



March 2004

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

Highlights:

§ Parliament vote on directive on enforcement of intellectual property rights, p.1

§ EBLIDA annual Council meeting, Estoril 2004, p. 2

§ Civic participation, culture, media and youth in favour of European citizenship , p. 7

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Copyright

Parliament vote on directive on enforcement of intellectual property rights

Parliament adopted on 9 March a resolution by MEP Fourtou on the draft directive on measures and procedures to ensure the enforcement of intellectual property rights (IPRs), by 330 votes in favour, 151 against and 39 abstentions. Parliament welcomed a compromise agreement with the Council, which means that the directive can be adopted before the European elections.

The House voted for an amendment stipulating that main enforcement measures need to be applied only for breaches committed on a commercial scale; this means that private individuals who download music or films for their personal use will not be targeted. Measures and procedures outlined should apply to all violations of IPRs covered by Community and/or national legislation of the member state concerned.

An important issue was the scope of the directive. The directive does not oblige governments to launch criminal proceedings over infringement of IPRs as originally

drafted by the European Commission. Parliament limited the scope to administrative and civil action alone. However, the Directive will not affect any national provisions in member states on criminal penalties for IPR infringement, nor will it affect member states' international obligations.

Where evidence for establishing the infringement of IPRs is concerned, Parliament amended the Commission Proposal to include the protection of confidential information.

Parliament adopted amendments regarding persons authorised to bring proceedings, the presumption of ownership of copyright, and the award of legal costs. Lastly, the date of transposition will be 24 months after the entry into force of the directive rather than 18 months.

The draft directive is now awaiting Council common position. See Fourtou report (A5-0468/2003) at

Continued in Page 6

Education

A new generation of education programmes

http://www.europa.eu.int/comm/education/programmes/newprog_en.html

The Commission adopted on 9 March a communication outlining the content of two new programmes in the education/training field, which will be formally proposed this summer. These are:

§ **Lifelong Learning integrated** programme for mobility and cooperation between EU, EEA/EFTA and candidate countries which will include the current Socrates and Leonardo da Vinci programmes;

§ **Tempus Plus** programme for the EU neighbouring countries and the existing

Tempus countries which will focus on cooperation and development in higher education, vocational training, school and adult education.

The communication builds on the experience of the existing programmes, summarised in a series of interim reports published at the same time, and on the outcomes of public consultation on the future development of these programmes, held between November 2002 and February 2003.

Table of Contents

Parliament vote on directive on enforcement of intellectual property rights	1
A new generation of education programmes	1
EBLIDA annual Council meeting, Estoril 2004	2
EBLIDA attends BDB annual congress and Leipzig Book Fair	2
EBLIDA Statement on Public Lending Right	2
Commission accepts Parliament amendments on the MEDIA programmes	3
Commission communication on European cinematographic heritage	3
The future of the European audiovisual industry	3
Parliament report on the implementation of the 1995 Data Protection Directive	4
Cross-border protection against unfair commercial practices	4
Parliament report on enforcement order for uncontested claims	5
EC renews its scientific and technological cooperation agreement with Israel	5
INCO, Impact assessment report on the international role of Community research	5
European Capitals of Culture after enlargement	6
European support for cultural organisations	6
Culture 2000 extended until 2006	7
Civic participation, culture, media and youth in favour of European citizenship	7
Community action programme in education and training	7
Cedefop, Centre for the development of vocational training	7
Implementation of the Leonardo da Vinci and Socrates programmes	8
Comprehensive monitoring report of the 10 new countries for Union membership	8
Budget implications of Wider Europe Initiative	9
The new EU compared to EU fifteen	9
Europe and basic research Council conclusions	9
Investment in research, state of play of the '3%' action plan	9
Scientific research, admission of third-country researchers to the EC	10
IDABC programme, EU subsidy for government administration	10
eEurope, Community statistics on Information society	10
Call for EU action to guarantee media pluralism	11
Council conclusions, follow-up to the WSIS	11
Council fails to agree on Community Patent	11
Commission to get tough on member states' failure to implement rules	11
Safer Internet plus, a new €50 million 4-year programme to make Internet safer for children	12
Council conclusions on SPAM, unsolicited communications	12
EU public opinion on issues relating to Business to Consumer eCommerce	12
Council conclusions on the situation of the electronic communications sector	12
French delegation wants VAT reduced rates applied to music	13
Action programme to promote bodies active in the field of youth	13
Interim evaluation of the Youth Programme 2000-2006	13

Lobbying for archives and libraries

EBLIDA annual Council meeting, Estoril 2004

The EBLIDA annual Council meeting 2004 is approaching!! The EBLIDA Secretariat wishes to thank all the members who have already expressed their support and all of those who have registered so quickly! This makes us foresee a very successful meeting and productive discussions on relevant issues such as the new *EBLIDA Strategy 2004 - 2007*.

