

Bulletin

ORGANIZATIONS OF FILM AUTHORS IN SERBIA



INTERVIEW :

Laura Baškevičienė

Director of Lithuanian collective management organization LATGA



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CONVERSATION
WITH THE AUTHOR

Mladen Đorđević

Film Director and Screenwriter

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I N D E X

Editorial	05
Interview: Laura Baškevičienė	06
Conversation with the author: Mladen Đorđević	11
Legal advice	15



EDITORIAL

Photo: Vojislav Gelevski



Stefan Gelineo

Director of UFUS AFA

Editorial

Fair remuneration for authors of audiovisual works is no longer merely a matter of copyright – it is a matter of the survival of film creation. In an era of rapid technological advancement, the way audiences watch films and television series has changed more dramatically than ever before. Television broadcasting is no longer the only means of reaching viewers. Today, audiovisual works are available across dozens of different platforms, streaming services, and digital channels, often simultaneously and in multiple countries.

Such technological developments have made content more accessible to audiences, but they have also raised new challenges regarding the protection of authors' rights. Every new use of a work generates new value. That value should not remain solely in the hands of those who distribute and commercially exploit the content. It must be shared with the authors, without whom those works would not exist.

Fair remuneration is neither a privilege nor an additional benefit. It is a recognition that a copyrighted work retains its economic value long after the creative process has been completed. Just as every other participant in the chain of exploitation derives income from the use of audiovisual works, so too should authors have the right to share in that value.

The digital environment has become so complex that the effective protection of copyright is no longer possible without collective rights management systems and legal mechanisms that guarantee fair remuneration. This is precisely why collective management organizations are playing an increasingly important role in the modern copyright system.

While numerous European countries have, in recent years, aligned their legislation with the development of the digital market and secured authors' right to fair remuneration for various forms of exploitation of their works, Serbia continues to lag behind these processes. As a result, Serbian authors remain deprived of income generated from the use of their works, while the value created by those works continues to grow. The longer the adoption of modern legal solutions is delayed, the wider the gap becomes between Serbia and European standards of copyright protection, and the greater the harm to domestic creators.

UFUS AFA will therefore continue to advocate for the adoption of modern legal solutions that will ensure fair remuneration for all forms of use of audiovisual works. This is not merely a struggle for the interests of film authors. It is a struggle for the sustainability of domestic cinematography, for the encouragement of new creative work, and for a society that understands that culture has its own value and that every author has the right to be fairly compensated for their work.

INTERVIEW

Photo Leonardas Borotinskas



Laura Baškevičienė

Director of Lithuanian collective management organization LATGA

As economic pressures grow, collective management organisations have to defend the value of creative work and ensure that authors receive fair remuneration

The Lithuanian collective management organization LATGA represents 7,500 authors from various creative fields, including music, literature, audiovisual and visual arts, as well as theatre.

In an interview for the UFUS AFA Bulletin, LATGA Director Laura Baškevičienė discusses the position of audiovisual

authors in Lithuania and Europe, the challenges posed by artificial intelligence and streaming platforms, and the importance of international cooperation among collective management organizations in ensuring fair remuneration for authors. She particularly emphasizes that technological development must serve creators and that copyright law must keep pace with the changes shaping today's digital society.

LATGA represents authors from many creative sectors. What are the specific challenges of managing copyright for audiovisual creators compared to other artistic fields?

LATGA represents authors from a wide range of creative fields, including music, literature, visual arts, dramatic works and audiovisual works. Each repertoire has its own characteristics, but audiovisual works present some unique legal and practical challenges.

First of all, collective management of audiovisual rights is relatively new. Music collecting societies have been licensing works and distributing royalties for decades, whereas audiovisual rights only started to be managed collectively much later in many countries. LATGA began representing audiovisual authors in 2005, fifteen years after the organisation was established. Compared with



“Many businesses still view copyright remuneration as a cost to be minimised rather than as a payment to the people who create the films, music and other works that add value to their services.”

music, both the legal framework and market practices are still evolving, and there is much less international harmonisation.

Another challenge is that audiovisual works are created collectively. A single film or television series may have many creative contributors. At LATGA, we represent composers, screenwriters, directors, cinematographers and production designers. Even something as fundamental as who is legally recognised as a co-author differs from one country to another. Some legal systems recognise only the director and screenwriter, while others, including Lithuania, recognise additional categories of authors. That makes cross-border rights management much more complex than many people realise.

