

# **ANNUAL ACTIVITY REPORT**

## **of the Federation of Screenwriters in Europe**

Since the previous AGM 2023 (in Brussels on 9 and 10 November 2023)

By the FSE Executive Committee

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## I. Introduction : FSE in Transition

The Federation of Screenwriters in Europe, created in June 2001, is now a grouping of 29 screenwriters' organisations from 26 European countries. We estimate that it represents 10,000 professional screenwriters. FSE is legitimate to be the voice for screenwriters at European level, despite the great variety of guilds' profiles, which in itself is a challenge for FSE.

We have managed, over the years, to slowly increase the financial capacities of FSE, in particular thanks to the member guilds that agreed, at the previous AGM, to a new fee structure, and thanks to the financial support of our partner members (ALCS, DAMA, SACD, WGAW, WGAE) and the exceptional contribution of the Writers Guild of Denmark.

However, it is still not enough to give FSE the sufficient resources to develop and achieve all the projects and political battles that we should tackle in the interest of screenwriters. In this context, the decision by Executive officer David Kavanagh to retire from his work at FSE – well deserved!, was a great challenge for the Executive Committee: how to find such a competent and dedicated person if you do not have enough money to attract high level profiles? The recruitment process to replace David required most of our time until the Summer. It was long and complex but we are now very happy to have given French lawyer Denis Goulette the responsibility to represent the interests of FSE member guilds and European screenwriters as FSE Délégué général.

At the FSE AGM 2023, the member guilds elected a new executive committee. In the meantime FSE achieved its legal transition by the adoption by the extraordinary general assembly in Brussels on 15 March 2024 of revised statutes to comply with Belgian law and adapt the statutes to what FSE has become over the years. FSE team and Executive Committee have continued their work to consolidate FSE as a mature organisation with new Internal Rules that will be presented at this AGM.

FSE has implemented, quite efficiently, working groups on Credits, Artificial Intelligence, Article 19 of the Copyright Directive and the issue of Transparency. It organised a first meeting on Feature Film and still has the project to start a discussion with member guilds on Soaps.

Though Artificial Intelligence has inevitably become the policy priority, David, Denis and members of the Executive Committee were very involved, most of the time along other organisations at European level (through meetings, joint statements, joint publications), on other issues like Text and Data Mining Exception, Freedom of Expression, "Media Outlook" and buyouts, streamers, raising awareness in the New European Parliament, etc.

FSE contributed to the organisation of the 6<sup>th</sup> World Conference of Screenwriters in Galway, despite lack of financial and human resources. It contributed to the work of the Steering Committee to elaborate the programme and liaised regularly with the Irish team and IAWG on organisational matters.

**This report will try to give a clear picture of what FSE has achieved since the previous general assembly, in view of the main objectives of the organisation, the current three year plan, the need to prioritize due to the limited financial and human resources and urgent tasks imposed by the political agenda.**

In the next period, we would recommend FSE to continue to strengthen its member guilds and make the European network of screenwriters grow towards Central and Eastern Europe; highlight its recent

achievements with greater focus on communication and collaboration with its member guilds; and concentrate on a very few but well-chosen political battles.

All this will be possible only if FSE continues at the same time to consolidate its financial and human capacities. Fundraising remains a priority in itself.

**The FSE Executive Committee:**

**Carolin Otto (president)**

**Maciej Karpinski (vice-president)**

**Jacob Groll (treasurer)**

**Gail Renard**

**Nikolaj Scherfig**

**Vinicio Canton**

**Cyril Tysz**

## **II. Mission and Objectives**

### **1. Statutory Aims and Activities**

This is what the statutes of FSE say about the aims and main activities of the FSE:

#### **3) Aims**

*The FSE, as a not-for-profit international organisation, pursues the following aims (in French “La FSE a pour but désintéressé d’utilité internationale”):*

- a) The defence of freedom of expression and artistic creation, in particular within the audiovisual field.*
- b) The defence and protection of cultural diversity and of equality and inclusion, in particular in the audiovisual field.*
- c) The promotion of screenwriters' work.*
- d) The defence and protection of the moral and pecuniary rights and interests of screenwriters, acting in all sectors of the audiovisual field.*
- e) The harmonisation of Intellectual Property legislation at European level and within the member states of the European Union on the most favorable terms for screenwriters.*
- f) The development of cooperative networks with natural or legal entities, of private or public nature, which develop similar activities in the audiovisual field.*
- g) The support of its members' demands for the defence of their interests in their respective countries or regions.*

#### **4) Activities**

*In order to achieve its disinterested aim, the FSE develops the following activities, both in Belgium and abroad, on its own behalf or on behalf of its members, without this list being exhaustive:*

- information, advice and support for its members and emerging screenwriters' organisations ;*
- lobbying the European institutions and all other relevant European and international organisations;*
- regular dialogue and collaboration with other organisations at European and international level;*
- organising events (meetings, conferences, seminars, working groups, etc);*
- drafting legal, policy and information documents;*
- carrying out studies and producing publications and various communication media;*
- promoting the exchange of information between its members.*

*In general, the FSE may develop any activity which directly or indirectly promotes its aims or the interests of its members.*

## 2. Three Year Plan

These aims are reflected in the current three year plan (2022-2024) under three main goals, implying a fourth one:

### 1. Encouraging and facilitating collective bargaining

- Continued training
- Collection and exchange of expertise and information
- Relations with negotiating partners – in particular producers
- Emphasis on contracts
- Co-ordination with IAWG and the WGA in particular

### 2. Improving the status of screenwriters

- Campaigning for freedom of artistic expression
- Campaigning for the visibility of screenwriters
- Harmonising and strengthening credit provisions, both in Europe and more widely

### 3. Research and information

### 4. Administrative and financial implications

These goals were revised at the previous FSE AGM because they are inevitably limited by the FSE and guilds' lack of human and financial resources, and prioritized according to the changing situation of the industry, the position of screenwriters and the European legislation. In particular, with AI quickly becoming an essential issue with possible ramifications on the audiovisual sector and us writers directly, our goals and resources had to be adapted accordingly.

