

5 ways to support next generation screenwriters and directors

Background

The Society of Audiovisual Authors (SAA) is the umbrella association of European collective management organisations representing audiovisual authors. Its 33 members in 25 countries manage rights for over 160,000 film, television and multimedia European screenwriters and directors. The SAA's main objectives are: 1) to support and strengthen the economic and moral rights of audiovisual authors; 2) to secure fair and proportional remuneration for audiovisual authors for every use of their works; 3) to develop, promote and advance the collective management of rights by member organisations.

In its [resolution on the situation of artists and the cultural recovery in the EU of 20 October 2021](#), the European Parliament pointed out that "*artists under the age of 30 are more likely to be unemployed, to accept unpaid work and to be subject to exploitative working conditions such as unpaid salaries and precarious contracts*". These are serious problems that must be addressed. The SAA therefore welcomes the [Conference on the Future of Europe's](#) focus on youth participation, and the upcoming 2022 [European Year of Youth](#). These are great opportunities to better understand the challenges the next generation of creators are confronted with and promote opportunities for their personal, social, and professional development.

The SAA hereby highlights the specific conditions and difficulties that young and aspiring European directors and screenwriters face in the 21st century of moving images and puts forward 5 ways to support next generation audiovisual authors.

RECOMMENDATIONS TO THE EU AND MEMBER STATES

- 1. Promote equal opportunities, no matter gender and any other characteristic, so that the next generation of creators has a real chance to pursue their professional aspirations.**

Studies in the UK and France¹ show that as many young women enter film schools and aspire to work in the sector as men. However, when observing the audiovisual industry, very few women get the opportunity to carry on and develop a career. Most face barriers on the way that result in young women not managing to enter the labour market and/or not able to continue and make a living out of filmmaking. Discrimination and lack of opportunity are not only a matter of gender: a figure from the UK demonstrates that in 2015, only 4,4% of the film sector workforce belonged to the Black, Asian and Minority Ethnic group ([BFI, 2018](#)). [Discrimination](#) at work can also be expressed on the basis of age, disability, gender identity, religion or belief, sexual orientation, horizontal issues or other grounds.

A [study](#) commissioned by FERA and FSE in 2019 shows the decline in the share of professional female directors as age increases: below 35 years old, women count for 42% of the workforce and by ages 55-64 this figure shifts to 26%. This indicates a generational shift but also that more female

¹ See [Directors UK study](#) and a [study from CNC](#) (Centre national du cinéma et de l'image animée) in France.

audiovisual authors leave the sector throughout the years. The study reaches the conclusion that women leave the profession due to their precarious work situation (more than their male colleagues): lower income, temporary contracts, irregular hours, etc. affect women disproportionately in terms of work-life-balance. The SAA's own collection and distribution figures from collective management organisations prove the same point: women only made up 33% of all audiovisual authors that received royalties for the use of their works in 2020.

Another issue is that most women do not access the same film budget and opportunities as their male counterparts. As an example, [in the UK](#), only 3,3% of big budget feature films are directed by women and they are very much confined in genres of children programmes, documentary and romantic comedies.

These issues must be addressed from the start. Firstly, within the film schools, to raise awareness about the industry conditions and provide the next generation with tools to make systemic changes. Secondly, by collecting industry data highlighting inequalities, raising awareness and measuring progress on grounds of gender and other characteristics. Here, the European Audiovisual Observatory and the European Women's Audiovisual Network (EWA) can play an important role. Good practices must be identified, shared, and championed. Young and aspiring screenwriters and directors should be able to share not only their dream to make films but also be fully part of the profession.

2. Prioritise young people in cultural investments of national recovery plans.

The Parliament's recent [resolution](#) on the situation of artists highlighted that the pandemic has made it difficult for artists and cultural and creative workers to keep their jobs and it has caused uncertainty over the future, discouraging young people from entering the sectors. Moreover, it stressed the long-term impact on creativity for the European society and its economy.

