



Belgique: Association des Scénaristes de l'Audiovisuel **Danmark:** Danske Dramatikeres Forbund... **Deutschland:** Verband Deutscher Drehbuchautoren e.V. **Ελλάδα:** Ένωση Σεναριογράφων Ελλάδος **España:** Federación de Asociaciones de Guionistas del Audio-visual (FAGA), includes: Asociación Galega de Guionistas; Autores Literarios de Medios Audiovisuales; Escritors Valencians de l'Audiovisual; Euskal Herriko Gidoigile Profesionalen Elkarteá; Guionistes Associats de Catalunya **Finland:** Suomen Näytelmäkirjailijaliitto - Finlands Dramatikerförbund ry **France:** Union-Gilde des Scénaristes **Island:** Félag leikskálda og handritshöfundu **Ireland:** Irish Playwrights and Screenwriters Guild **Italia:** Scrittori Associati Cinema e Televisione **Nederland:** Netwerk Scenarioschrijvers **Norge:** Norske Dramatikeres Forbund **Portugal:** Associação Portuguesa de Argumentistas e Dramaturgos **Sweden:** Sveriges Dramatikerförbund **Serbia & Montenegro:** Nezavisnost **Suisse:** Scénario **United Kingdom:** Writers' Guild of Great Britain

FSE Newsletter no.10 - June 28th 2006

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Introduction

In the last three months three issues, the revision of the TV without Frontiers, application for funding to De Stichting Literaire Rechten Auteurs (LIRA), as well as the preparation of a Conference on European Screenwriting have dominated the work of the FSE. On all these three issues FSE has been successful. However, in the last weeks there has been a rush of work relating to copyright as the European Commission is now seriously considering a new legal framework for the online digital age. FSE is involved in these historic events, which will re-shape the way audiovisual services and intellectual property rights are to be regulated at a European level for years to come.

The next FSE General Assembly

The next General Assembly of the FSE is planned to take place in Thessaloniki to coincide with the 47th International Film Festival Thessaloniki November 17 to 26, 2006. We have decided to call for a GA in November rather than in January because we have a couple of new members and a lot of vital issues to discuss but also because our GA can be thus combined with the Conference on European Screenwriting, which will take place in association with the FSE in the frame of the International Film Festival of Thessaloniki on November 21 and 22. The General Assembly will itself take place immediately afterwards on November 23.

Conference on European Screenwriting

The Conference on European Screenwriting will be taking place in collaboration with the Balkan Fund, the Thessaloniki International Film Festival, the Robert Bosch Stiftung, and the European Film Academy. The

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Christina Kallas (President), Sveinbjörn Baldvinsson (Vice President), Eric Collins (Treasurer), David Kavanagh, Willemiek Seligmann,....
Pyrrhus Mercouris (Manager)

conference shall serve as an occasion and platform for the discussion and understanding of the situation of screenwriters in Europe as well as the nature and state of European screenwriting at a time when things are changing due to digitalisation and globalisation. Screenwriters and representatives from writers' guilds from all over Western and Eastern Europe will come together to discuss their art and trade. Issues for discussion include; the content and design of legal regulations, script development funding schemes, university curriculae and training programs. In this way screenwriters will bring themselves right into the centre of the debate about the crisis and the chances of European screenwriting. The overall aim is to address issues which are currently of major importance to the FSE and to finally give all of us the chance to talk and define our goals. With the support of our partners we can also ensure the participation of guilds which are not yet members of the FSE, especially from Eastern Europe and who can thus get acquainted with the importance of our work and hopefully join the FSE.

The conference will consist of a series of round tables and lectures, structured in four cycles (work in progress):

1. The Sameness Issue - Experiment Europe: Diversification and Uniformity in European Screenwriting
2. The "Film By" Controversy - or Screenwriting in Director's Land
3. Evolution of a Profession - In the Age of Digitalisation and Globalisation
4. Facing the 21st Century - the Legal and Financial Implications

The conference will end with a "Visionary Session" which shall sum up the results of the First Conference on Screenwriting. The FSE General Assembly will follow the next day.

Please note that the German Screenwriters Guild VDD has just received the confirmation of a grant which will enable it to send a big delegation of German screenwriters writing for the cinema plus some funding people to the FSE Conference. We urgently advise you to ask for similar support from your film funding bodies and other sponsors and institutions in your countries. Please ask the FSE office for more information on the conference if required for your application. Also let us know as soon as possible if there are screenwriters in your respective countries whom you would advise to include in our list of high-profile invited speakers.

