



EBLIDA

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Access to documents: state of progress on dialogue between Parliament and Council

The Council decision adopted on 19 March 2001 (*see Hot News March 2001, p.1-2*) was published in the Official Journal on 11 April (2000/L 101 p. 1). The new rules on openness will cover all categories of documents, including internal working material and defence documents. There will be an individual examination of the provisions on secrecy each time a citizen requests access to a document. If a request is refused, the applicant will have the right to appeal to the European ombudsman or to the Court of Justice.

On 23 April, Coreper met in order to allow member states analyse the compromise text reached by Parliament and Council, with a view to adopting the regulation on public access to documents. On 24 April, the Citizens' Freedoms and Rights Parliamentary committee approved the draft compromise over the regulation. The draft was also approved by the European Commission. The text must now be formally approved by Parliament at plenary on 3 May, before being definitively ruled upon by the Council.

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Civil and commercial matters: Parliament regulation adopted

On 5 April, Parliament voted (first reading) to endorse the report by MEP Kessler which aims at extending the existing judicial network in criminal matters to civil and commercial law. The draft resolution will be an opportunity to simplify judicial co-operation between member states and to facilitate cross-border legal procedures. The new network consists of a system of co-operation between national authorities which should link with the network in criminal matters. In addition, the system should be part of the existing Trans-European network for the electronic exchange of data between administrations (IDA).

It should also be added that the Commission, who presented its modified proposal on 24 April, was called upon to come forward with proposals on setting up a Centralised Electronic Casebook and Judgement Registry Database.

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Copyright: Council approved directive without debate

On 9 April, the General affairs Council approved without debate, the directive on Copyright in the information society. Once implemented, the directive will enable the Community and its member states to ratify the 1996 WIPO Treaties. The text includes all nine of the compromise amendments voted on by Parliament at its plenary session last February.

The directive provides an obligatory exemption for service providers, telecommunications operators and others, in limited circumstances, for particular acts of **reproduction which are considered technical copies**. There are many conditions to be fulfilled before exemptions can be applied. There is an **exhaustive list of optional exemptions** which allows member states to choose whether to apply any or all of these exemptions. Also included is a 'grandfather clause' which allows member states to continue applying existing exemptions for analogue - not digital use in minor cases. These exemptions may apply inter alia to **reproduction for private use** and for **non-commercial ends**, for **teaching and scientific research**, for the benefit of the **disabled**, specific acts of reproduction made by **publicly accessible libraries**, recordings of **broadcasts** made by social institutions, etc. In some of these cases, rightholders are, in principle, entitled to **fair compensation**, which will apply to reprography (photocopying), private copying and broadcasts reproduced for viewing/listening in certain social institutions. The form of fair compensation would be decided by member states.

With regard to **legal protection of anti-copying devices**, the directive provides that rightholders, either voluntarily or by way of agreements with other parties, have to provide those who benefit from a particular exemption e.g. **schools, libraries** with the means to do so. Again, it is up to member states to ensure that such means do exist. Moreover, rightholders have complete control over the manufacture, distribution, etc of devices designed to circumvent anti-copying devices.

The directive is to be implemented in member states national law within 18 months of its publication in the Official Journal (likely within a few weeks).

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Education: regulation on mobility awaiting second reading

On 22 March, the Culture Parliamentary Committee adopted, subject to a small number of amendments, the recommendation for second reading by MEP Evans (A5-0115/2001) on the Council common position concerning mobility. In its common position, the Council had already included 37 of the 56 amendments adopted by Parliament in first reading. However, the committee deplored, as did the Commission, that researchers could not be included in the recommendation due to the legal basis.

The amendments presented for second reading were intended to specify what follow-up action was to be carried out by both, the Commission and member states, to take due account of the action plan and to remove from the Council text the restriction whereby a temporary stay in the host state would be restricted to a maximum duration of "one year in principle".

An important development since Parliament first reading has been the Action Plan on Mobility agreed by the Council in December 2000. This is a 'toolbox' of 42 concrete measures on barriers to mobility that complements the recommendation. The report will be debated at plenary in May.

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Telecommunications: Council political agreement reached on three directives

On 4 April, the Telecommunications Council ministers reached political agreement on its common positions in order to adopt three Directives included in the revised telecom package (**Framework** Directive, Directive on **access and interconnection** and Directive on **authorisation**). Once the texts are finalised in all the Community languages, these common positions will be formally adopted by the Council and forwarded to Parliament for its second reading (co-decision procedure).

