

FERA

Federation of
European Film
Directors

Newsletter
May 2011

Fédération Européenne des
Réalisateur de l'Audiovisuel
fondée 1980



FERA President István Szabó and CEO Elisabeth O. Sjaastad attended the Budapest conference

AV-Conference

Szabó speech

Hungarian Presidency hosts conference on "Future of the Audiovisual Industry"

News

FERA members

CISAC meeting in Dublin
Rome meeting, EU XXL Linz,
Cannes

Editorial

IP & PI

Intellectual Property &
Public Interest

FERA President István Szabó speaks at Budapest Conference on "Future of the Audiovisual Industry"

Excerpt from speech given in Budapest on April 19:

Currently online content is addressed to people who are separated from each other, that's why manipulation, the raising of false and bad emotions present a greater risk than ever. Online contents are difficult to control, so content-providers have a huge responsibility towards society, especially towards the young.

Indicating the source of contents is likely to become decisive. If nobody and nothing protects the rights of the content's author, if the content can be spread without any remuneration, then he will lose all opportunities to make a living by the contents that he created.

So he will be forced to take on something else to be able to support his family. Thus online contents gradually become hobby contents. If somebody feels like telling us something, he can, if somebody has a mania, he can pour it over us – standards will disappear or will be hard to detect.

Creating online content is the future, and we believe that we will participate in it, in an accountable and responsible way, by representing the cultural values and spirit of Europe, by demonstrating that the culture of Europe lives, and is rich, and we are able to show to the world not only the ruins that talk about our history – from the Acropolis to Auschwitz.



István Szabó

István Szabó is currently in post-production on his new film "The Door" starring Dame Helen Mirren and Martina Gedeck.

Mr. Szabó will serve as Jury President at the Karlovy Vary International Film Festival in July.

NEWS FROM FERA MEMBERS



“AUTHORS - NOT GADGETS”

Birch Hamilton, Executive Director of Screen Directors Guild of Ireland (SDGI) chaired the panel featuring Irish audiovisual authors. FERA CEO Elisabeth Sjaastad also spoke on this panel.

FROM LEFT:

Irish Minister of Arts Mr. Jimmy Deenihan, Birch Hamilton SDGI, director/screenwriter Ian Power, Elisabeth O. Sjaastad FERA, David Kavanagh, CEO Irish Playwrights & Screenwriters' Guild/Federation of Screenwriters in Europe

Screen Directors Guild of Ireland welcomed CISAC International Council of Dramatic, Literary and Audiovisual Creators

The Screen Directors Guild of Ireland welcomed a significant number of directors and writers from all over the globe at the CISAC International Council of Dramatic, Literary and Audiovisual Creators on the 13th and 14th of April. Authors came together from 35 countries to discuss important global issues relating to the rights of creative authors and the leading role of

authors in the future and discussed issues such as: Supports to artists, payments for writers and directors, new technology the, payment for films and books online.

The Irish Minister of Arts, Heritage and Gaeltacht Affairs gave a key note speech and the event culminated in an evening reception hosted by the Deputy Lord Mayor in the Mansion house.

Italian film industry gathered on April 8 to discuss future funding

The Italian industry came out in full force at the meeting organized by FERA member 100 Autori and Cinecitta Luce at the Cinema Quattro X in the centre of Rome on April 8. The topic on the agenda was how to create a healthy film funding scheme for Italian films, building on the newly introduced tax that will benefit Italian films.

