



## THE EUROPEAN COMMISSION

DIRECTORATE-GENERAL INFORMATION SOCIETY AND MEDIA

Directorate A - Internet Network, Security and General Affairs

**Audiovisual and Media policies ; Digital rights ; Task force on coordination of media affairs.**

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### **STANDARDISATION MANDATE TO THE CEN ON THE HARMONISATION OF CATALOGUING AND INDEXING PRACTICES OF CINEMATOGRAPHIC WORKS AND ON THE INTEROPERABILITY OF FILM DATABASES**

#### **I – JUSTIFICATION**

##### **1. Legal basis**

This mandate relates to several provisions of the Treaty establishing the European Community:

1. Article 157 of the Treaty stipulates that the Community and the Member States must ensure that the conditions necessary for the competitiveness of the Community's industry exist.
2. Article 151(4) of the Treaty stipulates that the Community must 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.
3. Article 151(2) of the Treaty requires the Community to encourage cooperation between Member States and, if necessary, to support and supplement their action in the area, *inter alia*, of conservation and safeguarding of cultural heritage of European significance.

There is no specific legislation on which this mandate is based. Nevertheless, the European Institutions have adopted the following acts, which provide the political background for the mandate:

- Council Resolution of 26 June 2000 on the conservation and enhancement of European cinema heritage;<sup>1</sup>

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<sup>1</sup> OJ C 193, 11.7.2000

- Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on certain legal aspects relating to cinematographic and other audiovisual works;<sup>2</sup>
- Report of the European Parliament on the Commission communication on cinema of 7 June 2002;<sup>3</sup>
- Council Resolution of 24 November 2003 on the deposit of cinematographic works in the European Union;<sup>4</sup>
- Communication of 16 March 2004 from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on the follow-up to the Commission communication of 26 September 2001 on certain legal aspects relating to cinematographic and other audiovisual works;<sup>5</sup>
- the Commission proposal of 16 March 2004 for a Recommendation of the European Parliament and of the Council on film heritage and the competitiveness of related industrial activities;<sup>6</sup>

At the international level, moreover, this mandate follows on from the approach advocated in the European Convention for the protection of the Audiovisual Heritage of 8 November 2001.<sup>7</sup>

## 2. Context

The Council Resolution of 26 June 2000 urged the Member States to cooperate on the restoration and preservation of European cinema heritage, making use of digitisation and networking of existing European archive databases.

In its communication of 26 September 2001, the European Commission noted the existence of a consensus among professionals in the audiovisual field, in both the private and public sectors, on the need to preserve audiovisual and cinematographic works with a view to promoting European cultural diversity, while also highlighting differences in the means available for acquisition.

The consultation of interested parties revealed the existence of a consensus opposed to the creation of a European register with deposit arrangements left at national or regional level, but

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<sup>2</sup> COM (2001) 534 final, 26.9.2001, OJ C 43/6, 16.2.2002.

<sup>3</sup> PE 312.517

<sup>4</sup> OJ C 295/5, 5.12.2003.

<sup>5</sup> COM (2004) 171 final, OJ C 123/1 of 30.04.2004;

<sup>6</sup> COM (2004) 171 final; OJ C 123/1 of 30.04.2004.

<sup>7</sup> <http://conventions.coe.int>, Coun/cil of Europe, ETS No 183, open for signature on 8.11.2001.

also agreement on the need for clear identification of the works and the exchange of metadata on digitised audiovisual materials.

The resolution of 24 November 2003 called on the Commission to develop cooperation between the Member States and the organisations in charge of the deposit of materials, in particular for the exchange of information on existing catalogues.

However, while four-fifths of the Member States have an obligatory or voluntary deposit system covering all films funded by the public sector, the diverse nature of these systems and the technical standards used, by both the organisations in charge of the archives and the various operators in the sector, means that complete harmonisation of the systems is not possible. It requires rather the definition of technical standards to permit the interoperability of these systems.

Member States and stakeholders were consulted on the draft mandate during the meeting of the Cinema Expert Group of 19 October 2004, and in writing subsequent to that meeting, and have expressed their support for the standardisation process.

### **3. Objectives**

Mandating the CEN to define a European standard on cataloguing and indexing practices of cinematographic works and on the interoperability of film databases meets three principal aims:

- Implementation of the industrial policy of the European Union, since the proposal for a Recommendation of 19 March 2004, which has as its legal basis Article 157 of the Treaty establishing the European Community, calls for improvements in the activities of cataloguing, preservation and restoration related to film production and film distribution. The sustainability of these activities is indeed essential for the functioning of the two primary markets and offers prospects for the secondary use of materials.
- The conservation and preservation of cultural heritage of European importance, as defined in Article 151(2) of the Treaty establishing the European Community. The exchange of information on existing catalogues between the national organisations in charge of archiving is necessary for creating a census of European cinematographic heritage.
- Improving the functioning of the internal market in audiovisual services, because harmonisation of the procedures for indexing and cataloguing films will contribute to sustaining the bodies in charge of this task, in particular through the development of training in techniques and, in the long term, the creation of a favourable environment for the circulation of archives with a view to developing the market for this type of content.