The Commission was refused the right to amend or reject decisions taken by the National Regulatory Authorities (NRAs) in the harmonisation process (article 6), but only the possibility to rendering a detailed opinion should a NRA decision be incompatible with Community law. Ministers also refused to introduce the policy for allocating radio frequencies. Private telecommunications operators have therefore called on the Commission to have the last word in the harmonisation process and to work in close collaboration with Parliament to make as much progress as possible. Ministers did however, agreed on the definition of significant market power (article 13) which must allow the NRAs to designate the companies on which specific obligations will be imposed.

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Telecommunications: directive on users' rights under discussion

Another legislative proposal part of the new regulatory framework for electronic communications is the draft Directive on **universal service and users' rights**, which aims at consolidating current provisions in telecommunications regulation and update them in response to technological and market developments. The directive does not provide for universal service to be significantly extended but introduces a procedure for reviewing its scope. It also sets out the users' rights to e.g. operator assistance, access to directory services and number portability and the measures to compensate suppliers of the universal service.

Coreper is due to present a report to the Telecommunications ministers in order to enable it to

reach agreement on a common position at its next meeting on 27 June.

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Culture 2000: EU prize for architecture awarded

On 23 April, Commissioner Reding handed over the 'Mies van der Rohe Award' to Mr Rafael Moneo, awarded for the conception and realisation of the 'Kursaal Center' in San Sebastian (Spain). This prize and the special Mention (awarded to Mr Florian Nagler for the 'Kaufmann Holz Center AG' in Bobingen, Germany) are established within the framework of the Culture 2000 programme and its organisation is assured by the Mies van der Rohe Foundation of Barcelona.

From over 200 entries, 40 projects were shortlisted. Out of these, the jury visited four projects before its final recommendation on the winners. The prize is granted as recognition of projects designed and constructed during the last two years by European architects in Europe. The special Mention prize is granted to an emerging architect under the same conditions concerning dates and places of construction. Further information: http://europa.eu.int/comm/dgs/education_culture/topics/attribution_fr.htm

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Education: European Language Learning Materials Survey

A study of *'requirements relating to material for language learning and teaching'* was put out to tender by the European Commission in 1999. The European Language Learning Materials Survey presents the results of this study, which aimed at establishing current provision of materials for language learning and teaching in this field as well as comparing the list of publications available with the perceived needs, as expressed by publishers and practitioners in the field. The survey is to provide the European Commission with background information and guidelines for those programmes designed to encourage EU citizens to learn the EU official languages, with particular reference to the less taught languages.

Conducted in 12 EU countries, in Norway and Poland, the study covers 15 languages - Danish, Dutch, English, Finnish, French, German, Greek, Irish, Italian, Letzebuergesch, Norwegian, Portuguese, Spanish, Swedish and Polish (separate study).

The three main parts of the survey are:

- a consolidated report which presents the findings of this study
- individual reports covering the countries where the study was conducted, as well as Polish and the state of the art regarding web-based online resources
- examples of good practice which provide a collection of samples using quality indicators

all available for downloading at: <http://europa.eu.int/comm/education/languages/download/survey.html>. For further information about languages in education, send an email to eac-info@cec.eu.int.

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eEurope: GoDigital initiative officially launched

Part of the eEurope initiative, the Commission communication on the GoDigital initiative was published last March (see *Hot News March 2001*, p. 6-7). On 6 April, the European Commission officially launched in Brussels the GoDigital initiative. All presentations (PowerPoint format) can be downloaded from: <http://europa.eu.int/ISPO/e-commerce/godigital/kickoff.html>

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INTERREG III: Commission additional information on new initiative published

The new INTERREG III Initiative for 2000-2006 provides support for interregional and transnational co-operation. Its main challenge is to build on the positive experiences of co-operation already undertaken and extend this successful co-operation to the whole Union and to relations with neighbouring countries. INTERREG III programmes must involve institutions, socio-economic actors, NGOs and further education institutions. The programmes established must complement the measures developed under Objectives 1, 2 and 3 of the Structural Funds and must also be co-ordinated with the instruments of the Union's external policy (including PHARE, TACIS, MEDA).

