



FSE Newsletter

December 2010

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What future for film funding?

Edito by Christina Kallas

The end of another year, but, for many Europeans, this one was not much like the other ones. Recession turns to banking crisis which turns to a crisis in the Euro and a crisis in European solidarity. In a strange example of non-existing cultural diversity that demonstrates how similar we Europeans are in many ways, a big number of European governments decide that a good way to build confidence in the future is to slash budgets for the arts, including state funding for film and television. We don't yet know the exact effects of this.

In the hallowed halls of the European Union, in the soulless meeting-rooms of the Charlemagne and in the myriad identical offices of the Commission (where Mr Hulot would be at home) complex discussions rage about whether to include audiovisual in the delayed framework directive on collective rights management, whether the country of origin principle will work for the online environment and how much diligent search is appropriate before works can be declared orphan.

But, as Bogie says to Bergman "We'll always have Paris", a memory of those simpler times when we met together as visionary friends, in Thessaloniki and Athens and – yes, OK – Brussels. And this memory will help us resist the example of the European countries - we will hold together. To ensure that culture will not go. To remind that culture is important for our humanity and will go last. **And we will continue telling our stories, from our rich writing talent and (once again) stories continent. This is our form of resistance, our means of survival, progress, enlargement.**

Looking forward to seeing you in Brussels in March.

Seasons greetings and a very happy (if somewhat poorer for many of us) new year.

Christina Kallas
President
On behalf of the Board and staff of the FSE

Quote of the month



If we want to tell these stories, it means we need to fight for a film industry, which is really independent. Independent in the true meaning of the word. Independent from the influence of any kind of government, independent from state aid; independent from government control. Maybe this is an ideal, but I think we should only depend on two things : first on our inspiration to tell cracking stories. The second on an audience which will be affected by deep feelings and challenging intelligence.

► This is an opinion expressed by Uwe Wilhelm during his lecture at the **First Conference of European Screenwriters in Thessaloniki** in 2006.

► **Read his lecture and opposed views on** http://www.scenaristes.org/pdfs/textconf2006_HR.pdf

New Guild in France

On 23rd November, two French organisations representing screenwriters, UGS and Club des Auteurs, merged into the new **Guilde Française des Scénaristes** (French Guild of Screenwriters). French screenwriters will now speak with one voice, whether they write for cinema, fiction, animation, documentary or new media. The French Guild of Screenwriters will defend the role of screenwriters within the audiovisual creation and their artistic point of view, will develop the sense of community among them and structure their relationships with the other professional groups of television, internet and film industry.

The Guild is co-chaired by Christine Miller and Jean-André Yerlès for television and by Olivier Lorelle for cinema.

► **More to come on :** www.guiledesscenaristes.org

European Film Directors issue a resolution on massive cuts in film sector

The European Federation of Film Directors (FERA, founded in 1980 in Venice) celebrated its 30th Anniversary during its General Assembly last November in legendary Cinecittà, Rome. 50 delegates discussed issues that affect their creative and economic rights and issued the **FERA Rome Resolution** on 8th November 2010, in which European directors attack “the devastating series of cuts now being applied to film support in Italy, Hungary, Estonia, Czech Republic, Ireland, Portugal and the UK” and to Culture in general. While understanding the necessity for governments to reduce expenses in a period of crisis, FERA repeats that film and TV production “is an industry of the future”, which “deserves long sighted treatment”. **“We call on all European Governments to preserve and invest in the structures of film funding and film culture. Once destroyed, they will not be easily rebuilt.”**

By the way, István Szabó has been reelected as FERA President and a new Executive Committee has been elected as well.

► **Read the FERA Rome Resolution :** <http://www.filmdirectors.eu/wp-content/uploads/2010/11/FERA-Rome-Resolution.pdf>

► **More about FERA :** www.filmdirectors.eu

European policy on Copyright and Online Content

Online distribution of audiovisual works

The FSE was invited by the Commission to participate in a panel on Video On Demand (VOD) and its implications during the Public Hearing on “Audiovisual Production in the EU : Opportunities and Challenges”, held on 13th December in Brussels in the framework of the preparation of a Green Paper.

David Kavanagh, speaking on behalf of FSE, argued that the debate on VOD should not be limited to just the question of how the VOD market will operate but also why. What are the policy goals of the European Union in respect of the emerging market? He suggested that **the new VOD platforms could offer an opportunity for creativity, for new writing and new production** and not be limited just to a new form of distribution of pre-existing production.

Much of the session was taken up with descriptions by a variety of players of different market offerings and technological solutions to the extraordinarily complex business of getting the film/programme from owner to audience.

But there were also useful if inconclusive discussions about many of the issues on which the Commission is expected to act over the next period. It seems that the Commission has not yet decided whether to include audiovisual in the Framework Directive on Collective Rights Management which was supposed to be published already. This directive will at least clarify the **transparency and accountability requirements of the collecting societies**.

The European Broadcasting Union (EBU) 's idea that the principles of the Cable and Satellite directive could apply to the online environment was not welcomed by the private broadcasters or by the independent producers.

The Society of Audiovisual Authors (SAA) which, despite the title, is actually the newly formed organisation of audiovisual collecting societies put their proposal for an **unwaivable right to equitable remuneration** (1) on the table. There was little discussion of this without the details, but the idea is clearly of interest to writers.

The highlight of the session on licensing was a complex but clear presentation from the Motion Picture Association.

