

BELGIUM
Flemish Screenwriters Guild
Vlaamse Scenaristengilde vzw

General info

The Flemish Screenwriters Guild (*'Vlaamse Scenaristengilde vzw'*) was founded in 2004, 6 years ago. At this moment, we have 126 members, which covers about 90 % of all Flemish speaking professional fiction Screenwriters in Belgium. (Members with a track record in screenwriting pay 100 € / year but Junior members pay 50 € / year.)

Our board of directors assembles once a month, and every individual member on the board has more or less his or her portfolio. The entire board consists of professional screenwriters with different backgrounds in film and/or t.v. and are all volunteers. We have representatives to create and maintain a friendly dialogue in different organisations including our 2 Collecting Societies (SABAM and SACD); the Flemish Film Fund, the coordinating Flemish Authors Society and of course the F.S.E.

We are very active in the field of author rights. To keep a good relationship with both Collecting Societies is in our own interest. Not only to indicate the differences between them to our members and compare their rates, but also to cooperate on legal topics (such as private copy, new media, pay-per-view,...). At this moment, we also have a 'think tank' working on the reformation of the inking of the author rights (divisions in genre, etc).

We try to set up minimum rates and advise our members to take notice.

We arrange meetings with colleagues, and bring together screenwriters with producers and directors. We also invite international guest speakers and organize Master Classes in cooperations with the Flemish Film Fund. We organize public interviews with screenwriters of new Flemish feature films, podcast these and put them on our website.

We keep up our website www.scenaristengilde.be (we launch our new website soon) and distribute a newsletter very regularly.

Some highlights of 2009

'Moscow, Belgium' wins Flemish Screenwriters' Guild Award '09

Members of the Flemish Screenwriters' Guild voted 'Moscow, Belgium' best Flemish screenplay of the year.

Jean-Claude van Rijckeghem and Pat van Beirs who co-wrote the screenplay for the film were very pleased with their win. Van Rijckeghem (who also produced the film): "Receiving an award is always fun, but to receive one that is voted for by your colleagues is quite an extraordinary feeling."

In 'Moscow, Belgium' van Rijckeghem en van Beirs tell the story of a down-on-her-luck middle-aged woman who gets into a fender bender with an equally combative truck driver. Out of the initial skirmishes grows a very touching and funny love story... The screenplay was directed by Christophe van Rompaey. The resulting film was an audience favourite and made quite a splash on the international festival circuit, culminating in a selection for the Cannes festival.

The Flemish Screenwriting Award is a new initiative by the Flemish Screenwriters' Guild to promote the art and craft of writing for the screen. It will be a yearly recurrent event and sets itself apart from other awards because guild members do not vote on the 'finished product' (i.e. the film), but on the screenplay itself. Guild members have access to the nominated screenplays through the website of the Guild (www.scenaristengilde.be) and can read the work of their peers before voting. They did so in vast numbers: voter turnout was close to 60%, which demonstrates both the interest in published screenplays within the writers' community and the instant popularity of this new award.

The winners received their award on march 6, during a short ceremony which was part of the celebrations marking the 5th anniversary of the foundation of the Flemish Screenwriters' Guild.

Flemish Scenaristengilde stops music publishers in General Assembly Sabam

The annual General Assembly of Sabam, the Belgian Organization of Authors, Composers and Publishers, on June 8th had been announced as a historical one. For the first time in years organizations of composers and music publishers had formulated a great number of proposals to change Sabam's General Agreement. A lot of discussion arose about art.35. This article had been changed in 2006. The changes were then considered as a necessary correction of the proportion of rights paid out to musicians on the one hand and screenwriters on the other hand. Composers and music publishers wanted to undo this change, thus disadvantaging screenwriters.

More than 300 partners, an extraordinary high number, took up their right to vote in the General Assembly. Minutes before art. 35 was to be voted the Scenaristengilde launched a resolution, asking Sabam to set up a separate division for screenwriters in order to be able to increase the rights paid to screenwriters with respect to the rights paid for music, especially concerning DVD, Video on Demand and Internet Exploitation.

After that the organizations of composers and music publishers decided to withdraw their proposal to change art. 35. For now things remain as they are, but a whole lot of changes are expected in the course of the next year. Sabam promised to get started on setting up a separate division for screenwriters. Composers and music publishers announced they were open to proposals, but determined to stand up for their rights.

The General Assembly elected a member of the Scenaristengilde to have a seat in one of Sabam's supervisory boards. This will enable him to defend the rights of the screenwriter and keep an eye on the evolution the following year.

Film Story Competition at the European Film Festival, BXL.

For the first time the Brussels Film Festival and the Flemish Writers Guild have organized a FILM STORY COMPETITION.