Three different types of co-operation will be supported: cross-border co-operation, transnational co-operation and interregional co-operation. The total contribution of the ERDF to INTERREG for 2000-2006 has been set at Euro 4 875m. The Commission also adopted on 17 April 2001, the indicative financial allocation per member state for INTERREG III. Member states and the designated regional authorities are invited to submit proposals within six months from the date of publication in the Official Journal. Further information can be found at: <http://www.inforegio.cec.eu.int>

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PHARE/ISPA programmes: EU subsidies paid in Slovakia under investigation

On 29 April, Mr Franz-Hermann Bruener, Director General of OLAF (European Anti-fraud Office), decided to open an external investigation in relation to allegations of fraud concerning the awarding of tenders for European projects in Slovakia.

Following dismissal of Mr Roland Toth, the Slovak Executive National Aid Co-ordinator, the European Commission decided on 6 April to suspend the tendering and contracting of Phare/Ispa projects until some of the facts about this case had been established. Provisional results of an investigation indicate that the case does not appear to have had negative implications on the implementation of the Community programmes. Therefore, the Commission decided on 27 April to temporarily allow the Slovak authority resume tendering and contracting of Phare and Ispa projects.

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Research: Commission seeks for further elaboration of research instruments

On 20 April, the European Commission hosted a seminar on the Commission proposal concerning

the next Framework Programme (FP6), adopted on 21 February 2001. The proposal introduced three new instruments which will be used in carrying out activities in a limited number of priority thematic areas. These instruments are:

- networks of excellence e.g. entities existing within research centres, universities or enterprises;
- integrated projects e.g. large and small enterprises, research centres and universities and organisations of different nature carrying out activities to do with the management, dissemination and transfer of knowledge or organisations interested in the results' utilisation;
- EU participation in national research programmes implemented jointly under article 169 of the Treaty.

Discussion papers on networks of excellence and integrated projects are available at: <http://europa.eu.int/comm/research/nfp/conf-networks.html>

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Research: a new European research news centre launched

The [European Research News Centre](#) was launched on 11 April. Its database contains hundreds of news articles covering a wide range of scientific issues, e.g. agriculture, energy, environment, health, research and society, information society.

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Culture: Commission newsletter now available

The DG for Education and Culture has a new newsletter entitled "[Education and Culture at a Glance](#)". Presented by the Director General, Nikolaus van der Pas, this bimonthly newsletter aims at giving an overview of the different activities of the Commission DG for Education and Culture, which also encompass education and vocational training, audiovisual policy, youth affairs, sport and civil society. It will also include the latest news on programmes, institutional and political activities and information on upcoming events. For more information, send an email to eac-info@cec.eu.int

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eCommerce: stakeholders draw conclusions for good practice

Under the eEurope Action Plan, the EU underlined the importance of building up consumer confidence on the Internet (eConfidence), in order to accelerate growth in eCommerce. The European Commission presented eConfidence as a common package of measures which include the promotion of high standards of good business practices e.g. codes of conduct, trustmarks, complaint settlement procedures, as well as easy and affordable access to third-party alternative dispute resolution (ADR) systems, in particular for settling disputes in cross-border transactions over the Internet.

Since May 2000, the eConfidence initiative has brought together a range of business and consumer groups with an interest in eCommerce codes and guidelines to build the eConfidence

of consumers. At their last meeting under this initiative, stakeholders such as BEUC, UNICE and GBDe members drew conclusions on general principles as an agreed basis for good practice in eCommerce. The Commission will in a next step discuss internally how to move forward in this area, in consultation with member states and Parliament, in view to bring forward a recommendation. Further information on the eConfidence initiative can be found at: <http://econfidence.jrc.it/>

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Education: Eurostat report on measuring lifelong learning available

The Eurostat report on *'Measuring lifelong learning'*, published last February, issues recommendations in order to develop and create a European statistical information system. The report aimed at analysing the need for data and indicators to support lifelong learning policy-making in Europe, in view of the Lisbon Conclusions, the new 2001 Employment Guidelines and the Commission Memorandum on Lifelong Learning.

A task force on measuring lifelong learning (TFMLLL) was set up to take into account the current information sources so as to prevent duplication of effort at European and international level.

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Education: European Charter on students' rights and duties adopted

European students met in Strasbourg from 26 to 28 April, in order to express their conception of the future of Europe and formally adopt the 'European Charter of rights and duties of students' (Strasbourg Charter).

What the young expect of Europe, the role of the young in European development, equal treatment between students, conditions of studies in Europe and students' duties were the main topics discussed.