The FSE contacted its members after the FSE AGM 2023 with a questionnaire to confirm these objectives.

## 3. Annual Objectives

In brief, these were our priorities over the last year:

- ➔ Setting up a working group on AI, with focus on the AI Act and the complex question of the opt-out clause in Article 4 of the Copyright Directive;
- ➔ Translating the publication "Credit Provisions for Writing Audiovisual Series" in several languages, developing a campaign together with the guilds on credits guidelines, helping guilds establish their own guidelines (an advisory committee);
- ➔ Undertaking some action on Article 19 of the Copyright Directive (the transparency requirement), creating a working group on Article 19;
- ➔ Organising discussions with all member guilds to discuss priority actions: Feature Film; AI; Pan-European Showrunner programmes; writing for soaps;
- ➔ Revising the FSE statutes and proposing internal rules;
- ➔ Recruiting a person to replace David Kavanagh;

➔ Looking for more money.

The following chapters explain how we managed, or not, to achieve these objectives.

### III. Advocacy and Legislative Actions (or “lobbying”)

#### 1. Copyright Directive and Article 19 on Transparency

This paragraph is related to the implementation of the 2019 EU directive on Copyright, particularly focusing on Chapter 3 / Article 19, which deals with fair remuneration for authors and performers. Despite significant effort, the full implementation of Chapter 3 remains incomplete, with more work needed to ensure compliance and protect the rights of authors and performers.

In particular:

1. **Transposition delays:** The directive has now been transposed in all member countries (Poland being the last country to transpose it this summer, after a joint struggle by all authors' organizations in Poland to ensure that platforms are also covered by the requirement to pay appropriate and proportionate remuneration). Unfortunately, many EU countries have adopted a copy-and-paste approach to the legislation, leaving crucial details unresolved.
2. **Non-compliance by producers and broadcasters:** Despite the directive, many producers and broadcasters are ignoring their responsibilities, particularly regarding financial transparency and remuneration.
3. **Collective bargaining efforts:** The directive emphasized collective bargaining as a way to resolve issues of remuneration. FSE, together with UNI MEI and FERA, attempted to move guilds and unions not engaged in collective bargaining to the practice of collective bargaining. It was the main focus of our work and of our time over the last years. Several workshops and initiatives have been launched to train unions and guilds on this practice, but progress has been limited. There is fear of blacklisting, deterring individual authors from demanding their rights.
4. **Article 19 (Transparency):** This article requires annual reporting on the financial performance of works. However, compliance has been poor across the board. Without enforcement of Article 19, Chapter 3 risks collapse.
5. **Limited Progress with industry representatives:** Attempts to engage broadcasters and producers in discussions on compliance, in the frame of our latest joint FERA-UNI MEI-FSE programme, have been largely unsuccessful, with meetings often leading to delays rather than progress. FSE launched a working group on Article 19. David's hope was that some individuals would take the issue on and try to push producers and broadcasters organizations into some level of debate and discussion.
6. **Collective bargaining guidelines:** The EU's competition [guidelines](#) now permit collective bargaining for solo self-employed workers, a positive development. However, restrictions remain on certain actions - setting recommended rates is strictly forbidden and organising strikes (“... a collective refusal to provide services”...) has been removed from the guidelines leaving uncertainty, particularly as regards the question of the contractual liability of freelance screenwriters who intend to go on strike and fail to meet their deadline for delivering their scripts.

7. **Proposed solutions:** David has identified the development by 3 different collection agencies of software packages specifically designed to handle reporting under Article 19 and suggests promoting these tools to foster better reporting practices and incorporating them into production budgets.

#### What FSE achieved:

- Setting up a working group on Article 19. This group had initially two tasks: establish more clearly what we collectively think should be the content of the reports that we are meant to receive from producers and broadcasters and secondly to try to find recommendations as to how guilds can campaign for the implementation in practice of this legal provision. This group already met twice.
- Delivering outcomes of the joint project run jointly by UNI MEI and FERA. These outcomes are presented on the website [authorsbargaining](#).
- FSE and FSE member guilds' solidarity with our Polish colleagues in their fight to have the Copyright directive implemented in Poland (letters of support).
- Initial contacts with software companies established by Collection Agencies.(such as Cleriti).

## 2. Artificial Intelligence

The large language model (LLM) generative artificial intelligence (AI) poses challenges for screenwriters, focusing on copyright, legal uncertainties, and potential employment impacts. LLM AI, which generates human-like responses from large datasets, raises concerns about copyright infringement, with ongoing legal battles in the U.S. and EU. The 2019 EU Copyright Directive complicates matters, as it allows exceptions for text and data mining, but lacks a clear opt-out system.

