

EUROPEAN WRITERS' CONGRESS

THE FEDERATION OF EUROPEAN WRITERS' ASSOCIATIONS

CONGRES DES ECRIVAINS EUROPEENS

LA FEDERATION DES ASSOCIATIONS

EUROPEENNES D'ECRIVAINS



THE BUDAPEST RESOLUTION

Today at the event of Forum Europa III
“LITERATURE TODAY AND TOMORROW –
SHAPING THE PROFILE OF EUROPE AT LARGE”
held in Budapest, 24th - 27th October 2002,
the European Writers' Congress (EWC) can
look back on 25 years of activities for
“l'artisan de la parole”, that is for the freelance
writer and literary translator.

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During this quarter of a century the EWC has seen progress towards a better awareness of local, national and European cultural policies in general and has advocated that better conditions for books and reading and for literary craftsmanship are core goals and values in civil society. It cannot be left to the market alone to protect diversity in the creation, production and dissemination of literature.

Copyright legislation as such is a market regulator anchored in the author's creation of a work of his/her imagination and craftsmanship. If the moral and economic rights of the author are diluted, and if they are not a priority issue reflected in the law and in the day to day contracting practices in the field, the concept of copyright and author's right will lose its acceptance in society.

Therefore it is in the interest not only of authors but in the interest of diversity in the creation, production and dissemination of literary works both in analogue and digital form, that the rights of writers and literary translators be developed to effectively cover all the relevant uses being made of the work – and not just a few of these uses.

It is clear from the work of the EWC that, invariably, it is the individual author who is the weaker contracting party in dealing with commercial companies of different kinds. The lack of parity must be acknowledged outside the writers' and translators' community and give way to copyright legislation making the author a stronger contracting party.

Therefore

1. the German legislative initiative of May 2001 “zur Stärkung der vertraglichen Stellung von Urhebern und ausübenden Künstlern” (on the strengthening of the contractual position of authors and performers) should serve as an example to follow throughout Europe;
2. the rights of authors must be underpinned by making them unwaivable and non-assignable, making it possible for the author to licence and trace the different uses made of his/her work and thus giving him/her a better position to demand and receive equitable remuneration;
3. the rights of authors, when used in the digital field, as is already the case for different analogue uses, should be managed by collecting societies representing authors such as the ones that already exist in most European countries – provided the rights are not licensed under the author's individual contract, concluded under conditions of equality with the user party.

To further this development the EWC again urges the European authorities to regard writers, literary translators, and readers as pillars of civil society, and to initiate Europe-wide independent surveys and analyses – including in the candidate countries – establishing the facts about the economic and social conditions for creative artists, thus following up the initiatives already taken by the EU Presidency in connection with the Seminar in Visby/Sweden on 30 March - 1 April 2001 concerning Conditions for Creative Artists in Europe and by the European Parliament in its Resolution on Cultural Cooperation in the European Union, dated September 5th, 2001.