

## EWC POSITION PAPER

### “One Year of Crisis – The Winter of our Discontent”

**The European Writers’ Council publishes its follow-up survey on the Economic Impact of the Covid-19 Crisis on Writers and Translators in the European Book Sector 2020-2022 and states its position on the results.**

Brussels, 1 November 2021

Already in 2020, the European Writers’ Council study [‘The Economic Impact of Covid-19 on Writers and Translators in the European Book Sector’](#) surveyed 33 professional organisations from 27 countries for a comprehensive report on the situation for book authors under the Covid-19 crisis. The follow-up study [‘One Year of Crisis – The Winter of our Discontent’](#), outlines the status quo regarding loss of income in 2020 and 2021, legal gaps and social welfare problems, and charts impacts for 2022-2025. The picture that emerges from the 18 months studied is characterised by three specific features:

- It is a crisis of the self-employed. This is particularly evident in the fact that out of 20 countries studied, only 10 were able to respond adequately on the involuntary income loss suffered by self-employed writers and translators, and on state funded financial support or comparable relief programmes.
- It is a crisis of authors’ rights and contract law. Neither were authors able to build up reserves to bridge the 18 months without income from live events, royalties, follow-up contracts and revenues from collective management, nor did they participate adequately in the increased use of their work in the digital environment – be it in the commercial market through streaming, be it in the field of education and remote learning, or in the context of digital event formats. Here, remuneration gaps and legal loopholes have been revealed, which are based on insufficient contractual relationships, as well as being characterised by monopoly structures and flat rate mentalities. The continuing delay in a strong implementation of the EU Directive on Copyright in the majority of countries puts further pressure on authors.
- It is a crisis of respect. In addition to a significant increase in illegal digital piracy, efforts by legal institutions in the educational and library sectors to make the work of writers and translators available online to the public at a very low cost, to a greater extent have also become intensified. While authors are willing to temporarily fulfil this service to society, this should not be used to derive a new “normal” or to abuse an extraordinary crisis to introduce additional limitations or exceptions that deprive authors even more of the chance to be adequately remunerated.

## **A brief summary of the findings of the EWC study 2021: One Year of Crisis**

Based [on the data in 2020](#), we expected the deep rupture that will cut through the book landscape of the post-crisis years – [and the forecasts have been confirmed](#), including the reduction of new publications in Europe by almost a third (-150,000 titles), and thus an unprecedented radical reduction in literary diversity. Making matters worse for 77% of writers and translators, of course, was the income loss of cancelled live events in 2020 and 2021 – from readings to lectures, workshops to residency scholarships, in addition to delayed or completely cancelled royalties and advances because of postponed titles.

In addition, the lack of support for self-employed authors was particularly worrying: only one in two of the 20 countries with state support was able to compensate for the involuntary 30% to 60% income loss of the mostly self-employed full-time authors. This is where solidarity among authors' organisations for member aid has had to step in.

The digital world was also only partly a way out: the growing desire for e-books and audio books did not compensate for the drop in print sales. Readings or online performances were rarely paid for: there is no concept in the digital world so far to also encourage audiences to pay admission to “virtual gigs”. Accordingly, half of all respondents assess the situation as being from very severe to severe.

School and teaching materials were widely in demand for remote learning. This led to Publishers and Collective Management Organisations (CMOs) extending licences and often making them available free of charge – a loss that educational and other writers carried. In the context of calls for more exceptions and limitation, this seems to us to be a particularly burning issue for the future: Education needs budgets, and the legal protection, not the weakening, of the sources of knowledge and literature: its authors.

### **Selected key facts**

- 77% of all authors suffered from cancelled live events; cancellation fees were not paid in 90% of cases.
- 15% to 25% average income loss for part-time, 30% to 40% for full-time writers and translators were registered.
- Only half of all 20 monitored countries offered state compensation or aid packages.
- Publishers postponed titles for 8 to 18 months. Royalty advances went down.
- The usage of educational book and text material for schools, universities, etc. for remote learning has risen, but with license extensions or fee relief. 70% of all Collecting Managements Organisations (CMOs) are expecting a negative long-term impact on the collective licensing income for authors.
- In some countries, e-book and audio book piracy has tripled.



The European Writers' Council, representing 160,000 professional writers and translators from 46 organisations and 31 countries, calls on the Members of the European Parliament, the EU Member States, and the Governments of Non-EU and the EEA countries, to act speedily and protectively for authors: the sources of the book value chain, literature, and knowledge. We need a shared consensus to decisively strengthen authors and their moral, economic, and social rights, and not to weaken them further. Therefore, the EWC urges all who bear responsibility to accomplish the following:

### **Strong implementation of the EU Directive on Copyright in the Digital Single Market**

We encourage EU Member States to focus swiftly on the full implementation of Title IV Chapter 3 of the Directive on Copyright in the DSM, and on a compensation-oriented, author-friendly transposition of additional relevant articles in the Directive on Copyright, including: on text and data mining, uses of educational materials, and out-of-commerce works (opt-out, remuneration, licensing, limited usage).

### **EU wide harmonisation of the working conditions of authors**

We appeal to Member States to institute a social security system for freelance authors, including pension schemes, accessible health insurance, and unemployment allowance.

### **Public Lending Right**

We call upon the Member States of Bulgaria, Portugal, and Romania to implement Public Lending Right. We encourage Member States to significantly increase the budget for PLR, and for e-lending under voluntary licensing conditions in Public Libraries, and to avoid additional limitations and exceptions.

### **Equipment levies and education budget**

The protection of equipment levies and remuneration for authors through Collective Management Organisations is the key issue for the future, together with an increase of budgets for educational and teaching materials under licensing agreements.

### **A digital fair playing field**

We call for an ethical and authors' orientated legal framework to ensure artificial intelligence respects the values of human intellectual property. Moreover, writers and translators need better protection from dominant streaming platforms.

### **Don't miss the opportunity of the DSA**

The aim of improving the accountability of search engines should be achieved by introducing effective due diligence obligations and not by allowing them to have a large and unjustified immunity ("safe harbour"). The currently discussed Digital Service Act should uphold Intellectual Property Rights and ensure that its original objectives are achieved.

LINK TO THE 2021 SURVEY ONLINE: <https://bit.ly/3GCTb0N> POSITION PAPER: <https://bit.ly/3ECHJAK>  
LINK TO THE 2020 SURVEY ONLINE: <https://bit.ly/2ZD0IRC> PRESS RELEASE: <https://bit.ly/3nFMBxO>