

FERA

Federation of
European Film
Directors

Newsletter
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Fédération Européenne des
Réalisateur de l'Audiovisuel
fondée en 1980



Photo by Peter Himsel Berlinale 2011 From left: Matthijs Wouter Knol (Programme Manager Berlinale Talent Campus), Fiennes, István Szabó, Elisabeth O. Sjaastad (FERA CEO), Mike Goodridge (Moderator, Editor-in-Chief Screen International)

Berlinale

Szabó – Fiennes

Political Roundtable on
Hungarian Film

Editorial

Film Emergency Relief

2011 a crucial year for
the future of European
Cinema

News

FERA presentation

EP Copyright Working Group
MEDIA Programme
FERA gets 3 year EU grant

FERA President István Szabó and actor-turned-director Ralph Fiennes inspire young filmmakers at the Berlinale Talent Campus

During the ninth Berlinale Talent Campus FERA co-hosted the session “In the Limelight: István Szabó and Ralph Fiennes”.

‘Filmmakers positioning themselves’ was the central focus of this campus edition and empowered participants to clearly define their future goals. Many sessions were shaped by the close interplay between artistic, personal and political positions.

István Szabó and Ralph Fiennes worked together on Szabó’s film **Sunshine** (1999) and were very glad to be reunited in Berlin. Fiennes’ directorial debut **Coriolanus** premiered at the Berlinale on February 14 to critical acclaim. Fiennes directed himself in the title role.

Moderator Mike Goodridge got the pair talking about the director-actor relationship and their motivations and working methods. Fiennes spoke of the inspiration he drew from Szabó’s artistic philosophy, as well as other great directors he has worked with as an actor, such as Anthony Minghella (in **The English Patient**).

Szabó summed up the theme in his films to be how individuals are affected by political change, recalling that, as the regimes changed, the main street in Budapest has been renamed 7 times in Szabó’s own lifetime.

350 filmmakers from 88 countries left Berlin in high spirits, full of inspiration and overwhelmed with fresh input and ideas.

To me it is all about the human face. To capture an emotion being born and develop on the face of an actor. If you didn’t get that moment on camera, the only thing you can do is to rewrite the scene.

István Szabó



Photo by Peter Himsel Berlinale 2011

The session is available online on the Berlinale Talent Campus website

[HERE](#)



Photo by Sean Gallup/Getty Images Europe

From left: Hrvoje Hribar (CEO Croatian Audiovisual Center & FERA EC member), Henrik Bo Nielsen (CEO Danish Film Institute), Attila Bokor (Head of Film Department, Ministry of National Resources) Andrew Vajna, (Appointed Government Film Commissioner of Hungary)

Political Roundtable on Hungarian Film during the Berlinale

The Hungarian film funding system and its ongoing reconstruction was the main topic of this year's Cinema Total that brought together leading figures of national film industries and decision makers of various film funding systems, and several members of the Hungarian government: Henrik Bo Nielsen (CEO of the Danish Film Institute), Dr. Peter Zawrel (President of Vienna Film Fund), Simon Perry (ACE/ Atelier du Cinéma Européen and the Irish Film Board,) and Hrvoje Hribar (Head of the Croatian Audiovisual Centre), Andrew Vajna (Government Film Commissioner), Attila Bokor (Head of Film Department, Ministry of National Resources) and Zoltán Kőrösi (President of Hungarian Motion Picture Public Foundation).

The panellists discussed the prevailing questions for the Hungarian and European film industry, looking at the current situation and the ongoing reconstruction of Hungary's film sector, as well as financing practice in

European countries with similar challenges with regards to language and population size.

Both FERA CEO Elisabeth Sjaastad and Chairman Piers Haggard were present and active in the debate.

Piers Haggard expressed FERA's concerns about the proposed new Media Law, and its implications for free speech and democracy in Hungary, but wished Andrew Vajna well in the difficult task of restructuring the production funding system. He also fully supported Danish Film Institute CEO Bo Nielsen's emphasis on the importance that politicians are kept at arms length from all funding decisions.

The round table discussion took place in the Collegium Hungaricum and was moderated by András Monori Mész (curator and FERA member), Bernd Buder (Connecting Cottbus), and Nick Holdsworth (Variety).

It's going to be the individual creative voices who will make the successes of the future Hungarian cinema.

Piers Haggard
Vice-President and Chair

My question to Mr. Vajna is: How do you plan to involve the Hungarian film industry so that they also feel ownership to the new structure that you want to put in place?

