



EUROPEAN  
SOLIDARITY  
FUND FOR  
UKRAINIAN  
FILMS

## **GUIDELINES**

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## **GENERAL OVERVIEW**

For the year 2024, the contributors to the European Solidarity Fund for Ukrainian films are : the Cinema and Audiovisual Centre of the Wallonia-Brussels Federation, the Croatian Audiovisual Centre (HAVC), Deputy Ministry of Culture of the Republic of Cyprus, the Danish Film Institute, the Estonian Film Institute, the German Federal Government Commissioner for Culture and the Media (BKM), the Greek Film Centre (GFC), the National Film Institute Hungary (NFI), Screen Ireland, the General Directorate for Cinema and Audiovisual of the Italian Ministry of Culture (MIC), the National Film Centre of Latvia (NKC), the Lithuanian Film Centre, the Film Fund Luxembourg, the Netherlands Film Fund, the Norwegian Film Institute (NFI), the Instituto do Cinema e do Audiovisual (ICA), the Institute of Cinematography and Audiovisual Arts of Spain (ICAA) the British Film Institute's UK Global Screen Fund (BFI), the EFAD association, and the Centre National du Cinéma et de l'image animée (CNC).

On February 20, 2023, during the 73rd Berlinale, the “European Solidarity Fund for Ukrainian Films” was officially launched. The aim of this fund was, on one hand, to enable the resumption of Ukrainian cinematographic works that could not be completed because of the conflict by granting support for finalisation and, on the other hand, to give Ukrainian creators the means to initiate new works by granting support for the development of Ukrainian cinematographic works.

Since the needs of the Ukrainian film industry are ongoing, the fund's contributors wished to adapt it to provide them with the most effective response. Therefore, it was decided to transform the “European Solidarity Fund for Ukrainian Films” into a production support fund. These guidelines are intended to clarify how the fund operates.

## **OBJECT OF THE SUPPORT**

The purpose of the fund is to provide grants to support the **production** of Ukrainian feature films. All grants are paid out in the form of subsidies and are financed by the above-mentioned contributors.

## **SELECTION PROCESS**

**A specific call** for projects for production is launched jointly by the CNC and the contributors. The **deadline to submit the applications** is set out on the website of the fund at the following address: <https://esfuf.eu/how-to-apply/>.

Applications must be submitted **before the film shooting starts** for fictional works or before production begins for animated works. The application must contain all the documents listed in Annex 1 and be submitted, in English by e-mail to the CNC.

A maximum of **two applications per production company** will be accepted for the same call for projects.

After the CNC has reviewed the applications, the projects are evaluated by a commission called the "European Solidarity Fund for Ukrainian Films Commission". This commission is composed of seven members.

After the commission's recommendation, the President of the CNC decides on the allocation of subsidies. The decision to grant support is valid for a period of 18 months, which may be extended, by way of exception, to 24 months in justified cases and for valid reasons.

## **AWARD CRITERIA**

- In drawing up its opinion, the Commission applies the following selection criteria:
  - a) artistic quality and originality of the project,
  - b) importance of the testimony that the work, through its dramatic content, its production or the talents and artistic collaborations it brings together, represents for Ukrainian culture and society,
  - c) financial feasibility,
  - d) technical and logistical feasibility,
  - e) degree of involvement of the production company established on the territory of one of the Parties,
  - f) distribution prospects.
  
- Particular attention will be paid to:
  - Applications for fiction projects,
  - Projects that have received financial support at the development stage or for which the author has taken part in a writing residency.
  
- For the calculation of the amount of the financial support, the following elements are considered:
  - a) project estimate and financing plan,
  - b) distribution of the expenses envisaged in each territory,
  - c) financial envelope of the Fund.

