

Report of the Bulgarian Association of the Film, Television and Radio Scriptwriters

4th Oct 2016

Dear Mr. Robert Taylor, President of the Federation of Screenwriters in Europe, I would like to bring to your attention the Report of the activities of the Bulgarian Association of the Film, Television and Radio Scriptwriters – BAFTRS for 2016. BAFTRS has actively executed concrete measures in protecting the authorship rights of its members, promoting and nurturing their development and the scriptwriting profession in general over the past year.

1. Membership

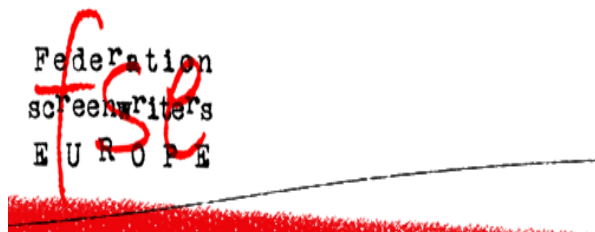
In 2016 BAFTRS has unfortunately lost one of its distinguished members – the author, actor and screenwriter Asen Georgiev. As of today the Association amounts to 37 registered professional scriptwriters.

2. Activities in 2016

As a result of the General Assembly of 17th May 2015 BAFTRS recognized the need of improving the communication and exchange of opinions, good practices and opportunities for scriptwriters to develop and nurture their professional experience.

A Facebook profile of BAFTRS was created www.facebook.com/baftrs/ which is administered by the secretary of BAFTRS and provides information to all its members concerning important deadlines, opportunities for financing, educational seminars, etc. More than 30 publications have been uploaded on the Facebook page over the past 2016 to BAFTRS members and general users that have had the opportunity to follow all types of information regarding the protection of their authorship rights as well as important festival calls, announcements, campaigns, seminars, awards, workshops, film festivals in Bulgaria and around the world. The Facebook page is actively visited by the members who use social media and we have received a positive feedback of using this channel of communication with our members.

Additionally, members from our guild have used the existing opportunity to receive a legal advice from a practitioner in the field of copyright with regards to contracts with producers in creating TV series, film projects, etc. in the situation of potential risk and conflict situations. So far, more than five members have contacted the legal adviser with concrete questions regarding their rights as authors and the contracts that have been proposed by producers. As a result many of the contracts and specific clauses that had been damaging for the artists were later altered after the legal intervention and a better protection for the writers was ensured. We believe that members of the Association are gaining trust in the Bulgarian screenwriting guild protects that is active in trying to provide legal support in the process of negotiations with producers.



3. Future activities in 2016

A proposal has been put forward by the legal advisor to organize a one-day training and open discussion with members of BAFTRS and a legal firm specialized in intellectual property and authorship rights where special case scenarios and common problems that authors face while negotiating their contractual obligations with producers will be discussed and a legal advice will be given. This activity is planned to happen in the beginning of 2017.

4. Legal Framework

In 2016 a Draft for Law on collective management of copyright and related rights was proposed by the Ministry of Culture with the purpose of transitioning Directive 2014/26 /EC of the European Parliament and of the Council of 26 February 2014 with regards to the collective management of copyright and related rights and multi-territorial licensing of rights of musical works for online use in the internal market. The Law was drafted by a Commission with representatives from all existing organizations for collective management rights and experts from the Ministry of Culture. The goal of the Draft is to propose a procedure for creating private organizations that collectively manage rights of authors and their respective deductions from having their work streamed online on Bulgarian territory. So far the discussions over the proposed Draft have created a conflict situation with the Opposition who claim that the texts are monopolist, anti-constitutional, corrupt in certain clauses giving the opportunity for the existing organizations in collective management of rights to preset the rules of the market and limiting the competition in the sector as well as having the right to set their own tariffs for transferring the rights of the music work. The Commission for Protection of Competition has come up with a Resolution on the allegations rejecting any anti-competition regulations in the Draft. In May 2016 the Draft was adopted on first reading with the National Assembly. The Draft will change significantly the way the market and the stakeholders operate with regards to the music production.

Looking forward to meeting you at the Annual General Assembly in Paris on the 20nd and 21st of October 2016 to discuss the common European contract clauses protecting writers and directors in their work.

Best regards,

BAFTRS