The producer's role is another important distinction. In many countries, including Lithuania, the law presumes that audiovisual authors transfer their exploitation rights to the producer. As a result, broadcasters, streaming platforms and other users usually obtain licences from the producer rather than directly from the authors. For collective management organisations, this means our role is often not to license exclusive rights, but to ensure that authors receive the unwaivable remuneration or statutory compensation.

Finally, films and television programmes routinely travel across borders, but copyright laws do not. Countries differ on issues such as authorship, ownership of rights, presumptions of transfer, producers' rights and authors' entitlement to remuneration. These differences make rights identification, licensing and royalty distribution more challenging.

At the same time, representing different creative repertoires within one organisation has clear advantages.

Many creators work across disciplines. A composer may write both songs and film scores, while a writer may write novels as well as screenplays. Having a single organisation manage those different rights makes the process simpler for authors.

What are the main sources of royalty income for Lithuanian film and television authors today? Have these sources changed significantly in recent years?

The main sources of royalty income for Lithuanian audiovisual authors today are retransmission and private copying compensation. As technology has evolved, some traditional sources of income, such as video rental, have disappeared, while new ones have emerged. A major change came in 2022, when Lithuanian law gave audiovisual authors represented by collective management organisations an unwaivable right to remuneration for the use of their works. That allowed LATGA to conclude an agreement with Lithuania's public service broadcaster covering both broadcasting and its free video-on-demand service. In 2025, we also started collecting remuneration for the communication of television programmes in hotel rooms. Before that, only music authors received this type of remuneration.

Viewing habits continue to change. Audiences increasingly watch audiovisual content through on-demand and streaming services rather than traditional linear broadcasting. While these services are not yet a major source of income for Lithuanian audiovisual authors, we expect their importance to grow.



“By working together, collective management organisations are in a much stronger position to protect authors’ rights, respond to new technological challenges and ensure creators receive fair remuneration wherever their works are used.”

How has LATGA adapted to the rapid growth of digital media and streaming platforms?

The rise of streaming services has created new challenges for collective management. Today we’re dealing with huge volumes of usage data, so investing in technology and expertise has become essential. We also have to negotiate with global technology companies whose resources are far greater than our own. LATGA is continuously investing in IT solutions to help us process this data more efficiently and improve the accuracy and speed of royalty distributions. We’ve also adapted our licensing and negotiation practices and are working more closely with other collective management organisations to develop common tools and share best practices.

Artificial intelligence is becoming increasingly involved in film production, from script development to post-production. How does LATGA view the impact of AI on the rights of audiovisual authors?

Film production is a long and resource-intensive process that depends on creativity, time and significant investment. AI can be a valuable tool, helping authors develop ideas, make the creative process more efficient and reduce production costs. We see AI as a technology that should support human creativity, not replace it.

At the same time, AI raises fundamental copyright and economic questions. Many generative AI systems have been trained on copyrighted works without permission from the rightsholders. We believe that authors should have the right to decide whether their works can be

used to train AI systems and, if they are, receive fair remuneration.

There is also a broader issue. Recent studies suggest that authors could lose a significant share of their income as AI-generated content increasingly competes with human-created works. That’s why we need clear rules, effective licensing and fair remuneration mechanisms that support sustainable creative professions.

We therefore support a balanced approach that encourages innovation while ensuring transparency, consent and fair remuneration. Copyright has always adapted to technological change, and AI should be no exception.

Many countries are currently revising their copyright legislation to keep pace with technological developments. Are there any legislative initiatives in Lithuania that could further strengthen the position of authors? How would you assess the current level of copyright protection in Lithuania compared with other European countries?

Overall, I think Lithuanian authors enjoy a high level of copyright protection that is comparable to other EU Member States. Our copyright framework is fully aligned with EU legislation, and an important step forward came with the implementation of the Copyright in the Digital Single Market Directive.

