Declaration

Basic Principles for Film Producers Worldwide

What is the Role of a Film Producer?

Film producers worldwide develop ideas and stories, obtain the necessary legal clearances, secure financing, engage writers, directors and actors, organise principal photography, and employ technicians as well as many other creative contributors. Producers are engaged in all stages of the creation of the film including development, financing, preproduction activities, principal photography, post production activities as well as sales and marketing.

The film producer takes the principal financial risk.

While developing, filming, editing and other post-producing, marketing and selling films for distribution are necessary steps in the life cycle of a film, these activities all require that the producer secure important upfront financial investment by distributors, financiers and other equity investors. Both investors and the producer thereafter require a secure legal and commercial context.

At stake today is the vitality of one of the key cultural industries with a profound in-depth impact on social and cultural life, strongly contributing to the worldwide economic development, generating employment and economic opportunities, while also promoting national creativity and the exchange of national culture worldwide.

Today, the worldwide film industry and its significant contributions are at risk.

In order to ensure the future of the industry and maintain and grow its economic and cultural benefits, the members of FIAPF confirm these Basic Principles which are relevant to the political and regulatory work of national governments, regional institutions and international organisations.
Creativity and copyright is the basic framework of film production and distribution.

Creativity and copyright is the basic framework of film production and distribution and are crucial elements for a vibrant worldwide film community and in creating films that the public enjoys. This basic framework must strike a balance of protecting the creator (or defining the creator’s rights) and creating conditions under which the public has access to the producer’s film.

Film producers consider that copyright is the constitution of the film community, establishing a framework for creating a work and for distributing it to the public. Changes to the copyright system require in-depth reflection on the impact on the creation, financing, distribution and availability of films, as well as on the social, cultural and economic development of a key cultural and economic sector.

- **The exercise of exclusive rights and contractual freedom is vital** for creating, financing and distributing films worldwide.

- **Physical and online piracy is theft of the intellectual and private property of right holders, including producers.** Piracy weakens film industry’s ability to continue to create and finance films, and therefore to respond to public demand for content or to contribute to the GDP and jobs creation. Each country must put in place appropriate measures designed together with the national film community and make the enforcement of such measures a priority. Governments are crucial partners to foster cooperation with Internet service providers to address the rampant illegal practices online as well as raising public awareness.

- **Exceptions / limitations to copyright.** Exceptions and limitations are part of the inherent balance in copyright laws. Film producers believe that current practice and case law worldwide demonstrate the flexibility and pragmatism of current copyright laws.

The production, financing and distribution of films should be ensured by a stable commercial and regulatory environment.

- Legislation must ensure the most favourable environment to guarantee meeting consumers’ demand for creative content, in particular in the online world. Indeed the commercial viability of film distribution services online fully depends on the consumers’ demand and on building effective commercial mechanisms that allow the producer to recoup the investment in the film as well as continue to produce films.

- Governments should work with local film communities in educating the public and creating a climate in which the role of a producer, the investment necessary to create a film, and the importance of producers’ economic and cultural contributions are clear.