



Ethical Charter

**governing relationships
between
The Fondation Maison des
Sciences de l'Homme
& its Cognitive Semiotics and
New Medias Team**

**& individual or
institutional donors**

ARA





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Contents

ETHICAL CHARTER	4
PREAMBLE	6
1. The FMSH's General Donation Guidelines	8
2. Individual Donor Guidelines	9
3. General Donation Guidelines	9
4. Guidelines Governing Disbursement Considerations	10
5. Scientific and Cultural Independence	10
6. Additional Donation Information	11



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**governing relationships between
The Fondation Maison des Sciences de
l'Homme (FMSH)
and its Cognitive Semiotics and New Medias
Team (ESCoM)**

and individual or institutional donors

**wishing to support the
Audiovisual Research Archives (ARA)
Program and/or any of the ARA's specific
sub-programs**



The Fondation Maison des Sciences de l'Homme (FMSH, literally "House of the Sciences of Man Foundation") and its research and development laboratory – ESCoM (Cognitive Semiotics and New Medias Team) – are proud of the individual and institutional donors whose generous support ensures the permanence of the scientific, educational, and cultural missions of the Audiovisual Research Archives Program (ARA).

The Audiovisual Research Archives (ARA) has quickly become a central actor in promoting and protecting the world's scientific and cultural heritage. It also plays a central role in spreading France's cultural and scientific influence around the world all while fostering dialogue between the human and social sciences, and between society and culture. To continue being a leading actor, it must carry out: several massive collection operations for scientific and cultural data using computer and audiovisual technologies; digitization, promotion and long-term conservation of this data;

and the online diffusion on all types of digital supports for scientific, educational, professional, or cultural awareness uses.

This mission of saving/conserving, promoting intelligent and responsible use, and transmitting scientific and cultural heritage produced by the human and social sciences to future generations requires substantial financial resources.

It is for this reason that the Fondation Maison des Sciences de l'Homme (FMSH) and its research and development laboratory – ESCoM, Cognitive Semiotics and New Medias Team) – are pleased to invite companies, institutions, and individuals who recognize the vital stakes of preserving scientific and cultural heritage to contribute to this worthy mission.



Preamble

Concerning resources for financing the Audiovisual Research Archives (ARA) and/or any its sub-programs, the Fondation Maison des Sciences de l'Homme (FMSH) and ESCoM (Cognitive Semiotics and New Medias Team), who have the sole responsibility over ARA Program activities, would like to put forth a certain number of ethical rules that govern our relationships with donors.

“Donor” henceforth refers to any person or entity who offers a gift to the FMSH for the ARA Program. These gifts could offered through donations (manual or notarized, and may give rise to tax deductions as stated in Law 2003-709 from 1 August 2003 regarding patronage, associations, and foundations codified in Article 200 of the GTC and the implementing decrees), charitable bequests, or wills.

These ethical rules are intended to ensure the donor that his gift shall be used according to the following principles:

*** Careful and respectful collection initiatives:**

The FMSH respects the legislative and regulatory provisions in force, especially those regarding the protection of personal information.

*** Rigorous management of collected material:**

The FMSH is committed to using management methods that aim at optimizing the collections it possesses, and implements procedures and regulations needed for this task.

*** Honest and respectful use of collected material:**

As stated in its statutory mission and



as requested by donors, the FMSH allocates donated funds to the ES-CoM laboratory to ensure the activities and missions of the Audiovisual Research Archives (ARA) and/or any of its sub-programs. Utmost respect is paid to distinguishing between specific donations to a program or a particular project of the Audiovisual Archives, and open donations that are used for covering the operational costs of the Audiovisual Research Archives Program (ARA).

*** Full financial transparency vis-à-vis donors:**

The FMSH writes yearly budgetary reports that are certified by financial and legal authorities.

