

**22<sup>nd</sup> FSE Annual Meeting of the General Assembly (FSE AGM 2023)**  
Brussels, 9 and 10 November 2023

**ANNUAL ACTIVITY REPORT 2023**

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## **Collective Bargaining Workshops for Screenwriters and Directors**

**FERA, FSE and UNI MEI** set up a two-year programme entitled VP 2020/002/0067 “Strengthening Collective Bargaining for Audio-Visual Creators”, financed by DG Employment of the European Commission. Its intention is to **build capacity among audiovisual authors’ guilds and professional organizations in Europe to bargain collectively in the context of the implementation of Title IV, Chapter III of the 2019 Copyright Directive.**

The programme included **six online workshops for audiovisual authors’ representative organizations, four topical webinars, a final seminar and four EU-level dialogue meetings between FERA, FSE, UNI MEI and producers’ and broadcasters’ organizations focused on the implementation of fair remuneration provisions in the Copyright Directive.**

This project is now over. The results and outcomes are described in a toolkit. The databases and other resources are available on a new website created for the project.

> **Short presentation of the project and results on the FSE website:**

<https://federationscreenwriters.eu/collective-bargaining-for-screenwriters-and-directors-results-of-a-joint-fera-fse-uni-mei-programme/>

> **New project website, toolkit and access to the three databases and other resources:**

<https://www.authorsbargaining.eu/>

### **IMPORTANT**

The databases are not yet fully operational. To complete them, **we need one reference contact per guild** whom people can contact if they have questions related to the agreements and contracts in a particular country.

Please contact us at [office@federationscreenwriters.eu](mailto:office@federationscreenwriters.eu) with a name and email address.

This item is further discussed at [Item 18](#) of the agenda of the General Assembly which covers the difficulties with implementation of the Copyright Directive.

## **1. FSE recommendations on screenwriters credits**

FSE defined three credits: : **“Created by”, “Lead Writer or Head Writer” and “Written by”**. These recommendations were established by a working group composed of some fifteen volunteering screenwriters, guilds’ staff and lawyers from several FSE member guilds: four online meetings, exchange of information, documents and draft versions by email.

> The final document was published in October:

<https://federationscreenwriters.eu/credit-provisions-for-writing-audiovisual-series/>

This item will be briefly further considered at Item 7 of the agenda which will discuss what further action is to be taken on this issue.

## **2. Artificial Intelligence**

FSE co-signed several **statements** on the issue of the negotiations on the AI Act of the European Union (see list of statements below). The Authors group, comprising ourselves, the writers of literature (EWC), the composers (ECSA), and the Directors (FERA) have been joined by the Actors (FIA) and a number of other smaller impacted groups

David Kavanagh had three online meetings with three **guilds’ lawyers**, Peter Schoenning (Denmark), Marloes van Rossum (Netherlands) and Oliver Schwenzer (Germany). They exchanged views and information on several items: Copyrightability, Liability, Licensing, Article 4 of the Copyright Directive, and Machine readable opt-outs.

FSE will soon create **a working group** with volunteers from FSE members with the aim to arrive at a more comprehensive understanding of the issue and to develop new strategies and actions around the likely impact of this new technology on our profession. s.

This item will be considered further at Item 17 of the agenda on Artificial Intelligence.

## **3. Meetings on negotiations with streamers**

FSE has organized reasonably regular meetings of those Guilds who are actively involved in negotiations with streamers – especially Netflix. These meetings have been successful in sharing information (to the extent allowed by the confidential nature of the negotiations) and will continue as appropriate.

## **4. WGA Strike, #screenwriterseverywhere**

### **a) 14 June, International Day of Solidarity**

FSE was regularly in touch with the Writers Guild of America since the beginning of the strike to get updated on the negotiations. We particularly appreciated the regular meetings and exchange of information with Laura Blum-Smith, Director of the Research & Public Policy at WGA West, who was tasked with co-ordinating with FSE.

On May 11, 2023, FSE improvised a **protest in front of the building where the MPA** (Motion Picture Association) has its offices in Brussels.

