

Part
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Fair trade in filmmaking

One of Europe's most valuable assets is the undeniable diversity of its cultures. Art and cultural production are the ambassadors for these cultural identities. So over and above their substantive content and the ethnological, historical and political contradictions they function as mediators between different worlds. They dissolve what separates, they entertain, affect, mediate and, while celebrating the differences, they simultaneously emphasise what they have in common. And that is indispensable for a Europe that is growing together.

With the creation of the single market, the EU provided an essential prerequisite for, on the one hand, the free circulation of goods and services and, on the other, a free and open participation in it. However, the single market for the oft-mentioned wealth of Europe – art and culture – is still fragmentary.

Film is a special case where the dual character of cultural activities and goods and services are inseparable bound up with, and mutually define, each other. This reciprocal contingency demands interdepartmental and collective efforts on all levels of relevant policy sectors.

To comply with a comprehensive political concept and act in the spirit of a sustainable social policy the various interests must be prevented from overwhelming one another. Equally, a coherent policy requires that in addition to the various dimensions, due account must be taken of the different political levels in the European multi-level system. Although the principle of subsidiarity means that cultural policies are the sole competence of EU member states, film as an economic asset/service is nevertheless equally subject to community and international laws and regulations. The law relating to film is a multidisciplinary corpus which includes

various legal materials from areas such as author' rights, competition, labour and social, broadcasting and gender equality laws together with diverse systems of subsidies and grants. These must be dealt with by the EU and its member states jointly.

INTERFACE FILM – an Austrian initiative – regards itself as a conduit not only for creatives in the film sector and all those working in the creative arts but also, potentially, as an example for the younger generation: how are we going to be living and working tomorrow? Is everything really undergoing a fundamental process of transformation? Globalisation, demographic change and continual digital developments represent new challenges for workers and companies. The consequences of the digital revolution can most certainly be compared to those of the Industrial Revolution but they cannot be mastered by using the means from the previous century. We have to rethink and then take new pathways. Work itself must be reassessed. And we must do that together because the precariat does not end at national borders. Furthermore, the fear of being replaced by technical innovations applies to everyone – one of the few things that seems to still be a notable exception is – for the moment at least – human creativity.

For these reasons INTERFACE FILM started a dialogue in December 2018 with representatives from various areas of film-making and member states of the EU. The participants of the first INTERFACE FILM Think Tank (an on-going process) examined in different workshops the entire value creation chain – development, subsidies and finance, production, postproduction, distribution and foreign sales in the search for possible sources of errors and for approaches that might provide solutions.

The most important points from the workshops, initial proposals for solutions and demands:

Workshop Findings

- National social security systems are fixed on the SER (standard employment relationship; fulltime employment of indeterminate duration) and do not consider the realities of project-based work relations (hybrid, freelancers, fixed employment ...) that predominate in film industries.
- The wages / fees for self-employed and freelancers are not sufficiently calculated. Often their income does not allow for paying for social security coverage (health, unemployment and pension) to the same extent that employees are covered within the same national system.
- “Outsourcing” or “format shopping”, which include production export and workforce import, are common practices within the EU because of lower pay and lower social security standards.
- The industry’s practice of balancing sources of income from both wages and authors’ rights for revenue tax optimisation purposes challenges access to social security coverage.

First Demands

- Every European subsidy in the audio-visual sector (especially Eurimages and Creative Europe MEDIA) must comply to 100% with the social, ecological and gender equality **minimum standards** of the individual member states of the European Union.

These minimum standards must be monitored and published at regularly while non-compliance should be penalised.
- The term *Small and Medium Enterprises* (SME) should be revived and re-examined.
- Discuss regulatory measures and sanctions related to filmmakers’ income if they do not include proportional and appropriate remuneration for authors and performers (the holder of the author’s rights and/or the holder of neighbouring rights) and wage regulation.
- Claiming that authors’ rights (payments) are an important source of income. (This only applies to an exclusive group of filmmakers.)
- Fixed minimum rates for freelancers and self-employed – equal pay for equal work.
- EU should advocate for the need to focus on social security issues in all member states.

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and the AUSTRIAN FILMMAKERS ASSOCIATION



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