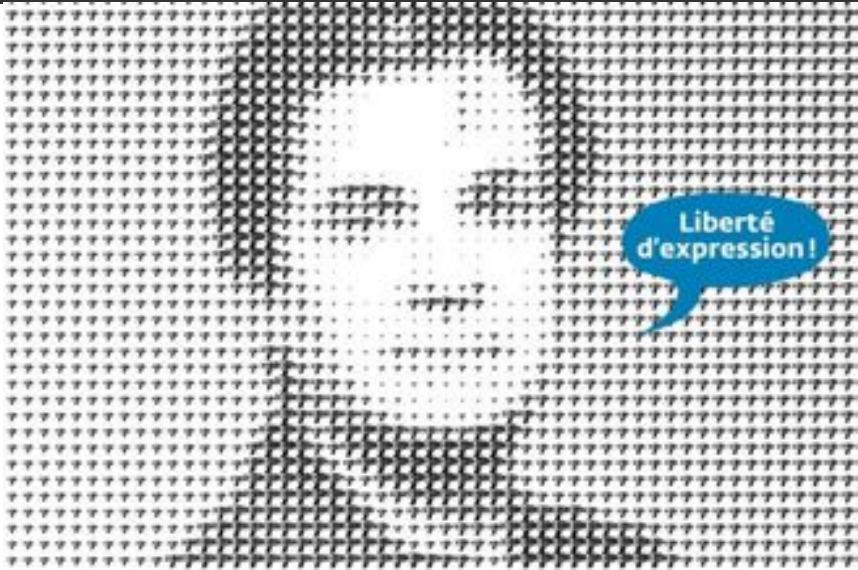
French FERA member l'ARP had been invited to explain the French film funding systems which is probably the best, and most complex in Europe. FERA CEO Elisabeth Sjaastad was invited to give an overview of relevant practices in other European countries.

FERA speaks at EUXXL Film Forum in Linz, Austria

EU XXL Forum, organized in cooperation with „CROSSING EUROPE Filmfestival Linz“ April 13 - 16, is a high-level conference on recent European developments relevant to the audiovisual sector. One of the topics for discussion this year was: “The Outrageous Demands of the Creatives: Paid Work” on the special working conditions in the film and television industry. Elisabeth Sjaastad spoke of working conditions similar to those that reigned in the rest of society 100 years ago. Creative working conditions are getting worse, shooting days are reduced, people don't get paid more, yet budgets are growing. Sjaastad quoted key findings from a member survey recently conducted by the Norwegian Filmmakers' Association (whose members include both directors and crew):

57,4% did not get a contract on the last project they worked on in 2010. 69,3% worked more than 13 hour days. 30,7% had a psychological or physical breakdown during 2010 as a result of long working hours and excessive stress.

NEWS FROM FERA MEMBERS



FERA calls for the release of Iranian film director Jafar Panahi

FERA calls for the immediate overturn of the outrageous convictions of Iranian filmmakers, whose only crime is to be brave enough to make films that resonate with the rest of the world in their honest portrayal of our shared humanity.

Freedom of expression and debate are core values of every enlightened society and should be welcomed by any political leadership that claims to represent its people. Read full statement [HERE](#)

Société des Réalistes (SRF) award 2011 Carrosse d'Or to Jafar Panahi

The Carrosse d'or* (Golden Coach) Prize is a tribute by directors of the SRF to one of their own, chosen from the international filmmaking community for the innovative qualities, courage and independent-mindedness of his or her work.

"Firstly it allows us to salute a great filmmaker's talent. From the White Balloon to The Accordion and Offside, Jafar Panahi has blurred the borderlines between documentary and fiction to impose a critical yet humanist vision of his country: Iran.

Today, this liberty we admire is imperiled. In December 2010, Jafar Panahi was sentenced to six years in prison, this sentence including « a ban on making films and writing screenplays » Because no filmmaker, no author can remain indifferent to the violence of such a decision, the SRF has promised to break the silence imposed on Panahi, for freedom of expression. "

indiCINEMA project established to revitalize Italian independents

ANAC, in cooperation with other important associations, has founded IndiCINEMA, an innovative project to revitalize the Italian independent cinema.

The proposal is based on a new production and distribution model that will provide more space for independent movies that are now penalized by the circuits of the majors.

The aim of IndiCINEMA is to restore vitality in the expressive world of Italian production and rebuild a clear relationship with the audience through a new production and creative approach regulated by a shared ethical code.

IndiCINEMA just achieved significant success at Cannes and will be presented at the next Venice film festival "Giornate degli Autori – Venice days".

Société des Réalistes (SRF) host FERA lunch in Cannes

The traditional FERA Lunch was once again hosted by FERA member SRF whose Michel Andrieu is currently Vice President of FERA. Members from France, Italy, Portugal, Germany, Denmark and Sweden enjoyed a pleasant meal on the Directors' Fortnight's Beach discussing the current issues that concern directors and exchanging news.