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Enlargement: latest developments on accession negotiations

After accession negotiations held at deputy level on 30 March, **Lithuania** closed six chapters on free movement of capital, social policy, **telecommunications, consumer protection, culture/audiovisual policy** and EMU. Latvia closed chapters on free movement of goods and **culture/audiovisual policy** and opened chapters on, amongst others, social policy and **telecommunications**.

Considerable progress has been achieved in these negotiations. In total, 52 chapters were on the agendas of the meetings held on 29 and 30 March, out of which 25 chapters have been provisionally closed. Work is also progressing well regarding to the opening of chapters with

those countries that entered negotiations in 2000. With regard to **culture and audiovisual** chapters, only the Czech Republic, Hungary, Slovakia and Romania remain under negotiation, while chapters on **education/training** and **science/research** have been concluded with all candidate countries.

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EU/CoE: joint declaration on co-operation and partnership signed

On 3 April, the European Commission and the Council of Europe (CoE) signed a Joint Declaration on Co-operation and Partnership which aims at providing the establishment of a framework to improve co-operation between the two organisations.

An annual meeting will offer officials from both sides the opportunity to draw up objectives, plan activities, monitor and evaluate implementation of joint programmes. In addition, they signed a joint programme to support the legal system, promote human rights and develop local government in Albania. Various programmes are already underway (2001 and 2002) concerning to Moldova, North Caucasus, Albania, Roma (under Stability Pact) and the adaptation of media legislation in Serbia.

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EU/Mediterranean: further co-operation in culture and education under way

The Euro-Mediterranean committee for the Barcelona Process met on 5 April in Brussels. It discussed the follow-up to the conclusions of the Marseilles Ministerial Conference, and the creation of a museum network. There was also an exchange of views on the MEDA II Programme. In addition, a French initiative on training legal practitioners in the Euro-Mediterranean framework as a contribution to promoting the rule of law within regional co-operation was examined.

Furthermore, a conference on '*Innovative practices in vocational education and training standards*' took place in Cairo from 7 to 9 April. Organised by the [European Training Foundation](#) with support from the Egyptian Ministry of Education, the conference aimed at bringing together representatives from Egypt, Jordan, Lebanon, Syria, the West Bank and Gaza Strip, the European Commission, EU member states and international organisations dealing with vocational education and training standards development. It focused on 'methodology for developing and implementing vocational education and training standards' and 'linking vocational education and training standards to the labour market.' These two issues have been identified as priority areas for the Mediterranean Partners.

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Information society: Commission wants Internet used in EU policy-making process

The European Commission is to set up a new initiative to gather the reactions of citizens and operators on Community policies using the Internet as to improve its governance. Marketplace

reactions would be collected and analysed via Internet, and the data gathered would be used in the EU policy-making process. Existing EU policies and open consultations on new initiatives would also be evaluated from the results of this initiative.

The 'Interactive Policy Making' initiative comes within the framework of the eCommission initiative. It aims at helping the Commission to respond more quickly to the demands of citizens, consumers and business. The initiative involves the development of two Internet-based mechanisms:

- a feedback mechanism (return of information) to collect reactions in the marketplace using existing networks and contact points as intermediaries;
- a consultation mechanism to gather stakeholders' reactions on legislative proposals and new initiatives.

The Commission intends to start applying this system before the end of 2001. You can consult the Internal Market Strategy, adopted in October 1999 and reviewed on 11 April 2001, for further information: http://europa.eu.int/comm/internal_market/en/update/strategy/com198_en.pdf.

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Information society: Commission communication on EU future adopted

On 25 April, the European Commission published a [communication](#) on certain arrangements for the debate on the future of the European Union (*see Hot News March 2001, p.7-8*). The Commission has proposed the following actions for 2001:

- "Dialogue on Europe" Internet site (transformed into the **futurum** website);
- discussion forums on the website (with a forum for each priority theme in the debate);
- promotion of website/discussion forums;
- internet chats;
- active involvement of the Commission's relays all over Europe, civil society partners with Trans-European networks and of the media;
- interactive cross-border events, e.g. video conferences;
- involvement of schools in member states and applicant countries;
- assistance in preparing and translating summaries of meetings, discussions and chats.

The Commission calls on governmental and NGOs to participate in the discussions in order to stimulate meetings and exchanges among ordinary citizens in all member states, their political leaders, civil society and the academic world. The Commission intends to spend Euro 9.5m on these activities between 2001 and 2004.

