

Mr. Zdravko Počivalšek
Minister of Economic Development and
Technology

Brussels, 10 October 2018

Subject: What the Directive on Copyright in the Digital Single Market could bring to audiovisual authors

Dear Mr. Počivalšek,

The Federation of European Film Directors (FERA), the Federation of Screenwriters in Europe (FSE) and the Society of Audiovisual Authors (SAA), representing the audiovisual authors' community in Europe, would like to express their support for the European Parliament's position on the Directive on Copyright in the Digital Single Market adopted on 12 September. The adoption of significant improvements to provisions with respect to fair remuneration in contracts of authors, as well as the Parliament's proposal for a new Article establishing a right to fair and proportionate remuneration for authors for the exploitation of their works, including online (new Article -14), strengthens Chapter 3 in a useful manner.

This new Article sends a positive message to Europe's audiovisual authors, that they are being [heard](#) and that their elected representatives are willing to improve their situation in the digital environment. We are grateful that despite the complexity and controversy surrounding the Directive, cross-political support was reached in the European Parliament on this new Article - 14, which is an important element of its final compromise for a balanced text.

[Recent research](#) confirms the need to address the dire situation of European audiovisual authors, as the majority of audiovisual creators have extremely unstable incomes that are usually very modest. Investing the time, energy and resources necessary to create has become increasingly difficult, especially as the vast majority of audiovisual authors work as freelancers (85%). Sharing in the economic success of their works provides an essential source of income which is absolutely necessary to bring more stability to freelance and self-employed professional lives.

That is why the introduction of article -14 is supported by all authors and performers' organisations, as it will effectively contribute to the improvement of their situation.

Several national copyright laws already contain provisions which aim at guaranteeing authors' remuneration for the exploitation of their works, whether for specific exploitations or across the board (in Belgium, France, Italy, Netherlands, Poland, Spain). In these countries, guaranteeing authors' fair remuneration have had no negative impact on the industry. On the contrary, it has

proven a key asset to foster creativity, diversity and the financial independence of European authors who are evolving in very competitive markets.

If the result of the trilogue is a Directive which includes the abovementioned improvements, it will make a real difference for European audiovisual authors. Without them, the European Union will have failed to support its creative community in the digital era.

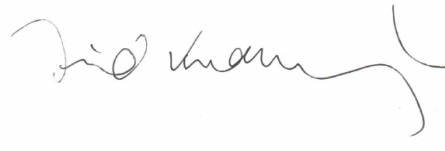
We therefore call on you to support this new Article -14 and to advocate for audiovisual authors during the negotiation process, so that this important step forward by the European Parliament is confirmed in the final Directive.

We remain at your disposal for any further information.


Yours sincerely,



Pauline Durand-Vialle
FERA Chief Executive



David Kavanagh
FSE Executive Officer



Cécile Despringre
SAA Executive Director

About us

[FERA](#) - Founded in 1980, the Federation of European Film Directors contains 39 directors' associations from 29 countries. It speaks for approximately 20,000 European screen directors, representing their cultural, creative and economic interests both in Brussels and Member States. [@Film_directors](#)

[FSE](#) - The Federation of Screenwriters in Europe is a network of national and regional associations, guilds and unions of writers for the screen in Europe, created in June 2001. It comprises 25 members from 20 countries, representing more than 7,000 writers in Europe. [@ScreenwritersEU](#)

[SAA](#) - Founded in 2010, the Society of Audiovisual Authors is the association of European collective management organisations representing audiovisual authors. Its 32 members in 24 countries manage rights for over 138,000 film, television and multimedia European screenwriters and directors. [@saabrussels](#)