As part of the programme we have organised a seminar on professional education matters titled "*Libraries, Archives and Information Sectors facing the European Higher Education Area*". European experts from different fields will be presenting and discussing European-level issues ranging from the proposal for a Directive on the recognition of Professional

Qualifications to the accreditation systems or the Bologna process. The Council meeting will also focus on relevant issues for the EBLIDA members such as the *EBLIDA Strategy 2004 - 2007*, which Draft text will be submitted to the members for discussion and approval, and which can be found already at the EBLIDA website for public consultation.

And last - but not least! - the social programme and activities planned promise to make us enjoy a wonderful time in this lovely land after two days of hard work! Don't miss it! See you all in Estoril!

Visit <http://www.eblida.org/> or contact the EBLIDA Secretariat for further information.

EBLIDA attends BDB annual congress and Leipzig Book Fair

EBLIDA Director was invited to present the current topics and policies of EBLIDA at the annual congress of the German Library Association and the BIB, celebrated in parallel with the Leipzig Book Fair on 24 and 25 March 2004. M P González Pereira had the opportunity to meet and present German colleagues with the latest lobbying and policy issues which

EBLIDA has been dealing with as well as other relevant matters e.g. the *EBLIDA Strategy 2004 - 2007* and the European Commission funded project CALIMERA.

EBLIDA wishes to thank the German colleagues for a warm welcome and for their interest and maintained support to the organisation.

EBLIDA Statement on Public Lending Right

<http://www.eblida.org/position/index.htm#iprs>

EBLIDA fulfilled a crucial role during discussions on the *Directive 92/100/EC* on rental and lending rights. Since then, and every time the Commission has acted on this field, EBLIDA has submitted its point of view following the line of respecting the cultural tradition in each EU country, but reminding the flexibility of exemptions provided for by the Directive when it comes to national implementation.

Further to the EC actions initiated during 2003 against [Belgium for failing to implement into its national legislation certain provisions](#) provided for by the Directive, at the beginning of 2004 the EC also requested [Spain, France, Italy, Ireland, Luxembourg and Portugal to provide information regarding their national implementation](#) (see [IP/04/60](#) of 16

January 2004).

As a result, national groups have initiated actions. In view of the current concern expressed by many EBLIDA members the Director called for an informal meeting with interested parties to clarify the main issues involved and future issues arising from the digital environment. The meeting, held on 13 February at the EBLIDA office was attended by representatives of Rotterdam Centrale Discotheek, Médiathèque de la Communauté Française en Belgique, FESABID Group for Libraries and Intellectual Property.

Moreover, the EBLIDA Executive Committee (*Ljubljana, February 2004*) approved an EBLIDA Statement on the PLR, which has been issued in consultation with the EBLIDA Copyright Expert Group.

Audiovisual

Commission accepts Parliament amendments on the MEDIA programmes

On 12 March, the Commission adopted amended proposals for Decisions to extend the **MEDIA Plus** and **MEDIA Training programmes** unchanged for one additional year (2006).

Parliament opinions on both proposals were delivered at first reading on 12 February (Veltroni report on MEDIA Plus - *A5-0028/2004* and Vattimo report on MEDIA Training - *A5-0027/2004*). With two amendments each, the original proposals were adapted to take the impact of enlargement into account for the years 2004

and 2005. As a result, a budget of 85.6 M€ (MEDIA Plus) and of 7.4 M€ (MEDIA Training) are proposed. In addition, the Commission is to present an assessment report on the MEDIA programmes by **31 December 2005**.

The Commission accepts, in spirit of a compromise, Parliament amendments (see MEDIA Plus amended proposal - *COM (2004)0175* and MEDIA Training - *COM (2004)0176* at <http://europa.eu.int/eur-lex/>). Both draft Decisions are now awaiting Council common position.

*Co decision procedure
Second reading*

Commission communication on European cinematographic heritage

http://europa.eu.int/eur-lex/en/com/pdf/2004/com2004_0171en01.pdf

The European Commission adopted on 16 March a communication that, following its communication of 26 September 2001 (*COM (2001)0534*), aims at extending the regime governing schemes of State aid to the audiovisual sector until **30 June 2007**; it also proposes the adoption of a European Parliament and Council **recommendation on film heritage**.

This communication is the result of several months of consultation with professionals in the film sector and the authorities of the member states who stated that the 2001 regime made a positive contribution to the development of cultural activity, thus it should be maintained. An analysis of the replies shows that ten member states have established a legal obligation for producers to deposit their cinematographic works in the national libraries or film institutes. The Commission nevertheless wishes to examine

whether the current regime can fully cope with the future challenges facing the European audiovisual market and will thus, conduct a cultural and economic impact study on the existing aid schemes during this three-year period.