In attendance:

Michel Andrieu SRF and FERA Vice President, Pauline Durand Vialle, Deputy CEO SRF, Håkan Bjerking Chairman Swedish Film Directors and FERA Honorary Treasurer, Anders Refn Denmark, former FERA Vice President, Peter Carpentier BVR Germany and former FERA Chairman and Vice President, Antonio Falduto ANAC Italy, Francesco Ranieri Martinotti ANAC Italy, Fernando Vendrell APR Portugal.

NEWS

Danish director Nicolas Vinding Refn awarded "Best Director" in Cannes

Vinding Refn was in Competition in Cannes for the first time with the film "Drive" (watch trailer [HERE](#)) a high-octane film noir about a lonely man who spends his days in Hollywood as a stuntman and his nights working for mobsters as a getaway car driver.

Nicolas also happens to be the son of former FERA Vice President Anders Refn.

Photo: Getty Images Entertainment
Photographer: Ian Gavan



FERA attends MEDIA events in Cannes

On Monday May 16 FERA CEO Elisabeth O. Sjaastad attended the "20 Years of MEDIA" lunch following a meeting between Commissioner Vassiliou and 20 film directors to discuss the future of the MEDIA programme.

Lithuanian FERA member Arunas Matelis (director and producer) was also present at the lunch.

In the afternoon the MEDIA unit organized an open consultation meeting "The Future MEDIA Programme – Europe listens to the Audiovisual Industry" followed by a cocktail party.

During her stay in Cannes, FERA CEO Elisabeth O. Sjaastad met with several members, film directors and fellow European organisations and partners to discuss various projects and issues on the agenda. She also attended the Europa Cinemas Network meeting and the European Audiovisual Observatory workshop.

3D drove EU gross box office to record high in 2010

The European Audiovisual Observatory has released provisional estimates for the 2010 EU box office results.

A surge in 3D screens helped an increasing number of stereoscopic blockbusters to better exploit their market potential and caused market shares for 3D films to increase dramatically in major European markets like France and Germany, where they took 16% and 17% of total admissions, or the UK and Russia, where they took 24% and 20% of the total gross box office.

The dramatic increase in market share of primarily US 3D blockbusters over the past two years seems to have contributed to market share for European films falling to the lowest level in the past five years.

After steadily growing up to 28.3% in 2008, the market share for European films in the EU decreased to 26.8% in 2009 and 25.3% in 2010.

Avatar topped last year's European charts, followed by *Harry Potter and the Deathly Hallows Part 1*, and the US 3Ds *Toy Story 3* and *Alice in Wonderland*. Leaving aside *Harry Potter* and *Robin Hood*, both inward UK investment films financed by a US studio, no European film made it in the top 20.

The most successful European films without incoming US investment were French comedy *Les petits mouchoirs*, attracting an audience of over 5.4 million people across the EU, followed by German 3D horror action film *Resident Evil: Afterlife*, which sold 5.3 million tickets.

ALAN PARKER CARTOON



"They're my 3D glasses. I find life so two dimensional without them."



FERA is delighted that Sir Alan Parker has agreed to contribute his witty film cartoons as a regular feature of our newsletter. Sir Alan Parker is the director of such major films as "Midnight Express", "Fame", "Pink Floyd – the Wall", "Birdy", "Angel Heart", "Mississippi Burning", "The Commitments" and "Evita" to name a few.

He was a founding member of Directors Guild of Great Britain, and founding Chairman of the highly successful UK Film Council which was abolished last year by the new Conservative/Liberal Government.

Read more about Sir Alan Parker [**HERE**](#)



FERA CEO Elisabeth O. Sjaastad

IP & PI: Intellectual Property & Public Interest

EDITORIAL

An artist is somebody who produces things that people don't need to have but that he - for some reason - thinks it would be a good idea to give them.

Andy Warhol

On May 24 EU Commissioner for the Internal Market Michel Barnier launched the new IP Strategy "Revamping Intellectual Property Rights in the European Union":

"The IPR Strategy serves as a blueprint for a series of future IPR-initiatives aimed at fostering the EU's economic growth, cultural diversity and international competitiveness as well as providing consumers with a wide choice of first class products and services."

The strategy document also stated that the Commission "will table proposals to establish clear rules for orphan works, while respecting the rights of their creators."

The first proposal was tabled the very same day, "Proposal for a Directive on certain permitted uses of orphan works", but we are not entirely convinced that it respects the rights of their - albeit unknown - creators.

