



Belgique: Association des Scénaristes de l'Audiovisuel  
Deutschland: Verband Deutscher Drehbuchautoren e.V. Ελλάδα: Ένωση Σεναριογράφων Ελλάδος  
España: Asociación Galega de Guionistas; Autores Literarios de Medios Audiovisuales; Escritors Valencians de l'Audiovisual; Euskal Herriko Gidoigile Profesionalen Elkarte; Guionistes Associats de Catalunya  
France: Union-Gilde des Scénaristes Island: Leikskáldafélag Íslands Ireland: Irish Playwrights and Screenwriters Guild Italia: Scrittori Associati Cinema e Televisione Nederland: Netwerk Scenarioschrijvers  
Norvege: Norske Dramatikeres Forbund Portugal: Associação Portuguesa de Argumentistas e Dramaturgos  
Serbia & Montenegro: Nezavisnost Suisse: Scénario United Kingdom: Writers' Guild of Great Britain

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## Introduction

It is only just five weeks since the last bulletin was written and sent to you all. Since then some important developments have taken place. The FSE has submitted a request for funding to the European Commission to subsidise our administrative costs. Some very serious developments have taken place regarding the copyright laws and the rights of authors and these developments are not good. On the TV without Frontiers Directive, the Commission is now preparing a first draft to be submitted for discussion to the member states and the European Parliament. But already even before the first draft is available for comments all the lobbyist and various interested organisations are mobilising and preparing their positions.

***Those guild that have not paid their fees for 2005, please pay as soon as possible. In August FSE had no money and we were in effect bankrupt. Thankfully the Writers' Guild of Great Britain (WGGB) loaned FSE EUR 5,000 which we must pay back. This lateness in paying fees is creating problems and making it difficult to plan anything. It is intolerable that we have to depend on generosity of one guild. So please those of you who have not paid, can you please pay as soon as possible.***

Have any of you sent to Silvia Perez any articles for the **FSE newsletter** ?! That answer is none of you and that is a shame. *Please all of you send to Silvia Perez a little article.* It does not have to be very big, just half page indicating some of recent developments regarding you guild or a message that you would like transmitted.

In the last Bulletin an appeal was sent to all of you to provide the FSE office with contact details regarding scriptwriting events and festivals so that FSE can examine the possibility of requesting further European funding for a possible **Network of Scriptwriters' Festival**. None of you have responded, so please sent to the FSE office any possible contacts or information about any scriptwriters' festival that takes place in your country. There is still some time, the deadline to submit a proposal is 17.12.2005.

Please remember that our **General Assembly** is due to take place in **Brussels** on **14-15 January 2006**.

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Elizabeth Verry (President); Arne Sommer (Vice President); David Lambert (Treasurer); Bernie Corbett; Paulo Filipe Monteiro;.....Pyrrhus Mercouris (Manager).

### Item 1 - Spanish guilds merge.

On 28 October 2005 Ms **Anna Fernández** contacted the FSE to announce that our five Spanish guilds in Spain have all merged or united into a single guild, FAGA, now representing more than 500 writers. This is an interesting development and let us hope that by coming together are Spanish colleagues will be able to demand better terms for their work and safeguards for the use of their scripts. I am sure that you are all looking forward to hearing more information about this merger from **Toni Cama** when he comes to the General Assembly in January 2006.

Contact details of FAGA (Federación de Asociaciones de Guionistas del Audiovisual)

- Agustín Díaz Yanes is the President of FAGA
- Toni Cama is the representative of FAGA to the FSE
- Anna Fernández FAGA co-ordinator

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### Item 2 - Request funding from the European Commission

On 28 October 2005, the FSE submitted a request to the European Commission for **€24,850** to fund our administrative costs and various other activities like the newsletter, the website, interpreters for our general assembly an accountant and also rent to UNI-Europa.

The breakdown of the budget for 2006:

• Staff	€ 15,000
• E-journal	€ 3,000
• Web	€ 5,000
• Accountant	€ 250
• Two interpreters, working two days, and hiring of interpretation equipment	€ 2700
• WIPO	€ 500
• Uni-Europa	€ 4,800
<i>total</i>	<b>€ 31,250</b>

According to the rules of the European Commission the FSE is obliged to contribute at least 20% of the costs from our own resources, meaning that we have to declare in our application that we will have an income of no less than €6,400. The difference of €6,400 from €31,250 makes €24,850.