The purpose of this competition is not only to promote excellent story ideas on European level but to also encourage authors and assist them in the professional development of their scripts.

From the participants we expected an extensive synopsis of a feature film idea. 3 pages maximum, written in English, French or Dutch.

Thanks to the help of the F.S.E. and the support of the European Guilds that distributed the call for entry, the competition received in total 211 synopsises from 17 different countries, a quadruple of the amount of last year entries.

Selected by a jury of professional screenplay writers, the 2 winners received a free place on a Script Factory course of their choice in London together with a refund of their expenses. The winners also have been invited for a weekend to Brussels to attend the Festival's Awards Ceremony held on July 5, 2009.

This years winners are: Dragan Stankovic en Marin Malesevic (SRB) with "Apophenia" and Faisal A. Qureshi (U.K.) with "The Footsoldier".

A new call for entry will be distributed spring 2010.

DENMARK

Danish Writers Guild

Danske Dramatikere

The Danish Writers Guild has currently 300 members who are all professional Writers.

We administrate the payment from the Danish rightsholders collecting agency and we receive a percentage of the funds. Besides that our income is from the members subscriptions and a small commission from the members who write plays for the theatres.

Besides the elected board we employ 4 persons at the office.

The Danish Guild has one collective agreement from 1996 with the Danish Producers Association for feature films. We do not have collective agreements with the TV-stations, however we do have some standard conditions that we follow and we do negotiate on general terms.

The TV-stations are very productive regarding Danish TV-series. Some productions are outsourced to independent producers and others are produced by the TV-stations. But the conditions in the contracts are similar.

At the moment the TV-stations are very interested in negotiating longer acquisition on the VOD-rights (video on demand), because of the growing market on the internet and on digital TV's. They also want to acquire material from the archives for that purpose which we are also negotiating the terms for.

We cooperate and share knowledge with some of the other associations who deals with copyrights (film directors, actors etc.) and it have turned out to be very useful for all the parties involved especially regarding the conditions on VOD-Rights.

At the moment we are working on the conditions for the state support system for the Danish Film Institute and the TV-stations film support system. The results of the conditions that are agreed on will be effective for a period of 4 years, from 2011 -2014 and has to settle by the end of 2010.

FRANCE
Union-Gilde des Scénaristes (UGS)

The following report is intended to provide an idea of the UGS's situation at the present time of crisis in the French cinema and broadcasting industries.

The past year has been an extremely difficult one for the UGS and its members.

The main fact of life for the screenwriting profession in France is that over the past year the market for screenwriting services has contracted by anything up to 20 percent.

In television, the mainstay of employment for the great majority of our members, the volume of fiction produced has fallen by between one tenth and one sixth, depending on the criterion of measurement (number of programmes, hours, etc).

In cinema, though the French industry remains the strongest in Europe, the number of films produced has fallen by roughly 10 percent, with overall investment down by 25 percent, according to industry sources, and there has been a corresponding reduction in rates of pay.

In September the CNC (the French film board) reported that the total investment by broadcasters in the production of television drama was down by 44 percent in the first six months of 2009 compared with the same period in 2008.

The figure has been contested in some quarters as being barely credible, perhaps due to some accounting anomaly. Accurate or not, it reflects a dramatic slump in the volume of work available for screenwriters in television, due on the one hand to the slump in advertising revenue in the private sector and on the other to budgetary restrictions arising from the government-imposed reform of France-Televisions, the state broadcaster.

Here too there has been strong downward pressure on the rates of pay to writers able to find work.

There are grounds for believing that a similar situation exists in the United Kingdom, Ireland and other European countries.

The result of the changes in the filmmaking and broadcasting environment has been a sharp fall in UGS membership, either due to members leaving the profession or to members deciding that they cannot afford to pay the subscription.

Year-on-year, UGS membership has fallen from around 180, the level around which it has fluctuated since its creation a decade ago, to fewer than 120 at present.

This naturally has resulted in a sharp decline in the guild's finances which, compounded with other factors, saw the UGS slip into debt in the course of the year and required it to take out a private loan in order to meet its standing obligations (salaries, social charges, rent, etc).

The UGS executive has nonetheless remained as active as ever in the defence and promotion of writers' interests in such areas as:

- negotiations with producers' and directors' associations, in particular regarding claims recently registered by the television directors guild for an increased share in the droits d'auteurs which, if granted, would inevitably result in a fall in earnings for writers;
- legal defence in cases where writers' rights have patently been abused;
- representation in discussions with broadcasters, the CNC, the SACD and other partners;

- monitoring developments at government level (new legislation, official reports, etc);
- campaigning and concrete actions aimed at securing official recognition of screenwriting as a profession;
- organising seminars and other training opportunities;
- organising a presence at the Cannes film festival, including the provision of an online screenplay market;
- organising the annual Prix Prévert for best French film screenplay;
- organising "speed-dating" sessions with directors and producers, and setting up other opportunities for writers;
- mediation;
- etc.

