

Activity Report 2013

By the board of directors and staff

Contents

THE FEDERATION OF SCREENWRITERS IN EUROPE IN 2013	2
EVENTS	2
A – Collective Bargaining Workshops	3
The survey on remuneration	3
The first workshop	3
The second workshop	3
The third workshop	3
The final seminar	4
Evaluation	4
B – Third World Conference of Screenwriters, 2-4 October 2014	4
LOBBYING	5
A- Introduction	5
B- Some concrete actions at European level	5
C - Staff and Board attended several meetings on behalf of FSE	6
COMMUNICATION	6
New documents and leaflets	7
Screenwriters' visibility	7
Screenwriters' income	7
INTERNATIONAL RELATIONS	7
Relations with IAWG	7
Relations with other guilds	8
ADMINISTRATION	8
A- Board and boards' meetings	8
B- Staff	8
C- Fundraising	9
Subsidies from DG Employment	9
Solidarity Fund	9
Membership fees	9
Other sources of funding	9

The Federation of Screenwriters in Europe in 2013

The Federation of Screenwriters in Europe is a grouping of twenty five guilds from twenty countries (two countries have Guilds at a regional level) in Europe. Of these countries sixteen are member states of the European Union (Turkey, Norway, Switzerland and Iceland are not). The member guilds of FSE have a little over 6,000 individual screenwriter members. Between them the Guilds employ more than 35 staff.

The Italian member SACT has been dissolved on 17th October 2013 by its general assembly to let the new Italian guild Writers Guild Italia (WGI) become the main representative association of Italian screenwriters. To respect the statutes of FSE, the membership of WGI to FSE will have to be approved by the FSE AGM.

Three guilds have not paid their membership fees to FSE since several years, due to financial difficulties (in Greece, Portugal and Turkey). However FSE has not ceased to maintain contacts with their representatives, to inform them about FSE activities and projects and in particular to take advantage of the opportunity offered by the Collective Bargaining Project, in which travels and hotels could be financed.

FSE official statutes can be read at <http://www.scenaristes.org/aboutus.htm>.

Several written members' reports 2013 are available at <https://www.dropbox.com/sh/na863fpgrb8tkuj/SImU3uXzxb>

EVENTS

2013 was a very busy year for FSE staff and board members, mainly dedicated to the organisation of the **Collective Bargaining Workshops**, thanks to a partnership with Uni-Mei. FSE had in the past made several attempts at applying to EU subsidies without success. Johannes Studinger, Head of Uni-Mei, agreed that we would jointly apply for funding for our project on collective bargaining for screenwriters. We received a grant from DG Employment for a project called "Freedom of Association and Collective Bargaining in the Digital Economy: Fair Remuneration for Creators" (budget line "Information and training measures for workers' organisations"). The project received support of €120,000 approximately mostly to go to the travel and hotel costs of members to attend three workshops.

FSE staff developed the contents of the programme and are in charge of all the organisation, while communicating regularly with Uni-Mei, who are taking care of all the administrative elements.

This project has offered FSE an exceptional opportunity and capacity to reinforce the network of European guilds, to offer several occasions for guilds' representatives to meet, to work in depth and in length on very important issues. This project would not have been possible without the commitment from guilds and their representatives.



A – Collective Bargaining Workshops

This project consisted in three workshops, a study on screenwriters' income and a final seminar.

The survey on remuneration

FSE staff conducted a survey on remuneration among European screenwriters. Academic researcher Cathy John (who researched and wrote the study *Written Into the Picture, Investigating Screenwriters' Lack of Visibility at Film Festivals*, launched at the 2nd World Conference of Screenwriters) was hired to design the questionnaire, analyse the results and produce a draft study. 700 professional screenwriters working in over 25 countries volunteered income information online. Cathy John shared her analysis of the results with FSE delegates during the first workshop, to check their relevance with what guilds have observed and experienced. The revised study has been printed and has started to be distributed during the final seminar, under the title *European Screenwriters' Income in 2012: An Overview*.

The first workshop

The first workshop was held in Brussels on 17-19 April and gathered more than 20 representatives from member guilds to discuss "The parameters of collective bargaining for screenwriters organisations in Europe". Cathy John presented the study on screenwriters' income. Participants discussed the current status of collective bargaining in the member guilds and examined the legal basis for collective bargaining. Bernie Corbett outlined the fundamental right to form unions and collectively bargain explaining the ILO conventions on the topic to which all EU member states are signatories. Dominick Luquer, General Secretary of the International Federation of Actors (FIA), talked about the various status of artists as workers and detailed the obstacles for self-employed workers to get organised, in particular in countries where the interpretation of Competition law prevents them from collectively negotiating rates. We welcomed Tanguy Roosen, lawyer for SACD/Scam Belgium, Owen Atkinson, CEO of ALCS and Cécile Despringre, General Secretary of SAA, to discuss informally what guilds and collecting societies should respectively bargain and how their action should integrate in the interest of creators. Justin Molito, Head of Organising at the Writers Guild of America East lead a session on recruitment and organising. We are grateful to the WGA e for facilitating Justin's participation in the event.