## **ELIGIBILITY REQUIREMENTS**

In order to benefit from the Fund, long-length cinematographic works must meet the following cumulative requirements:

1. They are intended to be first released in theatres in at least one of the territories of the co-producers of the work, and their duration must exceed 60 minutes.
2. They belong to the genres of fiction, documentary, or animation.
3. The director is a national of Ukraine or Ukraine is his or her country of habitual residence.
4. They are coproduced between at least one production company established in Ukraine and one production company established on the territory of one of the contributing State of the Fund<sup>1</sup>.
5. They must be co-produced within the framework of an official co-production: either under a bilateral agreement between Ukraine and a contributing State of the Fund, or under the European Convention on Cinematographic Co-production of the Council of Europe of 2 October 1992 or the Council of Europe Convention on Cinematographic Co-production of 30 January 2017.
6. In the event of a bilateral co-production, the proportion of the respective participations of the Ukrainian co-producer(s) and the co-producer(s) established on the territory of one of the contributing States shall be between 20% and 80% of the total production cost of the cinematographic work.

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<sup>1</sup> Companies are deemed to be established on the territory of a member State contributor of the Fund within the meaning of this fund if they effectively carry out an activity through a stable and durable establishment in one of these States and have their registered office in that same State, in another Member State of the European Union or in a State party to the agreement on the European Economic Area.

List of the contributing State of the Fund: Belgium, Croatia, Cyprus, Denmark, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom.

In the event of a multilateral co-production, the respective participations of the Ukrainian co-producer(s) and the co-producer(s) established on the territory of one of the contributing States shall be between 10% and 70% of the total production cost of the cinematographic work.

The participation of the producer(s) established on the territory of a third State may not exceed 30%.

7. The Ukrainian co-production company must be the main owner of the intellectual property rights to the work.

8. The works shall be the object of a co-production contract including a partition of the rights of exploitation of the work, concluded between the production company or companies established on the contributing States, and the production company or companies established in Ukraine.

However, at the time of submission of the application for support, the works may be subject of a preparatory document attesting the intention of the production companies to conclude a contract. The co-production contract is submitted at the latest when the grant agreement is signed.

- In the event that a development grant has been awarded to a project by the fund, the same project will be eligible for the fund's production grant.
- Any project of cinematographic work that has already received any kind of public support for post-production is not eligible to apply for production support from the fund.
- A project not selected following a first submission session may be resubmitted once. The second application must be accompanied by a note stating the developments and changes made since the previous application.

## **ELIGIBLE EXPENSES**

The grant is awarded to cover production costs related to:

- Artistic rights,
- Salaries and social security contributions for all crew members,
- Talents,
- Acquisition or rental of equipment,
- Duly justified transport, travel and living expenses,
- Technical means,
- Postproduction expenses,
- Insurance, legal and accounting services:
  - Production and technical equipment and set insurance,
  - Legal fees (lawyer's fees and financial advice, registration and public register fees, etc.),
  - Certification of accounts.
- Overhead costs up to 7% of the production grant.

The exhaustive list of eligible production expenses is provided in Annex 2.

## **AMOUNT OF THE GRANT**

- Production support is capped at **€200,000 (two hundred thousand euros)** for fiction and animation and **€90,000 (ninety thousand euros)** for documentary.
- **The intensity rate of public support may reach up to 100% of the the overall costs of production incurred**, in accordance with Article 54 of the General Commission Block Exemption Regulation No 651/2014 of 17 June 2014, given that Ukraine is on the OECD Development Assistance Committee (DAC) list.



## **PAYMENT OF THE SUBSIDY**

The CNC is responsible for the payment of the grant. It is the subject of an agreement between the production company established in one of the contributors' territories and the CNC.

The support is paid into a bank account opened on the name of the applicant production company. Payments are made by the CNC in two instalments:

- **The 1<sup>st</sup> instalment** (80%) is paid upon the signature of the agreement, and after submission of the documents listed in Annex 3,
  
- **The balance** (20%) is paid upon submission of the following documents:
  - Final production budget and its related financing plan,
  - Statement of expenditure incurred to report on the total amount of the grant certified by a chartered accountant,
  - Proof of payment of all the expenditures incurred after the grant has been awarded.
  - Credits of the work.

In the event that the producer is unable to provide proof of production expenses 36 months after the granting of the support, the CNC may withdraw the support and demand the total or partial reimbursement of the support already paid.