Elisabeth O. Sjaastad
CEO



FERA CEO and Chairman at Collegium Hungaricum

Watch the roundtable on YouTube

[HERE](#)

Read Variety's report from the roundtable

[HERE](#)



FERA CEO Elisabeth O. Sjaastad

FERA: Film Emergency Relief Administration

EDITORIAL

A few days ago the FERA office received an invitation for our President István Szabó to speak at an upcoming conference on the future of the audiovisual industry. The acronym FERA refers to our French name: Fédération Européenne des Réalisateur de l'Audiovisuel, but this official invitation was curiously addressed to another FERA – namely the "Federal Emergency Relief Administration". This was, however, an eerily appropriate mistake.

According to Wikipedia, the Federal Emergency Relief Administration was established by President Roosevelt as one of the first relief operations under the New Deal in a depression plagued America.

During its short existence between May 1933 and December 1935 FERA provided work for over 20 million people and operated a wide variety of work relief projects, including construction, projects for professionals (e.g., writers, artists, actors, and musicians), and production of consumer goods.

For the past year our Federation has had to respond to many European Film emergencies. According to our members, FERA's assistance has provided some relief and helped limit the damage - at least temporarily.

The financial crisis has resulted in severe and repeated cuts to film funding in many countries,

and especially those with a low production capacity are fighting for the very existence of a national film industry. This was the main topic of a regional meeting I had with the 3 Baltic members of FERA in December last year. They are each dreaming of making 6 films per year. Then they could actually offer their audiences a real choice of seeing a film from their own country.

2011 is set to be a crucial year for European film. And Brussels is in the director's chair on a number of policy initiatives that can either make or break us for the next 10 years and beyond.

And given the current economic climate, the timing of all of this is not exactly ideal. The present circumstances conspire to make this quite a political thriller.

The European Commission has announced a series of policy proposals that will have major consequences for the financial framework and structure of the audiovisual industry. Many of the initiatives appear to benefit the sector, but it will be an uphill battle to actually get the desired results, as strong forces will invest heavily to obtain a different outcome.

At the end of March an Intellectual Property Strategy dealing with copyright, patents, trademarks and commercial secrets will be launched. The purpose of such an overarching strategy is to show that intellectual property is not an obstacle to the

internal market, as many claim, but rather an "enabler". With a European Parliament that is considered rather hostile towards copyright, the Commission wants to place it in a wider context with some of its less controversial "cousins".

During the first 6 months, a Green Paper on Audiovisual Production and Video-on-Demand is expected to deal with the current chronology of release windows and limitations to access based on territoriality and how these practice can be changed in order to give consumers quicker access to films online,. The big question for the film industry is of course how we will then finance our films. The EU tends to forget to think about that...

In May there is likely to be a Regulation on Collective Management of Rights which is to set rules for transparency and governance of Collective Management Societies (CMS'). It is also intended to be a flexible instrument that leaves it up to each society's members to decide on the scope of its operations, but a pan-European licensing scheme will be proposed to enhance cooperation between CMS' to achieve simpler and quicker cross-border licensing of film and music for commercial users.

A related initiative that has been the subject of much debate in recent years is Digital Libraries and the issue of how to finance mass digitisation and rights clearance of National Libraries' collections and broadcasters archives, including how to deal with so-called "orphan works" (where the author(s) cannot be identified or tracked down) or out-of-print works. National Libraries and Cinemateques have been unsuccessful in seeking an exception to copyright.

The challenge remains how to negotiate remuneration for the use of these works, preferably collectively, and what the criteria for conducting a diligent search should be before granting a work "orphan" status. At this point it seems uncertain if this policy initiative will ever be published, as apparently no satisfactory solution has been found. The various drafts that have been circulating within the Commission may simply be put in the desk drawer,

In the autumn the European Commission will publish a Communication on the follow-up to the Green Paper "Unlocking the potential of the Cultural and Creative Industries".

Towards the end of the year, the 2004 Directive on Enforcement of Intellectual Property Rights, will be revised to include better tools for combatting online copyright infringements.

Around the same time the European Court of Justice is expected to make a ruling in the case between the Premier League and a British pub owner who bought a satellite card in Greece and showed Premier League matches on a big screen TV in London. The advocate General recently published her opinion in the case and if the court follows her (80% likely) it could mean the end to selling film rights with geographical restrictions (by territory) within the EU.

But how many commercial operators are willing and/or able to buy a Europe-wide right to a film?