New members join FSE from Denmark

The board of the FSE is delighted to welcome the Danske Dramatikeres Forbund (Denmark) as a new member. FSE now boasts 21 member guilds in 17 member states. The Danske Dramatikeres Forbund has approximately 250 members. We are looking forward to introducing the Danske Dramatikeres Forbund at the next FSE General Assembly.

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Writers groups in Slovenia, Bulgaria and Turkey are also showing interest in joining FSE.

De Stichting Literaire Rechten Auteurs (LIRA)

Thanks to the hard and tenacious work by Willemiek Seligmann, Lawyer, Dutch Guild Director and FSE board member, the Dutch collecting society, De Stichting Literaire Rechten Auteurs (LIRA), has agreed to give a grant to the FSE for the funding of a policy paper that will enable our organisation to plan, develop and implement strategies that will further the interests of authors at the European level. This subsidy is not a blank check. It will be used by the FSE to carry out a specific activity the writing of a policy paper. The writing of this paper will be an opportunity for the FSE to review all its operations and objectives and to elaborate an approach to better target ways in which to meet our objectives and to improve how we operate.

We hope that this success is a beginning of a fruitful relationship with LIRA and potentially with other collecting societies and funding bodies.

Revision of the Television without Frontiers (TWF) Directive to be re-named the Audio-visual and Media Services Directive (AMS)

The European audio-visual sector is now at a critical moment in its history. The future regulation of audio-visual in the digital age is now being determined for the next 15-20 years. Very serious debates are taking place in the European Parliament. Not fewer than six Parliamentary committees are discussing the European Commission's proposed Audio-visual and Media Services Directive (AMS).

Luckily for the FSE and the culture sector in general, the lead committee is the Committee responsible for Culture and Education, which selected Mrs Ruth Hieronymi as its rapporteur: Her report will be the ultimate policy document to be voted on at plenary. The other committees must try to influence her and amend her report, which will be checked by the MEPS in the Culture and Education Committee.

The other committees and rapporteurs are:

1. Mr Gianni de Michelis, MEP (Rapporteur for the Industry, Research and Energy Committee (ITRE))
2. Mrs Lissy Gröner MEP (Rapporteur of Women's Committee (FEMM))
3. Mrs Heide Rühle, MEP (Rapporteur for the Committee on Internal Market and Consumer Affairs (IMCO))
4. Mr Karsten Friedrich Hoppenstedt (Rapporteur for the Economic and Monetary Affairs Committee (ECON))
5. Mr. Jean-Marie Cavada, (Rapporteur for the Civil Liberties, Justice and Home Affairs Committee (LIBE))

Mrs Ruth Hieronymi is very experienced and has succeeded so far in getting the other committees to support her leadership role. Following an informed letter by the German Writers' Guild VDD and its board member (and previous FSE vice president) Arne Sommer, FSE contacted Ruth Hieronymi and in March and May had lengthy meetings with her. She understands the need to support culture. She wants to extend the scope of the directive to non-linear services; she is fiercely opposed to product placements, and is generally unhappy about relaxing advertisement controls. On the critical issue of extending the quotas to non-linear she is sympathetic but sees at the moment no possibility of extending the quotas. Nonetheless, FSE wrote an extensive letter to Ruth Hieronymi outlining our position on quotas, advertisement control and product placement where we argued for extending the quotas and maintaining the current controls governing advertising, which opened a direct link to her, so we are still discussing these issues.

The FSE in its letter outlined our view-point on product placements and FSE members from Britain (i.e.; the WGGB) and Spain (i.e.; FAGA) wrote upon our request separately to her outlining their positions on the revised directive and on product placements, as the position of the governments of Spain and Britain is to abolish advertising controls and to permit unrestricted product placement. Copies of the FAGA letters were also sent to MEP Luis Herrero-Tejedor and MEP Ignasi Guardans Cambó.

The public hearing at the European Parliament

The European Parliament organised on June 1-2, 2006, a public hearing to debate the future directive. Our president, Christina Kallas, was invited to speak and to present the views of screenwriters on product placement. Christina took the opportunity to call for the extension of the quotas and the need to retain and to extend the scope. It is a great honour and achievement for the FSE to be asked by the European Parliament to represent the views of screenwriters and the creative community in general.

Will the work of FSE have any impact? Most certainly! According to comments by the various rapporteurs and other MEPs FSE has made a big impression and amendments toughening the Commission's AMS directive on advertisement rules and product placement seem very likely. Also the Parliament is in favour of extending the scope of the directive, but we still need to do a bit more work on the extension of the quotas. The FSE was asked by several MEPs across Europe (notably also by Rapporteurs of the other Committees) to be sent copies of Christina's speech as well as further arguments concerning different issues.

