



**19<sup>th</sup> FSE annual general meeting 2020**  
**9<sup>th</sup> OCTOBER 2020**  
**online**

## **ACTIVITY REPORT**

since the FSE AGM in Amsterdam on 10-11 October 2019

### **1. The pandemic**

Obviously the overwhelming event of the last year has been the pandemic raging around the world, which has brought much of our industry and culture to a shuddering halt.

Starting in March of 2020, this extraordinary event has dominated most thinking and events in all aspects of our life.

For writers, the impact has been odd. For many people, their professional life continued essentially as before. Staying home, writing, worrying about the future – but the collapse of production, with no return to normality in view, is bound to impact our profession. Many people saw an immediate drop in income, others just an increase in uncertainty. Development money continues to be spent but we hear more and more people seeing their options and possibilities reduce. Cinemas in particular are not recovering, in common with all creative activity reliant on live audiences, and there is a knock-on effect on distributors. Production is slow to restart, not assisted by the prospect of a second wave of the virus, with production costs increased by 15% to 30% and insurance a substantial problem, not yet addressed in many countries. If production volumes continue low next year, then inevitably this will impact on writers with developed projects abandoned and, perhaps new development reduced as well.

**This will be the major concern of individual Guilds and of FSE the next years.**

### **2. World Conference of Screenwriters**

In consultation with FSE and the IAWG, the Danish Guild decided to postpone the 5<sup>th</sup> World Conference of Screenwriters. At the time, we were concerned that perhaps we were being too cautious but events have demonstrated that the decision was inescapable.

**We are hopeful, but not certain, that the World Conference of Screenwriters will take place on October 6<sup>th</sup> and 7<sup>th</sup> 2021 in Copenhagen.**

### **3. Everything else**

But despite the ever-present existential threat of an unpleasant death, life goes on and the issues which were pressing before the pandemic continue to be relevant and continue to be worked on.

Delays however have occurred. The AVMS Directive has only been introduced by the supposed final date in four member states. Implementation of the Copyright Directive is slowed down, with the focus on Article 17 (the Commission has not yet published its guidelines) and little attention paid so far to our concerns in Chapter III.

Emphasis, quite appropriately, has been largely on, firstly, emergency support for the industry and secondly, for support for long term problems.

These matters are addressed in more detail below.

### **4. Your Executive Committee**

Like everyone else we have moved online. Your newly elected Executive Committee at the 18<sup>th</sup> General Assembly (President Carolin Otto, Maciej Karpinski, Gail Renard, Jacob Groll, Alexandre Manneville, Ana Pineda, Nikolaj Scherfig) has met five times, four of them online.

#### Meetings of the Executive Committee

24-25 January 2020 : FSE Board meeting in Paris

Online board meetings:

27-28 April

26 May

22 June

22 September

The minutes of those meetings are available to the members online (members' area).

<https://federationscreenwriters.eu/executive-committee/>

### **5. Staff**

David Kavanagh and Amélie Clément are used to virtual working anyway, and meet weekly online, (sometimes with meetings with your Chair immediately after) and daily by a constant flow of emails.

### **6. Finance and accounts**

Eccentrically the FSE's financial situation has never been better. This is for two reasons. Covid has wiped out travel costs – Zoom is even cheaper than Ryanair – and secondly because of the support of our Partner members. In particular, we are grateful to have the three year support of the Writers

Guild of America west. This partnership was renewed following a travel of former FSE president Robert Taylor and David Kavanagh to Los Angeles to meet WGAw on 13 November 2019 to ask for support (50,000 euros per year during three years).

The Executive Committee agreed a proposal from Amélie to increase the responsibilities of an external auditor of our accounts to ensure better reporting, especially as our income increases.

## **7. Administration**

The Executive Committee recently gave Amélie authority to sign on behalf of the Federation for documents provided to the Belgian authorities in respect of our legal status and reporting obligations, which should significantly reduce the administrative burden.

All such documents are in order.

