



Dear FERA Members,

2012 has been another successful year for FERA, although many of our member associations, and their own members, are finding life very hard in this, the most severe economic downturn since the 1930's.

There are no easy solutions: we must be determined to continue practising our art and craft, no matter how hard it is. I have personally been inspired by the example of some Greek colleagues whom we met at the General Assembly. In Athens, in the most desperate economic circumstances, the MICRO movement somehow manages to go on making its films, and telling its stories. It's an example to us all.

If resources are going to be less, our leaders have even greater responsibility to use them well. It is now widely accepted that cultural activity brings economic benefits; unfortunately some governments still fail to recognise this, and some members have had bitter disappointments this year.

FERA will again in 2013 be attempting to persuade national governments and EU policy makers to give culture and film production their full and proper share of resources. Securing an adequate budget for "Creative Europe", the new framework programme for Culture and MEDIA, is going to be the first battleground.

We will also be pressing ever harder for film makers in all countries to receive their fair share of rights payments and profits - even more important when times are hard.

FERA had considerable success in July when the final version of the Cavada Report by the European Parliament adopted many of our proposed amendments and called for 'an end to buyout contracts' and 'fair payment to authors for all uses of a work': but there is much still to do. The issue will be discussed in depth by the Executive Committee with European representatives of the international producers' association, FIAPF, during the Berlinale in February. Contractual justice has probably been the central preoccupation of my time as Chairman. I am glad to say that translations of our Contract Guidelines continue to appear. I have taken a close personal interest in adapting the text for the French translation this year; the German version comes out in early 2013, then Russian. Perhaps it is time to extend FERA's membership eastwards, though the greatest gap in FERA is still Spain, where we would dearly like to help in the creation of a national association.

We have this year improved our contacts and relationship with collecting societies, especially with SAA. Our response to the Collecting Societies Directive is still being worked on. We want to highlight the right of directors (who are often in a minority) to have fair representation within the structure, and if this is impossible, the right to form their own society without punishment. Is this issue important to you? Our draft position paper will come to you in early January. We look forward to your responses.

A useful and positive General Assembly, splendidly hosted by Danish Film Directors, was one of the highlights of 2012; Directors UK will do well to beat that in London in September next year!

We spoke in Copenhagen of the need to choose a new President, as István Szabó is retiring, having served his maximum term. We owe István an enormous vote of thanks for four years of dedicated service.

I am delighted to say that the EC has managed to persuade Sir Alan Parker to become FERA's next President. Most of you will know Alan well, not just from his films but also from the witty cartoons which have adorned our Newsletter for the last year or more. We should remember that Alan was the first Chairman of UK Film Council, sadly abolished by the current UK Government. He has enormous experience of the issues that concern us all and will add considerable weight to FERA's presence in Brussels as we face the next difficult years.

An important topic discussed at the General Assembly was the interchange of ideas within FERA. Delegates said that many of their own members still knew little or nothing of the organisation, and that the FERA delegate at Board meetings was often sidelined. This issue needs to be a priority for 2013. Perhaps it might help if associations circulated our Newsletter to all of their members, especially now that there are French and German translations? We are very keen to hear from you with any ideas for increasing the feedback from associations to the office and for raising the profile of FERA amongst all European directors.

FERA has been very fortunate this last year in receiving support from not only from the EU Culture Programme but also from SACD, TROMB and FilmJUS, for which we are extremely grateful.

However members' subscriptions are necessary to our existence, so I ask you to pay them promptly and in full. If FERA is not strong it cannot do battle for your rights.

May I wish you all a very Happy Christmas and every success, professional and personal, in the New Year.

Very best wishes,



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NEWS FLASH

Licensing Europe

On 5 December, after a debate initiated by European Commission President Baroso, the 27 EU commissioners agreed on a two-track approach to ensure copyright stays "fit for purpose" in the digital economy.

The first action "Licensing Europe" is a structured stakeholder dialogue to be launched at the beginning of 2013 that will address six issues where "rapid progress" is needed and report back to the College of Commissioners by December 2013. The six issues are: Cross-border portability of content; User-generated content; Data and text mining; Private copy levies; Access to audiovisual works; Cultural heritage.

The dialogue will be jointly led by 3 Commissioners Michel Barnier (internal market); Neelie Kroes (digital agenda); and Androulla Vassiliou (education and culture).

Impact Assessment

The second action consists of commissioning relevant market studies, impact assessment and legal drafting work "with a view to a decision in 2014 whether to table legislative reform proposals".

Remuneration

The Commission also aims for a "modern copyright framework" that would guarantee "effective recognition and remuneration of rights holders in order to provide sustainable incentives for creativity, cultural diversity and innovation" as well as open up "greater access and a wider choice of legal offers to end users", and "contribute to combating illegal offers and piracy".

Read the full press release from the European Commission [HERE](#)

European Commission launches new public consultation on copyright enforcement

DG Internal Market and Services has opened a new round of public consultation concerning civil enforcement of intellectual property rights in the form of an interactive survey. The deadline for contributions is March 30, 2013.

The survey can be found [HERE](#)