

Press Release

Creators welcome European Parliament call for end to buyout contracts

11/9/12, Brussels

Groupings of screenwriters, directors, composers, songwriters and journalists welcome adopted European Parliament report that calls for "fair and proportional" remuneration.

ECSA, EFJ, FERA, FSE,SAA, and UNI MEI jointly congratulated the European Parliament on its adoption of the report "*Online Distribution of Audiovisual Works*" that recognises that action needs to be taken to strengthen the position of authors in guaranteeing that they are remunerated in line with the success of their creative works.

The report, prepared by French MEP Jean-Marie Cavada (EPP), underlined that it was "essential" that authors and performers remuneration was "fair and proportional to all forms of exploitation of their works". It went on to highlight that such remuneration was incompatible with the commonly practised system of buyout contracts, whereby an author receives a lump sum fee up front and no further remuneration.

The creators' organisations were also pleased to see the report go further, calling for the negotiating position of authors with respect to producers to be rebalanced through an unwaivable right to remuneration for all forms of exploitation of their work.

Also of vital importance is the urgent call for Member States to implement funding and promotion commitments for on-demand audiovisual media services, as they too play a crucial role in the promotion and protection of cultural diversity.

The organisations are now keenly waiting to see if the European Commission takes these recommendations on board in its follow-up report on its Green Paper consultation on the same subject.

Quotes

Patrick Ager, Secretary General ECSA: "*This is a step in the right direction and I hope that policymakers now act promptly to ensure that composers and songwriters are granted an unwaivable right of fair remuneration for the exploitation of their works.*"

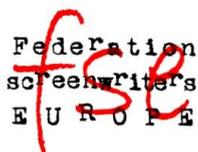
Arne König, President of the EFJ added: "*This vote is a very positive move for journalists. The widespread use of buy-out contracts and unfair contractual practices seriously challenge job growth in the audiovisual sector and beyond. The report acknowledges this fact and shows that talks over authors' rights in the EU can no longer ignore those behind the creation.*"

Elisabeth Sjaastad, FERA: "*Producers play an essential role and are the directors' closest partners, but the widespread practice of unfair buyout contracts has to stop.*"

David Kavanagh of the Federation of Screenwriters in Europe said: "*The Parliaments' support for the principle of 'collective bargaining agreements, including agreed standard contracts' is particularly welcome.*"

Johannes Studinger, Head of UNI MEI underlined: "*The Parliament says protection and reward of creators and legally watertight access to the cultural heritage for users are perquisites for sustainable creation and cultural diversity. This needs now to be mainstreamed into EU regulation.*"

Cécile Despringre, Executive Director, SAA added: "*I hope the European Commission will hear these very clear recommendations. Screenwriters and directors need a properly enforceable unwaivable remuneration right for all uses of their works.*"



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Background

The European Parliament report followed the European Commission's "Green Paper on the Online Distribution of Audiovisual Works". The Green Paper was also a consultation and included a number of questions on the remuneration of authors and performers. The Green Paper received 225 responses from a variety of stakeholders.

The European Commission is expected to publish its follow-up report on the Green Paper before the end of 2012.

About

ECSA is the European Composer and Songwriter Alliance comprising 43 composers' associations from 29 countries and speaks for approximately 14.000 composers and songwriters. Contact: info@composeralliance.org - +32 2 544 0333.

FERA - 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 at the national level. Contact: elisabeth.sjaastad@filmdirectors.eu - +32 489 30 37 03.

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. It comprises 25 members from 19 countries, representing more than 7,000 writers in Europe. Contact: david.kavanagh@script.ie - + 353 86 837 1203.

EFJ is Europe's largest organisation of journalists, representing about 260,000 journalists in over thirty countries. It defends press freedom and social justice through strong, free and independent trade unions. Contact: efj@ifj.org - 32-2-235 22 08

SAA is the association of European collective management societies representing audiovisual authors. Through its 25 members in 18 countries, the SAA represents over 120,000 film and television European screenwriters and directors. Contact: j.taylor@saa-authors.eu - +32 2 894 93 30.

UNI MEI is a global union bringing together 140 national unions and guilds representing more than 300 000 creators, technicians and other workers in the media and entertainment industries worldwide. Over 70 unions and guilds are affiliated to its European region, EURO-MEI. Contact: johannes.studinger@uniglobalunion.org - +32 2 234 56 58