

IMAGO Declaration of DRA



Presentation
OSLO Digital Cinema
Conference
8th September 2013



Marek Jicha, ACK

IMAGO Declaration of DRA



ARCHIVING OUR IMAGES FOR THE FUTURE IN MAXIMUM QUALITY
DRA – SOLVING ETHICAL PROBLEMS OF DIGITAL RESTORATIONS

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IMAGO Declaration of DRA



16. February 2013 in Belgium MONS at IMAGO IAGA

IMAGO Declaration of DRA

Cinematographers from 47 national Associations expressed their will to participate in the digitization of „national gold“ films which are digitized and restored by expert teams in the best film archives and prestigious laboratories in Europe.

Cinematographers are ready to be members of such expert groups to help restorers to keep maximum quality of digitizations.

In many countries, cinematographers are already working together with restorers in high positions as experts.

16. February 2013 in Belgium MONS at IMAGO IAGA

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European Commission reported that 85% of 1.03 million hours of European film heritage is out-of-commerce, and hence not accessible.

While 98.5% is still not digitized, currently locked away in cans in the archives. That is also why IMAGO promotes the right of reproduction in the sense of Art. 2 Information Society Directive 2001/29/ES and the making available right in the sense of Art. 3 of mentioned Directive but consider that therefore **it is absolutely necessary to recognize**

Digital Restored Authorizate (DRA)

as the standard of digital master to preserve film heritage for future generations.

16. February 2013 in Belgium MONS at IMAGO IAGA

IMAGO Declaration of DRA

What is DRA?

D – Digital

R – Restored

A – Authorize



Authorize is the physical product of Authorization.

„Authorization means to give official approval (to something) by expert... by influence resulting from knowledge.“ [Webster’s Dictionary]

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What is DRA?

D – Digital

R – Restored

A – Authorize



Authorization should be made by group of digitizing film experts in cooperation with authors (expert group is led by restorers).

IMAGO Declaration of DRA

What is DRA?

D – Digital

R – Restored

A – Authorize



Authorization should help to recognize that digitization of old film was made in **HIGHEST QUALITY**.

Authorization is official act. We need it to protect **QUALITY**.

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What is DRA?

D – Digital

R – Restored

A – Authorize



Expert group should include directors, cinematographers and sound masters (authors) or their representatives (associations).

IMAGO Declaration of DRA

What is DRA?

D – Digital

R – Restored

A – Authorize



DRA – means cooperation of film archives and filmmakers.

Benefit to film archives: Results of their restorations will be supported and recognized by authors' representatives.

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What is DRA?

D – Digital

R – Restored

A – Authorize



DRA – means cooperation of film archives and filmmakers.

Benefit to authors' representatives: Maintaining quality and integrity of original film.

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What is DRA?

1. QUALITY

There are six parameters in Declaration that determine the highest quality of digitization. Highest quality means:

ON → RP (IM) original source of cinematographic works

ON → DRA original source of cinematographic works

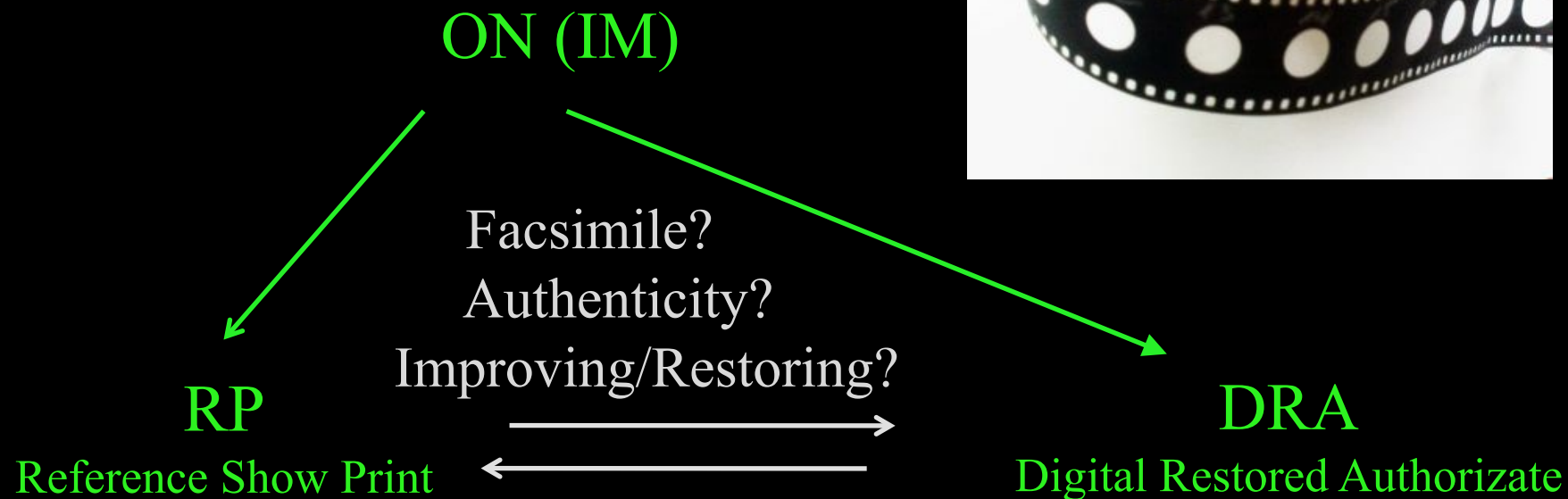
Digital Restored Authorizate has same function but different physical nature than Reference Show Print. They are made from different material.