The second workshop

Again more than 20 representatives from member guilds met in Brussels on 3-5 July to discuss the next steps towards collective bargaining for screenwriters' organisations in Europe: What is our ideal collective bargaining agreement? How to adapt to the online environment? What is a good standard contract? How to negotiate successfully? Simon Ferrar of TUC (UK) run a very interesting and collaborative session on negotiation tactics and Bernie Corbett gave useful tips to prepare a negotiation with producers and broadcasters through his presentation "Ten Ways to Stuff the Bastards".

The third workshop

The participants of the last workshop have just met on 6 November to conclude the project: they have reviewed the detailed status of collective bargaining for screenwriters in the EU and country by country in order to formalize outcomes (online database of law; extant agreements; standard contracts; dispute procedures and so on) and established future plans for the FSE including a draft

standard collective bargaining agreement and key policy goals for FSE to pursue at EU level that would promote and benefit collective bargaining. A detailed report of the third workshop will soon be available.

The final seminar

Conceived by FSE and Uni-Mei as a “trialogue” between creators, employers and the European institutions, the final seminar of 7 November was an occasion to share publicly the outcomes of the three workshops, discuss with other creators’ groups sharing the same concerns, contribute to the awareness of European politicians and institutions and open dialogue with representatives of employers’ federations. In particular, FSE drew attention to the results of the survey on screenwriters’ income, uneven application of competition law, unequal contract negotiations and remuneration online. The second part of the seminar was dedicated to seek solutions for the remuneration for creators in the digital environment. Tony Segall, General Counsel at WGA West, shared the United States experience, then a panel discussed how European creators can be compensated for the use of their work online.

A detailed report will soon be available.

The executive summaries and detailed notes on discussions of the workshops, as well as speakers’ presentations and related legal documents are all available in drop box.
LINK: <https://www.dropbox.com/sh/qget4ydw3irpt0/iOYvdI11BS>

Evaluation

The final step for FSE staff will be to elaborate assessment tools and produce reports which Johannes Studinger will deliver to the European Commission to finalize the grant process. FSE staff will also put some efforts in disseminating the material and recommendations resulting from this series of workshops.

We will of course also seek the views of the participants and the member guilds of FSE and will develop ideas on how to continue the emphasis on collective bargaining. We have had some informal preliminary discussions with Uni MEI about applying for support again from the Fund at DG Employment.

B – Third World Conference of Screenwriters, 2-4 October 2014

In 2013 FSE has also been busy preparing WCOS 3. The Polish guild (Union of Polish Screenwriters which is part of The Polish Filmmakers’ Association) has offered FSE to welcome the world conference in Warsaw in October 2013. FSE and IAWG have set up a joint committee to prepare the programme of this conference. The Steering Committee and the Polish guild met several times, in particular in Berlin in February and in Warsaw on 3-4 September to prepare the organisation of the conference. Please read the report of this visit written by Robert Taylor and Katharina Uppenbrink (detailed information on organisation and programme), which will be dealt with at Agenda Item 12.

The IAWG, at its meeting in Toronto in October agreed to hold its next General Assembly in Warsaw immediately after the Conference thereby facilitating the attendance of IAWG members at the conference.

LOBBYING

A- Introduction

We invite you to read the detailed report on EU policies written by David Kavanagh (which will be dealt with at Agenda Item 8).