Together with WGA, IAWG, UNI MEI and its member guilds, FSE proposed and co-organised the **International Day of Solidarity with the U.S. Screenwriters on Strike on 14 June 2023**.

> A **summary of all the guilds' actions** on that memorable day is available here:

<https://federationscreenwriters.eu/screenwriters-everywhere-in-support-of-wga-strike/>

> FSE did not have time to make a **video** but there is a very good one made by WGA:

<https://www.wgacontract2023.org/member-voices/solidarity-goes-global>

> **Joint press release** on 14 June:

<https://federationscreenwriters.eu/press-release-14-june-screenwriterseverywhere-global-day-of-action-solidarity-with-wgastrike/>

## **b) Other actions**

- Intense communication on social media around these events.
- Online intervention of **Michele Mulroney, WGA West Vice-President** at the FSE meeting in Brussels on 11 May 2023.
- 6 June 2023: online meeting to prepare the actions of June 14. Three American screenwriters spoke: **Michele Mulroney, John Rogers, and Marjorie David**.
- 19 October: Online detailed presentation by Laura Blum-Smith of the **WGA/AMPTP reached agreement**.

## **5. Relations with IAWG, the International Affiliation of Writers Guilds**

To follow up with the adopted shared FSE & IAWG Principles (June 2022) on **writing for streamers**, Sarah Dearing at IAWG created a **campaign website**, with FSE feedback. This website is online but has not yet been launched officially through a joint campaign:

<https://www.writingforstreamers.com/>

David Kavanagh was invited as observer at the **annual meeting of the IAWG** in Montreal, Canada, on 2-3 October 2023. Several FSE member guilds, also members of IAWG, were also represented. The meeting decided to ask Ampere Analytics, a data company, for some basic information about streaming statistics on volume of production on a global basis which would be added to the website.

Both organisations are going to continue their collaboration to co-organise the **next world conference of screenwriters** in Ireland in Fall 2024 with the hosting guild the Writers Guild of Ireland.

The issue of the joint campaign will be discussed further at Item 16 of the agenda.

## **6. A report on Freedom of Artistic Expression**

In 2021, FSE commissioned a report from Sara Whyatt, independent expert on artistic freedom, to try to **assess the impact of populist politics in Europe on freedom of expression, including artistic freedom for screenwriters**.

The final report has just been sent to the FSE member guilds. FSE will communicate publicly on this report toward the end of 2023 and will follow the recommendations described at the end of the report.

The matter will be discussed further at Item 8.

## **7. Legislative activities at the EU level**

Three unexpected initiatives in the EU agenda have impacted our workload in the last year. These are the **AI Act**; the **report on the status to the artist** and **transposition of the Copyright Act**.

### **a) Transposition of the Copyright Directive**

COVID caused both significant delay in transposition of the Directive to national legislation but also a tendency to cut-and-paste the terms of the new legislation, leaving a great lack of clarity about how the many details of the new legislation are to be implemented. As discussed elsewhere we are also faced with a refusal by producers and broadcasters to implement the law.

This will be discussed at the item 18 on the agenda.

### **b) Guidelines on Collective bargaining for freelancers**

This has had little or no impact as yet that we are aware of.

### **c) Own initiative report on Status of the Artist**

The European Parliament Committees on Employment and Social Affairs and on Culture and Education have produced a report on an **“EU framework for the social and professional situation of artists and workers in the cultural and creative sectors”** which will be voted by plenary probably this year. It is limited in that the EU does not have competence in the social welfare needs that it identifies, but it is nonetheless interesting and potentially useful. The European Commission must respond within three months of the plenary vote and will probably propose taking some action of some kind, perhaps further research.

### **d) AI Act**

The AI Act, which was already drafted when LLM Generative AI hit the headlines, has taken a lot of time and energy. An initial proposal which came from Creativity Works in May 22 (a loose organisation of groups in the creative industries world) alerted us to **lobbying about transparency**. We resigned our position in Creativity Works and brought the issue to the **Authors Group (screenwriters, writers, directors, composers)**. Since then, the group concerned with AI has expanded to include Actors, Musicians, voice over actors.