## **8. Newsletters and social media**

Regular review of various initiatives taken to tackle Covid-19 crisis in the audiovisual and cultural sectors, based on news from FSE member guilds, film funds, authors' organisations in Europe and worldwide, newspapers, etc.

<https://federationscreenwriters.eu/covid-19-fse-newsletters/>

### **FSE on twitter**

<https://twitter.com/ScreenwritersEU>

### **FSE on facebook**

<https://www.facebook.com/screenwriterseurope/>

## 9. Implementation of the Copyright Directive

The Copyright Directive is to be applied in national law by June 2021. Prior to Covid, we proceeded as normal to lobby for its effective implementation.

### 15 October 2019 / meeting

SAA working group on the implementation of the Directive on Copyright in the Digital Single Market invited FSE, FERA to participate.

### 15 October, 5 November, 25 November and 16 December 2019 / meetings

The EU Commission organised a series of stakeholders meetings on the practical application of Article 17 of the Copyright Directive. FERA, FIA, Uni-Mei and FSE agreed to take one place at the meetings collectively and FERA attended some though not all of the meetings.

### 11 December 2019 / meeting

David made a presentation on the Copyright Directive at Ireland Dublin Media Desk.

### 13-14 January 2020 / Meeting

David attended a meeting of the Audiovisual Coalition; a meeting with FERA, FIA and UNI-Mei as well as a meeting with FERA and SAA over these two days. A document on Article 18 of the Directive (Implementation of the EU Directive on Copyright in the Digital Single Market: how to make the most of Article 18 on the right to proportionate remuneration for audiovisual authors) was agreed and distributed to the Commission and to the permanent representatives of all twenty seven member states (by SAA).

### 18 February 2020 / Meeting

David attended a meeting with the Intellectual Property Unit of the European Commission with the Authors Group (FSE, FERA, ECSA, and EWC) to discuss progress with the implementation of the Directive.

At this stage the Pandemic struck and took over the agenda. Travel became impossible for example.

### July 2020 / Paper

Coming in part from the discussions with the Intellectual Property Unit the Authors Group (FERA, FSE, ECSA, EWC) sent an 8-page document on implementation of Chapter III to the Ministers for Culture of each of the member states that have so far not published draft legislation : "Directive 2019/790 on Copyright in the Digital Single Market - Authors' Group Recommendations on the Transposition of Articles 18 to 23".

While most member states have engaged at least to some degree in consultation with stakeholders, few, because of the pandemic, have published draft legislation. France, Germany, Netherlands and Belgium have draft legislation at least for some of the Directive. The Commissions delay in publishing its guidelines for Article 17 are not helping. The German draft proposal for Article 17 is also very concerning as a possible precedent. The French transposition is also in a complex situation with transposition by administrative decree now likely which would limit the opportunity for debate in Parliament.

### August 2020

Following online meetings and exchanges, Creativity Works sent a strong letter to various German figures on the draft transposition of Article 17 in German law, insisting that the proposal was in contradiction to the Directive.

### October 2020

FERA and FSE have prepared a Playbook for members and a Checklist to help examine draft legislation. These will be published in the next week or so and will be discussed briefly at next week's meeting -(16 October 2020).

## **10. Collective bargaining**

FSE with FERA and UNI-Mei have applied to DG Empl. for another programme on collective bargaining. We will not know the result until November. Obviously in designing the programme we emphasised online meetings – not knowing what the situation will be like.

### 10 December 2019 / meeting

David attended a seminar organised by AEPO-ARTIS on the protection of performers in the future. View of performers and CMOs on the lack of adequate protection.

### 11-12 February 2020 / meeting

David participated to the FIA/FIM/EFJ (actors, musicians, journalists) meeting in Dublin: exchange of ideas and training for organizing work in the media, arts and entertainment sector.

### July 2020 / Meeting

DG Competition asked for a meeting with the Authors Group (FERA, FSE, ECSA, EWC, representing directors, screenwriters, writers and composers) on the topic of collective bargaining and Copyright law (in the presence of representatives of DG Employment). David Kavanagh drafted a paper to develop the issue from the point of view of the Authors Group.