Complicating the situation has been the *sauve-qui-peut* attitude that has prevailed following the government's reform of the audiovisual industry, announced in January 2008 and signed into law early last year. Many of the agreements, alliances and fora set up by the UGS with its industrial partners have effectively fallen into abeyance.

The mapping out of new working relations with producers, directors and broadcasters is the guild's major concern at the present time.

At the same time, the UGS is looking for areas where it can reduce expenditure over the coming year in order to repay the debt which it incurred in order to remain afloat.

In the present climate, the UGS board has decided that the guild's presence at the FSE general assembly in Berlin this month is not a priority. The guild will complete payment of its 2009 subscription to FSE membership, but no decision has yet been taken on payment of the 2010 membership fee and on UGS participation in FSE affairs generally.

The UGS delegates to the FSE have made known their differences with the FSE board over policy and feel that the comments made in the exchange of emails following last year's general meeting remain valid.

The situation of screenwriters in Europe has never been more precarious, with ever-increasing pressure being placed on writers to assume a role of producer or director on the American model, roles for which in the immense majority of cases they are not suited.

Given the fast-changing situation in the economic and technological environment, it is surely more appropriate for the FSE to devote its energies and resources to considering specific issues relating to the way writers in Europe earn their living than to issuing general statements or to developing relations with international partners whose goals and interests do not necessarily coincide with our own.

The FSE was formed after a series of meetings by European screenwriters as a means for finding common solutions to problems arising at the national level, notably by acting on the European parliament and finding ways of channelling more funds to writers. It is perhaps time once more to think seriously about what purpose the FSE is supposed to serve.

ICELAND

**Icelandic Association of playwrights and screenwriters
(FLH)**

SOME BAD NEWS

The past year was of course marked to a great degree by the financial crisis which hit Iceland in late 2008. Iceland was hit much harder by the crisis than most other countries, due to the fact that Icelandic banks had been allowed to grow to reach an annual economy of their own which was ten times larger than the national economy of Iceland. With their collapse, the Icelandic general public was left with the check for the feast they had not even been invited to attend.

The work of the **FLH** focused as always on trying to guard and improve the conditions in which our members work, in the theater as well as in the field of film and television production. This is done on the local level by keeping track of contracts and agreements as well as organizing and taking part in several events and actions. Internationally the **FLH** endeavours to stay alert and up to date through membership in the **Nordic Dramatists Guild(NDU)** and the **Federations of Screenwriters in Europe(FSE)**.

Late in the year it became clear that the government intended to make drastic cuts in the state budget for film and TV production and development, cuts of a much larger percentage than in any other field. The **FLH** joined the ranks of other filmmaker and artists associations in protesting this plan, and also got help from the **FSE** in the form of a formal statement of support. The cuts were still made, unfortunately, but not quite as drastic as originally planned.

The latest chapter in the tragic saga of declining funds available for film and TV production in Iceland came very recently when the **National Public Broadcasting Service(RUV)** announced that due to budget cuts they would stop buying any productions from Icelandic producers. That statement has been seen as an announcement of war against this field and the battle ensues, with the **FLH** taking part by any means possible.

SOME GOOD NEWS

A new nordic website of the **Nordic Dramatists Guilds(NDU)** was launched in april at **nordicwritersguild.com**. The site is in English and the Nordic languages and provides an important platform to discuss and further the views and interests of playwrights and screenwriters in the Nordic countries. Our chairman, Hávar Sigurjonsson accepted the task of editing the site for the first six months. From the outside, this is the perfect way of getting information about all the nordic guilds and their activity and agreements.

The **FLH** took part in the first **World Conference of Screenwriters**, organized by the **FSE** and the **IAWG** in Athens last November. In all, three representatives attended the conference, which was both highly inspiring and informative.

All current **FLH** agreements in the field of theater have worked well and occasional snags have been dealt with, swiftly. However, we are still without an agreement with film and TV

producers, despite several attempts. This will be a priority in the next year, although the current situation is not exactly inspiring.

Finally, the **FLH** recently upgraded its own website, **leikskald.is**.

A FEW FACTS ABOUT THE FLH:

FLH has about 70 members who write drama for theater, film, television and radio.

The annual membership fee is approx. €40.

The association has no staff or office and receives no outside funding.

IRELAND

Irish Playwrights' and Screenwriters' Guild

"Things fall apart; the centre cannot hold." (W. B Yeats)

"The world is in a state of chassis." (Sean O'Casey)

"I can't go on. I'll go on." (Samuel Beckett)

Having flown too close to the sun the Irish state is currently plunging towards the ground, covered in melting wax and feathers, trying to sort out our problems as we fall. Recession has hit Ireland very hard with the problems of the world economy exacerbated by a property bubble collapse of gigantic proportions.