We have focused on the mantra of **Transparency, Consent and Remuneration** but the AI Act only addresses the first of these. We have focused our concerns on draft Article 28b and 52 (3) b which address issues of transparency at the input and output side of Generative AI. There is surprisingly widespread opposition to transparency requirements.

Copyright is mentioned in the AI Act but, correctly, no attempt is made to amend or alter Copyright legislation from within the AI Act. Consequently, **we are faced with the Optout provisions of Article 4 of the Copyright Directive as the main interface between AI and copyright**.

This is taking up a good deal of time and energy with little sign of any progress.

### **e) Media Freedom Act**

We were alerted by FERA and separately by the Campaigns for Cultural Diversity to a **potential misinterpretation of an article in the draft Media Freedom Act which could open the possibility of**

**challenges to state aid in the creative industries** and signed up to two letters on the topic which appear to have had the desired effect.

#### **f) Audio-visual Media Services Directive**

We have paid little attention to this. Most EU member states have addressed the provision in Article 13 of the Directive from 2018 to allow them to require streaming companies to contribute to production costs. Most member states have introduced one form or another of such a levy.

> A useful but technical database of the implementation of the AVMSD is on the website of the European Audiovisual Observatory: <https://www.obs.coe.int/en/web/observatoire/>

#### **g) Stakeholders Dialogue and the Media Outlook publication**

Commissioner Breton of DG Connect announced at Cannes in May 2023 the establishment of a stakeholders dialogue on “key priorities for the future competitiveness of the industry” based on a document called the Media Outlook which they have recently published. We have not participated to the extent that we should - the issues are interesting but not really within our expertise. **We should be more invested in this.**

One aspect is a strange and mistaken focus in part of the Media Outlook report which refers to “**work-for-hire**” contracts for authors including writers and identifies them as works “**where the copyright is owned by someone other than the creator**” (!). We are following this up.

#### **h) Geoblocking report**

The geo-blocking Regulation of 2018 excluded the audio-visual industries from its scope. Two committees of the Parliament (JURI and IMCO) launched reviews of the Regulation which will soon be brought to the full Parliament for approval. Both challenge the exclusion of audio-visual at least to some extent. IMCO is now taking its recommendation of “a comprehensive revision by 2025 at the latest with a particular view on an inclusion of audiovisual services in the scope” to a plenary vote of the Parliament possibly later this month.

The Audiovisual Coalition, managed on a day-to-day basis by staff of FIAFP (the global producers organization), has made this the more or less exclusive concern in recent years and as a result our participation in that coalition is limited.

## **7. Lobbying**

### **a) Meetings**

In addition to the travels part of the FERA-FSE-UNI MEI project on collective bargaining (in particular for the social dialogue meetings), David participated to the following meetings:

- Meeting in Reykjavík, Iceland (October 2023) – presentation on AI
- IAWG meeting in Toronto (October 2023)
- Meeting with the Copyright Unit of the European Commission on failure of implementation of Chapter III, especially on transparency, Brussels (October 2023)
- Meeting with MEPs on Artificial Intelligence (October 2023)
- MIDPOINT Series Launch 2023 - Workshop 2, Prague (June 2023)
- Series Mania Forum, Lille, France (March 2023) - presentation on the working conditions of screenwriter

- Brussels (May 2023): meeting of the Authors group, meeting on AI with the European Commission
- EAO Advisory Committee (European Audiovisual Observatory), Strasbourg, France (March 2023) FSE along with many other European organisations is a member of the Advisory Committee
- Vienna (January 2023) with Carolin Otto, Jacob Groll and Amélie Clément to start discussion on the “Brussels strategy” (see below).

Carolin Otto was invited to the ALMA Goya ceremony in Madrid (March 2023).