Lastly, respecting the provisions in the present ethical charter must guide the FMSH as it strives to maintain its independence and integrity, and to protect itself from any situation that could damage its image in the framework of relations with donors and sponsors of the Audiovisual Research Archives Program (ARA) and/or any of its sub-programs.



1. The FMSH's General Donation Guidelines

According to the provisions of its statutory decree, the FMSH has discretionary powers to accept or decline any donation. The decision to accept or decline a donation is taken according to the provisions of Article L. 1121-2 from the Code général de la propriété des personnes publiques (General Code on the Property of Legal Persons Governed by Public Law).

Hence, the FMSH is free to accept or decline any type of donation that carries no conditions or charges. In cases where the donation carries condition(s) or charge(s), any decision to accept or decline is taken jointly by the FMSH Administrator and the Director of ESCoM, the specific unit in charge of all activities and missions of the Audiovisual Research Archives (ARA).

It should be noted that conditions and charges that may accompany any donation remain revisable according to the provisions put forth in Articles L. 2222-12 and after of the general code on the property of legal persons governed by public law.

In this event, when, due to a change in circumstances, abiding by the conditions and/or charges accompanying the donation becomes particularly difficult or potentially damaging, it may be preferable to revise the agreed upon conditions and/or charges, or even reconstitute the entire gift to the donor. If the donor or his/her legal agents are in agreement, revising the charges and/or conditions is authorized by the FMSH Administrator. In the event that no agreement is reached between the FMSH and the in-



dividual or entity having offered the gift or his/her legal agents, the revision is performed according to the conditions stipulated in Articles 900-2 and after in the Civil Code.

2. Individual Donor Guidelines

Any person or entity can donate to the Audiovisual Research Archives Program (ARA) and/or any of its sub-programs regardless of nationality or donation amount. Depending on the payment method selected by the donor, the FMSH reserves the right to impose limits under which it will orient the donor towards other payment methods.

2.1. The FMSH reserves the right to decline donations from certain individuals or program sponsorships if there is a current or future risk that it could damage the Foundation's image and/or hinder its operational activities and missions. This measure particularly applies to people whose donations are visibly motivated by a desire to promote political or religious proselytization.

2.2. The FMSH reserves the right to decline donations from donors if there is any doubt concerning the legality of their activities or their situation vis-à-vis French tax authorities.

3. General Donation Guidelines

The FMSH can accept on behalf of ESCoM and the Audiovisual Research Archives Program (ARA) any donation in cash (fiat money or bank money).

However, insofar as possible, the FMSH reserves the right to perform any action in view of verifying the legality of funds proposed for donation.

Also note that when accepting donations from an individual that carry conditions, the FMSH and ESCoM make sure that the donation does not entail disproportionate costs or commitments that could hinder the implementation of general missions and especially those of the Audiovisual Research Archives (ARA).



4. Guidelines Governing Disbursement Considerations

The FMSH and ESCoM pay utmost attention to ensuring that the considerations defined for individual or institutional donations are respected. These considerations are stated in the section called “Donations and Sponsorships” on the ARA’s portal site, or, in other cases, on any of the ARA’s sub-program sites that is the subject of a donation proposal.

5. Scientific and Cultural Independence

ESCoM – FMSH’s research and development laboratory – are the sole and inalienable operators of all activities and missions carried out by the Audiovisual Research Archives Program (ARA) and its various sub-programs. ESCoM is not in a position to grant any decision-making power regarding the scientific or cultural content of a concrete project to a third-party who offers financial support for all or part of a given project, as well as any other activity or event planned and executed by the ARA Program.



6. Additional Donation Information

The FMSH and the donor are mutually committed to respecting information and to strict uniformity regarding the nature and type of all information produced about formal sponsorship agreements. More specifically, the donor is asked to submit to ESCOM – FMSH's research and development laboratory in charge of all ARA activities and missions – any type of document concerning the donation for prior validation.



Paris, June 2, 2008



Peter Stockinger

Director of the
«Audiovisual Research Archives»
program

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