With regard to the conservation of European film heritage, consultation showed that four fifths of member states have a system of compulsory deposit, either for all film works or for those produced with financial support from the State. For this reason, the Commission proposes a recommendation concerning only cinematographic works and covering all aspects of the protection of film heritage e.g. **cataloguing of works, creation of databases, restoration of films, their use for teaching purposes and cooperation between responsible institutions** in the sector. See COM (2004)0171 at <http://europa.eu.int/eur-lex/>.

The future of the European audiovisual industry

<http://www.europarl.eu.int/meetdocs/committees/cult/20040315/524720en.pdf>

The Culture committee held on 16 March a public hearing on Europe's audiovisual policy to address key topics such as the current state of audiovisual policy in the digital TV age; technological convergence; EU competences and different legal systems at national level. It was pointed out that strong public services are needed to ensure cultural diversity and pluralism. Public opinion and MEPs both sometimes feel that

the Commission is against public aid and against protecting cultural diversity (WTO); that it adopts a passive stance to concentration within the industry. It was thus suggested that Parliament try to induce the Commission to draw up rules against concentration in the media under Article 192 of the Treaty; another idea was to expand the mandate of the European Audiovisual Observatory to include monitoring of concentration in the media industry.

Consumer Protection

Parliament report on the implementation of the 1995 Data Protection Directive

*Own-initiative report
Procedure terminated*

Parliament adopted on 9 March, by 439 votes in favour, 39 against and 28 abstentions an own-initiative report by MEP Cappato on the **1995 Data Protection Directive**. The House states firmly that transfers of personal data to third country authorities without consent seriously infringe EU data protection standards. It calls for arrangements for data protection in such circumstances to be subject to approval by Parliament in the future.

MEPs are critical of the time taken by member states to implement the directive, which required the Commission to take legal action against five states. They also regret the continuing differences in the ways in which it is applied at national level, which have prevented economic operators drawing the maximum benefit from it. These and other shortcomings should be addressed by cooperation between member states, rather than by changes to the directive - if this does not work however, Parliament says the Commission should take member states to

the Court of Justice.

Parliament considers that, in the long term, Directive 95/46/EC should be applied, following the appropriate modifications, to all areas of EU activity to guarantee a high standard of harmonised and common rules for privacy and data protection and that compliance with privacy and data protection rules should be guaranteed by national supervisory authorities, a common EU authority, to which citizens will have the right to appeal, and the Court of Justice.

The initial proposal [COM (2003)0265, <http://europa.eu.int/eur-lex/>] was published on 15 May 2003 to present the first report on the implementation of the Data Protection Directive (directive 95/46/EC). It summarises recommendations for action.

The Cappato report (A5-0104/2004) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Cross-border protection against unfair commercial practices

*Co decision procedure
First reading*

On 17 March, the Legal affairs committee adopted the report by MEP Ghilardotti amending the proposed directive on unfair business-to-consumer commercial practices, which aims at laying down standard EU-wide criteria for determining whether a commercial practice is unfair, although without imposing any positive obligations on traders to show that they are trading fairly.

The committee first included the term "cross-border" in the title of the directive. Whereas the Commission proposal called for the directive to "approximate" the laws of the member states in this field, the committee called for full harmonisation. The Commission text defines a commercial practice as unfair if, amongst other things, it "is likely to materially distort the economic behaviour with regard to the product of the average member of a particular group of consumers". MEPs adopted an amendment defining the term "particular group of

consumers" to refer to a group of consumers with distinct non-economic characteristics such as those who are "vulnerable as a result of age, disability, physical or mental conditions or level of literacy".

Turning to misleading commercial practices, the committee voted that "advertorials" (articles or features which are published in exchange for payment) should comply with the directive "if the marketers rather than the publishers control their content". It added that traders and publishers should make it clear that such features are in fact advertisements.

The report (A5-0188/2004), for which vote in plenary is scheduled in April, can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports; the Council common position is expected on 17 May.

Consumer Protection

Parliament report on enforcement order for uncontested claims

Parliament adopted on 30 March a legislative resolution drafted by MEP Wuermeling on European enforcement orders (EEO) for uncontested claims. The EEO provides creditors with a simplified means of enforcing cross-border uncontested claims and thus complements the provisions on cross-border services and trade in the single market.

The report (A5-0187/2004), tabled on 17 March, can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

In addition, the Commission adopted on 19 March a communication aimed at pursuing two objectives - the mutual recognition of

decisions on uncontested claims on the one hand and the creation of a specific procedure for the attainment of decisions on uncontested claims on the other - in two different legislative instruments. This allows a broader scope of application for the abolition of exequatur, extending it to all judgments handed down in the verifiable absence of any dispute over the nature and extent of a debt and not only to decisions delivered in one specific procedure.

See COM (2004)0173 at <http://europa.eu.int/eur-lex/>. The proposal has been transferred to Parliament and Council for their opinion under co decision procedure.

*Co decision procedure
Second reading*

Co-operation with third countries

EC renews its scientific and technological cooperation agreement with Israel

On 11 March, Parliament adopted, without amendments, a resolution drafted by MEP Quisthoudt-Rowohl and agreed to renew the agreement on scientific and technological cooperation with Israel.