#### **b) Other meetings (mostly online)**

- CNC, France, on a programme called “Going European”, aiming at training European and/or francophone screenwriters to the stakes of international co-writing and co-production of series.
- Regular meetings with the Authors’ Group, primarily recently on AI and Article 19.
- Meetings of the Audio-visual Committee, which has focused almost exclusively on the question of geo-blocking
- We resigned our membership of Creativity Works as a direct result of the stance they took on AI transparency
- Meetings of the Cultural Creators Friendship Group of the European Parliament

#### **c) Joint statements**

- 16 October 2023: FSE statement in support of the screenwriters guild of Israel.  
<https://federationscreenwriters.eu/fse-statement-in-support-of-the-screenwriters-guild-in-israel/>
- 3 October 2023: In a joint press release with various other European audiovisual and cultural organisations, we welcomed the adoption by the European Parliament of its position on the European **Media Freedom Act** and much needed clarifications on its Article 20.  
<https://federationscreenwriters.eu/article-20-of-the-european-media-freedom-act/>
- 26 September 2023: Authors’, Performers’ and Other Creative Workers’ Organisations Joint Statement on **Artificial Intelligence and the Draft AI Act**  
<https://federationscreenwriters.eu/joint-statement-on-artificial-intelligence-and-the-draft-eu-ai-act/>
- 31 July 2023: FSE initiated a joint letter by the Authors’ Group (ECSA, EWC, FERA, FSE and FIA) to Giuseppe Abbamonte, Director for Media Policy at DG CONNECT and Emmanuelle du Chalar, Acting Head of the Copyright Unit at DG CONNECT of the European Commission, on problematic **implementation of Article 19 of the Copyright Directive**. A meeting with the Copyright Unit followed on 26 September.
- 28 June 2023: “Safeguarding artistic freedom and promoting European film amid political and tech changes”, a joint FERA-FSE-SAA press release (on the occasion of the LUX Audience Award 2023).
- 9 June 2023: FSE co-signed Open letter to EU institutions on **European Media Freedom Act**.  
<https://federationscreenwriters.eu/fse-co-signed-open-letter-to-eu-institutions-on-european-media-freedom-act/>
- 6 June 2023: Joint letter from European and International organisations of authors and performers on the **AI Act Proposal** to urge members of the EU Parliament to reconsider the EP approach to Article 52, paragraph 3 of the AI Act proposal to preserve the value and veracity of human creation.

[https://federationscreenwriters.eu/wp-content/uploads/2023/11/2023\\_06.06-Joint-Declaration-before-final-EP-vote\\_final.pdf](https://federationscreenwriters.eu/wp-content/uploads/2023/11/2023_06.06-Joint-Declaration-before-final-EP-vote_final.pdf)

- 10 May 2023: Organisations of the audiovisual sector welcomed the EU Parliament report on the implementation of the **Audiovisual Media Services (AVMS) Directive**.  
<https://federationscreenwriters.eu/av-sector-welcomes-eu-parliament-report-on-avms/>
- 9 February 2023: Artificial Intelligence and the AI Act: a joint statement from authors' and performers' organisations "True culture needs originals: Transparency and consent are key to the ethical use of AI"  
<https://federationscreenwriters.eu/joint-statement-from-authors-and-performers-organisations-on-artificial-intelligence-and-the-ai-act/>

## — Governance —

### 1. Brussels Strategy

**FSE must increase its financial and human resources capacities to be able to face all the challenges that we are talking about at the moment**, or reduce the level of activities, projects and lobbying to reach a sustainable balance, in particular for the staff.

We believe that this low profile option is not a good strategy for the FSE. On the contrary, FSE needs at least:

- A full time lobbyist, based in or very often in Brussels (set up an office)
- A part-time coordinator
- A part-time office assistant
- Ad-hoc external experts (lawyers, AI specialists, policy advisors in certain areas)
- Money for projects, meetings, publications, communication

David Kavanagh will retire in a few months. He has been working for FSE for a rather low fee. The cost of a new experienced lobbyist will be much higher.

Alongside the financial effort asked to the FSE members (new fee structure), FSE is securing some partnerships with several organisations (regular partner members: WGA East and West, SACD, DAMA, ALCS, SGI) and will fundraise other organisations to considerably raise the budget (Nordic guilds, various CMOs).

### 2. General Assembly

The general assembly in 2023 is composed of full members in 22 countries. In some cases, a vote must be shared between two guilds (Belgium, Poland, Spain). Candidate members cannot vote at the general assembly (Latvia, Portugal, Slovakia, Ukraine). If the guild in Latvia becomes a Full member (see application letter) at the beginning of the general assembly, there will 23 countries to vote.