Unlike countries such as Germany and France, Lithuania does not have a tradition of collective bargaining agreements in the audiovisual sector. To ensure the principle of appropriate and proportionate remuneration

“AI can be a valuable tool, helping authors develop ideas, make the creative process more efficient and reduce production costs. We see AI as a technology that should support human creativity, not replace it.”

set out in Article 18 of the Directive, the Lithuanian legislator introduced an unwaivable right to remuneration for audiovisual authors represented by collective management organisations. From a legal perspective, the position of authors is strong. However, the bigger challenge today is making sure the existing rights are effectively enforced. Good laws are essential, but they only make a real difference if they are respected in practice.

Many current copyright challenges cannot be addressed by national legislation alone. Artificial intelligence is a good example, as AI and digital services operate across borders. Through our work in GESAC, where I serve on the Board, LATGA contributes to efforts to strengthen European copyright policy in the interests of authors. For organisations of our size, working through European networks is often the most effective way to make our voice heard.

Do you believe that the general public is sufficiently aware of the importance of copyright protection?

Awareness has improved over the years, but I think there is still a long way to go. And this isn't just about the general public. It also applies to many businesses that rely on creative content.

In Lithuania, a recent study found that four in ten people access illegal online content at least occasionally, while one in four do so regularly. Films, TV series and music are the most frequently pirated, and around a quarter of respondents said they cannot easily distinguish between

legal and illegal sources. That shows that education remains just as important as enforcement.

We also see that many businesses still view copyright remuneration as a cost to be minimised rather than as a payment to the people who create the films, music and other works that add value to their services. As economic pressures grow, collective management organisations increasingly have to defend the value of creative work and ensure that authors receive fair remuneration.

That is why education is such an important part of what we do. Alongside licensing and royalty distribution, we regularly organise public discussions, workshops and awareness campaigns, and through our podcast series we explain copyright issues in an accessible way, discuss current challenges and encourage a broader understanding of the value of creative work.

Cross-border exploitation of audiovisual works has become the norm. How important is international cooperation among collective management organizations in ensuring that authors receive fair remuneration?

International cooperation is essential. LATGA works with sister societies around the world through reciprocal representation agreements and organisations such as CISAC, GESAC and SAA. We were also very pleased to sign a reciprocal representation agreement with UFUS-AFA, strengthening cooperation between our organisations for the benefit of audiovisual authors in Lithuania and Serbia. But international cooperation is about much more than

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“International cooperation is essential. We were very pleased to sign a reciprocal representation agreement with UFUS-AFA, strengthening ties between our organisations for the benefit of audiovisual authors in Lithuania and Serbia.”

collecting and distributing royalties. It allows CMOs to develop common standards, share good practices, coordinate advocacy and build shared tools that make rights management more efficient. International systems such as CISAC's IPI and IDA databases, for example, help identify authors and works more accurately, making cross-border royalty distribution faster and more reliable. By working together, collective management organisations are in a much stronger position to protect authors' rights, respond to new technological challenges and ensure creators receive fair remuneration wherever their works are used.

From your perspective, what are the biggest challenges facing audiovisual creators in Europe over the next decade, and what role should collective management organizations play in addressing them?

I think the biggest challenge will be making sure that technological innovation creates opportunities for creators rather than simply concentrating more value in the

hands of a small number of global technology companies. Artificial intelligence, streaming, cross-border digital services and rapidly evolving business models are all changing the way creative works are produced, distributed and monetised. Copyright needs to evolve alongside these changes, while continuing to ensure that authors receive a fair share of the value their work creates, regardless of how it reaches audiences.

Collective management organisations have an important role to play. We need to negotiate fair licensing frameworks, collect and distribute royalties efficiently, advocate for balanced copyright policies and make sure authors have a strong collective voice in policy discussions. By working together, we can help ensure that creativity continues to be recognised and fairly rewarded in the digital age.



CONVERSATION WITH THE AUTHOR

Photo: Norman Wong

**Mladen Đorđević***Film Director and Screenwriter*

Films should move viewers out of the comfortable position they have grown accustomed to

Mladen Đorđević, the director and screenwriter of acclaimed films such as *Život i smrt porno bande* (*The Life and Death of a Porno Gang*), *Sumrak u bečkom haustoru* (*Vienna Hallways*), and *Radnička klasa ide u pakao* (*Working Class Goes to Hell*), has developed a distinctive auteur style, focusing on people living on the margins of society and on subjects that rarely find their way into the spotlight. His films consistently provoke strong reactions from both audiences and critics, and have been screened and awarded at numerous national and international film festivals.