The EU's [AI Act](#), and in particular Articles 50 and 53, finalized in 2024, introduces transparency and copyright provisions but leaves many practical details unresolved. Screenwriters are advised to incorporate AI-related terms in contracts, addressing transparency, permission, and liability. While AI has yet to revolutionize screenwriting, its potential to automate tasks in children's animation, reality shows, and production processes could lead to job losses and affect cultural diversity.

On July 30, 2024, the European Commission launched two separate consultations. The first is a multi-stakeholder consultation on trustworthy general-purpose AI models under the AI Act. Its concrete aim is to determine the conditions under which rightsholders can exercise the reservation of rights mechanism provided for in Article 4 of Directive 2019/790.

The second one is a call for expression of interest to participate in the drawing-up of the first general-purpose AI Code of Practice (note that [AI Office](#) has received expressions of interest from almost 1000 organisations and individuals worldwide to participate in the drawing-up of the first [General-Purpose AI Code of Practice](#).)

On September 5, 2024, the German umbrella organization "Initiative Urheberrecht", which brings 45 authors' organizations, representing 140,000 German authors, published an explosive report commissioned in the spring from two university professors specializing in droit d'auteur and artificial intelligence



respectively. The report, entitled “Copyright and training of generative AI models - technological and legal basics”, concludes that the exception provided for in Article 4 of the Directive has no legal value. Firstly, because the reproduction of protected works cannot legally be considered as falling within the definition of Text and Data Mining. Secondly, even if it could, the exception does not meet the conditions of the triple test set out in Article 9 of the Berne Convention and Article 5 of Directive 2001/29.

Although not addressed in the report, there is a question of legality of Article 4 under EU law due to the lack of a required impact assessment aligning with Articles 5(3) and 5(4) of the Treaty on the Functioning of the European Union and Protocol (No 2) on subsidiarity and proportionality. Proper evaluations have not been conducted in 2019 as they should have.

#### What FSE did recently:

- ➔ Setting up a **working group on AI**. The initial tasks of these group are:
  - getting maximum clarity about the legal position for screenwriters of working and writing with AI (including keeping alert to ongoing legal cases, in Europe and elsewhere),
  - setting up systems to collect information about how AI is being used, by whom and to what extent,
  - developing an assessment of the quality of AI systems and the likelihood of their being a threat to work for screenwriters,
  - examining the legislative framework – the AI Act, the Copyright Directive – especially Article 4 (opt-out clause) and likely new actions in the coming years,
  - crafting and agreeing advice for member guilds and possibly for individual guild members.

This group met several times and is elaborating a document called “Reflections for a Standardized Work Identification System for AI Model Training”.

- ➔ Launching a **questionnaire on AI to individual members** to how and whether they are using AI in their practice. We collected more than 500 answers which we now have to analyse.
- ➔ Consulting **guilds’ lawyers**.
- ➔ Defining a set of five **principles to establish an ethical framework for the development and use of artificial intelligence in the scriptwriting process, jointly with IAWG** ([press release and joint position](#))
- ➔ Issuing **joint statements**:
  - 3 November 2023 / [Joint letter](#) in response to the dialogue with the Audiovisual Sector on Copyright & AI
  - 23 November 2023 / [Joint statement](#): For an innovation and creator friendly AI Act. Europe’s creative community urges EU policymakers to put transparency back at the heart of the EU AI Act
  - 25 April 2024 / 13 organisations, amongst others the FSE, have released a [joint statement](#) on generative artificial intelligence and the EU AI Act

- David attended a **meeting with MEP Axel Voss** on 15 April on AI and copyright during which this issue was raised.
- On 5 September Denis attended a [presentation](#) in the European Parliament by **Initiative Urheberrecht that demonstrates that AI training is a copyright infringement**.
- Participating to the **AI coalition** meeting on 26 August (EWC, EFJ, ECSA, EGAI, FSE, CEATL, UVA, FIA, ECSA, CEATL, UNI MEI). This coalition is planning other meetings and the following tasks: Re-send letter to MEPs, Organise meeting with head of AI Office and with prominent MEPs.
- Early September, responding to the **European Commission Multi-stakeholder Consultation** on trustworthy general-purpose AI models in the context of the [AI Act](#), with consultation with IAWG and WGA.
- Responding to the European Commission's call for expressions of interest to participate in the [Code of Good Practice project](#) (its role is to detail the rules of AI legislation for providers of general-purpose AI models and systemically risky AI models, so that authors can exercise their reservation of rights). FSE application has been accepted. A plenary kick-off session was held on September 30, 2024.

### 3. 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. The group met at least four times, exchanged information, documents and drafted guidelines. FSE published the [“Credit Provisions for Writing Audiovisual Series”](#) in October 2023 and has since translated the publication in other languages (Bulgarian, German, Spanish, Polish and Portuguese). The challenge now is how to implement a campaign together with the member guilds to promote this publication.

### 4. A Report on Freedom of Expression

Carolin Otto brought to FSE her concerns about increasing limitations on freedom of expression, particularly by populist and right-wing governments. In 2021 FSE commissioned a report from Sara Whyatt, independent expert on artistic freedom. The report was shared with the FSE member guilds in 2023 but it has not been published due to its inability to identify explicit examples of direct censorship of screenwriters and because its content has become outdated over time.

What FSE did recently:

- FSE continued its membership of the [ICFR](#), International Coalition for Filmmakers at Risk.
- David Kavanagh suggested to write a second updated version of the report, focusing on the increasing number of attacks on freedom of expression in European Union member states. David Kavanagh committed to finalize this publication.
- On 3 October 2023, FSE also co-sign a statement with other European audiovisual and cultural organisations to welcome the European Parliament adoption of its position on the [European Media Freedom Act](#).