## **ANNEX 1: Documents to apply**

The producer requesting a support from the fund must submit an application to the CNC **in English**. The application must be sent electronically to the following address: [esfuf@cnc.fr](mailto:esfuf@cnc.fr) ;

This application must include, **in that order**, the following documents:

### **I. Application form:**

to be downloaded from the fund's website at the following address: <https://esfuf.eu/how-to-apply/>

### **II. Artistic file:**

1. Summary (5 lines),
2. Synopsis (max. 1 page),
3. Script,
4. Graphic development (if animation),
5. Note of intent from the director(s),
6. Note of intent from the producer describing the artistic approach and issues related to the production of the project, the nature of the links with the two Parties concerned as well as the stages of development and justifying the need for financing by the fund,
7. CV of the scriptwriter(s), the graphic designer(s) (if animation) and the director(s),
8. Filmography of the production company established on the territory of a contributing State and of the Ukrainian production company,
9. Visual elements (optional),
10. Internet links to the director's previous works,
11. In the event of a second application: note stating the evolution on the artistic and financial aspects of the project since the previous application.

### **III. Administrative and financial documents:**

12. Registration of the applicant production company and the Ukrainian production company at the local Business register or national administrative register,
13. Production financing plan (in accordance with the model downloadable from the fund's website) specifying the financing acquired and pending confirmations,
14. Detailed provisional production budget (in accordance with the model downloadable from the fund's website) showing the breakdown of expenditure by country,
15. Deal memo or co-production contract binding the co-producers,
16. Contract signed with the director(s),
17. Contracts (option and assignment) of the Ukrainian production company concerning authors' rights, including contract for the acquisition of rights to adapt and exploit a pre-existing work if applicable,
18. Contracts of all persons collaborating in the writing of the script (if applicable),
19. Provisional production schedule.

## **ANNEX 2: Eligible expenses**

In the application for **production support** submitted by production companies, only the following expenditure directly allocated to the production of the granted project shall be taken into account:

- a) Artistic rights: Concept, script, adaptations, dialogues, direction, music rights (composer and clearance), translation (texts, agreements, subtitling and dubbing), other rights (archives, image rights, sound footage, sound licenses),
- b) All crew members (salaries and social security contributions): director, director of photography, grip and gaffer, sound recorder, costume designer, make-up artist, hairdresser, set designer, location manager, storyboarder, editor, sound editor, ,
- c) Talents: lead and secondary roles, voice over, stunts, talent agencies, casting director, singers,
- d) Acquisition or rental of equipment: studio rentals, construction, location site rentals, property department fees, special effects and stunts, wardrobe, make-up, hairdressing,
- e) Transport, travel and living expenses: only duly justified expenses for the transport of artistic and technical goods and equipment, and for the transport of technical crews, strictly necessary for the needs of the production may be accepted,
- f) Technical means: camera and lens equipment rentals, raw stock, light and electrical equipment rentals, sound equipment rentals, software and hardware equipment for animation,
- g) Postproduction: Image and sound post-production, editing and sound engineering, sound and post-synchro services, auditorium and projections, film or digital laboratory, specific stereographic work, digital visual effects, credits and trailers, subtitling and dubbing, conservation for legal registration and production (digital or photochemical),
- h) Administrative expenses: production insurance, cast and crew insurance, equipment insurance, financial costs, legal deposit,
- i) Overhead costs: a maximum amount equal to 7 % of the total amount of the support from the fund may be retained by the producer and does not need to be justified.

### **ANNEX 3: Granting agreement**

The granting agreement will be signed between the CNC and the applicant production company established in one of the contributing countries.

However, the Ukrainian coproduction company is considered co-beneficiary of the grant. As coordinator, the applicant production company will receive the entire grant and will have the ability to transfer all or part of the grant to the above-mentioned Ukrainian partner production company.

To receive the 1st instalment (80%) of the grant (upon signature of the agreement), the applicant production company will have to provide the following documents:

- Co-production contract binding the co-producers,
- Confirmation of the attribution of provisional national accreditation for the project by the relevant authorities,
- Updated financing plan including the actual amount awarded by the fund,
- Updated production budget,
- Updated production schedule,
- Certificate of registration of the applicant production company and the Ukrainian production company in the National Register of Commerce,
- ISAN number,
- An original Bank statement,
- Registration form of the applicant company completed (provided by the CNC upon demand),
- The name of the person signing the agreement.

# CONTACTS

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