We cannot and will not stop fighting to get the quotas extended to non-linear services. In spite of Ruth Hieronymi's pessimism of extending the quotas in this field, there is a real movement of creators, performers, producers and broadcasters and even consumers for the extension of copyrights. FSE is working hard on developing reasonable arguments and suggestions to extend quotas. Also we are co-operating with other organisations like Union Network International – Media and Entertainment Industries (UNI-MEI), European Federation of Film directors (FERA) and other organisations representing artists, producers and broadcasters to give added weight to our arguments.

The FSE has written an extensive report on the public hearing which you can get on request. Copies of the FSE letter to Ruth Hieronymi, letters by the WGGB and FAGA and Christina's speech can also be sent on request.

European Commission to reform copyright levies

The Directorate General for Internal Market (DG Markt) of the European Commission issued in mid June for consultation a "staff-working document" which has the title "Copyright Levies in a converging world". The document is all about abolishing levies. The document is presented as a staff working paper when in fact it is written more like a 'communication'¹. A communication is a political document stating a policy objective.

The staff working paper argues that levies are an obstacle to the digital economy, that they were created in the 1960s for an analogue economy. Levies are referred to throughout the text as "rough justice", in other words, blunt instruments that are crude and incompatible for the digital age where Digital Rights Management systems (DRMs) are needed. DRMs are 'preached' with the argument that rightholders can now license the use of their copyright thanks to DRMs. Industry and Commercial uses of content demands that "...affordable access to this equipment is essential for the development of Europe's digital economy and for narrowing the 'digital divide'". DG Markt has consulted collecting societies and notes their views without commenting on them.

The document presents three options for future EU policy:

1. Option 1 – do nothing
2. Option 2 – abolish levies
3. option 3 – abolish levies and phase them out gradually where there is a 'legacy' of collections that have been benefiting from levies.

Option 1 is dismissed by the document, because it would mean keeping levies. Option 2 is the recommended option, because DG Markt believes it will result in price cuts, stimulate demand and generate more money for the economy. Option 3 is a compromise option between options 1 and 2; it too eventually envisages the abolition of levies.

The FSE board is currently consulting to prepare a detailed comment to this staff working document and possibly joint action with other cultural organisations

Collective management of copyright, Film Online and Digital Libraries initiatives

These EC initiatives are linked together and aim to examine intellectual property rights in the online environment. In particular the Commission wants to examine and make recommendations for the clearance of rights through European licenses and to combat piracy. Regarding Film Online, the Commission adopted a Charter of good practices in May which lists good practices that can facilitate availability of film content online. In fact this charter, rather than listing good practices, lists all practices regardless of their merits. The Digital Libraries initiative is examining how to make the European audiovisual archives accessible over the Internet and how rights holders will be remunerated for the use of their works. In October 2005 the Commission adopted a recommendation on the collective management of music rights by facilitating European-wide licenses for the use of music. The work of these initiatives shall be discussed at a major conference the Commission is planning in collaboration with the Finnish Presidency, which will take place in Helsinki in 14--15 July. We will be well represented at the Helsinki

¹ A communication is always published in all the official languages and minimum 10 weeks consultation is given.

conference. FSE has registered Willemiek Seligmann to represent it and also representatives from the Suomen Näytelmäkirjailijaliitto - Finlands Dramatikerförbund ry (The Finnish Dramatists' Union) will be there.

There is a real danger that the Commission favours purely commercial interests in developing film online, digital libraries and the revision of the legal framework on copyright at the expense of the rights of authors. At the moment nothing concrete has been submitted by the Commission, however, the indications are that the Commission is planning to issue in the autumn a Communication (i.e., policy statement) on the future of content online (including film and the audiovisual archive) and intellectual property rights.

RISE II Festival

The indications now are that the next RISE festival will take place in Cannes in December 2006. Due to complex internal manoeuvrings the city of Nice simply could not confirm its intent to stage the next RISE festival. The FSE members will receive separate communication concerning RISE in the next couple of months.

Latest on the FSE application for funding to the European Commission

The results should have been made public in February 2006, but this is not the case. The Commission has postponed repeatedly the issuing of the results despite criticism and complaints from the European Parliament. The latest information is that the results will be issued in June, but even this does not seem probable any more. We will inform you as soon as we know more.

The FSE Board and Manager