## 5. “Media Outlook” / buyouts

David Kavanagh expressed concerns about the "Media Outlook," a [publication](#) by the Commission that contains problematic language regarding the concept of "work for hire". This very strange construction appeared again in the EU questionnaire on buyouts. He thinks there is a convincing case to approach the Commission to correct their approach to this but it would not be sufficient merely to do it as FSE or even FSE/FERA/SAA. David thinks what will be important would be to associate a number of lawyers or legal experts from a number of countries so that the argument was seen to be legally substantive.

See also [this report](#) published in November 2023 by the JURI committee of the European parliament.

## 6. New EU institutions – Parliament and Commission

### **a) FERA-FSE recommendations to new MEPS**

FSE started to lobby the new Parliament, but not individually at the moment. FSE and FERA (directors) wrote a document in July 2024, addressed to new MEPs, titled “CULTURE IS DEMOCRACY, DEMOCRACY IS CULTURE. A Call to Empower European Audiovisual Diversity”. Both organisations detail their priority focus area for the next five years (Cultural Diversity and Freedom of Expression; Artificial Intelligence, the AI Act and the future of European creation; Ensuring Fair remuneration and Collective Representation for European Screenwriters and Directors), share their views on what to expect for the next 5 years regarding Authors’ rights and European Audiovisual policy, and make concrete proposals on what MEPs can do about these issues.

### **b) LUX Award in Strasbourg**

On 18 September SAA (Society of Audiovisual Authors ) organised, [in partnership with FSE and FERA](#), a dinner to “celebrate European cinema” on the occasion of the LUX Audience Award and the EU parliamentary session in Strasbourg. Both Denis Goulette and Carolin Otto attended and met MEPs.

### **c) A Cultural Creators’ Intergroup in the European Parliament?**

SAA is also gathering several organisations (AEPO-ARTI, ECSA, EVA, EWC, FERA, FSE, FIA, FIM and IAO) around the idea of asking the creation of a Cultural Creators’ Intergroup in the European Parliament. It *“would allow MEPs from different perspectives to exchange views to ensure a horizontal approach on these issues, linked to relevant committees, and strategically promoting the mainstreaming of creative professions’ needs and culture in different policy areas. It would act as a think-tank, highlighting positive experiences, research and good practice, while advocating for actions where needed. A Cultural Creator’s Intergroup is especially important this time around to improve working conditions and remuneration, collective bargaining and representation, freedom of speech and artistic expression, mobility, cultural diversity and protection by copyright and related rights.”* Denis Goulette is participating to the discussion on this proposal.

## 7. Creative Europe / Media Sub programme

FSE contributed to a lobbying effort by several organizations, many of them dependent on media program funding, with a [co-signed a letter](#) (in June 2024: *European Film and Audiovisual Sector Joint Statement of Concern Regarding the Proposed Policy shift of the Creative Europe MEDIA sub-programme*) and a meeting with officials from DG Connect which runs the programme, to express concerns about changes in the Commission's Media Program funding priorities. The Commission's response was very defensive, leading the group to scale back its efforts. While this issue is not directly relevant to screenwriters, who only indirectly benefit from Media program funding through producers or training programs, David suggests exploring the possibility of securing funding for networking initiatives within the Media program and the broader Creative Europe budget.

An issue for FSE is the fact that there are no opportunities within the Creative Europe structure at present which would allow FSE to apply for funding. FSE and FERA tried some time ago to have funding for networking included in the Media program budgets as well as in the overall creative Europe budget. It may be worth trying again.

## IV. Collective Bargaining and Member Support

FSE goal as a federation is to improve the conditions of screenwriters, including **reinforcing its member guilds' capacity to "negotiate contractual terms or minimum remuneration on behalf of their members, or aspire to do so"**, a clear requirement for FSE members written in the statutes.

While legislative improvements, such as the Copyright Directive and [guidelines](#) on collective bargaining for solo self-employed, have been slow, collective bargaining offers more control to the FSE.

### 1. Members' collective bargaining achievements

Several countries, including Denmark, Norway, the UK, France and Germany, have well-established collective bargaining systems. In these countries, the majority of screenwriters, particularly those working in television, are covered by collective agreements. Negotiations are also ongoing in Belgium, Italy, the Netherlands, Ireland, and Spain. In many cases, these negotiations are driven by the implementation of the Copyright Directive. Overall, most FSE members are engaged in collective bargaining, with a majority of European screenwriters benefiting from such agreements. However, the significance of these efforts has not received sufficient attention among members.

Highlighting the fact that more than half of screenwriters are covered by collective agreements would strengthen FSE's standing. Denis Goulette has started to meet each guild one by one to get a detailed overview and FSE team wants to increase communication on members' achievements (insights, inviting guilds' to present their achievements to the other members during online meeting, etc.)

## 2. FERA-FSE-UNI MEI Collective Bargaining Workshops (“CBW”)

FERA, FSE and UNI Mei joined efforts to support collective bargaining through three collaborations with the financial support of the European Commission. The outcomes of the latest programme “Strengthening Collective Bargaining for Audiovisual Creators” are presented on the website [authorsbargaining](#). It contains [a toolkit on collective bargaining](#), the access to three good and useful databases and other related and useful resources.

One of these [three databases](#) is an index that provides an overview of existing national collective agreements and access to public agreements translated in English. It is a work in progress and does not yet cover all the existing agreements. FERA and FSE provided their members with a memo to encourage members to use these databases but the level of use remains quite low.