The new agreement has simply been adapted to the specific features of the sixth Framework Programme (FP6). Israel participates in the FP6 as a partner with the same rights and obligations as EU member states; the only exception is the Scientific and Technical Research (CREST) Committee in which it is only an observer (without voting rights). Moreover, intellectual property rules have been extended to cover reciprocity and

the instrument concerning the application of Article 169.

Israel still spends more money on research in relation to its GDP than the EU and is a world leader regarding the number of scientific publications per capita. Israel is expected to make a financial contribution to the FP6 totalling €191.9 million in the four years-period (2003-2006).

The report (A5-0115/2004), awaiting Council final decision, can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Consultation procedure
Procedure terminated*

INCO, Impact assessment report on the international role of Community research

There has been identifiable positive impact of research from INCO and STD in a very diverse programme of activities in many geographical areas and several relevant scientific fields.

There are however certain informational and managerial weaknesses that require attention to facilitate future work on assessing project and programme impacts e.g. incomplete archiving and indexing of project records and outputs. Two overall recommendations

are made as a result of this impact assessment study: INCO, or an appropriate successor to it, should continue in a form that can foster the international aspects of EU S&T; its legacy needs to be built on in the future to extend EU scientific international collaboration and its resulting impacts still further under ERA.

See the full impact assessment report at ftp://ftp.cordis.lu/pub/documents_r5/nat_dir0000021/s_1834005_20020722_095923_4IOH021657en.pdf.

Copyright

Parliament vote on directive on enforcement of intellectual property rights

Continued from Page 1

*Co decision procedure
Second reading*

http://www.europarl.eu.int/plenary/default_en.htm, under latest reports; see COM (2003)0046 at <http://europa.eu.int/eur-lex/>.

EU legal framework in the area of intellectual property rights and in the internal market at large.

On 11 March, Competitiveness ministers took note of Parliament's opinion and will adopt the directive as amended by Parliament in the next few weeks. The Council welcomed this first reading agreement and underlined that the new directive will constitute a key element of the

The directive aims at ensuring a high, equivalent and homogenous level of protection of intellectual property rights by approximating legislative systems to help combat counterfeiting and piracy in the single market, a problem affecting software, toys, CDs, etc.

Culture

European Capitals of Culture after enlargement

*Co decision procedure
First reading*

Pairs of Cultural capitals

Austria - Lithuania (2009)
Germany - Hungary (2010)
Finland - Estonia (2011)
Portugal - Slovenia (2012)
France - Slovakia (2013)
Sweden - Latvia (2014)
Belgium - Czech Republic (2015)
Spain - Poland (2016)
Denmark - Cyprus (2017)
Netherlands - Malta (2018)

On 15 March, the Culture committee adopted a report by MEP Rocard on changes to the procedure for selecting the cities as European Capital of Culture. The 1985 initiative was launched to highlight the richness and diversity of European cultures and to promote the European dimension of our common heritage. The Commission's current proposal aims at adapting the system to reflect the enlargement of the EU.

MEPs in the Culture Committee accepted the Commission's proposal to complete the schedule and establish a system whereby, from 2009, two cities, one from a new member state in tandem with one from a current member state, will be chosen as

European Capitals of Culture each year. The Rapporteur was concerned about the budgetary impact of having two 'capitals' and argued for more competition in the selection procedure. The committee rejected however, any major changes at this stage, adopting instead amendments calling for adequate funding for the 'two capitals' approach, and for each member state concerned to nominate at least two cities, so there is some competition.

The report (A5-0148/2004) awaiting vote in plenary can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports; See COM (2003)0700 at <http://europa.eu.int/eur-lex/>.

European support for cultural organisations

*Co decision procedure
Second reading*

On 10 March, Parliament adopted at second reading the resolution drafted by MEP Iivri approving the common position on the creation of a Community programme to support organisations running European activities in the field of culture (2004-2006), subject to five amendments - three designed to extend the budget earmarking system until 2005 and two technical amendments which seek to introduce two derogations from Article 112 (2) of the Financial Regulation to take account of the entry into force of this new programme from 2004.

The total budget for the programme is €19 million. The programme will cover certain former **budget lines in Part A, Chapter 30**

of the budget, particularly those aimed at supporting the **EBLUL and Mercator**, protecting the **sites of Nazi concentration camps as historical monuments**. Other organisations of European cultural interest however will need to go through an application and selection process from the third year onwards. In this way, the advance earmarking of recipients by the budgetary authority will be phased out.

On 23 March, the Commission adopted its opinion amending the proposal (see *COM (2004)0211* at <http://europa.eu.int/eur-lex/>) and accepted the five amendments in full. The proposed programme is now awaiting publication in the Official Journal.