## **II. DESCRIPTION OF THE WORK UNDER THE MANDATE**

The Commission wishes to give the CEN a standardisation mandate for the adoption of a European standard on cataloguing and indexing practices of cinematographic works and on the interoperability of film databases.

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The European standard should be based on existing international systems or common practices, such as those developed by the International Federation of Film Archives (FIAF) and the Association des Cinémathèques Européennes (ACE). In particular, it should take into account the FIAF Glossary of Filmographic Terms<sup>8</sup> and the FIAF cataloguing rules<sup>9</sup> and its ongoing revision. It should seek the highest possible degree of compatibility with existing international standards.

The standard shall contain the following parts:

### **Part 1: Harmonisation of terminology**

The standard shall contain a glossary of the most used concepts in the maximum number of EU official languages.

### **Part 2: Minimum set of common rules on cataloguing and indexation**

The objective of this part is to allow the interoperability of film databases based on other standards. The standard should identify the minimum metadata necessary for making this interoperability possible. The number of fields identified should be limited to 20.

The standard shall also contain formal stipulations such as fonts, field types, compression format, size, etc., when these are required for interoperability. But it should be non-product-specific.

Finally, the standard shall recommend common rules for wrappers.

### **Part 3: Common rules on cataloguing and indexation**

The objective of Part 3 is to provide a comprehensive standard on cataloguing and indexation.

This indexation should, at least, allow metadata to be stored on:

- content;
- copyright, for each country and for each successive stage, to the best knowledge of film archives. This field should allow information to be stored on downstream companies that have legal relations with the right holders;
- physical and technical conditions of the material.

The list of fields will be as exhaustive as possible, and include fields that would allow:

- future intelligent indexation of the archive by automated content aggregation systems and networks;
- a sufficient level of detail for it to be used for statistical analysis.

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<sup>8</sup> ISBN 92-9094-004-2 of 1989

<sup>9</sup> <http://www.fiafnet.org/uk/publications/catrules.cfm>

The CEN should also consider the possibility of including fields for storing information on non-film materials.

The standard should also contain formal stipulations such as fonts, field types, compression format, size, etc. But it should be non-product-specific.

It should be possible to use the three parts of the standard in a multilingual context.

### **III – IMPLEMENTATION OF THE MANDATE**

- (1) Within three months following acceptance of this mandate, the CEN will submit the prospective timetable for its implementation to the Commission.
- (2) The CEN will submit the standardisation project to the Commission in December 2006.
- (3) The European standard will be adopted by mid-2008. The three language versions (DE, EN, FR) will be available by that date.
- (4) The CEN will submit a progress report to the Commission at least once a year.
- (5) Acceptance by the CEN of this standardisation mandate will open the standstill period referred to in Article 7 of Directive 98/34/EC<sup>10</sup> of 22 June 1998.
- (6) In the implementation of the mandate, suitable coordination and links will be established with the relevant activities and organisations at international, national and regional levels (i.e. ISO) so as to ensure consistency.
- (7) The mandated work shall be co-ordinated with that of other programmes, such as projects under the e-Europe Standardisation Action Plan. This may also have the result of ensuring that CEN co-ordinates its work across its own organisational boundaries (i.e. with CEN/ISSS).

### **IV – BODIES TO BE ASSOCIATED**

Relevant industrial and professional associations, public and private bodies responsible for the cataloguing, indexing and archiving of cinematographic works, as well as commercial operators.

The following industrial and professional associations should be associated:

AIDAA (International Association of Audiovisual Writers and Directors)  
 ACE (Association des cinémathèques européennes)  
 FIAF (International Federation of Film Archives)

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<sup>10</sup>OJ L 204, 21.07.98, p. 37, as amended by Directive 98/48/EC (OJ L 217, 5.8.1998, p.18)

BECT (Bureau européen du cinéma et de la télévision)  
CEPI (Coordination européenne des producteurs indépendants)  
CICCE (Comité des industries cinématographiques)  
CPE (Club des producteurs européens)  
EFCA (European Film Companies Alliance)  
Eurocinéma (Association de producteurs de cinéma et de télévision)  
EuroFIA (Groupe européen de la fédération internationale des acteurs)  
FEITIS (Fédération européenne des industries de l'image et du son)  
FERA (Fédération européenne des réalisateurs)  
FIAD (Fédération internationale des associations de distributeurs de films)  
FIAPF (Fédération internationale des associations de producteurs de films)  
FSE (Fédération des scénaristes d'Europe)  
IVF (Fédération internationale de la vidéo)  
UNIC (Union internationale des cinémas)