**In summary - with further investment of time and resources - FSE should highlight the growing importance of collective bargaining as a tool for improving screenwriters' working conditions across Europe and promote and enhance the member guilds' achievements and ongoing efforts to collectively bargain, within the federation and beyond.**

## V. FSE member guilds

### 1. Variety of profiles

The Federation of Screenwriters in Europe, created in June 2001, is now [a grouping](#) of 29 screenwriters' organisations from 26 European countries. FAGA in Spain is itself a federation of several regional organisations.

The profiles and engagement of the member guilds vary a lot. FSE team launched a questionnaire in 2023 among member guilds to collect information and get a recent overview of its members. Unfortunately, due to other priorities, FSE team did not finalize the publication of these results. We hope to do it quite soon, and complete the results with Denis' meetings with each of the member guilds.

The next step would be to create an Internal Members' Directory, accessible exclusively in the members' area of the FSE website, to be updated annually by the members. Another project, depending on time, money and priorities, would be to communicate on each member guild on the website and social network (for example, an ID card of the guild, a short interview with a CEO or board members, etc.)

### 2. Central and Eastern Europe (CEE)

Recruiting new member guilds and encouraging groups of screenwriters to create guilds is a long process and requires a lot of work and money. FSE wrote a project and submitted it twice to different budget lines of Kopinor in Norway, with the precious support of the Norwegian Guild of Screenwriters, unfortunately without success. This is the series of actions that FSE could undertake with time and money:

1. Identify individual screenwriters or groups of screenwriters willing to get organized in their country to encourage them to create a guild, then join FSE. How? By traveling to regional festivals and events, by establishing partnerships with pan-European co-production trainings involving many CEE screenwriters (like Serial Eyes), by involving our colleagues of the FSE member guilds in CEE countries, etc.
2. Be more visible at festivals and industry events, where the presence of CEE screenwriters is quite strong.
3. Support the creation of new guilds by providing information on FSE, by inviting other guilds to share their experience, by inviting CEE screenwriters to attend FSE events - even though their group is not yet an official guild and a member of FSE - so that they can meet European colleagues and get familiar with the numerous issues we are dealing with.
4. Organise a regional conference (in Kiev, if possible) with screenwriters from each of the CEE countries.
5. Ensure a strong presence of CEE screenwriters at the World Conference of Screenwriters (the 6<sup>th</sup> edition is scheduled in October 2024 in Ireland).
6. Propose partnerships with local events organised by CEE guilds: a financial contribution to the costs of the event, the organisation of a panel discussion of international issues (global challenges like streamers or Artificial Intelligence, European legislation, collective negotiation), invite international guests...
7. Bring practical support to the emerging guild: financial contribution to the costs of establishing statutes (lawyers costs), financial support to pay the annual membership fee to the FSE (minimum 1000 euros, quite a lot for very new and small guilds), help them draft statutes and standard contracts, etc.
8. Alignment with EU copyright acquis for candidate countries
9. Set up a mentorship program involving FSE member guilds, etc.

The general assembly should decide whether recruiting new members in the CEE is a priority. If so, the FSE team will have to invest a lot of time in fundraising to be able to start this project at a serious level, beyond sporadic individual contacts (however precious they are).

## **VI. Networking with other organizations**

With limited resources and in particular without an office in Brussels, FSE is highly reliant on other industry lobbying activities to keep us in touch with what is happening and to offer us an opportunity to participate in various interesting lobbying activities. Here are the main collaborations:

## **1. FERA**

The Federation of European Screen Directors, with Pauline Durand-Vialle as CEO - Her analysis of the overall situation is usually very good, and her contacts in the industry lobbying organizations in Brussels are also complex and useful, is our closest partner for joined projects, joint statements, exchange of information.

We mentioned the Collective Bargaining Workshop with UNI MEI, the recommendations to new MEPs. our collaboration with SAA. There were also several meetings between the boards and presidents of both organisations (Brussels, Berlin, online...).

## **2. The Authors' Group**

During the lobbying on the copyright directive, an "Authors Group" was established (mainly FERA, FSE, ECSA, EWC). ECSA (composers) is the strongest of the organizations in the authors group in terms of resources (EU funds) and has less interest in issues around collective bargaining. In substitution for the authors group, a slightly larger grouping which includes the actors (FIA) and a new organization for voiceover actors as been put in place for AI.

## **3. UNI MEI**

UNI MEI has been supportive to FSE probably since its creation through its leader Johannes Studinger. UNI EUROPA offered a small office to FSE during a few years, FSE still can use the meeting room facilities at UNI EUROPA in Brussels, where FSE has its legal address. UNI MEI supported the WGA strike together with IAWG and FSE by mobilizing its international network of unions. FSE run three programmes on collective bargaining with UNI MEI as leader organisation with access to EU fundings (DG Employment).

There were talks about undertaking another project with UNI-MEI but there are substantive disadvantages to these programs. A major one is that FSE and FERA get no money from these budget lines to increase their human capacities to organise the activities of these projects which they are in charge of for their members.

## **4. SAA**

The current chair of SAA is Barbara Hayes, chief executive of ALCS, the British collecting Society. She is keen on strengthening the relationship with FSE and FERA and at her initiative the three organizations met at the Berlinale, and a number of times since. The difficulty is to find agenda items of any substance. We mentioned the Lux Audience Prize dinner and the proposal to create a Creators' intergroup in the European Parliament. Also Denis was able to establish very good direct contact with the directors of the CMOs in Germany (VG Vort), Poland (ZAPA), Spain (DAMA) and the UK (ALCS), who said they were ready to enlighten him if necessary on the legal specifics of each of their countries.

