



FERA

Fédération Européenne des Réalisateur·s de l'Audiovisuel
Federation of European Film Directors

FERA General Assembly 2016

Foreword

European Directors Staying Ahead in the Digital Age

The digital shift has brought swift and drastic changes to the audiovisual sector. Directors have been experiencing this in their craft on a daily basis, from the evolution of technology on set and in post production to new trends in story-telling. With new proposals from the Commission that promise to shift our copyright, this is an important time of change for us and our sector, and we need to understand the road ahead.

When the new Commission came into office in late 2014, it decided to accelerate this path to the future by creating a « Digital Single Market » which, in its view, must tear down regulatory walls and bring down the existing barriers online, because *« citizens miss out on goods and services, internet companies and start-ups have their horizons limited, and businesses and governments cannot fully benefit from digital tools »*.

No one doubts that our European audiovisual sector is undergoing a profound shift, particularly in the field of distribution, and there is still a lot of change to come. But it's a fragile commercial ecology, a reality that must not be overlooked : the importance of territorial exclusivity of rights in particular, which not only informs the public funding of works, but also the licensing practices to distribute them, and which give rise to the investment in new films, TV series, documentaries, etc.

Over the last year, FERA has been deeply engaged in lobbying on your behalf over the Commission's proposals to legislate in this area. The Commission's slightly obsessive response to the digital shift in the audiovisual field is mostly focused on EU consumers' cross-border access to films, TV series or football games. We have repeatedly expressed our concern that this threatens the very investment and distribution structure of our sector. FERA will continue to work with other industry stakeholders in Brussels, ranging from film agencies to commercial operators, to promote a sustainable framework for our industry.

On the plus side, thanks in part to the efforts of our Author's Group, the Commission are now paying serious attention to the question of copyright. Jean-Claude Juncker told the European

Parliament recently : *'Artists and creators are our crown jewels'*, promising : *'As the world goes digital, we also have to **empower our artists and creators and protect their works.** (...) The creation of content is not a hobby. It is a profession. And it is part of our European culture. I want journalists, publishers and authors to be paid fairly for their work, whether it is made in studios or living rooms.'*

It's an important moment for us : finally our arguments on fair remuneration are being heard, and we have an historic opportunity to change for good remuneration terms for our members, by strengthening our rights.

This year, our aim for the General Assembly is to create a forum in which we European directors can discuss how to get to grips with this new reality: how we can retain our status as creative leaders in the new digital era, what the Commission's proposal mean for us and our rights – and what we must do to change them for the better.

Programme presentation

Saturday, October 8 – Morning General Assembly Session 1 Statutory agenda

- FERA Chair Dan Clifton Opening Speech
- 2016 GA opening statutory agenda points.

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- Panel : **What's next for the campaign on gender equality ?**

Over the last few years, gender equality in the audiovisual sector have been the focus of two European-wide studies, and the Council of Europe took an official stand to end gender discrimination in our industry, underlining that « *true democracy must make full use of the skills, talents and creativity of women and men alike* ». We've heard in previous FERA GAs about national campaigns for gender equality in film and TV directing, based on striking data.

What were the factors of success of these initiatives ? Which proposals were picked up, which failed ? What are the next steps for these national campaigns, and for our European action ?

With **Ali Bailey** (Directors UK), **Juliette Jansen** (Dutch Directors Guild), **Ursula Häberlin** (ARF/FDS) ; moderated by FERA Executive Committee member **Adela PEEVA** (UBFM) & FERA CEO **Pauline Durand-Vialle**.

Saturday, October 8 – Afternoon
General Assembly Session 2
« Members' Forum »

To provide GA delegates with a more structured dialogue opportunity, key topics emerging from members' national reports and current EU affairs have been selected to be discussed in a panel format, before opening the floor to all participants.

- Panel : **Are we still the creative leaders of audiovisual works in the 21st century ?**

Despite a boom investment on new formats and new opportunities in the digital age, our craft is changing rapidly and our creative leadership is increasingly challenged across genres. If the status of the director as creative leader and author is weakened, there is a risk it will impact on our creative control on the works, as well as on the value of our rights.

How can European directors be empowered once again, and retain their status as primary authors of audiovisual works ? Is further involvement in the production process the solution ?

With **Francesco Bruni** (100autori), FERA Executive Committee member **Klemen Dvornik** (DSR), FERA Executive Committee member **Birgitte Stærmosé** (Danish Film Directors) ; moderated by **Paul Unwin** (Directors UK).

- **Presentation by Julia Vytopil**, manager of the Collection Access department at the **Sound and Vision Archive of the Netherlands Institute for Sound and Vision**.