The Government Budget in December of 2009 reduced spending by more than three billion euros per annum by reducing services and reducing the wages of public sector workers.

Initial proposals in respect of the arts and culture budget were to close the Irish Film Board, cut the Arts Council's budget and do away with our artists' income tax exemption scheme.

The national broadcaster relies heavily on advertising which is in a state of free fall at present leading to cuts in the volume of production and reduction in salaries and fees for everyone at the national broadcaster including writers.

The volume of work available to writers has shrunk rapidly and the prices paid are also reducing.

As you would expect the Irish Guild has been primarily engaged in lobbying activities of one kind or another for the last number of months (trying to explain why it is more important to spend money on the arts than invest in inoculation against cancer in young girls).

Effective lobbying by a group of organisations in the film industry has secured a future for the Film Board at least in the short term but cuts to arts organisations are running at between 15% and 20%. Our Guild worked closely with the Directors Guild on the subject of the Film Board in our allocated role of fighting the trench warfare of political lobbying – organising individual members to meet local political representatives and trying to build a consensus about the economic value of the Film Industry (as distinct from its cultural value which we largely downplayed).

The income tax exemption for artists has been particularly hard to fight for and there is no evident consensus in the general world of the arts on the topic. However, somewhat to our surprise, the scheme has survived (although there is now a 'cap' on it which means that you must start to pay some tax when your annual income reaches €125,000.)

Our key pitch was that the 2500 badly paid creative artists make the raw material which provides jobs for the 47,500 people (2.5% of the work force) who work in arts and culture in Ireland – but frankly we did not get much purchase with this idea.

So, in fact, while things are certainly very tough, the arts budgets have survived, and at a higher level of support than many people feared.

It is anticipated that in Ireland the recession will take a longer time to reverse than in other countries and we therefore expect difficult budgets again next year and the year after – but at least for now we will survive for one more year!

We held our third annual ZeBBies award late last year. The awards are based on making the best scripts of the year, in radio, television, theatre and film, available to our members who read and vote (all online). The award is strictly for the scripts so it does not matter if the readers and voters have seen the production or not.

A ceremony is held to announce and celebrate the winners. You can see a rather basic three minute video of this year's ceremony on our blog <http://irishscriptwritersguild.blogspot.com/>

The ZeBBies system has some other benefits. Because we have to collect a complete list of all productions in the year as the basis for the nominating procedure we have a very useful database for analysing the scale and the trends in writing for performance (radio, film, theatre and television).

We can say that there are just under 300 persons each year who are paid for writing for television, film theatre or radio which is produced in Ireland, with the largest group being the one writing for television.

Over the two years we looked at, some 450 persons earned some money for writing for production. Average income in each year is €15,000. But average income over the two years is lower (because of the many who had work in only one year) at just under €10,000.

The representation of women in the profession is a little more than 40% in total although this is heavily skewed in favour of television and long running series in particular - women are very badly represented in writing for feature film.

The IPSG now has 545 members (of whom 218 are associate members).

There seems to be a possibility that just when we did not think it possible to get busier the Competition Law issue is coming back on the table. The largest Irish trade union got a concession from government that promised a change in Irish competition law that might have provided a solution to the issue. We had thought that recent economic problems had put this issue on the back burner but in recent months we have heard a rumour that legislation is actually being prepared. This might be a great thing (if we are included) or a disaster (if we are excluded from the provisions of the proposed legislation).

The Guild continues to represent its members in contract and dispute issues at the national broadcaster, the Irish language broadcaster and with independent producers. (We have been involved in a particularly difficult row about an Oscar nominated project which raises interesting questions about writers involvement in awards.) We provide contract advice to individuals. We have been involved in discussions about cuts in fees to writers with the national broadcaster similar to those being imposed on all the stations staff. We have been involved in negotiations for online catch-up services on the national broadcaster and for changes in work practise at the Irish language station. We provide a fortnightly newsletter to

members; while updating the blog on a daily basis and we have a twitter service used by a small number of people. We maintain writers groups and organise courses and information meetings.

We have arrived in the eccentric position of having a Guild which is more and more busy in a development and production environment which is more and more quiet.

Audrey O'Reilly, Chairwoman.

David Kavanagh, Chief Executive.
Irish Playwrights' and Screenwriters' Guild

NORWAY

Writers' Guild of Norway

Dramatiker

Writers' Guild of Norway was founded in 1938, and is an independent writers' organization whose purpose is to protect the artistic and financial interests of writers for film, television, radio and theatre. Out frame agreements with the producers are to be found also in English versions on our web site www.dramatiker.no . These are similar to the other Nordic countries, and more can be read at our common web-site www.nordicwritersguild.com

To be eligible for membership, an author must have written and had staged a public performance of at least one full-length or several shorter original works of drama for the theatre, film, television or radio. To qualify for membership, the performance must be professional and the work must be of professional quality. The applicant must have written the work in the Norwegian or Sami language him- or herself.