IMAGO Declaration of **DRA**

What is DRA?

1. QUALITY



IMAGO Declaration of **DRA**

What is DRA?

1. QUALITY

2. AUTHORSHIP RIGHTS



IMAGO confirms that when a certified DRA is created, the cinematographers won't claim any remuneration in concept of creation of digital master itself, but of course are claiming fair remuneration for any kind of exploitation of the DRA, because DRA criteria provide:

original source of cinematographic works: no new versions of film, **no conflicts with original authors** or their representatives.

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What is DRA?

1. QUALITY
2. AUTHORSHIP RIGHTS
3. ETHICAL PROBLEM



Cinematographers are co-authors of cinematographic works and authors of the image.

(IMAGO declaration Huelva 2004)

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What is DRA?

1. QUALITY
2. AUTHORSHIP RIGHTS
3. ETHICAL PROBLEM



If cinematographers are not authors of image and their work can be changed by anybody else, why we are making composition, color design and lighting design when anybody else can do it? Anybody else can change, improve, mutilate...

EU - filmmaking is creative work and needs authorship protection

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What is DRA?

1. QUALITY
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1886 in Berne was declared „The Berne Convention”

6bis (1) Independently of the author’s economic rights, and even after the transfer of the said rights, the author shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honour or reputation.

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What is DRA?

1. QUALITY
2. AUTHORSHIP RIGHTS
3. ETHICAL PROBLEM



When authors of film photography – cinematographers or their representatives - are involved in the process of film digitization, we should have no ethical problems.

Expert group including authors of image guaranteed **original source of film.**

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What is DRA?

1. QUALITY
2. AUTHORSHIP RIGHTS
3. ETHICAL PROBLEM



Ethical problems related to digitization occur when there is no DRA certificate, no methods of expert groups, no international EU agreement about the roles and positions of restorers and film authors. Without DRA, new questions arise: Who is author of the image? Who are creators in fact ??? Why new co-authors ???

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What is DRA?

1. QUALITY
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Original author of image versus new author of image !!!

Very well known problem from past. Our films were screened on TV sets under horrible conditions, with damaged colors, different contrasts, new aspect ratios...

Uninvited new co-authors of picture became TV technicians !!!

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What is DRA?

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Original author of image versus new author of image !!!

The problem is actual today. Restorers, film historians, film curators should have interest in cooperation with authors of image.

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What is DRA?

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Original author of image versus new author of image !!!

New version of film – film was changed – damaged or improved. Improving is crucial question of digitization !!!

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What is DRA?

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Who wants to improve film:

Authors of image – want their film looking nicer because suddenly it is possible.

Uninvited new co-authors – want changes for business reasons.

Archivists – want restoration without mistakes (DRA enables this).

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CRITERIA OF DRA VALIDITY

1. processed under appropriate conditions
2. with supervision of recognized restorers
3. with collaboration of directors,
cinematographers and sound masters
4. is approved by expert group in mutual agreement and officially certified
5. key prerequisite for preserving the authenticity of film heritage
6. source for generating Intermediate Access Package (IAP) for any kind of dissemination without any distortion of criteria defined above



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EXPERT GROUP

1. Restorers

2. Film curators

3. Film Historians

4. Witnesses from the past

5. Experts of analog and digital technologies

6. Authors representatives



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WHAT IS EXPERT GROUP?

HISTORY OF EXPERT GROUPS IN EUROPE:

Traditionally made up 1/3
by authors, mostly
cinematographers and sound masters

NEED FOR EXPERT GROUP
IS NOT A NEW IDEA !!!



Restaurování filmu MARKETA LAZAROVA



*Mikoláš, Marketa Lazarova, Jana Plíkrýlová, Jiří Myslík, Pivo, Ivo Marák, Kozlík,
Vladimír Opěla, Lazar, František Udrich, Adám, Marek Jicha, František Vlácil, Kristián a další*



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WHO IS RESTORER?

and

WHO IS AUTHOR?