Very few, if any, conduct business in all European countries. European TV-distribution of anything other than American blockbusters may as a consequence become non-existing.

Furthermore the Commission will put considerable pressure on the parties to reach a stakeholder agreement on private copy levy on ICT equipment and for this to be harmonised on the European level. Several stakeholders will attempt to get rid of the whole levy in this process. That would be a severe blow to seed funding of new films and fair remuneration of authors.

And as if this wasn't enough, the European Commission has started preparing the framework for the next EU budget period which will run from 2014-21 (or 2024!) Intense discussions are going on internally, and all EU Programmes will undergo rigorous evaluation, including the MEDIA Programme (that just celebrated its 20th anniversary). During the Berlinale troubling reports emerged that the MEDIA Programme is going to be "phased out".

In 2011 the proposal for a new MEDIA Programme will be drafted, but it will take 1-2 years of negotiations between the Council and the European Parliament before we know if it will be continued, cut or perhaps scaled down and merged with the more marginal Culture Programme.

But in the EU 2020 Strategy the Commission wisely maintained that *"even in a time of necessary fiscal consolidation, the Stability and Growth Pact allows room for investing in the future"*.

Surely this also means investing in the future of Europe's creators and creative industries by preserving and reinforcing existing

instruments, such as the MEDIA Programme, an essential factor in achieving the EU 2020 Strategy ambition to *"unleash our creative and innovative potential"*.

Artistic creation is increasingly recognized as a key element in creating public value, culturally, economically and socially. The range of human, material and technical resources in the cultural fields contribute significantly to income and employment, and to social inclusion.

Even in times of hardship Europe's citizens have the right to access culture, and they deserve a flourishing European audiovisual industry.

On February 18 President Barroso gave a lecture at Cambridge University in which he stated: "We all have to learn to live within our means. Across Europe, difficult choices are being made."

FERA has through its broad base of members and its presence and standing in Brussels a unique network to monitor and communicate how national and European choices affect filmmaking on the ground.

This editorial was initially going to be called "To be or not to be" but I guess I'll save Shakespeare for the day when we are confused with the *coregonus FERA*, a presumed extinct freshwater fish from Lake Geneva in Switzerland, that succumbed to overexploitation and hybridisation in the 1950s.

2011 will be an exceptionally important year for us. We will likely face many challenges – but also opportunities - and it is the way we all choose to tackle them that will define the future of European cinema.

Elisabeth O. Sjaastad

FERA presentation at the European Parliament Copyright Working Group:

"The 7 C's of Copyright"

On January 12, FERA CEO Elisabeth Sjaastad was one of four experts invited to give a presentation before the Copyright Working Group of the European Parliament. The topic was the importance of copyright from the artists' perspective and what creators wanted from them as lawmakers,

In her Presentation "The 7 C's of Copyright, Sjaastad shared her vision as a film director of what copyright stands for, and how it affects her daily work. She also point out current practices that she believed undermine the spirit and intention of most copyright laws.

Today many seem to have a perception of copyright in which the ©represents:

Corporate greed:
Multi-national corporations that do not give the creators and artists their fair share of earnings.

Consumer constraints:
Old business models that limit access to works by territory and by a pre-imposed chronology of release windows.

Collective management societies:
Sometimes lacking either democracy, transparency or efficiency.

It is Sjaastad's claim that these are all problems of how copyright is **exercised** and not problems of copyright laws themselves.

Yet some stakeholders promote such a view of copyright because they have a vested interest in undermining copyright

legislation, and seek a reform that is financially lucrative for them.

She urged the MEPs to examine their motives before changing copyright at the expense of the creators it was designed to protect.

Sjaastad went on to describe what she sees as the core values of copyright, "the 7 C's of copyright":

Creators' Rights, Creative Freedom, Cash, Continuity, Collaboration on Fair Terms, Consequences, and Creator-Consumer Partnership.

Download the full presentation "The 7 C's of Copyright" from the FERA website [HERE](#)

FERA contributes to Green Paper consultation on a European Contract Law

An increasing number of creative professionals in Europe, including directors, are self-employed, multi-national and nomadic. It is crucial to improve their socio-economic status and to strengthen their contractual position.

Frequently when a director comes to the point of signing the contract, the power of the producer and the current demands of the market players, paradoxically deprives him or her of the benefit of well-intentioned copyright laws.

In the contribution FERA gives concrete proposals for what needs to be covered to ensure fair contractual terms for authors, both offline and online.

