

NATIONAL FILM POLICY OF BHUTAN



Department of Information and Media
Ministry of Information and Communications
Royal Government of Bhutan

“The State shall recognize culture as an evolving dynamic force and shall endeavor to strengthen and facilitate the continued evolution of traditional values and institutions that are sustainable as a progressive society.”

“Parliament may enact such legislation as may be necessary to advance the cause of the cultural enrichment of Bhutanese society”

- The Constitution of the Kingdom of Bhutan Article 4, Sections 2 and 4.

1. RATIONALE

The film industry in Bhutan grew within a short span of time, producing about 30 films a year by 2010. However, its growth remained quantitative without substantial improvement in the craft of filmmaking and storytelling. The industry was growing in the absence of a national policy and vision.

Concerned that the film industry would stagnate, His Majesty the King, in an audience granted to the members of the film fraternity in 2010, commanded that proper development plans be charted out. Accordingly, two studies to assess the status of the industry were commissioned by the Royal Secretariat.

The reports of the assessment studies recommend, among others, the formulation of a national film policy. The reports further state that the film industry has the potential to grow into a “socio-cultural industry” capable of producing films that can engage the society in meaningful debates and discussion, forge national identity, and brand Bhutan internationally.

The film industry indeed is vital for Bhutan, a nation in pursuit of Gross National Happiness. The benefit of a strong film industry can be enormous on all the four pillars of Gross National Happiness: sustainable economic development, preservation and promotion of culture, conservation of environment, and good governance.

Bhutan has a huge potential for film content. Its exotic locations and rich culture and traditions provide a unique and rich source of stories to both Bhutanese and foreign filmmakers. A strong film industry can increase earnings from the export of Bhutanese films and sale of locations to foreign filmmakers in a sustainable manner.

A small nation sandwiched between two giants, Bhutan has consciously preserved and promoted culture as a way of strengthening its identity and sovereignty. But preserving

culture has become difficult in this age. Film is the most powerful contemporary art that has not only the ability to preserve and promote culture but rewrite the past and imagine the future as well. Film can, as along with other arts and humanities, offer unique perspectives on society that differ from those offered by governance discourse and economic argumentation. In Bhutan, the two latter currently outweigh those of the arts and humanities and strengthening film art will improve the balance. Bhutan has a political elite and an emerging business environment. Strengthening the film sector will develop a creative and artistic capacity to balance these.

A focus on developing film will have an effect on the development of other art forms in Bhutan, because film already is a composite art form that includes drama, music, visual design, fiction writing etc. Even more so, the paradigm of understanding film as a dynamic contemporary cultural expression can and will be adopted in other arts.

Filmmaking is environmentally friendly. It has no negative impact on the environment and films can promote understanding of environmental issues.

In addition, a strong film industry can change the national mindset. Bhutan will never achieve the goal of Gross National Happiness even if all the four pillars are achieved without a change in the national mindset. The film industry can take on bigger mandates and shoulder bigger responsibilities, but it needs to be nurtured and strengthened through a sound national film policy.

It is also important, in the interest of developing a creative section of society, that the industry remains free of political and commercial affiliation.

2. CONTEXT

Although Bhutanese now have increasing access to international content, a recent report on Impact of Foreign Content in the Media, DOIM 2010 concludes that Bhutanese prefer locally produced content, but the quality has to improve. Film has a popular base in Bhutanese society, but there are serious limitations in the nature of films produced and what they offer audiences. Most Bhutanese films build on tried and tested genre formulae from foreign films. There is a lack in exploration of culturally diverse stories and an equal lack in narratives that build on national storytelling traditions.

A crucial factor in limiting creativity in Bhutanese film, is that there is no film school and only very little and uncoordinated film training. Another impediment to creative innovation are the current systems of obtaining permits and of reviewing, which seem to create artistic and economic insecurity for the film sector and has led to filmmakers 'playing it safe'.

Until recently the film industry was financially stable, but in the recent years the economy of the industry has deteriorated. Funding for feature films from private investors is drying up, leading to the recent fall in number of productions. Documentaries, shorts and series are commissioned by ministries, BBS or CSOs but with very low budgets. Unlike other countries, no other sources of financing are available. Piracy of films and lack of a film studio also put strains on the economy of the film industry.

It is likely that the industry will be challenged in the future by foreign films, most likely from Hollywood, Bollywood or Korea. Film is part of a global culture and entertainment industry and smaller countries need to assert themselves in order to be an active producer of culture and avoid becoming a passive recipient.