*Staff costs* represent salary to the FSE manager who would be paid for the whole year and who will continue with the existing tasks. We will be obliged to employ an *accountant* to certify our accounts at the end of each year. The *E-journal* will replace the newsletter. It will be issued four times a year. The *interpretation* costs of the General Assembly will be covered. At trip to attend the *WIPO* meeting discussing international law relating to the rights of authors is also budgeted (€250 travel costs + €250 per diem for two nights). We would pay rent to UNI-Europa however, *it must be stressed that if the application fails UNI-Europa have no intention of charging us anything and the current arrangement where we are patronised and pay no rent will remain.*

The breakdown of the web-site costs are a bit more complicated:

	Totals in EUR
• Web designer	€ 1,000
• Content management system (CMS), EUR 50 per page, up to 20 pages needed	€ 1,000
• Server registration of the domain name	€ 70
• Project Exchange service	€ 1,000
• News service	€ 1,000
• Maintenance costs	€ 930
<i>Total</i>	<b>€ 5,000</b>

The € 24,850 sum request is very modest and hopefully we will be lucky and be awarded at least something. It is very difficult to say what our chances of success will be. Certain organisations created or patronised by the European Parliament for the last 15 years for sure will be funded, namely the European Baroque Orchestra, the European Youth Orchestra, the Pegase Foundation and some other organisations. Organisations with members in the new member states of Eastern Europe may take preference and we only have Nezavisnost, but on this point we have tried to turn our weakness into a strength by arguing that because of the lack of organised scriptwriters in these countries the creative capacity of their audiovisual sector is poor and a better funded and resourced FSE will be able to make campaigns and a recruitment drive and therefore help improve the situation. The overall budget of the entire funding programme is just 3.5 million EURO. Probably every 'European' cultural organisation has submitted a bid so the competition is great.

We do have a lot of strengths. First of all scriptwriting is extremely important activity on which a massive audiovisual industry is completely dependent on and it is easy for us to justify to the Commission the enormous added value Europe will gain from funding our activities. We are a genuine European cultural organisation while some of the foundations supported in the past most certainly were not. The activities that we have requested funding for are well thought out, indeed in the drafting of our application the entire FSE board plus Silvia Perez of ALMA and Alexandros Kakavas of the Greek Guild were consulted and made intelligent remarks and criticisms on the e-journal and the website. These last three years FSE has built up with the European Commission a good reputation and so for all these reasons there is room for optimism that we might get some money.

### **Item 3 - Revision of the Television without Frontiers.**

The conference on audiovisual services which took place in Liverpool in September and which we mentioned in the last newsletter caused a great deal of concern with organisations representing creators. A series of meetings are taking place in Brussels with various cultural organisations that have formed a loose coalition with the aim of developing consistent strategies and a joint position to the Commission calling on the next directive to safeguard and to promote cultural diversity and not to relax the rules relating to advertising control and to maintain the obligations on broadcasters to show European productions. The organisations include: FSE; SACD (French Collecting Society), FIA (International Federation of Actors); FERA (Film directors); Eurocinéma, CEPI (independent producers), EFCA (European Federation of Film Companies Alliance), FIAD (film distributors) and UNI-MEI.

### **Item 4 - Creative Economy conference and recommendation on collective management of rights**

Rather mischievously the Directorate General on Internal Market of the European Commission announced at the Creative Economy Conference in London that it will be submitting to the member states governments a 'recommendation' that would encourage collecting societies to 'compete' at a European level in order to issue 'European licenses' for the use of music. This is bad news and is not what we want. The European Commission has failed to understand that collecting societies are trustees and not businesses. The Commission justifies its position by believing that the current situation whereby a collecting society is a monopoly in a single member state is inhibiting the use of music across borders.

Frankly, the Commission has capitulated to the lobbying of the hotel, bar, disco, restaurant, lobby which wants to buy music at the cheapest price. Though this 'recommendation' is only a recommendation that can easily be ignored by the member states and only relates to music, it is nonetheless an indication of how the Commission is thinking and it is only a matter of time before it begins to interfere in the way rights to audiovisual works are collected. Furthermore this recommendation gives us an insight at to how the Directorate General on Internal Market is operating. Those of you who regularly read the bulletins would recall that in July 2005 the Commission at very short notice issued for consultation a 60 page document written only in English on collecting societies and the issuing of European licenses for music. The consultation lasted less than three weeks. In fact it seems that the other Directorates of the European Commission were not properly consulted either. This arrogant behaviour by Directorate General on Internal Market is very worrying.

The recommendation will be presented to the European Parliament for consultation and we hope that in the debates that take place, FSE will be able to make the case for writers and for better forms of collecting and better practices in issuing European licenses.

### **Item 5 - Research project with London University.**

At the end of October the European Commission launched a call for proposals for projects in the audio-visual sector. Though reference to copyright is made the call relates to developing various complex technologies on which information and content can be transmitted and we are not interested and nor would we be eligible for such kind of research projects. London University has also informed FSE that it has been in contact with the European Commission and the indications of supporting a research project like ours is not for the moment at all good.