Culture

Culture 2000 extended until 2006

Telecommunications ministers adopted on 8 March, without debate, a Decision extending the Culture 2000 programme until 31 December 2006. *Culture 2000* was set up as a financing and programming instrument for

cultural cooperation for the period running from 1 January 2000 to 31 December 2004.

The Decision is awaiting publication in the Official Journal.

Civic participation, culture, media and youth in favour of European citizenship http://europa.eu.int/comm/dgs/education_culture/cmcitizen_en.pdf

Following its communication of 10 February "Building our common future: policy challenges and budgetary means of the enlarged Union 2007-2013", which proposed developing European citizenship as a main priority for EU action, the Commission published on 9 March a communication entitled "Making citizenship work: fostering European culture and diversity through programmes for youth, culture, audiovisual and civic participation".

content of legislative proposals for new programmes in the **audiovisual, culture and youth areas** for the next programming period which the Commission will adopt later this year. For **civic participation**, a new programme will be tabled in early 2005.

It also outlines how these programmes could be implemented in a more simplified and streamlined way, taking into account the current legal and administrative context. See COM (2004)0154 at <http://europa.eu.int/eur-lex/>.

The communication aims at specifying the

Education

Community action programme in education and training

Parliament adopted on 10 March the resolution by MEP Pack and approved the common position subject to two amendments aimed at avoiding problems caused by the delay to the start of the programmes, which should have been on 1 January 2004. During 2004, in the case of beneficiaries whose budgetary year starts before 1 March, an exception may be granted; the grant agreement should be signed by 30 June 2004 at the latest.

proposal accordingly on 23 March [see COM (2004)0210 at http://europa.eu.int/eur-lex/en/com/pdf/2004/com2004_0210en01.pdf]. See A5-0076/2004 at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

The budget is €77 million. Recipients include the Colleges of Europe (Bruges, Natolin), the European University Institute (Florence) and the Academy of European Law (Trèves).

The Commission in turn, accepted Parliament's amendments and amended its

The proposed programme is now awaiting publication in the Official Journal.

Cedefop, Centre for the development of vocational training

Parliament adopted on 31 March a non-binding resolution drafted by MEP Sbarbati amending Regulation 337/75/EEC on the European Centre for the Development of Vocational Training (Cedefop). The Commission, which reached partial agreement on Parliament amendments, proposes changes to increase effectiveness and cost efficiency which mainly concern cooperation with the European Training

Foundation (ETF), the inclusion of provision for adoption by the Board of medium-term priorities and the governance and functioning of the Board.

The draft Decision is now awaiting final Council decision. See A5-0208/2004 at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Co decision procedure
Second reading*

*Consultation procedure
First reading*

Education

Implementation of the Leonardo da Vinci and Socrates programmes

The European Commission published on 8 March interim reports on the implementation of the second phase of the **Leonardo da Vinci** and **Socrates** programmes in the period 2000-2003.

The **Leonardo report** [see COM (2004)0152, http://europa.eu.int/eur-lex/en/com/rpt/2004/com2004_0152en01.pdf] aims at providing a better understanding of what has been achieved, how it has been done, and to what extent the initial objectives are being met. It identifies ways to improve the implementation of the programme 2004-2006 as well contributing to the development of the proposed new education and training programmes (2007-2013).

The 2003 external evaluation and the national reports reflect a positive view of the second phase and its implementation over the first four years. They identify a number of improvements in relation to the first

phase; however they also point out some shortcomings which impact negatively on the performance of the programme.

The **Socrates report** [see COM (2004)0153, http://europa.eu.int/eur-lex/en/com/cnc/2004/com2004_0153en01.pdf], which is accompanied by a statistical document on the realisations achieved under the programme between 2000 and 2003, aims at verifying that results are in line with the programme objectives; improving programme implementation and administration and contributing to the discussion on the next generation of education programmes (2007-2013).

The national mid-term reports show that, on the whole, the programme has been very well received, it is useful and relevant, although this favourable view is attenuated somewhat by a number of criticisms about management procedures in particular.

Enlargement

Comprehensive monitoring report of the 10 new countries for Union membership

On 11 March, Parliament adopted an own-initiative report drawn up by MEP Brok, by 382 votes in favour, 17 votes against and 14 abstentions, on the comprehensive monitoring report of the Commission on the state of preparedness for EU membership of the 10 acceding countries.

The **Czech Republic** received good marks overall. A number of shortcomings were highlighted for **Estonia**, especially in mutual recognition of professional qualifications. **Cyprus** has reached a high level of alignment with the *acquis communautaire* in most policy areas, but the *acquis* will not be enforced in the northern part of the island until a political solution has been found. **Latvia** was urged to integrate ethnic minorities and ensure bilingual education during school age. **Lithuania** was highly praised for having reached a high level of

alignment with EU legislation in most areas. **Hungary** was urged to take up measures to combat discrimination and exclusion. **Malta** has completed most preparations in the area of mutual recognition of professional qualifications. Corruption in **Poland** still damages various spheres of economic and political activity. The report welcomed **Slovenia's** significant economic progress, the lifting of restrictions on direct foreign investment and the fact that it had adjusted virtually all of its legislation. Effective implementation of the EU legal and administrative framework would require further efforts in **Slovakia**, being the fight against corruption one of the government's priorities.