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Innovation: Commission report on innovative economy adopted

On 26 April, the European Commission published a report entitled "Building an Innovative Economy in Europe". The report highlights how EU enterprises are managing innovation. It also reviews a number of trends in European innovation policy and their impact on business competitiveness and growth.

The report summarises the findings of 12 studies in this field, which seek to provide a basis for the formulation, monitoring and analysis of innovation policy. The report can be requested from innovation@cec.eu.int.

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Internal Market: Council meeting on parallel imports and prices

On 27 and 28 April, the Internal market ministers met in Lund (Sweden). The discussions meeting dealt with ways to increase consumer confidence in the internal market. A price comparison between the EU and the USA was also presented, which formed the basis of a debate on parallel imports. Most member states are in favour of a modification to Community legislation applicable to trademarks to introduce an international system for the expiry of rights conferred by a registered trademark, instead of the current system which limits expiry to the Union territory alone.

Commissioner Bolkestein indicated to ministers the following points:

- Consumer electronics is a sector where goods flow freely due to trademarks or barriers of any other kind within the EU;
- Policy decisions to benefit consumers must be based on careful analysis of the causes of price differences. The import of goods through the so-called 'parallel channels' from outside the EU is just one of many influences;
- Following conclusions of a [Commission study](#), the Commission decided that it would not be appropriate to change the trademark exhaustion regime. Any change should otherwise consider its likely impact on employment, product quality and safety as well as on retail prices.
- the exhaustion regime would have little effect on the marketplace given that the large majority of products are covered by a plurality of intellectual property rights. An EU exhaustion policy has been developed to foster integration of the internal market. If the EU were to introduce an international exhaustion policy, and its trading partners did not do likewise (as seems likely), EU companies would face a competitive disadvantage.

The European Commission will present, possibly in May, a Green Paper on Fair trade practices.

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Internet: Task Force to develop Internet action plan established

On 23 April, the European Commission hosted the first meeting of a [European task force of industrialists](#), aimed at reaching consensus over the strategy to develop an action plan, by the end of 2001, in order to ensure the availability of the next generation Internet protocol (IPv6). Internet Protocol is the individual address of each computer on the network, a number used to identify the packets of data sent by or to a computer.

It is estimated that, at current growth rates, the current Internet protocol (IPv4 - which concerns communications between computers) will run out of Internet addresses in 2005. Therefore, the IPv6 - which deals with communications between people and between things they use, e.g. from telephone to car, should be introduced before the launching of e.g. 3G mobile communications, based on the idea that each machine will have its own Internet address.

Some of the key targets considered at the meeting were:

- industry to accelerate the development of IPv6 for 3G/UMTS mobile communications;
- operators/service providers to consider how best to evolve towards IPv6 and to obtain adequate IPv6 address allocations, while safeguarding users rights;
- conversion to Ipv6 of Europe research and education networks/GEANT by 2003-2004;
- IPv6 connectivity in all new consumer-electronic devices by 2005;
- re-focus European support to RTD and Trans-European networks as to facilitate transition to IPv6 from 2002 to 2004;
- to strength Ipv6 research and development activities within the IST programme and measures for the sixth framework (FP6) programme.

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Northern dimension: Commission action plan under development

The [Northern Dimension action plan](#) was adopted in Feira in June 2000. Since then, the EU has launched programmes and projects in several areas e.g. environment, justice and home affairs, fight against crime, social initiatives, human resources development, telecommunications and information technology. An updated report on its implementation was circulated to General affairs ministers on 9 April.

With regard to telecommunications and IT, the Northern Dimension offers a platform for closer co-operation and for accelerating the transition to the information society. A **Northern eDimension Action Plan** is being developed by the European Commission in partnership with the Council of Baltic Sea States. This plan, which should be adopted at a ministerial meeting in Riga next September, is based on eEurope, eEurope+ programmes and national eInitiatives. It will set priorities for further actions, provide for closer information exchange and collaboration in selected areas as well as establishing a framework for follow-up of the action plan. Further information on the Northern Dimension can be found at: http://europa.eu.int/comm/external_relations/north_dim/index.htm.

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Youth: Parliament public hearing on youth policy held

The European Parliamentary Culture Committee held on 24 April, a public hearing on youth policy. Henrik Söderman, president of the European Youth Forum, presented a document on the strategy and key objectives for a youth policy in the EU, which describes the broad lines of the vision held by the forum, pending the Commission White Paper on youth policy, which is due to in Autumn 2001.

Discussions covered values and expectations of the young and their participation in society as well as education, employment and the social situation of young people.

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