**This meeting announced for us what is a break through on the issue of Collective Bargaining and Competition law.** The Commission intends to introduce a Regulation which would facilitate collective bargaining by freelancers explicitly including authors. At the very least it would remove the block of competition law, though exactly what route they propose to take to achieve such a goal is still not decided.

An inception impact assessment – the first step in the process – should be published by year's end and a formal consultation process started soon after.

### 31<sup>st</sup> July 2020 / FIA webinar on Collective Bargaining

This online meeting organised by FIA addressed the new initiative of DG Competition. It was attended by a representative of DG Competition who confirmed the agenda envisaged by the Commission for the introduction of a Regulation on the issue which could be law by 2022.

## 11. Covid recovery measures

Following the large number of emergency supports put in place across the member states – with varying degrees of success – the focus has turned to medium and longer terms issues and proposed solutions. The European Commission has identified fourteen priority ecosystems which need particular support, including the Creative and Cultural Industries.

National governments must submit plans to the Commission to share in the €750 billion Recovery Fund “Next Generation EU”. The hope is that they will include plans for the film and television industries in their own countries in these plans and that the Commission can be convinced that the inclusion of the CCIs and the film and television industries in national plans is to be encouraged.

DG Internal Market also intends to publish a Plan for the film and television industry which was in preparation before the pandemic struck, but is now obviously having to be presented in the context of the crisis situation. There is concern about his approach which may be very prescriptive.

The Audio-visual Coalition, which brings together most of the organisations in the sector from creators to exhibitors, is probably the lead organisations on this.

They organised an online meeting with senior officials of DG Internal Market from the Breton Cabinet and are drafting a document on future plans which David is working on.

### 26 March 2020 / Statement

Authors’ Organisations Joint Statement on COVID-19 Crisis (FSE, FERA, EWC, ECSA, IMAGO)  
As the COVID-19 pandemic ravages our societies, including the cultural and creative sectors, authors’ organizations stand in solidarity with all those affected by the virus and we support measures taken to contain it. A statement sent to European Commission contacts (relevant cabinets and Dgs), Member States Permanent Representations and European Parliament CULT, BUDG and EMPL committees.

<https://federationscreenwriters.eu/authors-organisations-joint-statement-on-covid-19-crisis/>

### 30 March 2020 / letter

FERA and FSE sent a letter to SAA chair Barbara Hayes to raise the urgent need for emergency distributions by CMOs of funds to audiovisual authors.

### 2 April 2020 / Statement

Fighting the global COVID-19 crisis in the film and TV production sector  
FSE signed joint call for urgent action to sustain TV and film industry in face of Covid-19. With Animation in Europe, CEPI, EURO CINEMA, FIA, FIAPF, FERA and UNI MEI.

<https://federationscreenwriters.eu/fighting-the-global-covid-19-crisis-in-the-film-and-tv-production-sector/>

### 3 April 2020 / letter

FERA and FSE sent a letter to EFADs General Secretary Julie-Jeanne Régnault on “how film funds could best support our creative community in these trying times”.

### 7 April 2020 / Statement / Audiovisual, Recovery measures

### Joint Film and Audiovisual Sector COVID-19 Statement

The film and audiovisual sector in Europe calls for urgent action by EU and Member State decision-makers to safeguard the future of the sector in the wake of the COVID-19 outbreak, following in the footsteps of initial emergency measures announced at national level, including by film funds and other bodies. Several FSE member guilds also signed the statement.

<https://federationscreenwriters.eu/joint-film-and-audiovisual-sector-covid-19-statement/>

### 23 April 2020 / Letter

The Authors Group sent a letter to MEP Ehler to answer to his call for contributions from the CCIs sector (creative and cultural industries)

### April 2020 / Petition

FSE endorsed the Open Letter to European Commission & Member States (Council of the European Union), demanding support for the Cultural & Creative Sectors affected by the #COVID\_19 crisis and sign the related petition launched by MEP Nieklass / Cultural Creators Friendship Group (CCFG) #saveEUculture

### 11 May 2020 / Statement

Investing in our culture is investing in our future.