End of 2020, SAA Patrons ([video](#)) shared their experience of the impact of COVID-19 on their work: [Urša Menart](#) (director, Slovenia) told how difficult it is to pitch creative ideas and get co-producers on board, since networking opportunities, such as festivals and other events are cancelled or moved online. [Julie Bertuccelli](#) (director, France) told how she had to give up a several years-long film project, as the pandemic travel restrictions and sky-high insurances stopped her dream. She also explained that *"It is never easy to make the first film, but to make the second film is even more difficult"*. Public support exists for helping emerging talents making their first film, but it seems more difficult to continue. If authors could count on royalties from the exploitation of their films, it would help them sustain a career from the beginning. [Fred Breinersdorfer](#) ([video](#)) explained that developing a film can take up to several years of unpaid work. Although he is an established German screenwriter, only 10-15% of his work leads to success in terms of a script he is paid for, that is shot and brought to air. Even when successful, authors are in a weak bargaining position and, without a Collective Management Organisation to represent them, they rarely receive any royalties for their work.

[Authors' testimonies](#) illustrate the challenges they face, not only due to the pandemic², but also generally when entering the profession and being able to make a living out of it. More needs to be done to support and promote Europe's future creative talents.

In addition to actions such as skills development and training support, authors need a strong legal framework to protect their rights.

² See the EY study: [Rebuilding Europe](#) – the cultural and creative economy before and after the COVID-19 crisis (January 2021)

3. Implement EU copyright legislation and create a protective legal environment that rewards authors' success and encourages their creativity.

Remuneration is fundamental for audiovisual authors to have a real possibility to develop new creative projects and make a living out of their craft. Royalties based on exploitation reward the success of their works and at the same time encourage and stimulate further creativity. This is particularly important for emerging and young authors to pursue a career. Implementing the right to appropriate and proportionate remuneration provided in the Directive (EU) 2019/790 on Copyright in the Digital Single Market, [Article 18](#), is essential to establish at national level a legal basis for mechanisms aiming at providing remuneration for the exploitation of their works.

Implementing Article 18 is a first and necessary step but not enough per se. The SAA calls for the establishment of an unwaivable and inalienable statutory remuneration right for audiovisual authors, upon transferring their exploitation rights to producers. It has to be written in the law that remuneration shall be paid by users and subject to collective management. It is the most effective mechanism to ensure remuneration for audiovisual authors, and an urgent measure needed for booming video-on-demand exploitations.

In countries where remuneration rights are already in place, such a solution adapts to the market and actual uses of audiovisual authors' works. It does not add any cost on the financing and production of works nor to the state or public institutions' budgets supporting the production and distribution of European works. The cost of the remuneration of the audiovisual authors for the exploitation of their works on-demand is borne by on-demand services and based on the revenues generated by their business.

4. Adapt to digital natives, online consumption, and new technologies.

Young people today, are a digital native generation (Gen-Z). They consume audiovisual works on all kinds of media, and they create for online use. Tomorrow's audiovisual authors create not only for cinema and TV but also or only for streaming platforms and on user-generated content platforms such as YouTube.

These authors will not be fully recognised and protected until national intellectual property regulations are adapted to the online market. Authors should receive a fair and proportional share of the success of their work, regardless of the mode of exploitation. In countries where the online market is regulated and their authors' rights recognised, they also receive remuneration when writing and directing for platforms such as Netflix or creating for their own YouTube channels (see e.g. [France](#), and other national [cases studies](#)).

It goes without saying that the online market is growing exponentially. So far, however, royalties for online/on-demand exploitations are only collected in a few European countries and represent 6% of the aggregated collections of the SAA members.

It is also important to foresee new technologies, such as the use of artificial intelligence (AI) in the creation of audiovisual works, and the implications this may have on authorship and on the use of works to feed AI. Young people are among the firsts to use new technologies for their creations and should not be neglected and left out if exploitation of the works generates revenues.

Being the early adopters of new technologies, the young generation is also the one paving the way for a more sustainable and greener audiovisual industry. Their innovation and creativity in this respect must also be encouraged and supported.

5. Foster European openness with diversified audiovisual content.

Thanks to the Audiovisual Media Services Directive (EU) 2018/1808, viewers should be offered an increased selection of European films and programmes as video-on-demand services are required to ensure a minimum of 30 percent of European works in their catalogues.

Diversified content is important to foster openness and awareness of the different European cultures and languages. It is also a way to support audiovisual authors to have their works seen.

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