For the time being, the Guild currently organizes 288 writers, and 30 candidate members, who is anyone who has completed publicly approved higher education as a playwright or screenwriter. There is a steady rise in the number of members.

The organization is funded as a part of the collective remuneration writers receive from public libraries. (In this respect, we are in fact a collecting society.)

Membership fee is around € 100.

Some important issues:

All new fiction films and TV-series in the public libraries

There is a political will to include fiction films and TV-series in the same system as with books and music to the public libraries. There are, however, not any sufficient system for clearing the rights for this publication, since there are more right holders than in literature and music, and this will demand an administrative solution that is not established today.

Clearing the archives of the public broadcaster NRK

There is a political demand from their owner, the Ministry of Culture to the NRK to clear their archives of own productions earlier than 1 January 1997. The publication of this material will mainly be on the Internet. We are participating in the negotiations for the compensation for clearing the rights, and there is a goal to reach a solution like the Danish.

Digital script directory

We are working to establish a digital script directory, including scripts for theater, film, radio and television. In this, the writers themselves publish what they want to be included. The directory is supposed to be available though subscription of registered and (low-) paying users, especially different producers and education institutions in all levels. The launch is planned in 2010.

Gender

There has been a general lack of balance of gender in film productions in Norway. This has resulted in a demand for a more equal distribution of funding. We have, together with the other professions in the film industry produced a report to the Minister of Culture on how to reach this goal. Regardless the report, we have already started our own mentorship program, including 11 young female writers.

“Dramatikkens hus”

From 1 January 2010, a new center, called “Dramatikkens hus” is established for script development for theatres, based on the same principles as for script development for feature films. In these arrangements, a writer might be supported both financially and professionally in the script development with and without a producer.

Digital committee

The guild has newly established a so-called digital committee, to follow the public debate and the technical development on the digital area, including the up-coming revision of the Norwegian copyright law. The committee’s mandate is to guide and advise the board on technical, juridical and political issues in this area and to secure the writers’ rights and income in digital distribution of their works.

POLAND

Polish Filmmakers Association - Union of Polish Screenwriters ay

The Union of Polish Screenwriters is a part of The Polish Filmmakers' Association, which is the largest audiovisual organization of film professionals in Poland. It exists since 1966 and has 1786 members, among them directors, screenwriters, cinematographers, sound engineers, film editors, animators, costume and set-designers, producers, production managers, critics, even stuntmen. Screenwriters participate in and benefit from the lobbying activity of the Association. The Union of Polish Screenwriters – revived in 2008 - counts currently 68 members but by being a part of such a big organization we feel stronger than this number could suggest. And we are accepting and actively recruiting new members.

In 2009 the Polish Film Institute that co-finances practically all of the film production in Poland, has decided to improve and to reform its operational programs/schemes after three successful years. The very major proposed changes were announced in September 2009 and opened for consultation by the Filmmaking community. The PFI aims at more efficient programming of our local films and to actively play the role of a market regulator by setting proper standards especially in the development process. The very main change is the organization of the funding schemes not by the type of funding (development, production) nor by film kind (feature, doc, animation), but by four film categories (and therefore screenplay types): 1. auteur cinema (festival arthouse), 2. Historical 3. Films for child and family audiences 4. Movies aiming at mainstream commercial success. All film kinds and funding will be organized under these 4 categories. The two first types have a very high allocation with the commercial films receiving the smallest amount. This is to display the priorities of the PFI.

The new operational programs aim at creating a direct link between an individual screenwriter's script grant with later awarded development funding and hopefully with production funding schemes – in an aim to raise the efficiency of the monies spent. A sort of a project route. This comes from the Institutes justified disappointment with the past results of the screenplay grant and project development operational schemes.

Additionally – also in an aim to raise the funding's efficiency and award it to genuinely trustworthy professionals (what unfortunately has not always been the case) – more is required from the screenwriter in the application process. Currently the screenwriter can receive a grant only after presenting (besides the treatment and scene samples) a letter of intent by the future director and - in case the "commercial movie" category - even a contract with the prospective producer. The new system of schemes raises the amounts of money paid to the screenwriters – in an effort to set a good standard on the market – but at the expense of the number of grants awarded to the screenwriters. Needless to say all of the above is a well meant by the PFI departure from FSE's Policy on Effective State Aid for Screenwriting and Development. Polish screenwriters would be foolish to protect the status quo of the past genuinely unproductive screenplay and development grants. Changes generate a degree of hope. The Union of Polish Screenwriters was very active in the process of consulting these controversial changes. We were listened to, some of our propositions were taken into consideration – such as a separation of funding for screenplay development and project development. We seek advice from our European colleagues in order to generate arguments in the continuous lobbying process – as the Polish Film Institute is open for input and willing to

constantly reform itself. Members of the Screenwriters' Union will be a part of the Filmmakers – Polish Audiovisual Producers Chamber of Commerce – PFI negotiating triangle to oversee to results of this reform.