B- Some concrete actions at European level

1. FSE co-organised with UNI-Mei a dialogue on creators' remuneration. This event was the final seminar of a one year project on collective bargaining. It was opened to creators' organisations, employers and European institutions. On this occasion FSE launched the publication resulting from the online survey on screenwriters' remuneration. (Brussels, 7 Nov 2013)
2. FSE co-signed - with several European organisations who give voice and visibility to the concerns of hundreds of thousands of professional authors and performers who make a living in the creative industries - a statement to welcome Ms Françoise Castex MEP's draft report on private copying levies. (Oct 2013).
3. FSE has co-signed with SAA and FERA a contribution to the public online consultation following the publication by the European Commission of the Green Paper "Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values" (Sept 2013).
4. FSE was invited by Maria Martin-Prat (European Commission / Directorate General Internal Market / Head of Unit D1 – Copyright), together with other creators' groups, to an informal discussion on mechanisms to ensure authors' and performers' remuneration as part of the on-going reflection on the update of the EU copyright acquis (11 Sept 2013).
5. FSE has actively joined the European Creative Alliance, a group of European creators' organisations, their collective management organisations and the trade unions. Its aim is to gather organisations representing millions of creative professionals and creative workers who make their living from creative endeavours to influence European policy on topics that are of paramount political importance to creators and those working in the creative industries (since Spring 2013).
6. FSE invited several creators' organisations to discuss competition law and how it affects creators' freedom of collectively bargaining in some European countries (July 2013).
7. FSE submitted a contribution to the public consultation on a draft Communication from the European Commission on State Aid for Films and other Audiovisual Works (June 2013).
8. FSE and 11 other organisations co-signed a press release to express their deep concern and dismay at recent proposals made by EU Trade Commissioner De Gucht on the subject of audiovisual services and the negotiation mandate for the Transatlantic Trade and Investment Partnership with the US (TTIP). (June 2013)

9. FSE endorsed a letter from the European Platform on the Potential of Cultural and Creative Industries to the President of the European Commission José Manuel Barroso on the subject of excluding cultural and audiovisual services from the mandate of the EC ahead of the negotiations on the EU - USA Transatlantic Trade and Investment Partnership (TTIP). (May 2013)
10. As a member of the European Platform on the potential of Cultural and Creative Industries, FSE endorsed a common call on EU Member States to adopt a strong budget for 'Creative Europe', the 2014-2020 programme for the cultural and creative sectors (on the occasion of the Special Summit on the EU's Multi-Annual Financial Framework 7-8 February 2013).
11. The General Assembly of FSE wrote and approved the open letter *Barcelona Declaration* which FSE staff distributed – unfortunately not as widely as we would have hoped due to lack of time.
12. Right after the Second World Conference of Screenwriters, the FSE started to distribute the report *Written Into the Picture, Investigating Screenwriters' Lack of Visibility at Film Festivals*, researched and written by Cathy John, highlighting the need for heightened visibility of screenwriters at film festivals.
13. FSE communicated on the results of WCOS 2.0 via the blog of the conference, FSE website and social networks.

All these documents are available on FSE website (in "Policy documents").

C - Staff and Board attended several meetings on behalf of FSE

Several members of the board of FSE attended a joint meeting of FSE, FERA and SAA in Brussels on the 2nd of July. This is the third edition of these joint meetings which are organised by and paid for by SAA. The agenda this year included discussions on EU policies (Collective Rights Management Directive, Licences for Europe), on Remuneration of screenwriters and directors in Europe and on various other issues for possible cooperation. The meetings offer a valuable opportunity to exchange views at a Board level with SAA.

For example an SAA proposal to undertake a complex and expensive piece of research which finally abandoned by them in the context of clear explanations by FERA and FSE that the costs were going to be considerably higher than they anticipated.

COMMUNICATION

In 2013 all efforts were invested in the preparation and organisation of the Collective Bargaining Workshop. No time was left for much other work including the preparation and dissemination of newsletters (one newsletter was issued in March). However FSE uses its official facebook page a lot to share information. The page has reached more than 520 followers. We encourage every guild to follow the page and share news with FSE. The website has been regularly updated as well.

New documents and leaflets

Screenwriters' visibility

After the Second World Conference of Screenwriters, FSE advertised the publication *Written Into the Picture, Investigating Screenwriters' Lack of Visibility at Film Festivals*.

Screenwriters' income



FSE published the results of the survey on screenwriters' income conducted in the frame of the collective bargaining project, *European Screenwriters' Income in 2012: An Overview*. The publication was launched during the final seminar on 7 November and will be widely distributed.

INTERNATIONAL RELATIONS

Relations with IAWG

FSE and IAWG have continued their cooperation. We have formed two joint committees, each composed of two representatives from each organisation. One committee is in charge of preparing the agenda for the Third World Conference of Screenwriters (Maureen Parker, Executive Director of the Writers Guild of Canada, Steven Gannaway, Executive Director of the New Zealand Writers Guild, Robert Taylor, FSE board member/UK and Katharina Uppenbrick, Executive Director of VDD/Germany) in co-operation with the Polish Guild. The other committee has started to discuss future collaboration between FSE and IAWG (Sveinbjörn Baldvinsson, board member of FSE, Monica Borraco, Chair of the Norwegian Guild of Screenwriters, Carl Gottlieb, Secretary/Treasurer of WGA West, Roger Williams, Chair of WGGB) but has not yet really engaged with the work in any substantive way.