See A5-0111/2004 at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Own-initiative report
Procedure terminated*

Enlargement

Budget implications of Wider Europe Initiative

The House adopted on 31 March a non-binding resolution drafted by MEP Böge to take into account the enlargement of EU and the EU's Wider Europe -New Neighbourhood policy.

The committee feels that the €300 million in loans proposed for Russia and WNIS is insufficient and asks for this sum to be increased to €800 million. It also proposed adding a new provision calling on the EIB to prepare feasibility studies on the inclusion in the EIB lending mandate, as from 2007, of countries of the South Caucasus and Central Asia regions.

The Commission proposes a new geographical distribution of the current mandate volume within the present ceiling of € 19 460 to cover Bulgaria, Romania, Turkey and the Western Balkans (a new South Eastern Neighbours envelope) as well as a limited geographical extension of the mandate to Russia and the Western New Independent States (WNIS).

The report (A5-0198/2004) awaiting vote in plenary can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

The new EU compared to EU fifteen

With the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, the EU will experience the greatest enlargement in its history e.g. almost 20% increase in population; 5% increase in GDP; unemployment rate 1% higher in EU25 than in EU15; more than 20% of persons aged

25-64 in the EU25 have completed higher education. On this basis, Eurostat, the Statistical Office of the European Communities, published on 11 March a compilation of economic and social indicators drawing a portrait of the EU of 25 members, available for downloading from <http://europa.eu.int/comm/eurostat/>

EU Research and Development

Europe and basic research Council conclusions

Following the Commission communication of 14 January (*COM (2004)0009*) on basic research in the EU, the Competitiveness Council adopted on 11 March its conclusions and noted the intention of the Commission to bring forward, by May 2004, an initiative on operational mechanisms which should add value to existing national

approaches and provide a European dimension, with the objective of reinforcing the creativity and excellence of basic research in Europe, through encouraging more competition at the highest European level amongst individual research team while enhancing cooperation between national programmes.

Investment in research, state of play of the '3%' action plan

http://europa.eu.int/comm/research/era/3pct/index_en.html

On 17 March, Commissioner Busquin reported on progress made in implementing the 3% action plan (30 April 2003), which aims at increasing investment in research to 3% by 2010. According to the report, the initial results are positive, but still insufficient.

associations together with the Commission have agreed to draw up European guidelines for the management and exploitation of intellectual property rights between universities and industry. Moreover, the Commission intends to draw up guidelines for national rules applicable to intellectual property rights in public research bodies to facilitate the creation of spin-off and transfers of technology to industry.

Regarding intellectual property, the main European industrial and academic

Scientific research, admission of third-country researchers to the EC

http://europa.eu.int/eur-lex/en/com/pdf/2004/com2004_0178en01.pdf

The European Commission adopted on 16 March a communication (*COM (2004)0178*) presenting a proposal for a directive and two proposals for recommendations on the admission of third-country nationals to carry out scientific research in the European Community.

The proposed directive aims at admitting third-country nationals for purposes of scientific research; the first recommendation calls on the member states to adopt a

number of practical measures without delay, since it inevitably takes several years before a directive is in full operation and the adoption of the directive would not on its own be sufficient to meet the European Council's objectives within the time available.

A second recommendation deals with the more specific question of short-term visas to meet the particular needs of researchers who have to attend conferences or seminars in connection with their work.

Information Society

IDABC programme, EU subsidy for government administration

The European Parliament adopted on 11 March a legislative resolution drafted by MEP Read approving the Council common position on the IDABC programme subject to three amendments to correct drafting errors. It also stated that Directive 2002/58/EC must be taken into account as well as Directive 95/46/EC. The European Commission adopted its opinion accepting the three amendments made by Parliament on 26 March. In turn, Justice Ministers approved on 30 March, without debate, the amendments proposed by Parliament at second reading.

The Decision, which is awaiting publication in the Official Journal, will thus be submitted for signature to the Presidents of both Parliament and Council, upon which the

Decision shall enter into force on the 20th day of its publication in the OJ and shall apply from 1 January 2005.

The new programme will act in support of the implementation of acts of Community legislation with the delivery of services between public administrations as its core business, extending to citizens and business the benefits resulting from the cooperation between public administrations across Europe. It complements in full with the other eGovernment related programmes.

The report (A5-0124/2004) can be consulted at

http://www.europarl.eu.int/plenary/default_en.htm, under latest reports. See COM (2004)0219 at <http://europa.eu.int/eur-lex/>.

eEurope, Community statistics on Information society

The European Parliament adopted on 29 January a resolution drafted by MEP Berenguer Fuster making some amendments to the Commission's proposal aimed at establishing a common framework for the systematic production of Community statistics on the information society.