It is stated in UNESCO's Universal Declaration on Cultural Diversity "In the face of the current imbalances in flows and exchanges of cultural goods and services at the global level, it is necessary to reinforce international cooperation and solidarity aimed at enabling all countries, especially developing countries and countries in transition, to establish cultural industries that are viable and competitive at national and international levels... Market forces alone cannot guarantee the preservation and promotion of cultural diversity, which is the key to sustainable human development. From this perspective, the pre-eminence of public policy in partnership with the private sector and civil society, must be reaffirmed" (2001, Article 11 – Building partnerships between the public sector, the private sector and civil society)

International collaboration is an efficient way to improve filmmaking skills in Bhutan, to attract international investment in the film sector and to open up foreign markets for Bhutanese films, as prescribed in EDP in terms of facilitating participation in international markets. It is important, though, to build international ties in ways that safeguard Bhutanese filmmakers' interests and GNH values. Major impediments to establishing genuine co-productions are tourist tariffs for foreign filmmakers, film being on the negative list of the FDI policy, and complex processes of obtaining authorization and permits.

Globally there has been a change in attitudes to film and to film policies. Earlier film was seen as a sector that should be regulated and contained. Increasingly film is seen as a cultural and economic asset. This is reflected in Bhutan's EDP where film is listed as a priority growth area. In most countries this shift from a regulatory view towards a facilitating approach has led to the creation of central agencies that facilitate all aspects of film development, production, distribution, and regulation. This has resulted in tangible synergies; production and distribution of films have been aligned; acceptance of foreign film productions has been coordinated with national interests in training; and development of new types of films and efforts towards improving film literacy have been attuned.

3. PURPOSE

This is the first policy that defines the roles and responsibilities for the Bhutanese film sector. The purpose of this policy is to nurture the growth of Bhutanese film into a vibrant industry of international repute that affirms and promotes Bhutan's cultural and artistic expression for the overall social and economic development of the country.

This Policy shall be subject to periodic review.

4. VISION

Achieve excellence in film as an art form and as a source of entertainment and build the capacity to use films in creating shared consciousness and values throughout Bhutan.

5. OBJECTIVES

- Inspiring creativity and production of films
- Developing a broader range of film genres and formats to cater to all population groups
- Developing a sustainable film industry
- Promoting Bhutan internationally through films
- Working towards nation-wide access to films on all platforms
- Professionalizing and organizing the film sector
- Creating increased employment through films
- Ensuring a safe environment for screening of films

6. STRATEGIES

- Professionalize the film sector through training and specialization
- Ensure high quality production of feature films, documentaries, short films, animation, children's films and series
- Capture eighty percent of the domestic market share for Bhutanese films in cinema, and gain entry for Bhutanese films in major international film festivals and markets
- Encourage international co-productions
- Increase potential audiences regularly watching Bhutanese films in all Dzongkhags by improving quality of the films and infrastructure
- Recognition of the sector as a specialized industry.

7. POLICY STATEMENTS

The Royal Government of Bhutan recognizes the need to foster the growth of films as a vibrant creative art that strengthens our cultural values and provides entertainment. It is also seen as a sector that can contribute to the socio-economic development of the country.

Boosting creativity and encouraging production of meaningful films:

- An assessment of training needs shall be conducted with a long-term aim of establishing a film school by the private sector
- A Film Development Fund shall be established to support the production of innovative and meaningful films. An appropriate financing mechanism shall be developed and could include existing film endowments, donor grants and government funding.
- The review and certification process shall be improved to meet the needs of all stakeholders.
- The Commission shall develop Protocols and regulations for using various locations and engaging communities for filming purposes by both international and domestic film companies for commercial as well as noncommercial purposes. These shall take into consideration all social, cultural, and environmental aspects.
- The film industry shall be gender sensitive and promote gender equality and contribute towards breaking stereotypical notions
- The government shall support human resource development of the film sector

Developing a broader range of film genres and formats to cater to all population groups:

- Support the development of realist fiction, epic films, documentaries, animation, short films, films for children and series that portrays Bhutanese culture
- Encourage Bhutanese storytelling in films
- Promote the use of new and evolving technologies to enhance creativity
- Formulate guidelines on the import of foreign films

Developing a sustainable film industry:

- Facilitate the private sector in construction of cinema theatres in Dzongkhags and in major cities if required
- Ministry of Finance shall review and approve appropriate tax or other incentives to support noncommercial and commercial film production companies