## 5. [European Audiovisual Observatory \(EAO\)](#)

The European Audiovisual Observatory (EAO) is an initiative of the Council of Europe, independent of the European Union but supported financially by the European Commission. Based in Strasbourg, the EAO employs about 30 people and operates under a strict bureaucratic structure, which limits its flexibility but ensures high-quality research.

The EAO works with an advisory committee that includes representatives from various sectors, including the Federation of Screenwriters in Europe (FSE). Denis Goulette participated to the meeting in September 2024.

Gilles Fontaine, head of the Department for Market Information, is a friendly and supportive ally for authors. He played a key role in initiating important research on the situation of screenwriters and directors in Europe, resulting in the [publication](#) of the best available analysis of their working conditions, updated annually.

## 6. [IAWG](#)

The International Affiliation of Writers Guilds and FSE have had a long cooperation around the creation of the [World Conference of Screenwriters](#) and its sixth editions, worked actively together to support the WGA strike on the occasion of the International Day of Solidarity on 14 June 2024. They regularly invite FSE to their annual meetings: David Kavanagh attended last year annual meeting in Toronto and Denis Goulette will attend part of the meeting in Galway. They have a few members in common (France, Germany, Ireland, Spain, UK and Israel).

IAWG and FSE recently issued a [common position on AI](#), confirmed in response to the European Commission's multistakeholder consultation. They are currently developing a joint campaign on streamers. IAWG and FSE members agreed on some shared principles on working with global streamers ([link](#)) and Sarah Dearing, IAWG Secretary, put together at IAWG's expense a nice-looking website with those principles at the core, with the project to launch it officially at WCOS in Galway.

The next joint campaign seems to develop around artificial intelligence, in particular towards the World Intellectual Property Organization ([WIPO](#)).

## 7. Audio-visual coalition

It is a group of industry organizations including producers, distributors, and exhibitors, but excluding public service broadcasters. Led by Charlotte Lund Thomsen of the International Video Federation (IVF) and FIAPF, the group focuses on a few issues where consensus is possible. Currently, its main concern is opposing geo-blocking policies, with some in DG Connect pushing for an open European audiovisual market. Although the meetings provide valuable industry insights, it is not a priority for FSE.



## **VII. WCOS, the World Conference of Screenwriters**

At the 5<sup>th</sup> World Conference of Screenwriters in Copenhagen, the Writers Guild of Ireland announced its wish to organise the 6<sup>th</sup> edition, on the occasion of its 55th birthday. The 6<sup>th</sup> WCOS will gather more than 250 participants in Galway, Ireland, on 2 and 3 October 2024.

As usual, the conference is organised in partnership with IAWG and FSE. Though FSE could not contribute financially, its role remains important. FSE nominated writers who participated to the Steering Committee to shape the programme of the conference (Alex Haridi from Sweden and Francesca Massaro from Italy); is in charge of a few panels (“Roddy Who? A Commitment to Credits”, “Freedom of Artistic Expression”); has a key role in the “FSE/IAWG Joint Leadership Meeting”; liaised with the WCOS Irish team on organisation, liaised with the FSE member guilds to distribute information on the conference and ensure a large European participation despite limited number of available seats due to the venue capacity in Galway and the success of the conference among Irish writers.

IAWG and FSE will hold their annual meetings just before or after the conference.

## **VIII. Communications**

Despite efforts in developing communication tools, FSE remains quite weak in communicating on a regular basis, both internally and externally, in particular due to limited working time. The “Brussels strategy” - aiming at raising the financial capacities of the federation to set up a Brussels office - included the recruitment of an assistant to relieve Amélie Clément from various administrative and organisational tasks so she could work more on communication. This scenario not being possible at the moment, we will nevertheless improve communication. Both Denis Goulette and Amélie Clément will use part of their current working time to improve the communication tools and strategy, in particular to highlight FSE’s achievements which have not enough been communicated to a wider audience.

Denis has decided to send you regular “FSE Insights”, in a very simple e-mail format, designed to enable him to react quickly and keep you up to date with the key information he obtains in the course of his work.

Until now, FSE has developed its presence online with several accounts.

**Twitter / X: @ScreenwritersEU (422 Following, 1,647 Followers, 2,400 posts)**

**Facebook : screenwriterseurope (1.6K likes, 1.7K followers)**

**more recently on Instagram : fse\_screenwriters (65 posts, 458 followers, 97 following)**

**and on LinkedIn**

without mentioning the **website** <https://federationscreenwriters.eu> whose contents will soon need to be revised.

There was an attempt at gathering the FSE community on Slack but not enough persons joined, despite numerous invitations, to make it a useful tool.

## **IX. Governance**

FSE was created in 2001. The 23rd annual general assembly has been convened in Galway, Ireland on 4 October 2024 and will gather more than 50 participants representing almost all of the 32 member guilds. Age of maturity?

FSE executive committee and team put a lot of work this year to improve the governance of the federation, based on the experience gained during more than 20 years of existence, the deadline to comply with major changes in Belgian law and the necessity to clarify and rule on many aspects of the organisation, which had been so far completely empirical.

FSE executive committee and staff had in mind keeping a good balance between flexibility of organisation (empirical experience) and maturing the structure of the federation (a set of rules). We proposed to the general assembly revised statutes, a new fee structure and now some internal rules.