We propose to introduce a change in the revised statutes in 2024: two votes per country instead of one.

1 country/1 guild = 2 votes for the guild

1 country/2 guilds = 1 vote per guild



The role of the general assembly is ruled by the current statutes of the FSE, in paragraphs 8 and 9: [https://federationscreenwriters.eu/wp-content/uploads/2019/04/2019-FSE-statutes-DEF\\_en.pdf](https://federationscreenwriters.eu/wp-content/uploads/2019/04/2019-FSE-statutes-DEF_en.pdf)

The 21<sup>st</sup> annual meeting of the general assembly was held in Copenhagen on 7 October 2022. The main decisions of the general assembly are detailed in the minutes.

### **3. Revised Statutes**

FSE, an association under Belgian law, must comply (in theory) with the new law before 1<sup>st</sup> January 2024. FSE staff and executive started to **revise the statutes and, on the occasion of these compulsory changes, proposed to introduce some new rules and byelaws (internal rules)**. The executive committee discussed these changes and we presented them to the member guilds at a meeting in Brussels on 12 May and during the online meeting on 30 October.

The work is not finished yet. Since these changes will have to be voted by the general assembly in the presence of a lawyer, the **FSE will convey an online extraordinary general assembly at the beginning of 2024**.

FSE will not revise its founding charter (this matter was discussed at previous meetings). This document is now part of the history of the association.

### **4. Executive Committee**

The executive committee of the FSE met five times since the last general assembly, including one meeting in presence in Brussels on 13 May 2023.

The current board members are :

- Carolin Otto, President (Germany)
- Maciej Karpinski, Vice-President (Poland)
- Jacob Groll, Board member, treasurer (Austria)
- Vinicio Canton, Board member (Italy)
- Gail Renard, Board member (United-Kingdom)
- Nikolaj Scherfig, Board member (Denmark)
- Cyril Tysz, Board member (France) – co-opted

Their bios are available here : <https://federationscreenwriters.eu/board-staff/>

Their mandate runs until the election of the new executive committee at the general assembly in Brussels on 9 and 10 November 2023.

### **5. FSE staff**

FSE is still managed by a small but committed and multi-skilled team of two persons working part-time (+/-3 days a week but they often have to work more due to the work load).

**David Kavanagh, FSE Executive Officer**, is based in Dublin. He is in charge of all activities and initiatives within the various structures of the European Union which might impact on the policies and areas of interest of FSE and its members guilds. He monitors European policies, cooperates with other authors' organisations on joint campaigns and advises the board members. He was CEO of the Writers Guild of

Ireland when he started to be involved in FSE and now works for FSE as freelance. David will retire in a few months.

**Amélie Clément, FSE Coordinator**, is based in Tours, France. She is responsible for projects and events coordination, internal and external communication and office management. She has worked freelance for many years for FSE (since 2009) and is since 2019 a long-term part-time employee of the organisation. She works 3,5 days a week. The executive committee gave her powers to deal with statutory matters and official tasks (“déléguée à la gestion journalière” – power of attorney).

Amélie and David are both **supervised by the Executive Committee** and closely work with the FSE president.

## — Finances —

### **1. Financial result**

The FSE has a bank account at ING Bank, Brussels.

Amélie Clément is responsible for dealing with the financial administration, under the supervision of the executive committee.

The lists and proofs of income and expenses are collected by an accounting firm in Brussels (Art Consult / Deg and Partners) that establishes the annual balance sheet and the analytical result.

The balance sheet has to be approved by the general assembly, signed and sent to the Belgian authorities (however FSE pays no taxes).

The financial results that will be presented to the general assembly are for the period of **July 2022-June 2023**. Coming back to a January-December period is part of the revision of the statutes of the FSE in 2024.

**The financial results as of 30 June 2023 shows a profit of 5,000 euros.**

As of 2 November 2023, the FSE has 72,000 euros on the bank account. A great part of this money will be used to increase the annual income of FSE over the next three years to finance the “Brussels Strategy”.

### **2. Budget**

The estimated budget 2024 that will be presented to the general assembly has been designed according to the “Brussels strategy”. It is an ambitious but provisory budget for at least the next three years.