His latest completed feature, *Ljubavna soba* (*The Love Room*), is awaiting its premiere. Set in a prison conjugal

visitation room, the film explores a much broader theme – the possibility of love and human intimacy in a world marked by fear, alienation, and uncertainty.

In this interview for the UFUS AFA Bulletin, Mladen Đorđević discusses the characters who inhabit his films, the relationship between documentary and fiction filmmaking, the position of auteur cinema today, the challenges posed by artificial intelligence and the digital age, and the importance of protecting the copyright of film authors.

Almost all of your films focus on people living on the margins of society – outsiders. What keeps drawing you back to these characters and their stories? Do you believe that society is best understood through the lives of those who are not part of the mainstream?

I believe that a society is best understood by those who live on its margins. They are part of that society, yet they are pushed to the edges, which gives them greater distance and a clearer perspective. The margins offer a certain degree of freedom and independence from the mainstream. However, today, as we are living through the Fourth Industrial Revolution and have moved from the analogue into the digital sphere, the distinction between the center and the periphery is gradually disappearing. In the digital space, many small centers exist simultaneously. The traditional hierarchy, shaped like a pyramid – or a phallus – with a single dominant center at its apex, is collapsing. Instead, we are witnessing the parallel existence of multiple centers of power. In the digital realm, each of us can be – and indeed is – a center of power. As a result, the relationship between the center and the periphery is becoming meaningless, since physical distance and physical strength are losing their significance.



“Contemporary Serbian auteur films, despite scarce and irregular funding, are gaining increasing recognition on the international festival scene. However, outside that sphere, they remain almost unnoticed. This is a problem affecting the majority of the global art-house film scene.”

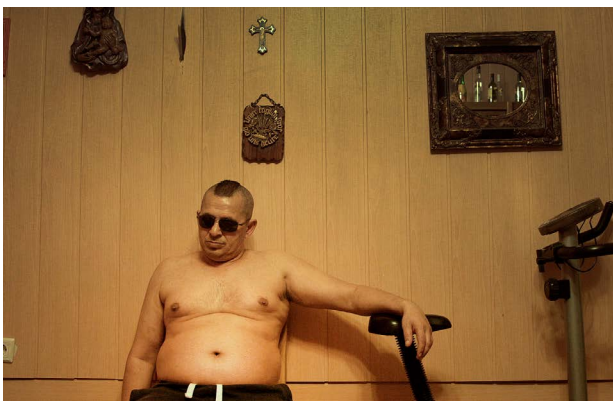
The settings in your films also play an important role – abandoned factories, urban outskirts, dilapidated apartments, improvised settlements. How do you choose these locations, and what do they reveal about your characters?

I am drawn to devastated spaces. Even as a high school student, I was visually fascinated by ruins, scrapyards, rubbish dumps... I still remember Baudelaire’s remark: “I prefer a heap of garbage to all the splendour of Paris.”

Such places are the natural habitat of my characters. They speak of the transience of human creation and possess a visual dynamism that is particularly well suited to cinema – they have a kinetic quality.

Do you see yourself as a socially engaged filmmaker, or primarily as a storyteller drawn to somewhat extreme human destinies?

I would say the latter. I am not fond of politically engaged art. However, socially and politically engaged art is what is encouraged today, and it dominates the world of festival films and public funding. If that were not the case,



Vienna Hallways, photo: Promo

European public funding bodies would not finance such films. They would have no use for them. Contemporary festival films often serve as instruments of propaganda, promoting political ideas that align with the interests of global centers of power. In reality, they function as part of the backdrop for film festivals, whose existence – and funding – are secured through political correctness and their perceived usefulness as platforms for political messaging. As a result, the sublime and the metaphysical dimensions of cinema, along with its emancipatory potential, are gradually disappearing.



“I have the impression that festival films, so-called auteur films, have become highly bureaucratized and do not particularly welcome disruption or genuine provocation.”

As a filmmaker who has created both acclaimed fiction and documentary films, how do you see the relationship between these two cinematic forms today? Does documentary film have certain advantages when it comes to interpreting contemporary society?

I do not distinguish between documentary and fiction films. To me, a film is a film. When you look at the selections of the most prestigious film festivals, you can see that documentaries and fiction films are quite evenly represented. It is true that documentaries can often be more exciting than fiction films. However, there is a danger that the value of documenting reality – something inherent in every work of art – may overshadow the transcendent and the imaginary in art, and this is a process that is already underway.

