production transgress the principle of free competition, it advocates to subdue the national aids to the expenses sum made in another European country, as if a film direction was no suggested by its script.

The work of the mind which constitute each film could not be considered as a merchandise which could be in competition with another work.

A mind's work is unique.

It's a fight which is far from being won and that we must fight relentlessly because economical and cultural stakes are considerable.

The cinema shouldn't be reduced to a marketable size. The cultural exception and diversity must be a political, cultural, and moral assertion which must guide our action.

It's a question of civilization. Each one must assert through dialogue, through interchange and must not rise up against the others.

Let's support the cinema, the exchanges, the dialogue, the plurality of the sentiments and minds, to render sensible, alive, audible and intelligible, the cinema reality and our nations cinematographic expression.

The wealth of Europe will be constitute by the existence of various feelings in our miscellaneous identities in Hungarian, Spanish, English, Greek, Swedish, etc.

Knowing that there cannot be competition, neither domination, nor elimination in cinematographic cultural identity, but that the diversity or our cinematography stimulates the one of the others, and will give rise to the circle of European plurality and cultural wealth.

Europe must contribute to put the situation which presides over the cinematographic Production right in each of our countries.

There is an inalienable right, proper to each nation : the one to dispose of an economic production capacity proper to the expression of its culture.

Nowadays we note a domination of the American cinema in our countries, consequently we must progress and assert the diversity of the 27 national cinemas and the one of the others continents.

It's ours to pass legislative measures with the view to increase the diversity of expression in our national cinemas. The European Union can support each of our states but not take its place.

Danish cinema – we could take any other country – has is own identity and doesn't look like Italian or Spanish, nor American cinema. All those movies must be able to cohabit.

That's how we shall contribute to create and register in the reality the expression of the diversity of each culture as essential wealth from individual and collective human value.

Let's underline that the objectives of this politics are given by economical national regulations, Europe should come as support.

The support mechanisms for film production

In first place, it's advisable that each of our States acquire automatic mechanisms to support the production or the coproduction, that means a reinvesting mechanism.

The mechanism of automatic support to the cinematographic films production and the ones on the occasion of co-productions, as it exists in France and also in Germany and in Spain, must be a model to institute in each of our respective countries.

It is based upon the product of a tax withdrew from the price of a cinema ticket – equal to 11 % in France and collected by the National Center of Cinematography.

It is very important to emphasize that the product of the tax is paid by the spectator and is not at all dependent on the State budget.

The amount of this tax deduced previously on the tickets price represents in France about 120 millions euros.

To the support produced by films exploited in halls, are added 120 millions euros generated by a tax about 3 % withdrew from the turnover of TV broadcasting firms, on the basis of cinematographic films broadcasted by TV channels.

To be added also to that, a tax on video corresponding to 2 % of the videocassette and representing about out millions euros for 2008.

Taxes product above are no more dependent of the State budget.

The total amount generated by those supports is portioned out between films production, cinema owner and distribution ; the production having the preponderate share.

Without those means of assize feeding the financial support of cinematographic Industry, the production capacities of national films and national co-productions film couldn't economically exist nor expand for want of viability.

Let's add that to those automatic mechanisms of support benefiting to production enterprises, are added selective aids which have to purpose to assure a greater diversity to the manifestation of some films.

These national supports constitute an absolute economical condition which allows and will allow to each oh our countries to warrant by this savings system the existence of one expression and of one production industry of national films and of international coproduction films.

It's this economical mechanism which allowed to French cinema its notoriousness in the world, being in a position to produce more than 150 films each year.

Fiscal incitements taken on States budget

In this case, many states took complementary fiscal action to incite national films production, as well as international co-productions on their territories.

We must distinguish two fiscal mechanisms of different nature :

- **O**ne related to “tax shelters” consists in attracting foreign films thanks to fiscal advantages given to producers according to the expenses spent in these countries.

This incitement has as consequence to develop the delocalization of films production on lower salaries and social costs territories.

These fiscal mechanisms constitute a threat against the life of movies industry fitted to countries which salary costs are the highest and a serious threat lying heavy on the movies production for workers and technicians jobs.

It would be advisable to deposit those fiscal assistances in aid of national producers in order that they work out their own cinema.

- **T**he other mechanism which would be desirable to set about in each State as it was established in France, consisting in a fiscal device : “*Tax-credit*” allowed to the national production firms and settles an important aid to films production, either nationally or as part of a co-production.

Its concern, for each of our countries to set up financial support system for movies production which finality is to impose national productions as well as co-productions.

The circulation of movies from European countries inside Europe

It is agreed that national aids, but also European aid, and in particular the one existing in the *Media programme*, must be reinforced so as to patronize the circulation of movies from one country to another in subsidizing the subtitle of national movies in many other languages from European countries.

Concerning the cinematographic running in theatres

One might consider that the 27 countries or European Union as a whole totals 30 to 40 000 houses. In France more than 5 400 cinemas are settled on the territory and gathered together in 2 076 buildings including 164 multiplex.

It's desirable, as it exists in France, that a part of the automatic support to the cinematographic industry, but also the selective financial supports, be allocated to theaters, up to national standard as up to local standard, in order to allow the existence of theatres shared out harmoniously among the whole of each of our territories.

For this purpose it would be suitable that up to national standard as to local standard, a financial specific aid to be allowed to the runners in order to reduce the ticket price for the young people and the students.