A whole session was dedicated to the problem of **orphan works** (works whose creators and rights holders cannot be found to give permission for reuse).

As is usually the case with such meetings more heat was generated than light, but the meeting nonetheless marks an important point in the process of producing the promised Green Paper on online distribution of audiovisual works.

(1) SAA's proposal : “an unwaivable right to remuneration for the online exploitation of audiovisual authors' works listed amongst the possible EU actions. Audiovisual authors should have a legal entitlement to receive remuneration for every use of their works. The unwaivable right to remuneration for audiovisual authors for their online rights should be based on the revenues generated by online exploitation and paid by the final commercial user (the online platform). The remuneration would be administered by collective management societies”.

► **Some more about VOD** : Video on Demand in Europe, a publication of the European Audiovisual Observatory http://www.obs.coe.int/oea_publ/market/vod.html

Digitisation of TV archives : new challenge for copyright legislation?

The European Audiovisual Observatory publishes a new IRIS Special report on Digitisation and Online Exploitation of Broadcasters' Archives. "The archives of many television broadcasters now contain material which includes more than half a century of contemporary, documentary and entertainment history and are of immense cultural and economic value. Digitisation has created an entirely new technical basis for making these assets available to a wide audience, and there are a whole range of projects aimed at opening up audiovisual archives (...) However, many projects to open up broadcasters' archives and exploit them online generally run up against serious problems when it comes to clearing the rights for these archived works. These problems arise, firstly, due to a contractual practice that developed in the pre-digital era and to aspects of copyright law that do not really meet the needs of the digital age. Secondly, the very large number of works stored in archives constitutes a challenge that is not easily overcome."

The report concludes by looking at cross-border exploitation of archives online from a political and economic point of view, but also from the standpoint of the rights holders.

► **More details** : http://www.obs.coe.int/oea_publ/iris_special/2010_02_details.html

Digitisation of Europe's cultural heritage

The "Comité des Sages" (Reflection Group), set up in April 2010 by Vice President responsible for the Digital Agenda Neelie Kroes and Commissioner in charge for Education and Culture Androulla Vassiliou, held a public hearing on "Bringing Europe's Cultural Heritage Online" in Brussels on 28th October. A report is expected by the end of the year.

► **Agenda, videos and contributions of stakeholders available at** :
http://ec.europa.eu/information_society/activities/digital_libraries/comite_des_sages/index_en.htm

High Speed Internet

On 3 December 2010 in Brussels, the Council of the European Union adopted its conclusions on European broadband : investing in digitally driven growth.

► **More** : http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/trans/118207.pdf

Film Industry

Hungarian Film Week 2011 cancelled

Organised by the Motion Picture Public Foundation of Hungary (MMKA), a financing pillar for Hungarian film production and distribution affected by serious financial problems, the annual showcase of the best film production of Hungary has been cancelled. It was set to be held in February 2011 in Budapest.

Thessaloniki Film Festival

Despite great financial difficulties, Agora - the film market of the Thessaloniki International Film Festival (TIFF, December 3-12) managed to gather 120 film professionals. This market focuses on the Balkans and southern Mediterranean countries that find it hard to access the European

networks. The Golden Alexander for Best Feature of the Thessaloniki Film Festival was won by Bogdan George Apetri's Romanian/Austrian co-production *Outbound*.

► **More** : www.cineuropa.org

***The Ghost Writer* triumphs at European Film Awards**

The European Film Academy organised the closing ceremony of the 23rd European Film Awards in Tallinn, on 4th December 2010. More than 2,300 members of the European Film Academy have taken part to the vote. *The Ghost Writer* by Director Roman Polanski won 6 prizes out of the 17 categories of prizes, including the European Screenwriter 2010, which Roman Polanski shares with co-writer British novelist Robert Harris.

► **Selection 2010, nominations and winners** : http://europeanfilmawards.eu/en_EN/home/100894

European Parliament Film Prize

The LUX Prize 2010 went to *Die Fremde* (When we leave), a German production written, directed and produced by Feo Aladag - the first woman to compete for the prize. The film depicts the struggle of a young Turkish woman living in Germany and her attempt to build a life outside the cultural norms of her community. The prize makes the film travel by offering subtitles in 23 EU languages, adapting the original version for visually and hearing-impaired people and by producing a 35 mm print for each EU Member State for the DVD release.

News from FSE

FSE 10th anniversary

Created in June 2001, FSE will celebrate its 10th anniversary during its General Assembly to be held in Brussels on 18-20 March 2011. It will be the occasion to celebrate the European solidarity among screenwriters and sharpen our plans for the next ten years! FSE members are invited to share their ideas on the best way to celebrate the event.

New FSE publication online

The First Conference of European Screenwriters, organised by the FSE and held in Thessaloniki on 21st and 22nd November 2006, gathered screenwriters from all over Europe to discuss issues affecting their craft and economic rights and to debate and finalize the European Screenwriter's Manifesto.

Does Mogens Rukov think our stories have a common European identity? How much is invested in Europe in terms of screenplay development according to Lenny Crooks? What is the *Schreiber Theory* of David Kipen?

The most interesting parts of the discussions and lectures are now available on the website of the FSE.

► **Download at** : http://www.scenaristes.org/pdfs/textconf2006_HR.pdf



The Board and staff of the FSE wish you all a



Happy Christmas!



FSE monthly newsletter

If your organization would like to have news published in the next issue of the FSE monthly newsletter, or if you have suggestions to improve it, please contact us at the latest on 19th January.

www.scenaristes.org

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