### **Item 6 - International. Affiliation of Writers' Guilds (IAWG).**

FSE<sup>1</sup> and UNI-MEI<sup>2</sup> invited were to observe the meeting of the IAWG which took place in Los Angeles<sup>3</sup>. Representatives mainly came from guilds representing writers from Britain<sup>4</sup>, Ireland<sup>5</sup>, New Zealand, Australia, Mexico, guilds from English speaking Canada and French speaking Canada and the two American guilds – the Writers' Guild of America West (WGAW), and the Writers' Guild of America East (WGAE).

The meeting is an important event which allows all the guilds to exchange information and more importantly strategies in dealing with problems. The experience particularly in Canada seems to mirror that of Europe at the moment. In late 1990s in Canada the arguments for policy changes made by powerful industrial groups representing broadcasters mirror the same arguments that commercial broadcasters and Telecom companies are now making regarding the revision of the TV without Frontiers Directive. That is to abolish all regulations like quotas and inducements to make indigenous productions. Unfortunately and rather disastrously the Canadian government agreed with this commercial viewpoint and passed a law de-regulating TV. The result was an unregulated industry, which has failed to support Canadian production, and therefore Canadian writers are left out of work. The quality of programmes has gone right down. The situation has become so bad that the Canadian government is now seriously considering reversing some of its decisions and already some acknowledgement has been made that only by supporting home-grown talent can any country foster cultural diversity and quality TV programmes and films. We must learn from this Canadian experience and warn our own policy makers in Europe that the current arguments on deregulation could result in disaster like what happened in Canada.

Australia is now going down a similar path taken by Canada. In fact the situation in Australia seems to be developing into an even worse situation than can be imagined. Cheap imports of film and TV programmes are saturating Australian cinemas and television screens. Currently only 9% of drama programmes in Australia are domestic productions. The Australian government is very hostile to supporting the culture sector. It would seem that policy in Australia is to destroy creativity.

The other important piece of news is that the two writers' guilds in America have made peace. Until quite recently relations between the two guilds were very bad. It seems that changes in personnel at the WGAW made it possible to restore good relations.

FSE took the opportunity to present some of its work, chiefly regarding our efforts to influence European regulations, but also our own initiatives like the RISE Scriptwriters' Festival.

### **Item 7 - UNESCO convention.**

On 22 October 2005, the member states of UNESCO voted in favour of the Convention on cultural diversity in spite of fierce opposition by the U.S. government. Article 20 of the Convention calls on countries to take cultural diversity into account when dealing with other issues that fall within the remit of other treaties and international obligations, like for example WTO. Article 20 corresponds to Article 151.4 of the Treaty establishing the European Union. In other words the European Commission has succeeded in transposing onto an international convention European law. The Convention must be ratified by at least 30 countries for it to take effect.

It is difficult to say how far this convention will make a difference. Nonetheless an international convention that recognises the importance of cultural diversity and accepts the need for countries to have cultural policies that that intervene in the economy to benefit culture must be a good thing.

<sup>1</sup> Observer on behalf of the FSE was Pyrrhus Mercuris.

<sup>2</sup> Observer on behalf of the UNI-MEI was Jim Wilson

<sup>3</sup> The meeting took place at the offices of the Writers' Guild of America West (WGAW), 31 October to 4 November.

<sup>4</sup> Representing the WGGB was Bernie Corbett who is also an FSE board member, and Graham Lester George who is the chair (president) of the WGGB.

<sup>5</sup> Representing the Irish Play writers and Screenwriters Guild was David Kavanagh.

**Item 8 - What next for the FSE?**

- We must start planning of the General Assembly in January. It is important that each guild gives a name to the FSE so that hotel arraignments can be made.
- The guilds that have not paid their fees must do so as soon as possible so that we can plan for 2006.
- We will have to wait for news from the European Commission regarding our request for funding. As for the Research project to be lead by London University, during the month of November some contact must be made with the European Commission to find out when we can submit a formal application. The current situation of waiting for an appropriate call for proposals is not good. This research project that we have would improve the IPR situation regarding Internet and video-on-demand and the European Commission somehow has to understand this.
- Some considerable research on developments regarding the revision of the Television without Frontiers will be done during November. This will include further analysis of the consultation carried out by the Commission, plus information regarding the adverse effects of de-regulation experienced in countries like Canada and New Zealand. FSE will consider sending a detailed document with a covering letter to the Commission and to MEPs in the European Parliament regarding recent developments on the directive's revision.

Once again, if any guild or any individual would like more specific information regarding any of the above items, please do not hesitate to contact the FSE office.

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