### **1. Revised Statutes**

FSE needed to review its statutes to take account of changes in Belgian law relating to non-profit organisations. We had to check if the statutes contained provisions contrary to mandatory provisions and if the articles contained the minimum compulsory information. The official deadline for these changes was 1<sup>st</sup> January 2024 so we could not anymore postpone this task. On the same occasion, upon recommendations from FSE staff, the executive committee made a few proposals, the main ones being:

- Introducing by-laws (internal rules)
- Introducing two votes per country instead of one, to be shared between guilds in case there are several guilds in one country (until the revised statutes, two guilds in one country had to share one vote).
- Changing the rules about fees: a fee per guild and not per country, as it was the case before.
- Changing the financial calendar year to go back to a “January-December” period.

The final version was not ready for the annual general assembly in Brussels in November 2023, therefore a hybrid Extraordinary General Assembly was convened in Brussels on 15 March 2024, preceded by an online meeting on Monday 11 March to present the revised statutes, explain the main changes, reply to questions and get some feedback from the members. The final version of the statutes (the official French version) was approved, the vote was registered by a Belgian lawyer who also supervised the official publication in the Moniteur Belge. The French version of the statutes and their non-official translation in English are available on the [website of FSE](#).

### **2. New Internal Rules**

FSE team and executive committee also had the plan to present internal rules to the Extraordinary General Assembly but this new document needed more work. The final draft WAS presented to the member guilds during an online meeting on 23 September, and will be proposed to the vote of the general assembly in Galway on 4 October 2024.

The role of these internal rules is to explain and complete some articles of the statutes or to rule on elements that are not ruled by the statutes. They could also be guidelines for future FSE staff and members of the executive committee to ensure some continuity in the governance of the federation, and guidelines for the member guilds and the people who represent them within the federation.

Unlike for the statutes, no need to go through a long legal process: the final text of the internal rules shall be approved by a simple majority of the full members present or represented at the General Assembly.

### **3. FSE AGM 2023**

The previous general assembly was organised in Brussels on 9 and 10 November 2023 in the beautiful premises of the Centre Belge de la Bande Dessinée (Comics Art Museum). It gathered more than 50 participants.

Among the decisions taken by the general assembly:

1. it unanimously approved the decision of the executive committee to welcome ASSA, Slovakia, as candidate member and the application of the Screenwriters Guild of Latvia to become full member;
2. approved the new annual membership fee structure;
3. elected a new executive committee;
4. approved the [IAWG motion on Artificial Intelligence](#);
5. and endorsed the revised current three year plan after discussion on policy priorities.

The draft minutes of the FSE AGM 2023 were circulated among the members by email on 19 December 2023. The final version will be presented to the approval of the general assembly in Galway.

### **4. Recruitment**

#### **a) David Kavanagh retired**

At the previous AGM, FSE executive officer David Kavanagh officially announced his retirement from his work at FSE. David was involved in the Federation of Screenwriters in Europe almost since its creation more than 20 years ago, first as chief executive of the Writers Guild of Ireland, then as FSE board member and since 2011 as FSE Executive Officer. David worked until mid-Summer to ensure a smooth transition with new FSE Délégué Général Denis Goulette.

#### **b) A long and complex recruitment process**

As mentioned above, the FSE executive committee and staff were very busy with the recruitment process, having to deal with the impossible challenge of recruiting a very competent and senior adviser like David Kavanagh with a limited budget.

The process consisted in:

- writing a job description,
- advertising the job offer (at first among FSE members, then among related organisations in the Brussels bubble then through social networks and via a paid announcement in EuroBrussels).

- reading through some 40 applications and making a pre-selection for the executive committee,
- organising a series of 6 interviews in Brussels in March 2024 with the selected candidates,
- following up with the two finalists,
- organising a final interview with Denis Goulette,
- in parallel, making some research into Belgium labor law to estimate what FSE could reasonably afford to a Brussels-based employee or to a French-based independent lawyer.

Achieving the recruitment of Denis Goulette proved to be a complex matter. The executive committee had to write a contract that took into account the fact that Denis Goulette is working as a French lawyer, was former Secrétaire Général of La Guilde française des Scénaristes (member of FSE) and founder of the new Syndicat des Scénaristes. Real efforts were made to open discussion with all parties, to respond to their concerns and put very strict clauses in Denis' contract to avoid conflicts of interest.

Denis Goulette's appointment as Délégué Général was officially announced early July 2024.

### **c) Denis Goulette's profile**

Holding a Master's degree in Intellectual Property, Denis Goulette has been working for twenty years in the media and cultural sectors. His legal career initially developed within two major French audiovisual groups. His strategic vision and leadership have strengthened the legal frameworks of these entities with a constant focus on better respecting authors' rights.

As the head of La Guilde française des Scénaristes for four years, Denis Goulette deepened his understanding of the various issues related to authors' rights and the vulnerabilities of creators facing the industry. He also served as French representative to FSE during the key negotiation phase of the 2019 Copyright Directive.

Founder of the Cabinet Avocat-DG law firm, he now brings his expertise as a lawyer in contractual law to clients, mainly artists-authors and professional organizations.

## **5. Staff**

The team of FSE is now composed of two part-time workers, FSE Délégué Général Denis Goulette and FSE coordinator Amélie Clément, each working under the supervision of the Executive Committee. They both work from home in France. The current budget of FSE is unfortunately still not sufficient to open a Brussels-based office and recruit, as the plan was initially, an administrative assistant.