- Intellectual Property Department shall devise a specific strategy for countering film piracy in consultation with the film industry (reflect under IP policy)
- The financial sector shall be encouraged to make resources available for film production
- Foreign Direct Investment shall be encouraged in the films sector for coproduction on a case by case basis and infrastructure development as defined by MOIC.
- The construction of a film studio shall be facilitated through public private partnerships or other appropriate modes.
- Ensure a fair and sustainable remuneration for the workers in the film industry

Working towards nation-wide access to films on all platforms

- The Ministry of Education will promote Bhutanese films in schools by improving access to film in schools, libraries, community halls through various means including the internet.
- Films as a subject and as a teaching aid shall be promoted in educational institutions wherever possible.
- An archive of all films produced in Bhutan should be established
- ICT shall be used to improve access to films

Promoting Bhutan internationally through films

- Promote Bhutanese films abroad that build the image of Bhutan
- Encourage and facilitate co-productions between foreign and Bhutanese filmmakers
- Make filmmaking for foreign companies easier in accordance with section 7.5.20 of Economic Development Policy 2010 and obliging foreign companies to contribute to the Bhutanese film sector in return
- International productions shall be assessed on the basis of whether they comply with GNH criteria and the extent to which they contribute to the Bhutanese society, economy and film sector
- Domestic standards shall be improved to meet the requirements of international and regional markets

Professionalizing and organizing the film sector

To enable Bhutan to compete in the global arena and in order to achieve the policy objectives, there is a need to clearly define the roles of main agencies.

DoIM, MoIC, will develop and review policies and legislation pertaining to Films. The Bhutan Film Commission will be established. The DoIM shall initially provide the secretarial services to launch the Commission. Commission, as nomenclature, is a

practice in the region and other parts of the world and will facilitate international collaboration, including membership of the Asian Film Commission Network.

A Bhutan Film Commission shall be established with the following mandates:

1. Training and capacity development:

- a) Assessing training needs and establishing film training and education
- b) Promoting film literacy
- c) Distributing films to schools and community centers
- d) Collaborating with film agencies in Asia and other parts of the world

2. Promotion and marketing:

- a) Funding agency for films of cultural importance
- b) Establishing a Bhutanese film archive
- c) Promoting national films outside the country to festivals and sales agents
- d) Arranging world-class film festivals and film conferences
- e) Providing production services to foreign productions in terms of attaining permits and finding crew and locations
- f) Establishing and managing a film studio
- g) Reaching agreements with broadcasters and cable/satellite-providers on the showing of and funding of Bhutanese films
- h) Establish an appropriate mechanism for the distribution of local films

3. Ensuring Sustainability of the Film Industry

- a) Protecting the industry from piracy and other unwanted practices.
- b) Encourage fair and sustainable remuneration for those engaged in the film industry.
- c) Facilitate co-productions between foreign and Bhutanese film makers

Governance of Bhutan Film Commission

The Bhutan Film Commission shall be managed by a board whose members are nominated by Government agencies. The board members shall represent film, media and managerial expertise. Members of the board may not be representatives of or employed by or hold a financial interest in any enterprise of which the main activity is the production, distribution or showing of films.

Sustainability of Bhutan Film Commission

A funding mechanism shall be looked into to sustain the BFC, some possible source of funding could be the following:

- Government funding
- Royalties from film production
- Collaboration with international donors and agencies
- Film/Entertainment taxation of commercial broadcasters and cable/satellite-providers
- Payment for production services rendered to international film productions
- Payment for rental of film studio and film equipment

8. ABBREVIATIONS

BFC: Bhutan Film Commission

BIT: Business Income Tax

DoIM: Department of Information and Media

FDI: Foreign Direct Investment

IPD: Intellectual Property Division

ISP: Internet Service Provider

MoEA: Ministry of Economic Affairs

MoIC: Ministry of Information and Communications

RGOB: Royal Government of Bhutan

* "Film" in this Policy shall mean motion pictures of any kind, irrespective of their mode of creation or showing, with the exception of television broadcasts.

9. LEGISLATIVE COMPLIANCE

This policy proposes the establishment of Bhutan Film Commission. In order to promote local content it also proposes to require broadcasters and cable/satellite-providers to buy Bhutanese films and co-finance productions of films. All this would require an amendment in Bhutan Information, Communications and Media Act.

10. IMPLEMENTATION PROCEDURE

Ministry of Information and Communications shall be the focal ministry for the implementation of this policy.