



Press Release - For immediate release

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## European Copyright: Commission commits to action on authors' remuneration

SAA, FERA and FSE welcome the European Commission's commitment to go beyond political declarations and take **action on authors' remuneration**. Urgent action is needed to ensure creativity and authors' rights are rewarded in financial terms and worth something online.

In addition to action on authors' remuneration, the Commission's communication *Towards a modern, more European copyright framework* rightly identifies other areas where it can make a difference:

- Effective enforcement: **tackling commercial-scale piracy**, which discourages new businesses based on the online exploitation of protected works that are essential to the development of the European online content market;
- Fostering accessibility, availability and **circulation of European works** through a range of measures using the review of the Satellite and Cable Directive, the Creative Europe programme and, although not mentioned in the communication, the Audiovisual Media Services Directive review.

Furthermore, the Commission's communication shows that copyright and authors' rights are certainly not broken but can be adapted in specific areas to cope with the challenges of the online environment. SAA, FERA and FSE welcome the fact that the Commission **does not directly question the territoriality principle** and recognizes the flexibility of copyright and authors' rights to adapt to any market structure and business model, whether territorial or pan-European.

However, some measures could still inadvertently question the territoriality principle and need to be reconsidered. While we can support **portability** of subscription-based online content services, poor drafting that would not limit the portability in time could allow cross-border access through the back door. The same applies to a unified copyright title, considered as the long-term goal by the Commission, and any review of the Satellite and Cable Directive that seeks to extend the country of origin mechanism of direct satellite broadcasting to online transmissions.

In addition, **cross-border access** still seems to be mistaken for the silver bullet to enhance accessibility of European works. While **SAA, FERA and FSE support the objective of improved circulation of European works**, we consider that only active promotion which brings European works to European citizens' direct environment will make a difference in a highly competitive market dominated by Hollywood productions.

Finally, we are surprised by the inclusion of **private copying** levies in the communication and the negative approach. This sits in stark contrast to the European Parliament's 2014 resolution which underlined the continued relevance of the system to the digital age and its importance to Europe's creators. It also seems to contradict the Commission's insistence that authors' remuneration is one of its priorities. The levy system is a virtuous cycle, which provides freedom to copy for consumers, a contribution from manufacturers and importers who sell copy-making devices and fair compensation for creators.

### Quotes

Barbara Hayes, Chair of the SAA board of directors said: "*Action on authors' remuneration is very much linked to the fostering of a sustainable online marketplace for European works by enabling screenwriters and directors to receive continued royalties for previous works while working on the development of future projects.*"

Cécile Despringre, Executive Director of the SAA added: *“We do not understand the Commission’s long-term vision of a unified copyright title as if it was in its DNA to harmonise everything. This simplistic and bureaucratic vision is in clear contradiction with the EU’s political motto “United in diversity” which acknowledges exactly what the EU is about.”*

Pauline Durand-Vialle, CEO of FERA said: *“Any actual improvement of authors' remuneration will require a thorough approach by the Commission based on improved contractual practices as well as increased collective bargaining and collective management of rights”*

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## **Background**

Following the Digital Single Market communication of May 2015, The Copyright communication sets the plan for the modernization of EU copyright rules. It includes among the set of proposals to be prepared in 2016 EU solutions to ensure authors receive fair remuneration for the use of their works, following further in depth discussion on the most appropriate mechanisms. In March 2015, SAA published the 2<sup>nd</sup> edition of its [white paper](#) on Audiovisual Authors’ Rights and Remuneration in Europe, endorsed by FERA and FSE, which supports the development of a collectively managed, unwaivable remuneration right.

Cultural and creative sectors are very competitive market for authors who struggle to make a living out of their art. According to an [ALCS study](#), 40% of professional authors were living on their writing in 2005 in the UK. By 2013 this figure was only 11.5% and income had dropped by 29%. According to an [FSE survey](#), the annual median income of screenwriters was just €22,000 in 2012. The collections of SAA’s members in 2013, while not representing all payments due to authors, represented just 0.37% of Europe’s audiovisual industry revenues. Authors need to be able to rely on the revenues from the exploitation of their works to continue to create independently and fund the development of future projects.

## **About SAA**

The Society of Audiovisual Authors (SAA) is the association of European collective management organisations representing audiovisual authors. Its 29 members in 22 countries manage rights for over 120,000 film, television and multimedia European screenwriters and directors.

The organisation’s objectives are:

- to defend and strengthen the economic and moral rights of audiovisual authors;
- to secure fair remuneration for audiovisual authors for every use of their works;
- to develop, promote and facilitate the management of rights by member societies.

[www.saa-authors.eu](http://www.saa-authors.eu) [@saabrussels](#)

## **About FERA**

The Federation of European Film Directors (FERA), founded in 1980, represents film and TV directors at European level, with 35 directors' associations as members from 29 countries. We speak for more than 20,000 European screen directors, representing their cultural, creative and economic interests.

[www.filmdirectors.eu](http://www.filmdirectors.eu) [@Film\\_directors](#)

## **About FSE**

The Federation of Screenwriters in Europe is an organisation of 25 guilds and unions of screenwriters in 19 countries, representing 7,500 writers in Europe for film and television.

[www.scenaristes.org](http://www.scenaristes.org) [@ScreenwritersEU](#)