Beside our lobbying campaign: The Union of Polish Screenwriters has launched its website on www.scenarzysci.org.pl It has become more and more popular site for writers, with a very active advertisement board and a lot of useful information.

The last year's edition of the co-organized by the Union - 'Script Forum – Professional Screenwriters' Conference' (July in Warsaw) was a big success. The 2009 slogan was "Creativity has its prize". The most powerful decision makers in the audiovisual sector were present and so was our special guest David Kavanagh, who presented new ideas concerning the financing system for writers with a focus on the literary/screenplay development system. We voted publicly the Manifesto: the effect – unanimously YES. We are now preparing for the current edition of Script Forum. We will continue to train the local industry on the topics of development. A separate day will be devoted to the qualifications of an evaluating experts and the evaluation sheets. Christina Callas kindly accepted our invitation to be this year's speaker.

Polish delegates participated in the World Screenwriting Conference in Athens. We were inspired to hear about the goals and functioning of more established Unions/Guilds, made vital contacts and resolved to better prepare Polish screenwriters for the new media environment.

This year we plan to launch the Greatest Polish Scripts collection. It will be a modern and interactive edition in order to raise the audience awareness and the prestige of the profession. We are very curious to find out about the experiences of the fellow European guilds on publishing screenplays.

The Union of Polish Screenwriters in collaboration with Writers Guild of Great Britain is preparing Polish versions of the useful brochures "Working with writers" and "Writing film". We are using a translation of the British original but also adapting it to local realities. This is done to set proper standards and customs on the market.

The expert system of the PFI and the Regional Film Funds as well as the methods by which screenwriters in Poland are evaluated will now be the focus of our lobbying activity. Input by our European colleagues is more than welcome. It is essential.

SPAIN

FAGA

Foro de Asociaciones de Guionistas Audiovisuales

The **Foro de Asociaciones de Guionistas Audiovisuales** is a nonprofit organization founded in 2007. Its main objective is the **coordination and cooperation of professional associations of Spain to defend the professional, labor, socioeconomic, and author rights of the screenwriters both of cinema and television, nationally and in Europe.**

Works to represent the general interests of the profession, enhance the image of the writer as creator. To establish channels of communication within the sector. To do so is involved in strategic meetings and negotiations, promotes studies on topics of interest to the writer, organizes activities, establishing links with European professional associations. FAGA also collects and disseminates information of interest to the sector.

It currently comprises the following four professional screenwriters guilds: **A.G.A.G** – Asociación de Galega de Guionistas with 35 members, **EDAV** – Escriptors de l'Audiovisual Valencià with 56 members; **EHGEP** - Euskal Herriko Gidoigileen Elkarte Professional with 73 members, **GAC – SiGC** Guionistes Associats de Catalunya- Sindicat de Guionistes de Catalunya with 208 members.

The interests of **372 scriptwriters** are represented under its umbrella, a fact which makes it the organisation with the greatest level of representation for the profession in Spain.

FAGA favors as far as possible cooperation with other organizations, and Europe. The exchange of information should be the best strategy for joining the collective.

2009 Report

FAGA works around two axes: the improvement of the conditions of professional writers and the union of the collective, both at national and european level.

In 2009 we've been actively involved in the following negotiations and activities:

1. Collective Agreement for Audiovisual Production Industry

A *Special Commission of the Script* was created in 2008 in order to introduce some clauses, inside the Collective, that regulate the labor conditions of the scriptwriters. Otherwise, the scriptwriter is not protected by any Collective Agreement.

Our demands were:

- *To claim that screenwriters are authours
- *To include the word screenwriter in the title of the Collective Agreement
- *To approve a salary table
- *To define the tasks a screenwriter does in the whole process of writing
- *To define the different contents a screenwriter can do (bible, treatment,etc)

The Collective Agreement was signed by FAPAE (Spanish Federation of Producers) and the two trade spanish unions CCOO and UGT without counting on technicians union TACE, nor FAGA, nor ALMA.

On 2 february 2010 we've been invited by CCOO to start negotiations again.