About the immense possibilities of the Institute's digital archive for international professionals.

- Panel : **A changing world of distribution and EU intervention : what does the online future holds for our works and our rights ?**

The digital shift has brought about huge disruption in the distribution of European audiovisual works. New online distribution operators like Netflix and traditional broadcasters' emerging online offers are challenging the traditional ecology of the European audiovisual industry, from national audiovisual policies to the promotion of our works. The very value of copyright is also challenged : the opacity of certain operators' business models and revenues actually generated by the works online means we rightholders are negotiating blindfolded.

In their new proposals, the Commission proposes to strengthen the obligations of these online players to the local audiovisual industries (AVMS Directive review), as well as to change the copyright legal framework to allow for more cross-border access and more transparency for authors regarding how their works are sold. The latter directly involve authors in this debate for

the very first time, but what does transparency mean in practice ? Do these proposals go far enough to secure European authors' capacity to express themselves in the future and live off their work ?

*With FERA CEO **Pauline Durand-Vialle**, **Sandra Piras** (Danish Film Directors), **Martijn Winkler** (Dutch Directors Guild) ; moderated by FERA Chair **Dan Clifton**.*

- Panel : **Winning the argument for directors' rights and fair remuneration : how to set out economic evidence ?**

FERA's campaigning has placed the question of fair remuneration centre stage, an argument the Commission has accepted in its Copyright proposals. The economic value of these rights for European directors is a key element to these discussions – yet figures on directors' income are hard to come by.

What are the risks and opportunities presented by the Commission proposals for directors' rights ? How do we define and campaign over fair remuneration at national and European level ?

*With FERA Executive Committee member **Peter Carpentier** (BVR), **Andrew Chowns** (Directors UK), **Patrick Raude** (SACD) ; moderated by FERA CEO.*

Sunday, October 9 – Morning
General Assembly Session 3
Digital Single Market & copyright campaign : what's next ?

European Commission President Jean-Claude Juncker gave the State of European Union address to the European Parliament on September 14, during which he announced the proposals for a review of the EU copyright legislative framework as part of its vision for the achievement of an EU Digital Single Market.

Proving that authors have to some extent succeeded in fighting their way back in the agenda, he stated :

"As the world goes digital, we also have to empower our artists and creators and protect their works. Artists and creators are our crown jewels. The creation of content is not a hobby. It is a profession. And it is part of our European culture."

"I want journalists, publishers and authors to be paid fairly for their work, whether it is made in studios or living rooms, whether it is disseminated offline or online, whether it is published via a copying machine or hyperlinked on the web."

What are the risks and opportunities presented by these proposals ? Which provisions specifically affect audiovisual authors ? Now that the proposals are on the table, what do we want to retain, and what do we want to change ? What do we need to do to change it ?

- **Overview of Digital Single Market proposals and agenda** by FERA CEO, followed by Q&A

- **Rallying authors at EU level** : discussion on next steps with **David Kavanagh, Executive officer of the Federation of Screenwriters in Europe (FSE)** and **FERA Chair Dan Clifton** moderated by **Martijn Winkler, Chair of the Dutch Directors Guild**

- **Presentation of campaigning strategy** (briefing materials, tools for campaign, targets for communications and action items for members) by FERA CEO, followed by Q&A

- **Closing statements**

ABOUT US

The Federation of European Film Directors (FERA), founded in 1980, is the only organisation representing film directors at the European level. With 35 directors associations as members from 29 countries, we speak for more than 20,000 European screen directors, representing their cultural, creative and economic interests at the national and European level. FERA works to promote policies that maximize the creative, social and commercial potential of the audiovisual industry.

FERA's Executive Committee

Sir Alan PARKER (UK), *Honorary President*
Dan CLIFTON (UK), *Chairman* ; **Sverre PEDERSEN** (Norway), *Honorary Treasurer*
Christophe ANDRÉI (France), **Peter CARPENTIER** (Germany), **Klemen DVORNIK** (Slovenia),
Adela PEEVA (Bulgaria), **Birgitte STÆRMOSE** (Denmark), **Maurizio SCIARRA** (Italy)

FERA's Creative Council

Marco BELLOCCHIO (Italy), **Claire DENIS** (France), **Agnieszka HOLLAND** (Poland), **Neil JORDAN** (Ireland),
Michaël R. ROSKAM (Belgium), **Charles STURRIDGE** (UK), **István SZABO** (Hungary)

In Brussels

Pauline DURAND-VIALLE, *CEO*

FERA, AISBL

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