Download the full contribution from the FERA website [HERE](#)

FERA Executive Committee held meeting in Berlin

The new Executive Committee met for two days in Berlin to discuss financial and operational matters, as well as this year's FERA projects, policy positions, and future collaboration with other organisations.

CEO Elisabeth Sjaastad outlined the very busy political agenda in Brussels and the desired advocacy strategy.

The main special project for 2011 is the ongoing work on FERA's Director's Contract Guide, which is being drafted by FERA chairman Piers Haggard in collaboration with our Legal Advisory Board.

FERA Executive Committee

Piers Haggard (UK), Gabriel Baur (Switzerland), Michel Andrieu (France), Håkan Bjerking (Sweden), Hrvoje Hribar (Croatia), Maurizio Sciarra (Italy) André F. Nebe (Germany)

UK director Tom Hooper awarded "Best Director" at 83rd Academy Awards

European film triumphed at the Oscars on February 27.

The King's Speech, which received €562 000 in distribution support from the EU MEDIA fund for cinema won 4 Oscars: Best Picture, Best Director (Tom Hooper), Best Actor (Colin Firth) and best original screenplay (David Seidler).

In a Better World directed by Denmark's Susanne Bier, another MEDIA-backed film, took home the Oscar for best foreign language film.

Read Screen Daily's report on the MEDIA Programme "phase out"

[HERE](#)

Read Screen Daily's report on the upcoming meetings on the future of MEDIA

[HERE](#)

Head of MEDIA Unit Aviva Silver/Screen Daily



Public hearing organized by the European Commission on the future of the MEDIA Programme

The purpose of this hearing is to seek the views of interested parties on the future of the MEDIA Programme, and to present the results of the written consultation which took place during the autumn of 2010. A record 2.600 contributions were submitted.

FERA will represent the film directors' point of view at this hearing in Brussels on March 18.

FERA issues statement in support of the MEDIA Programme

FERA notes with concern the latest reports on the future of the MEDIA Programme, which in its 20 years of existence has played a crucial role in improving the competitiveness of the audiovisual sector in Europe. By greatly enhancing cross-border cooperation and exchange, the successful MEDIA support schemes have contributed to forging the basis for the emerging digital single market, and improved investment in high quality audiovisual content for which there is today a tremendous consumer demand.

If the European Union is serious about putting creativity and innovation at the centre of the agenda for the coming decade, as stated in the EU 2020 Strategy, there must be political courage to take targeted legislative action that actually fosters and promotes creation. FERA calls on the Commission to invest in the future of Europe's creators and creative industries by preserving and reinforcing the MEDIA Programme, an essential factor in achieving the political ambition to *"unleash our creative and innovative potential"*

Download the full statement from the FERA website [HERE](#)

Hungarian Presidency conference: The Contribution of Culture to the Implementation of the Europe 2020 Strategy

FERA CEO Elisabeth Sjaastad attended the conference in Budapest on February 28 & March 1.

As the EU is currently preparing the next multi-annual financial framework, Commissioner Vassiliou, in her opening speech, spoke of her commitment to seek a new generation of EU programmes that are updated to the current needs of the cultural sector and that help them embrace the digital shift. She also stressed that artists must benefit from the right conditions to flourish, so that "creativity does not lead to poverty".

Although the word culture is not mentioned in the EU 2020 Strategy, there is no doubt that culture greatly contributes to achieving its goals.

In her speech Doris Pack, Chairwoman of the European Parliament Education and Culture Committee, declared her strong support for the successful MEDIA programme and urged both the Commissioner and the conference participants, many of whom represent cultural ministries of member states, to help secure its future.

FERA selected for 3 year grant from the European Commission Culture Programme

On February 28 the European Commission published the list of beneficiaries of annual and multi-annual grants for European organisations under Strand 2 of the Culture Programme.

FERA was among the 22 networks selected for a 3-year grant, in the first year that audiovisual organisations were eligible to apply. FERA is the first and only organisation from the audiovisual sector to be selected.

The grants are awarded after a rigorous and highly competitive application process (125 submitted proposals) where the applicants must argue how their proposed activities fulfill the objectives of the Culture Programme.

FERA submitted a comprehensive and ambitious 3-year work programme that details our plans to further develop our network of members, an advocacy strategy that maximizes the impact of our actions and educates new generations of filmmakers about their rights as authors, as well as a range of offline and online activities that promote European cinema.