1. Both have artistic sensitivity and education
2. Both must have the appropriate technological knowledge
3. Both are manually skilled



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WHO IS RESTORER?

and

WHO IS AUTHOR?



SHOULD THEY ARGUE OR COOPERATE IF THEY HAVE THE SAME INTERESTS ???

EVEN BOTH LOVE FILM VERY MUCH 😊

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WHO IS RESTORER?

and

WHO IS AUTHOR?



WE CALL FOR URGENT COOPERATION BETWEEN IMAGO
AND ACE / FIAF

WE NEED METHOD OF EXPERT GROUP (RULES OF PROCEDURE)

WE NEED DRA INTERNATIONAL CERTIFICATION

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In Prague 2013 the NAKI research program of cinematographers and sound masters based on DRA began with support from the Czech Ministry of Culture.

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NAKI's main goal is to prepare methodics for the EXPERT GROUP working on the digitization of national film fund. The program cooperates with the Czech National Film Archive.

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NAKI program is designed for 5 years and relies on unified work by film historians, film archivists, film curators and representatives of author associations of cinematography and sound.

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NAKI currently is working on a Memorandum of Understanding with the Association of Sound Masters in Prague. Sound masters are preparing parameters of their sound DRA in Prague.

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NAKI program is open to international cooperation.

The methodology and certifications should be recognized internationally.

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HOW TO BRING DRA TO LIFE ?

1. DRA IMAGO WORKING GROUP – PRAGUE MEETING 2014
(APPLY SIX CRITERIA OF DRA TO CONCRETE FILMS) COOPERATION
WITH IMAGO TECHNOLOGICAL AND AUTHORSHIP COMMITTEE

2. ON-LINE QUESTIONNAIRES

3. MEMORANDUM OF UNDERSTANDING OF THE DRA
BETWEEN IMAGO AND ACE / FIAF

4. APPLY THIS MEMORANDUM DURING PUBLIC CONSULTATION
ON EU DIRECTION ON DIGITAL FILM

... 5. HAPPY FUTURE – WORLD STANDARD OF DIGITAL CINEMA ☺

IMAGO Declaration of DRA

On 19 December 1994, the French COURT OF APPEAL in the case Turner Entertainment Co. versus Huston made the decision that broadcasting of the colorized film ASPHALT JUNGLE at 8:30 p.m. on 26th June 1988 Fifth French Television Channel (LA CINQ) „as being likely to cause unacceptable and irreparable damage contrary to the will of the authors or their heirs, has violated their moral right“.



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IMAGO Declaration of DRA

ON 19 DECEMBER 1994, THE FRENCH COURT OF APPEAL IN THE CASE *TURNER ENTERTAINMENT Co. VERSUS HUSTON* MADE THE DECISION THAT BROADCASTING OF THE COLORIZED FILM ASPHALT JUNGLE AT 8:30 P.M. ON 26TH JUNE 1988 FIFTH FRENCH TELEVISION CHANNEL (LA CINQ) *„as being likely to cause unacceptable and irreparable damage contrary to the will of the authors or their heirs, has violated their moral right“*.

The French COURT OF APPEAL ORDERS the TURNER ENTERTAINMENT Co. to pay Messrs and Mrs HUSTON and Ben MADDOW SIXTY THOUSAND FRENCH FRANCS (FRF 60,000) under the same Section 700 of the New Code of Civil Procedure and to pay TWO THOUSAND (FRF 2,000) to each of the intervenors which are: Societe des Realisateurs de Films (SRF), Syndicat Francais des Artistes Interpretes (SFA), Federation Europeenne des Realisateurs de l'Audiovisuel (FERA), Syndicat Francais des Realisateurs de Television CGT and Syndicat National des Techniciens de la Production Cinematographique et de Television referred to under (2), it means except Societe des Auteurs et Compositeurs Dramatiques (SACD).

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Presentation in Oslo Digital Cinema Conference 2013

WHY NOT TAKE CARE ABOUT OUR MORAL RIGHTS TODAY WHEN
BIG WAVE OF DIGITIZATION IS COMING SOON AND WE ARE NOT
READY TO PROTECT OURSELVES AGAINST IT.

CINEMATOGRAPHERS IN IMAGO SHOULD BE ACTIVE AND
NOT MISS THE CHANCE NOW.

THIS IS INITIATIVE OF THE ASSOCIATION OF CZECH
CINEMATOGRAPHERS WITH IMAGO'S SUPPORT

THIS IS IMAGO DECLARATION OF THE DRA