2. Accord of Understanding between the federations of producers (FAPAE and PROA) and FAGA, ALMA

We've promoted the signing of an *Accord of Understanding* wich aim is to establish a basic framework for producers and freelance screenwriters. We've received the support of the ICAA (Instituto de la Cinematografía y las Artes Audiovisuales) / Ministry of Culture which has act as a neutral member in our meetings and has helped in the writing of a draft.

This draft is currently being studied by both parts and a reunion must be organized to discuss the details, soon.

3. Consults on the Cinema Law and Intellectual Property Law

FAGA has been consulted for both the Cinema Law and the Intellectual Property Law. In the first case, concerning the state subsidies given by the Ministry of Culture to Script. In the second, in relation with a probable reform of the Law.

The Cinema Law has been approved after some problems in Europe and the members of the Comittes that will give the grants, recently chosen.

The Subcomission in charge of this possible reform of the Intellectual Property Law is currently meeting some institutions to evaluate if a change is needed and in which aspects.

4. Promoted a reform of the "Law on Freedom of Association" in order to participate in negotiations of collective agreements

All the professionals who work intermittently aren't actually allowed to join companies committees, nor to participate in union elections. Therefore their rights are not defended as should be, they are, but through the general trade unions, who are often unaware of the specifics of the profession. Moreover, this does not take an active (have a vote) in the negotiation of collective agreements. For all of this, we've considered to join a reform of this law. During 2009 we've met with some other professionals that have the same problems than us: actors, musicians, etc.

5. Strengthened relations with Europe as a member of the FSE

FAGA has participated in the GA 2009 in Brussels, the WSC'09 and is in process of finishing a profile of the german scripwriter, thanks to the collaboration with the VDD.

6. Published its website

During 2009 we've published our website: www.fagaweb.org that, besides presenting FAGA, partnerships and projects, includes documentation of interest to the writer in the field of

copyright, learning, interesting links, among others. We also have a news section. Information is published in five languages: castellano, català, gallego, euskera, english.

Our principal problems and aims

1. Execution of the works on total harmonization within the framework of comments over EU progress report, of the laws those regulate and protect the trade of all cultural products, especially cinema works, according to the EU directives.
2. Campaigning for the recognition of all cinema workers, including scriptwriters, as a profession just like engineers, doctors, lawyers in Turkish laws. Correcting the structural problems of so called 'professional organizations' built by the government (in accordance with EU integration as the government claims) and making these collecting societies a part of the international networks.
3. Campaigning for the legal sanctions in the presence of government against TV channels, deforcing our rights deserved from the repetitions of the screening.
4. Assuring the collection and distribution of the copy right levies, accrued and outstanding in Ministry of Finance.
5. Making the sector realize that the script is the architectural plan and principal contract of every film in terms of its meaning and function.
6. Helping the producers and directors realize that the script development process is the most vital part of every film and that a special budget should be reserved for that.
7. Helping every scriptwriter work with a contract by any means necessary.
8. Forming minimum standards for scriptwriters in cinema, helping them get a percentage of the box office and that their secondary payment rights will take a place in the contracts.
9. Prevention of the transference of financial rights infinitely.
10. Prevention of producers, directors and actors' intervention to the scripts arbitrarily.
11. Increasing the recognition, reputation and functionality of SENDER in the industry.

Activities in 2009 and the point we reached

1. We continued to give workshops to our members and other scriptwriters about their rights in present laws. For this purpose, we organized member meetings and reached to 240 members, now.
2. We started to develop an effective relationship with FSE and other institutions in the year of 2008 and we continued to develop this effective relationship in 2009. This way we started to understand the system in UN in a more comprehensive way. We shared this knowledge with other cinema institutions. This raised our reputation and discursive space in the industry.
3. We started to develop our website as an e-magazine looking at cinema from the perspective of scriptwriters in 2008 and we have continued to develop our website in 2009. We formed a circle of editors and young writers volunteering for this website. This way our website became an important reference in scriptwriting industry. The daily visit of our site increased tremendously.