### **3. Annual Membership Fees**

All the guilds paid their annual fee in 2023. The amount of these fees is the same since 2028. In 2023 the annual income in membership fees is around 45,000 euros.

**In the frame of the “Brussels strategy” and the need to increase the annual income of the FSE to develop staff and projects, we proposed to the member guilds a new fee structure to reach a total income in membership fee of 60,000 euros.** This project was first presented at a meeting in Brussels on

12 May, then during an online meeting on 31 October 2023. A final fee structure will be proposed to the general assembly for approval. It will be implemented in 2024.

This new structure takes into account the statutory changes that we hope will be approved by the general assembly (during an online extraordinary general assembly to be convened early 2024): instead of one fee per country (to be shared between the guilds in case there are several member guilds in one country), there will be one fee per guild.

## — Members —

### 1. New members

- **Latvia, SGL (Screenwriters Guild of Latvia)**, welcomed by the Executive Committee as candidate member in March 2023, is now applying to become full member.
- The **Guild of Screenwriters of Ukraine**, was welcomed by the Executive Committee as candidate member in March 2023. FSE paid the annual fee with some money left on the solidarity fund created at the beginning of the war and to which several FSE member guilds contributed.
- The **Association of Slovak Screenwriters in Audiovision (ASSA)**, was welcomed by the Executive Committee as candidate member in September 2023.

**FSE, at the end of 2023, is composed of 29 screenwriters' organisations from 26 European countries** (and even more since FAGA in Spain is a grouping of several regional organisations). FSE represents some 10,000 professional screenwriters.

List of members: <https://federationscreenwriters.eu/member-guild/>

We will continue to work to see if we can help with the establishment of new guilds in those member states where they do not as yet exist. We will apply with the Writers Guild of Norway to Kopinor in order to seek for financial support to develop this project.

### 2. Online meetings with members

In addition to the numerous online meetings of the joint FERA-FSE-UNI MEI programme, FSE proposed several online meetings to its member guilds.

- 28 March 2023: an informal meeting on **AI** with member guilds to start collecting views on challenges and dangers, concrete experiences, proposals, etc.
- 6 June 2023: Preparing June 14 – Screenwriters Everywhere – International solidarity day with **WGA strike**. Meet American screenwriters: Michele Mulroney, John Rogers, and Marjorie David
- 12 October: Discussion on **Artificial Intelligence** (draft **AI Act** of the European Union, general situation of AI (with a focus on audiovisual authors) and exchange with guilds on what FSE and its member guilds should do in the short term for screenwriters.
- 19 October: Detailed presentation by Laura Blum-Smith of the **WGA/AMPTP agreement**.
- 30 October 2023: presentation of our progress on the **revision of the statutes of FSE**
- 31 October 2023: presentation of a proposed **new membership fee structure** and discussion

## — Other items —

### **Projects on « stand by »**

Lack of time, urgent priorities... some of our projects are on hold at the moment.

- **A campaign to raise the profile of screenwriters**, bring more recognition for the work of screenwriters (new series of illustrated portraits of screenwriters, filmed interviews of screenwriters...).
- Regular FSE newsletters, more communication online
- Zoom meetings with member guilds on several issues: culture, soaps, young writers, showrunner programmes...
- Issues not yet addressed – feature film, development, animation, etc.

### **FSE Communication**

Website : [federationscreenwriters.eu](http://federationscreenwriters.eu)

Twitter / X (1,514 Followers): @ScreenwritersEU

Facebook (1,627 Page likes – 1,728 followers) : [screenwriterseurope](https://www.facebook.com/screenwriterseurope)

Instagram : [fse\\_screenwriters](https://www.instagram.com/fse_screenwriters)

Invitation to join the FSE community on Slack :

[https://join.slack.com/t/federationofs-7vy7916/shared\\_invite/zt-258gwxwmc-0Dtj7pxGxDKcKS49LHsUgg](https://join.slack.com/t/federationofs-7vy7916/shared_invite/zt-258gwxwmc-0Dtj7pxGxDKcKS49LHsUgg)

### **Contact**

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