You recently completed the film *The Love Room*, which is set in a prison – more specifically, in the rooms where inmates are allowed to have intimate relations with their spouses and partners. Is this film a story about love, freedom, and the human need to preserve dignity even in prison conditions...?

My new film explores the theme of love in the contemporary world. It seems as though people are afraid to love. Love has been thwarted and attacked from all sides. This is because people today are afraid. They are threatened by wars, rising prices, immigrants, environmental pollution, and various forms of instability. That is why people turn away from themselves and stop listening to their deepest and most subtle needs. They turn towards something greater than themselves because it makes them feel safer. As a result, they become victims



Working Class Goes to Hell, photo:Promo

of consumerist mentality, fanaticism, entertainment-driven traditionalism, neoliberalism...

Nowadays, is it (and to what extent) difficult to make an auteur film that is not tailored to market expectations, but instead insists on provocative themes and an authentic cinematic language?

The problem is not only market expectations, but also the system of public funding and festivals. I have the impression that festival films, so-called auteur films, have become highly bureaucratized and do not welcome much disruption or genuine provocation. It seems to me that this is a reflection of the spirit of contemporary Europe, which has retreated into a bubble out of fear and avoids any profound self-examination or subversion. Contemporary festival films are increasingly becoming projects that artificial intelligence will soon be able to create as well. The emergence of artificial intelligence in the sphere of art – a development that many artists are



Working Class Goes to Hell, photo:Promo

protesting against and fear – is not at all surprising, nor is it something imposed upon us; rather, it is the natural outcome of an art and culture that have long since become dehumanized.

In your opinion, what place does Serbian auteur cinema occupy today on the European film scene? What has your experience at international festivals shown you – does global audience have certain expectations of Serbian or, more broadly, Balkan cinema?

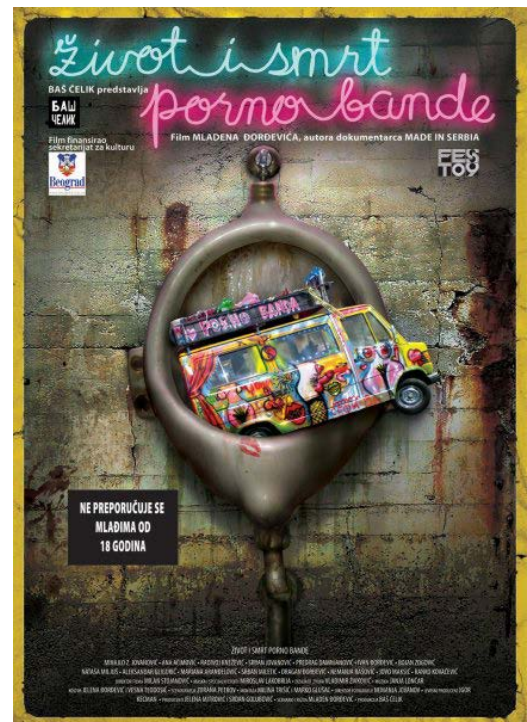
Contemporary Serbian auteur films, despite scarce and irregular funding, are gaining increasing recognition on the international festival scene. However, outside that sphere, it remains almost unnoticed. This is a problem affecting the majority of the global arthouse film scene. Films have little social impact because authors have been censored and tamed by the bureaucratic system of funding and festivals.

As a director and screenwriter, what do you consider your greatest responsibility towards the audience – to entertain them, unsettle them, encourage them to think, or something else?

I would like my films to do all of the things you have mentioned. I am drawn to films that are capable of moving viewers out of the comfortable position they have grown accustomed to. I believe that contemporary cinema needs to make room for uncomfortable and unsettling works that reveal the darker side of the society in which we live. The existence of such works of art is a testament to the strength and breadth of a culture.

As an author whose films are distributed on the international market, how do you view the position of film authors in Serbia when it comes to the exercise of their copyright and fair remuneration? How important is it for authors to have strong collective management organizations that protect their interests?

The situation is improving thanks to UFUS AFA ZAŠTITA. I am particularly pleased with the support this organization provides to socially vulnerable members. The protection of our rights should also be extended to the areas of the internet and artificial intelligence, where we are still unprotected.