4. We formed a data bank and search engine in our website in Turkish and English. This way every scriptwriter could search detailed information about the industry. The producers started to meet scriptwriters that they didn't know before.
5. This year has become a year in which more writers make contracts more than ever as a result of their realization of their rights.
6. In this year, we published the list of minimum primary payments that we started in 2007. This list became very effective since two years in dealing with the producers.
7. We continued to present an effective legal aid to our members in negotiating with producers.
8. We continue to give our reasonable efforts to develop a pre-court settlement custom, since the legal proceedings last for years in our country over the litigations during and after the production process. We have been succeeded over this matter. We had reached peaceful solutions for six different problems through discussions, within the years of 2008-2009.
9. We used an expert in lawsuits related to copyrights. As a result courts started to take our opinion as an expert in increasing number.
10. We had conducted effective works in Turkish Cinema Platform, that had been established in 2004, however had become an effective formation just two years ago. In the year of 2009, Turkish Cinema Platform had become Turkish Cinema Council (TCC), by changing its title. The aim of the Council is; to define the common benefits of the different sections, involving in production, distribution, projection and education areas of the cinema industry, producing film/drama for different channels; to provide the communication and; to develop common policies on this ground. TCC, which constituted from all cinema organization, representatives of the cinema education institutions together with the representatives of the film festivals, and have 30 members, had presented a comprehensive report to the Ministry of Culture, for law for a cinema establishment, that is autonomous in terms of administration and financial, and is similar to CNC in France and Film Council in England. The Ministry of Culture had open the law draft, that had been prepared in consideration of this report, up for discussion at the beginning of October 2009. The delegates of 21 institutions from the constituents of the Council had drawn up their amendment proposals over the draft with consensus, and presented to General Directorate with their signatures. The discussions had been locked over the demand of the Cinema Sector, to be the sole captain of the management of the organization. It is aimed that the law draft is legitimated by the parliament until the end of 2010.
11. The contacts between the Management of National Cinema Center of France – CNC and Turkish Cinema Council have been started in order to develop permanent cooperation grounds on production, projection and distribution areas. The first four contacts, had been realized in Paris on the date of 16 – 19 December 2009. At that meeting, realized upon the invitation of Véronique Cayla, President of CNC, the targets had been determined: to overcome all the obstacles against maximizing the common production conditions of two countries; to develop permanent production mechanisms those the composers of both countries could benefit from, in equal and fair terms. The joint coordination and work groups, those were proposed to be established in order to realize these targets, had been established at the end of January. These commissions shall conduct an in-depth survey of the obstacles on the main target and shall work over new cooperation models and legal framed. Second four contacts, will be held in Istanbul on April.
12. The Delegation of Turkey had submitted to develop two important mechanisms during the meeting with CNC; organizing the Writers' Bridge of Paris-Istanbul together with network

of producers and permanent “pitching”... The first one of these mechanisms is the project named “Writers’ Bridge” permanent joint production platform, which had been designed two years ago by SENDER (The Scriptwriters Association of Turkey) with French Scriptwriters’ Guild(UGS)... It had been recognized and attached great importance at idea level by CNC. The Writers’ Bridge is a project that, we aim to realize together with French Scriptwriters’ Guild as soon as possible... During these days, we desire to gather with French Scriptwriters’ Guild (UGS), as two writer organization and to finalize the draft and conduct budget affairs. For this purpose, we communicated with French Scriptwriters’ Guild (UGS). We began to contact with Olivier Lorelle and Isabelle Leguern (UGS), in order to discuss the things, those could be performed by two organizations and to look for the abilities for the project draft to become a joint production.

13. In order to raise the quality of scriptwriting as well as integrating young scriptwriters to the industry we continued the workshops we have been organizing since four years. In 2009, approximately 300 young writers attended these seminars and workshops.
14. There are social projects those we have performed every year, to increase the recognition level of our association and the professional quality of the scriptwriters. One of those is, script seminars those we have organized at Golden Orange Antalya Film Festival, the most important film festival of our country... These seminars, to which students those set their hearts on cinema or acquired this job as his/her profession or candidate to acquire this profession, from Antalya attend, have continued to strengthen the cinema-audience-student relationship.
15. The re-organization process in cinema sector, actually began on 1995’s in Turkey, had been recognized by Ministry of Culture and also Government for the first time. This awareness had caused three strategic laws, defining the cinema as a “cultural initiative and investment”, to be approved by the parliament with consensus. The current situation of the quality and the process of meeting with audience of our Turkish films and TV series, had created another attraction point, that supplementing the international successes. The fact, crowning all of these developments is that the export of our TV series, seemed as accidental at the beginning, had been recognized that it has playing a role, increasing our effectiveness on the foreign trade with the Balkan Countries and Middle East. While these processes were continuing, establishing a joint work-group with ICC President and its Directors, during the cooperation period that had begun with the Executive Board of İstanbul Chamber of Commerce was also among the activities performed by Turkish Cinema Council. After these works, it had been reached a mutual agreement with ICC about the subject that they should activate their whole lobbying powers to explain the reality of “Cinema is a strategic industry” to the government and 400,000 members of ICC. According to this target, a meeting had been organized, to which Minister of Foreign Trade and movers and shakers of the TV-Cinema sector had participated. The people in cinema business had underlined the subject with their expression of “Film industry is a strategic industry” and submitted their opinions, at this meeting. Foreign Trade Minister, told that the law draft regarding to the removal of the advertisement bans applied to the films in Turkey, had been presented to the Prime Ministry, remarked that EU countries had conducted the regulations about this subject on 2007, Turkey shall also allow the regulation within the frame of same laws.