## **6. Executive Committee**

A new Executive Committee was elected at the previous FSE AGM. It is composed of seven members:

- Carolin Otto, president (Germany)
- Maciej Karpinski, vice-president (Poland)
- Jacob Groll, treasurer (Austria)
- Gail Renard (Great-Britain)

Nikolaj Scherfig (Denmark)  
Vinicio Canton (Italy)  
Cyril Tysz (France)

The Executive committee meets regularly online, physically and exchanges regularly by email.

A new Executive Committee will be elected at the FSE AGM 2025.

## **X. Financial Overview**

### **1. Intermediary financial results**

Since the approval of the revised statutes, and to move to a January-December financial calendar, the current financial period, which started on 1st July 2023, will run until December 2024. There will be no vote at the FSE AGM 2024 to approve the financial account, however the executive committee will present intermediary financial accounts (covering the period July 2023-August 2024). The final accounts (closed on 31 December 2024) will be presented to the general assembly at an extraordinary general assembly to be organised before the end of June 2025.

FSE works with a Belgian accounting firm, Deg and Partners.

The new fee structure, approved at the previous AGM, applied to the annual membership fees for the year 2024. The total amount of the fees invoiced to full and candidate members for the year 2024 is 59,650 euros. Only a few candidate members have not yet paid their annual membership fee. The increased amount of the fees was a challenge for several guilds but the collective effort was worthwhile to increase the financial capacity of the federation.

FSE received the financial contribution of several partner members (CMOs or guilds): ALCS (Great-Britain, DAMA (Spain), SACD (France), WGA West and East (US) and the Danish Writers Guild. SGI in Israel could not pay its annual contribution in 2024. Unfortunately the applications to Kopinor in Norway were refused. SACD has informed us it will have to cut by half their yearly contribution (a loss of €5.000) but we are still hopeful to get this support. The current total amount of the contribution from partner members is 75,000 euros.

The total amount of the income invoiced to FSE members and Partner members is 134,650 euros.

The financial accounts for the current period will be based on the income for the year 2024 but will present expenses for the period July 2023-December 2024. From 2025, income and expenses will be matching.

The intermediary financial accounts (closed on 20 September 2024) present a result of **-13 675,49 euros**, while on 17 September 2024, there was **87 636 euros** on the bank account.

### **2. Budget 2025**

The executive committee will present a budget of 125 100 euros for the year 2025.

The annual membership fees for the year 2025 will be invoiced during the first trimester of 2025, based on the new fee structure voted at the FSE AGM 2023, and taking into account the current situation of each guild according to the criteria used in the new fee structure to evaluate the level of fee.

FSE managed to increase its financial capacity, but not enough to increase its human resources to cover all the work to be done and to open a Brussels-based office. In this context, fundraising remains a priority task, and the FSE members will have to choose carefully on which policy priorities the FSE team and executive committee should concentrate their efforts.

## **XI. Conclusion**

To conclude this comprehensive annual report, the executive committee would like to thank the FSE member guilds, full members and candidate members, as well as its partner members, for their financial effort to provide the federation with slightly more comfortable financial resources.

The executive committee thanks David Kavanagh for his long involvement in FSE, his true commitment to guilds and screenwriters, his expertise, the clarity of his explanations on complex matters to most of us and of course his jokes.

The FSE executive committee went through a complex recruitment process to replace FSE executive officer David Kavanagh and is now actively working with Denis Goulette. One priority for Denis is to focus on the member guilds' needs. He started a series of meetings with each guild, while taking over with David on the current policy issues, such as Artificially Intelligence and lobbying the new European Parliament.

In terms of governance, the federation developed tools to consolidate its internal structures, with the adoption of revised statutes and soon new internal rules. In terms of management, Denis Goulette and Amélie Clément will continue, despite limited resources in time and money, to find efficient solutions to run FSE and work with its member guilds.

FSE set up a few working groups on Credits, Article 19 (Transparency) and Artificial Intelligence, involving volunteers from member guilds. This way of working with the guilds is proving to be quite efficient, with concrete results which now have to be highlighted and implemented. Improving communication, internally and externally, to draw attention to the achievements of the federation and the work done by each guild is a priority for the coming period.

In particular, after putting great efforts in influencing the legislative decisions and building alliances with other creators' groups - though it has to be continued - FSE should draw attention to the increasing importance of collective bargaining for its members by improving the existing tools (databases), continuing to strengthen the guilds' capacity to collectively bargain, highlighting the guilds' successful negotiations of collective agreements or re-negotiation of existing agreements and regularly assessing the situation of the industry and the position of screenwriters.

The executive committee thanks the Writers Guild of Ireland for hosting the 6<sup>th</sup> World Conference of Screenwriters in Ireland. Despite a long journey to the West coast of Ireland, the high level of attendance demonstrates how important this event is for the guilds of screenwriters around the world. Ensuring a 7<sup>th</sup>

edition in two or three years' time is a priority. And in a globalized world, our collaboration with IAWG and WGA on joint campaigns is key.

At the 23<sup>rd</sup> annual general assembly of the Federation of Screenwriters in Europe, the FSE member guilds will define priorities for the next period, while having to take into account the limited financial and human resources of the federation.

FSE was created by a few screenwriters' guilds in Europe in 2001 to become the voice of professional screenwriters in Europe. FSE member guilds are the core of the federation. We are looking forward to meeting you in Galway to shape the future of FSE together.