“My new film deals with the theme of love in the contemporary world. It seems as though people are afraid to love. Love has been thwarted, attacked from all sides.”



The Life and Death of a Porno Gang, photo: Promo

LEGAL ADVICE

Photo: Aleksandar Carević

**Stevan Pajović***Lawyer at TS Legal*

The Reproduction Right in the Operations of UGC Platforms and Telecommunications Operators

Introduction: New Forms of Exploitation and the Need for Adequate Protection

Technological progress has fundamentally transformed the ways in which films and other audiovisual works are made available to the public. The former reliance on physical media for reproduction has been replaced by computer servers and network-based data storage systems. In these circumstances, the reproduction right set out in Article 20 of the Copyright and Related Rights Act (CRRRA) has acquired an entirely new significance. To address this situation effectively in the interests of right holders, it is essential that this specific right also be made subject to mandatory collective management whenever it is exercised by online content-sharing platforms or by telecommunications operators providing

network personal video recording (nPVR) services. Only by bringing these modern forms of exploitation within the framework of collective rights management can a fair balance be established in the market and authors be guaranteed equitable remuneration for the extensive digital use of their works.

Video-Sharing Platforms (VOSPs/UGC): From “Technical Intermediaries” to Commercial Users

Platforms such as YouTube and Dailymotion often seek to characterize their legal position as merely providing the technical infrastructure for content uploaded by third parties. However, an analysis of their actual mode of operation reveals the following key elements:

- **Direct exercise of the reproduction right:** Each video upload triggers the platform’s automated processes, including transcoding, compression, and the permanent storage of the content on its computer systems. These activities constitute a tangible and unequivocal act of reproduction.
- **Commercial exploitation and monetization:** Platforms actively manage content through indexing, algorithmic recommendation systems, and the placement of advertising. As a result, unlawfully reproduced copyrighted works are directly used to generate substantial commercial revenue.



The Inapplicability of the Reproduction Right Exception (Article 48 of the CRRA)

The provisions permitting temporary acts of reproduction without the author's authorization under certain conditions cannot be applied to the business models of these platforms for the following reasons:

1. **Permanent storage:** The storage of audiovisual content on platform servers is systematic and permanent in nature. It therefore cannot be regarded as a temporary or incidental technical process.
2. **Lack of lawful basis:** Since users generally do not possess the necessary rights to upload audiovisual works, the act of reproduction does not serve the purpose of enabling a lawful use of the work. Instead, it further facilitates the unlawful communication of the work to the public.
3. **Independent economic significance:** The generation of advertising revenue and the collection of user data clearly demonstrate that these acts of reproduction have independent commercial value and cannot be regarded as economically insignificant.

Network Personal Video Recorders (nPVR / Cloud PVR): Reproduction Within the Operator's Infrastructure

Alongside online platforms, telecommunications operators have expanded their service offerings by enabling subscribers to record television programs or watch them at a later time.

From both a technical and a legal perspective, nPVR services rely on the operator continuously recording and storing television signals in the electronic memory of its cloud servers or other distributed storage systems. Unlike the mere provision of access to a work, the

defining element of these services is the **act of making and storing reproductions** of the content, which falls within the scope of Article 20 of the Copyright and Related Rights Act (CRRA).

Why Collective Rights Management Is the Only Effective Solution

No individual film author has the resources necessary to continuously monitor the millions of works made available to the public every day on content-sharing platforms and through operators' systems. Individual requests to remove unauthorized material provide only temporary results, as the same content soon reappears under different accounts.

The introduction of collective management of this right provides a sustainable mechanism for both parties:

- **For users (platforms and operators):** It enables a lawful and straightforward business model based on a "one-stop shop" approach. By concluding a single agreement with a collective management organization, they can lawfully use the entire film repertoire while eliminating the risk of individual lawsuits.
- **For authors:** It ensures effective oversight and a regular flow of remuneration reflecting the actual extent to which their works are exploited in the digital environment.

Conclusion

Recognizing and bringing acts of reproduction carried out by content-sharing platforms and telecommunications operators within the scope of collective rights management is a necessary response to contemporary forms of exploitation. This ensures the appropriate valuation of authors' work and the long-term stability of the domestic film industry.



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