FSE was represented at the IAWG Annual Meeting in Toronto on 1-3 October 2013 by Robert Taylor, board member. See attached report from Robert Taylor (which will be dealt with at Agenda Item 9).

FSE circulated the IAWG Resolution adopted at the Toronto meeting:

"The International Affiliation of Writers Guilds condemns all practices in which screenwriters around the globe are pressured, coerced, or otherwise impelled to provide free work, whether prior to engagement, or in excess of contractual provisions. This exploitation by producers and broadcasters undermines the writers' right to fair payment for their creative labours.

Moved by Roger Williams, Chair, Writers Guild of Great Britain

*Seconded by Lowell Peterson, Executive Director, Writers Guild of America East
Passed unanimously*

Relations with other guilds

On the occasion of the Collective Bargaining Project, FSE exchanged a few e-mails with ARAS, an organisation of directors and screenwriters in Czech Republic to invite their representative to attend workshops and final seminar.

FSE has recently been contacted by a Romanian organisation wishing to join FSE (Romanian Screenwriters Association ASCER). We have proposed them to attend the final seminar and the AGM as observer.

While writing this report, none of these organisations have decided to send a representative.

ADMINISTRATION

A- Board and boards' meetings

The Annual General Meeting of FSE elects a board of five members who serve for a two year term. The current board of directors was elected in March 2011: Christina Kallas (President), Sven Baldvinsson (Vice-President), Stanislav Semerdjiev (Treasurer), Robert Taylor (Administrator) and Marta Raventos Pedret (Administrator). Their mandate will end on 9 November during the FSE annual general assembly. A new board will be elected by the general assembly.

The Board met regularly in 2013, mostly by skype to avoid travel and accommodation costs. A small delegation from the Board (Christina Kallas, Robert Taylor) went to Berlin to discuss the Third World Conference of Screenwriters with the WCOS 3 Steering Committee and Polish partners. The Board also met physically in Brussels on the occasion of a meeting with SAA and FERA and the second collective bargaining workshop.

Dates of Board meetings since the last AGM :

29 November 2012 – by skype

21 January 2013 – by Skype

9 February 2013 – in Berlin

20 March 2013 – by skype

2 July 2013 – in Brussels

The minutes of these meetings are available upon request.

B- Staff

David Kavanagh is under part-time contract with FSE to work as Executive Officer, in charge of FSE lobbying strategy and actions at European level. Amélie Clément is under part-time contract as

manager. Both of them work from their home countries and regularly travel to Brussels where FSE shares offices (at UNI-EUROPA) and to other destinations for meetings.

FSE distributed an internship offer to find someone to help organise the third collective bargaining workshop, the final seminar and the FSE AGM and recruited Konstantina Karameri for a few weeks.

C- Fundraising

Subsidies from DG Employment

2013 has been a bit more comfortable than previous years in terms of financial resources, thanks to the partnership with Uni-Mei for the collective bargaining workshops. The budget of this project (around €120,000) has covered some expenses usually entirely borne by FSE (mostly travel and accommodation costs of staff and board members) and has contributed to staff costs. This project will not happen again in 2014, however UNI-Mei seems to be ready to support FSE again in the future. It would seem logical to prepare an application in 2014 for a project happening in 2015, as next year will be busy with the organisation of the Third World Conference of Screenwriters in Warsaw.

Solidarity Fund

Several guilds (Sweden, Norway and Denmark) have jointly proposed to create a solidarity fund to enable some of the European guilds of screenwriters facing financial difficulties to send delegates to FSE meetings. The idea is that they could apply to the fund, and if selected get their travel and accommodation costs paid by the fund. The board of FSE and the three Nordic guilds have started to discuss modalities but there was not enough time to finalize the creation of the fund before the general assembly. This project will be hopefully pursued in 2014.

Membership fees

Though not sufficient to make FSE a professional organisation able to run projects, organise meetings and develop efficient lobbying, membership fees do remain the core revenue of the organisation. Fortunately most guilds do pay their membership fees on time. Regrettably a few guilds have delayed a lot the payment of their fee and this situation weakens FSE. Additionally three guilds have not paid for several years (Portugal, Greece and Turkey). The Board has not yet taken the step of excluding these guilds from the FSE.

Other sources of funding

FSE staff did not have time this year to prepare applications for specific projects to collecting societies or other funding bodies.