More than 80 signatories from the Europe's cultural and creative sectors, including FSE, called for ambitious EU budgetary measures to get through the COVID-19 crisis. An initiative by UNIC (<https://www.unic-cinemas.org>).

<https://federationscreenwriters.eu/investing-in-our-culture-is-investing-in-our-future/>

### 14 May 2020 / Statement

**FSE President Carolin Otto** called on EU Culture Ministers to put arts, culture & creativity at the centre of our recovery. "As screenwriters we know the essential role which culture and the arts play, and will continue to play, in each of the member states as we construct and reconstruct our identity as citizens and as Europeans."

<https://federationscreenwriters.eu/fse-president-carolin-otto-call-on-eu-culture-ministers-to-put-arts-culture-creativity-at-the-centre-of-our-recovery/>

### 3 June 2020 / Statement

FSE endorsed the call for a central place for culture in the EU long-term recovery budget launched by Culture Action Europe : "Culture is the driving force holding the Union together: a European recovery strategy based on solidarity and fairness cannot treat culture as an auxiliary tool but needs to make it pivotal in all its actions.

<https://cultureactioneurope.org/news/uphold-culture-in-the-eu-budget/>

### 17 June 2020 / letter

**FSE president Carolin Otto** wrote to MEP Christian Ehler about his proposal to define the Cultural and Creative Industries as one of the fourteen industrial sectors which will receive particular focus in the recovery process from the impact of the pandemic: "We look forward to playing our part in working to ensure that this welcome change in the place accorded to

arts and culture by the European institutions will strengthen European cultures and improve the position of our screenwriters.”

#### 18 June 2020 / Statement

Investing in Europe’s next generation by investing in culture.

FSE joined more than 90 organisations from Europe’s CCIs united to alert EU leaders: our sector needs strong & systemic support measures to recover from this crisis. An initiative from IMPALA

<https://federationscreenwriters.eu/investing-in-europes-next-generation-by-investing-in-culture/>

## **12. Freedom of expression**

On the initiative of the President, the Executive Committee agreed to put additional focus on issues of freedom of expression.

#### September 2020 / Letter

FSE president Carolin Otto wrote a letter to high rank politicians and officers in Europe on the issue of freedom of expression and need to link the Covid-19 recovery package to the respect of the EU rules of democracy. This letter was sent to EU Commission President von der Leyen and EU Commissioner for Values and Transparency Věra Jourová, European Council president Charles Michel, EU Parliament president David Sassoli, Manfred Weber - chair of the EPP group at the European Parliament, Monika Grütters - Commissioner for Culture and the Media in Germany, French secretary of State (European Affairs) Clément Beaune and his German colleague Michael Roth.

<https://federationscreenwriters.eu/fse-president-carolin-otto-addresses-eu-leaders-on-freedom-of-expression/>

## **13. Negotiation with Netflix**

A number of guilds are engaged at some level with Netflix. FSE undertook various modest activities to try to ensure that information was distributed to all those so engaged.

#### 23 June 2020

FSE proposed to a few member guilds engaged or to be engaged in negotiations with SVOD services (mostly Netflix) a confidential online meeting to exchange information (with the participation of Germany, Netherlands, Great-Britain, Sweden, Spain, France, Norway, Poland).



## 14. Gender

The issue of gender equality forgotten in the tumult of the pandemic but there seem to be some kind of pause while we wait for decision on Creative Europe and the MEDIA programme, which should be embedding equality into its schemes in a more emphatic way than was the case in the past.

### 23 February 2020 / Meeting

David participated to a roundtable dedicated to "Gender balance and diversity in the next MEDIA programme" during the Berlinale Film Festival, aiming to see what specific measures could be introduced in the next Creative Europe MEDIA programme after 2020 and what could be implemented by national and international funds.