Such aids would constitute very likely one effective means to compete against piracy.

There's no comparison between watching the same film in a cinema hall or released on video player.

European countries must be also opened to others continents films ; Africans, Asians, South Americans films as a part of cultural exchanges.

The workers and technicians of cinematographic Production

Concerning the labour conditions of cinema production technicians, it is essential to each country negotiates collective contracts that means collectives conventions laying down the social and salaried norms in order to preserve the technical-artistic knowledge of trades practising the cinema.

Finally, it is advisable to obstruct, as well as in our countries than in Europe, the tendency to convert the statute of wage earner into the statute of self-contractor, this statute excluding the enforcement of the laws ensuring social protections which benefit the wage earners, excluding application of collective bargaining, placing those working people in a position where he is his own employer, and by this way coming under the system of free competition.

No to standardization and uniformity of cultural expressions.

Yes to the diversity of artistic and linguistic expressions saving the cultures treasure incorporate together in Europe.

It's the action we must work towards for life.

We must answer and watch over so our countries, taken individually and collectively, incarnate the living reality of expression from our cultural diversity.

Cinema is a way to show people feelings and a way to materialize artistic feelings for each culture which allows each nation to discover the identity, the way of life of each other, and will allow a better understanding and appreciation between one and the others.

The Cinema, its authors, its directors, its artists, its technicians are the craftsmen which gives birth to the past and present of our societies and brings to light the familiar grounds of the others.

In this question, cinema must be the agent of how to live together in the exchange, the plurality of opinions, of thoughts and to constitute the symbol of a mutual comprehension, an ambition to be for peace help.

Thank you for your attention.

Translation by Sylvette Baudrot

GENERAL ASSEMBLY OF EURO - M.E.I MEMBERS.

After the two days of seminar on the cinematographic production in Europe, was held the General Assembly of the Unions of the different countries of Europe within the Euro-M.E.I. Of which the SNTPCT is an adherent.

CINEMA : A significant step forward for European Trade Unions

The Congress, that is to say all the trade unions of the EU and the Council of Europe have unanimously adopted the draft resolution proposed by SNTPCT for the cinema industry.

All the countries pronounced in favour of the creation in each country of a Cinematographic Production contribution funds.



The existence of these national funds stands as guarantee for the existence in each country of a production or coproduction of national films.

This resolution reflects, for the cinema industry, the policy the trade unions will present to their respective national governments and the Euro-MEI to the European Commission.

The script of the résolution introduced by SNTPCT and adopted by the General Assembly :

« IN FAVOUR OF A STRONG AND DIVERSIFIED EUROPEAN FILM INDUSTRY »

The General Assembly of the Euro-MEI trade unions, meeting together in Rome on 9 – 10 June 2009, calls for :

1. **The upholding of all types of national support systems for film production** : automatic and selective support, national and/or regional support funds, tax regulations promoting direct national investment in the film industry.
2. **The encouragement of Member States who have not yet introduced support mechanisms for national film production** to quickly take the necessary measures. Individual aid from the European Union to national film production industries in small-sized European countries.

This is in line with the recommendation of the European Parliament and the Council of the European Union stipulating that: *“The Community is to take cultural aspects into account in its action under other provisions of the Treaty, in particular in order to respect and to promote the diversity of its cultures. The development of the European film industry is of vital importance for Europe in view of its significant potential in the fields of access to culture.”*

3. Cooperation via bilateral agreements on co-production between countries belonging to the European Union and other European countries.

4. Inter-European co-production of films:

- Language : respect of the original national language, the foremost guarantee of cultural diversity.
- Basic principles : pooling of financial, production and personnel resources by the companies of the co-producing countries based on :
 - Proportionality
 - Balance
 - Reciprocity
- Employment: achieving a balance that takes into account the contributions and the artistic and cultural characteristics and requirements of a film.
- Industry : achieving a balance of the industry's contributions
- Film production companies: beneficiaries of national funding generated by the exploitation of films are national cinema production companies whose management and owners come from an EU Member State or a Member State of the European Free Trade Area and which are not controlled by film production companies established outside the European Union and the European Free Trade Area.

5. Film distribution and receipts :

- Increased support via Community programme for access to distribution networks and facilitating the dubbing of EU and European films into the languages spoken within the European Union and Europe and making all films available to the general public in Europe.
- Backing for the introduction of national ticketing services, as a safety factor and guaranteeing a return of investment for film production companies, aid providers and investors.

6. Film heritage :

- Introduction of publicly-owned and effective systems for preserving and archiving films in all European states, insofar as such systems do not already exist.

7. European regulatory framework and programmes :

- Development of European programmes established with the objective of promoting film production, with a special focus on co-production. These programmes are never to be used as alternatives to national support systems and are in no case to be used as a pretext to transgress such.
- Regulatory framework: application of the principle set down in the European Commission's "Green Paper"
« the current audiovisual regulatory framework...constitutes an example of the application of the principle of subsidiarity

Apart from the above-mentioned Community initiatives (Television without Frontiers), audiovisual regulatory frameworks are for the most part national. »



la protection sociale pour
l'audiovisuel, la communication,
la presse et le spectacle

Professionnels de l'audiovisuel :
à vos côtés
tout au long
de votre vie



santé, retraite, prévoyance,
épargne, logement, action sociale

Pour en savoir plus : **0811 65 50 50***

www.audiens.org

* Prix d'un appel local