Parliament specified that whenever significant new data requirements are identified or insufficient quality of data is to be expected, the Commission must institute pilot studies to be completed on a voluntary basis by the member states before any data collection.

The Commission adopted its opinion on 30 March [COM (2004)0216, <http://europa.eu.int/eur-lex/>] and agreed to take into account in its modified proposal all amendments adopted by Parliament in its first reading. The proposed resolution is awaiting Council common position.

Furthermore, Telecommunications ministers welcomed on 9 March the Commission's intention to prepare an adjusted **eEurope 2005 action plan** in time for the June European Council. These conclusions were transmitted to the Spring European Council.

*Co decision procedure
Second reading*

*Co decision procedure
Second reading*

Information Society

Call for EU action to guarantee media pluralism

The Citizens' Rights Committee adopted on 30 March the own-initiative report drafted by MEP Boogerd-Quaak (A5-0230/2004) on pluralism in the media.

MEPs believe that there are sufficient concerns to warrant a detailed examination of the situation by the Commission, which should be followed by appropriate legislative proposals. Regarding the situation in Italy, the committee notes that the level of concentration of the audiovisual market in the country is the highest in Europe and one of the sectors in which the conflict of interest is most obvious is advertising.

The committee makes a number of

recommendations. It wants the Commission to draw up a directive to safeguard media pluralism in Europe. Legislation should also be adopted at EU level to prohibit political figures from having major economic interests in the media. In addition, an annual report on pluralism should be drawn up.

A preliminary study carried out by the European Institute for the Media (EIM) shows that in each of the countries examined - France, Germany, Ireland, Italy, Netherlands, Poland, Sweden and UK there are issues which require further investigation. The complete study is due in June and will contain final comparative conclusions based on the situation in EU25.

Council conclusions, follow-up to the WSIS

The Commission has reported to Parliament and Council on the implications of the results of the first phase of the World Summit on Information Society (WSIS) for EU policies related to Information Society and on the progress of the preparatory process of the second phase of WSIS.

Telecommunications ministers adopted conclusions and invited the Commission to:

- § translate the principles and actions of the WSIS Declaration and Plan of Action into concrete and tangible actions through existing mechanisms;
- § ensure that the UN Working Group on Internet Governance is set up in an open and inclusive process;
- § continue close consultation and cooperation with the private sector, civil society and partner world-wide.

Internal Market

Council fails to agree on Community Patent

Competitiveness ministers held on 11 March extensive discussions on a limited number of questions still outstanding with regard to the proposal for a Council Regulation on the Community patent. In the absence of agreement, the Presidency concluded that it would reflect on how to proceed further.

Complete agreement cannot be reached since there are some differences, mainly between Germany and Spain, on the language that should prevail in justice for cases of litigation over the ownership of a patent and on the time it would take for claims to be translated.

Commission to get tough on member states' failure to implement rules

Parliament adopted on 11 March an own-initiative report by MEP Miller on the Commission communication on the Internal Market Strategy priorities for 2003-2006. Parliament strongly endorsed the priorities and commends the proposed policy framework as balanced and achievable; it also endorses the focus on strengthening the 'fundamentals' of the Internal Market.

In addition, MEPs strongly criticise member states for allowing the transposition deficit to rise again and call on the Commission to come up with new plans for dealing with infringements expeditiously and effectively.

The report (A5-0116/2004) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Own-initiative report
Procedure terminated*

Internet

Safer Internet plus, a new €50 million 4-year programme to make Internet safer for children

*Co decision procedure
First reading*

The European Commission published on 12 March a communication aimed at developing a programme promoting safer use of the Internet and online technologies (2005-2008).

The Commission is proposing this Decision in a bid to minimise the twin problems of illegal and unwanted content on the Internet.

The objectives of the programme are to promote safer use of the Internet and new online technologies, particularly for children as well as fighting against illegal and

unwanted content, the end user being parents, educators and children.

The four actions proposed are:

- § Fighting against illegal content
- § Tackling unwanted and harmful content.
- § Promoting a safer environment
- § Awareness-raising

The proposed Decision (COM (2004)0091), awaiting vote in plenary, can be consulted at <http://europa.eu.int/eur-lex/>. Visit <http://europa.eu.int/iap> for further information.

Council conclusions on SPAM, unsolicited communications

Telecommunications ministers considered on 9 March that additional coordinated actions are needed to fight against spam. These actions should be based on effective enforcement within member states, greater international cooperation, the active participation of market players and heightened awareness amongst consumer and citizens.

The Commission intends to evaluate the

effectiveness of actions taken and to address, by the end of 2004, whether additional action is required; to identify, together with member states, how best to ensure cross-border enforcement within the EU and with third countries.

Ministers invited the Commission to explore whether funding possibilities would be available under current or future Community funding programmes to support actions in the fight against spam.