### 30 March 2020 / Meeting

FSE attended the EU Social Partners Conference on Promoting Gender Equality & Diversity in the Audiovisual Sector (UNI MEI).

### 7 April 2020 2020 / Paper

FSE contributed to a "non paper (not for public distribution) towards a more gender friendly MEDIA programme", result of a brainstorming between a group of stakeholders from the audio-visual sector : Le Collectif 50/50, Europa Distribution, European Film Agency Directors Association (EFAD), European Women's Audiovisual Network – EWA Network, Federation of European Film Directors (FERA), Federation of Scriptwriters in Europe (FSE), International Federation of Actors (FIA), Society of Audiovisual Authors (SAA), UNI Europa - Media, Entertainment & Arts (EURO-MEI).

## 14. Various

A number of other items took time and attention during the year.

Among them were:

### 1 May 2020

#### **Short questionnaire to FSE member guilds**

FSE asked member guild to describe the structure of their organisation for a comparative study. The results will be discussed at our next meeting.

FSE asked member guilds to answer 10 questions to get an overview of the impact of the economic crisis on professional screenwriters in Europe.

We are considering the idea of a questionnaire to individual members about the impact of the pandemic on the situation.

### 21 November 2019 / Statement / Culture

Open letter to EU leaders from Europe's cultural and creative sectors

As the European Council is debating on the future of cultural and creative industries, 90 organisations from EU Cultural and Creative sectors including FSE call on EU leaders to support an ambitious budget for Culture.

<https://federationscreenwriters.eu/creative-europe/>

28 November 2019 / Press Release / Audiovisual and Cultural Diversity

LUX Film Prize Award – SAA FERA FSE Press Release

FERA, FSE and SAA celebrated European cinema and cultural diversity with a dinner, in partnership with the LUX Film Prize, in the European Parliament in the presence of Oleg Sentsov, Ukrainian filmmaker and former political prisoner, the finalists of the LUX Prize and other filmmakers from Croatia, France, Slovenia and Spain. FSE was officially partner, though not represented at the dinner.

<https://federationscreenwriters.eu/press-release-celebrating-european-film-and-defending-artistic-freedom/>

The Lux prize has now been substantially reoriented by the Parliament and is to be done in co-ordination with EFA.

25 November 2019 / statement / CCIs

FSE co-signed a letter of support to the Cultural and Creative Industries' Intergroup which worked in the last Parliament directed by its Chair the EPP MEP Christian Ehler.

FSE has also associated itself with the Cultural creators Friendship Group in the Parliament established by Green MEP Niklas Nienass.

20 December 2019 / Letter

FSE co-signed a letter sent by CW! (Creativity Works) to Commissioner Thierry Breton to congratulate him on his new position and raise the awareness of his cabinet on CW! and some key issues.

7-8 February 2020 / Meeting / Storytelling

David was invited to the European Co-production Forum in Brussels to participate to the panel "writing rooms, bringing European storytellers together".

with : Lucia Recalde (Head of Unit "AV Ind & Media Sup. Prog – DG Connect Creative Europe Media), Julie-Jeanne Regnault (Secretary General EFAD), Cécile Despringre, (Executive Director, Society of Audiovisual Authors), Pauline Durand-Vialle (Chief Executive, Federation of European Film Directors), David Kavanagh (Executive Secretary Federation of Screenwriters of Europe), Pierre Puget (Screenwriter).

September 2020 / Statement / Private Copying

FSE has co-signed with other organisations representing creators (authors, performers...) an open letter initiated by GESAC to react to an open letter published in Politico by device manufacturers on private copy (Digital Europe).

<https://federationscreenwriters.eu/joint-statement-private-copying-compensation-under-attack/>

17 September 2020

Amélie and David attended the meeting of the Advisory Committee of European Audiovisual Observatory.

These meetings referred to in this report are the ones which produced some kind of palpable result. Creativity Works, the Audio-visual Coalition, the Authors Group and various informal groupings continue to meet – online of course and FSE remains active.