We, the film directors, make films to share them with the widest possible audience. We are happy that what we create is recognised as being of public interest and a source of knowledge.

We don't want films to be locked up in libraries or film archive vaults.

We want to contribute to finding solutions – so long as there is respect for the basic principles of authors' rights.

The European Commission's Impact Assessment states that the policy objective is to contribute to the development of the knowledge economy by promoting the so-called fifth freedom – free flow of knowledge.

The financial costs of this mass-digitization endeavor is also a public responsibility. European film directors are more than willing to campaign with the public institutions, for adequate resources to carry out this important work. We worry that the lack of public funding will lead to private companies grabbing exclusive rights to our common heritage.

The reasoning behind changing the law to legalize use of orphan works is to make Europe more competitive and catch-up with the United States and Google.

But in March a federal court in New York declined to approve the Google Book Settlement, recognizing that while there was a benefit to society from the widespread digitization of books, the proposal "simply went too far." The court indicated that the settlement was a "forward-looking business arrangement" that would give Google too much power to exploit books at the expense of authors' rights to control their copyrights.

So if a European public institution enters into a public-private partnership with Google, or others, and agree to give them exclusive exploitation rights for a number of years, how is this compatible with public interest and the fifth freedom?

And it is blatantly unfair to suspend the basic remuneration right for authors – because they are unknown – in the name of public interest, if one simultaneously allows a world dominant corporation to benefit commercially from those same works.

In our opinion, one of the strategic ways of retaining public control, while also providing the greatest legal certainty, is to allocate reasonable remuneration for all uses in the digitization budgets and set it aside in the case of reappearing authors.

If the funds remain unclaimed this could be used in ways that would benefit both the continued work on digitization and those who create the future heritage by for instance commissioning contemporary artists to further enhance the accessibility by contextualizing the archives for new generations. This has already proven successful by several concrete projects that some institutions have initiated.

FERA believes that public interest is best served in the long term when those who create are considered as valuable to society, as the works they have created.

AGENDA

FERA attended these recent events

May 30

EYE Institute Conference in Amsterdam on orphan works where FERA CEO Elisabeth Sjaastad spoke.

May 31

Annual meeting of the European Audiovisual Observatory Advisory Committee in Strasbourg.

June 1

FERA member Cay Wesnigk spoke at the Greens/EFA hearing on "The future of Copyright in the digital era" in the European Parliament.

FERA will attend these upcoming events

June 7-8

CISAC World Copyright Summit in Brussels.

June 7

Public Hearing on the IP Enforcement Directive in Brussels.

June 10-11

FERA Executive Committee meets in Stockholm, Sweden hosted by our Swedish member Swedish Film Directors / Teaterförbundet.

CISAC World Copyright Summit 2011

The slogan for the 3rd World Copyright Summit is

"Creating value in the digital economy / Create – Connect – Respect"

The World Copyright Summit is an international and cross-industry biannual event addressing the future of the creative community and the entertainment business in the digital economy. It features high-profile creators from all disciplines, creative industry leaders as well as top policy-makers from around the world.

The inaugural Copyright Summit was held in Brussels in 2007, while the second edition took place in Washington, DC, USA in 2009.

The importance of creators and their creative industries in today's economic, cultural and social environment is vast: they are a factor of economic growth, they employ millions of people, they play a vital role in the social cohesion of countries, and they are essential to ensuring cultural diversity.

The new digital world world – in which they play a major role – is a source of great challenges to creators and the creative industries. It affects the way creative works are produced, distributed and used on a global scale.

It raises serious questions about the way creators and the creative industries are compensated for the use of their works. Licensors of content are also faced with a whole range of new issues linked to the licensing of intellectual property while consumers are expecting to access all repertoires in a legal way.

Speakers at this year's Summit include EU Commissioners Barnier and Kroes, singer and songwriter and President of CISAC Robin Gibb, Ivo Josipović, composer and President of Croatia, filmmaker Stijn Coninx, and many more.

Several organisations involved in author's rights serve on the Summit Advisory Committee, including FERA.

June 7-8, 2011

Square, Brussels (Belgium)

www.copyrightsummit.com

Organised by **CISAC**

(The International Confederation of Societies of Authors and Composers)