EU public opinion on issues relating to Business to Consumer eCommerce

http://europa.eu.int/comm/consumers/topics/btoc_ecomm.pdf

One in four consumers who do not use eCommerce does not trust the medium itself, according to the main findings of a Euro barometer poll which the Commission published on 15 March, the European Consumer Day. Conducted in autumn 2003 and involving face-to-face interviews with 16,207 EU15 citizens, this survey focuses on the way of distributing goods and services.

The most important limiting factor affecting eCommerce is that 57% of EU citizens are not connected to the Internet and thus, do not have the means to undertake eCommerce. 12% of the total poll said they believe they would make use of the Internet in the next three months (in the same poll, just 9% had used the Internet in this way over a previous three-month period).

Telecommunications

Council conclusions on the situation of the electronic communications sector

Telecommunications ministers agreed on 9 March to focus on the development and use of innovative services for the users' benefit. The Council invited member states to complete effective transposition; to prepare and implement national broadband strategies as well as connecting all public administrations to broadband by 2005.

The Commission is to publish a paper on national broadband strategies in May. It will also address social inclusion and cohesion by working with industry on addressing e.g. micro-payments, security and trust, interoperability and Digital Rights Management.

Trade Policy

French delegation wants VAT reduced rates applied to music

On 18 February the Commission circulated a non-paper which examines the possibility of more autonomy for member states to apply reduced VAT rates, provided that reduced rates do not jeopardise the operation of the internal market, and that any possibility of applying reduced rates should be available to all existing and new member states.

At the request of the French delegation, the ECOFIN Council took a minute on 9 March on reduced VAT rates for recorded music.

According to France, the recorded music market remains strongly cloistered by national cultural preferences and linguistic barriers. Moreover, downloading music from the Internet would not be affected as it would remain subject to normal VAT rates due to the electronic commerce directive.

ECOFIN ministers invited its relevant preparatory bodies to examine the issue further to return to it at one of its forthcoming meetings.

Youth Policy

Action programme to promote bodies active in the field of youth

The European Parliament adopted on 10 March the resolution drafted by MEP Prets and approved the common position subject to one amendment. It will be possible for grants awarded in 2004, for the period of eligibility of expenditure, to start on 1 January 2004. During 2004, in the case of beneficiaries whose budgetary year starts before 1 March, the grant agreement should be signed by 30 June 2004 at the latest.

The Commission in turn adopted its opinion on 23 March [COM (2004)0212, <http://europa.eu.int/eur-lex/>] and accepted the amendment to the Council's common position adopted by Parliament. The Commission notes the convergence of views

between the three institutions on the general approach, structure and content of the community action to promote bodies active at European level in the field of youth. Justice and home affairs approved on 30 March, without debate, the amendments proposed by Parliament at second reading. The proposed programme is awaiting publication in the Official Journal.

The budget for the youth programme is €13 million. The main beneficiary of youth grants is the EU European Youth Forum, which represents the interests of young people across Europe in international bodies, notably the EU, the Council of Europe and the United Nations.

*Co decision procedure
Second reading*

Interim evaluation of the Youth Programme 2000-2006

http://europa.eu.int/eur-lex/en/com/rpt/2004/com2004_0158en01.pdf

The European Commission adopted on 8 March an interim evaluation report of the Youth programme (2000-2006) covering the period 2000-2003 which aims at monitoring and evaluating the Youth programme.

The outcomes can be used to fine-tune the current Youth programme and as a reference for preparing the future programme in the field of youth. According to the report, the Youth programme is appreciated and its objectives are largely achieved. Given youth trends however, the political cooperation

implemented in the youth field and the difficulties inherent in this type of programme, the evaluation concludes with a set of recommendations to be implemented.

The Commission has adopted a position on these recommendations and undertakes to implement them in whole or in part, some during the second part of the current programme between now and 2006 and others within the framework of its proposals for a new Youth programme from 2007.

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Various mailing lists

Calls for Tenders are published in the S series of the OJ as well as in the Tenders Electronic Daily database TED, <http://ted.europa.eu.int/CD/application/pif/resources/shtml/common/home/home.html>.
EBLIDA Hot News electronic provides links to calls and programmes!

Calls are in general published in the C series of the Official Journal (OJ) of the European Communities, which comprises information and notices issued by the institutions of the Union, such as preparatory legislative documents and questions put by Members of Parliament to the Commission and Council.

The C series is available on-line via EUR-Lex, <http://europa.eu.int/eur-lex/>.
Please note that the C E edition of the Official Journal, which is only available online, now publishes the explanatory statement for all Commission proposals. Henceforth the two-column presentation of the amended proposal will be replaced by two columns of continuous text. The text that has been deleted in the amended proposal will be struck through with a line and new or replacement text will be underlined.

EBLIDA encourages dissemination of our information. However, we would ask that the source be acknowledged. Documents are available at the EBLIDA Secretariat.

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