



April 2004

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

Highlights:

§ Management of copyright and related rights, p.1

§ Europe celebrates its enlargement, p. 2

§ Commission amended proposal on recognition of professional qualifications, p. 7

Copyright

Management of copyright and related rights

http://europa.eu.int/comm/internal_market/copyright/management/management_en.htm

The Commission adopted on 16 April a communication on the management of copyright and related rights in the Internal Market (COM (2004)0261). One of the main conclusions of the communication is that Community legislation on the collective management of rights, mainly on the governance of collecting societies, would be highly desirable. The communication also concludes that interoperability and acceptance by all stakeholders - including consumers, of Digital Rights Management (DRM) systems is a pre-condition for their emergence.

In addition, several options for improving the situation regarding the development of Community-wide licensing for the exploitation of rights have been set out.

The Commission is now launching an additional consultation of interested circles which will begin immediately to take over where the one in 2002 left off and will focus in particular on the components of possible legislation on collective rights management.

All interested parties can submit any additional comments **before 21 June 2004** by email to Markt-E4@cec.eu.int. Comments received will be uploaded on the website.

The full version of the Communication is available at http://www.europa.eu.int/comm/internal_market/en/intprop/docs/index.htm or <http://europa.eu.int/eur-lex/> (COM (2004)0261).

Information Society

eContent Plus 2005-2008

On 22 April, Parliament adopted a legislative resolution on establishing a multiannual programme to make digital content in Europe more accessible, usable and exploitable. The eContent Plus programme covers a period of four years from 1 January 2005.

eContent is a market-oriented programme, which aims to support the production, use and distribution of European digital content and to promote linguistic and cultural diversity on the global networks.

Parliament agrees with the Commission's figure of € 163 million but sets out that € 55, 6 million should be used for the 2005-2006 period. Furthermore, one amendment added a new provision stipulating that the

Commission should forward the results of its evaluations to Parliament and Council, together with any proposals to amend the Decision, before the presentation of the EU's draft budget for 2007 and 2009 respectively. In addition, Parliament clarifies the objectives and in some cases limits the scope of the wording to areas of public interest e.g. public sector information, learning content, scientific and scholarly content, and content from cultural institutions.

See COM (2004)0096 at <http://europa.eu.int/eur-lex/>; the report (A5-0235/2004), awaiting Council common position, can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

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Table of Contents

Management of copyright and related rights	1
eContent Plus 2005-2008	1
Europe celebrates its enlargement	2
Community programmes supporting European audiovisual works and industry	3
Television without Frontiers, certain aspects of the provisions on TV advertising	3
Community participation European audiovisual Observatory until 2006	3
The Unfair Commercial Practices Directive	4
Cross-border infringements, administrative and legal cooperation	4
EIB mandate for loans to new neighbour third countries	4
The Asia-Link Programme	5
Council approval of directive on the enforcement of intellectual property rights	5
Culture, Education and Training and Youth Community action programmes	5
European Capitals of Culture after 2008	6
The use of Structural Funds in the domain of culture	6
Euro pass, transparency of qualifications and competences	6
New EU member states to benefit from high investment in education	6
Erasmus Mundus, Frequently asked questions	6
Education and Training for Entrepreneurship	7
Commission asks Greece to implement European law on professional qualifications	7
Commission amended proposal on recognition of professional qualifications	7
Participation of the new Member States in the European Economic Area	7
Scientific research, admission of third-country nationals to carry out scientific research	8
Increasing Human Resources for Science and Technology in Europe	8
Conference 'Science and society in an enlarged EU'	8
The European Science Congress	8
Online Publications Library	9
Review and update of IST Work Programme for 2005 and 2006	9
Community statistics on the Information Society	9
Transparency, Public access to documents	9
WSIS, World Summit on Information Society	10
Risks of violation in the EU of freedom of expression and information	10
Equal opportunities, a European action plan for People with disabilities	11
Transparency of regulations and standards in the area of services	11
Safe harbour for licensing of patents, know-how and software copyright	11
Illegal and harmful content on the Internet in the European Economic Area	12
ENISA, European Network and Information Security Agency	12
'Broadband via Satellite, Bridging the digital divide: A regional perspective'	12
ePrivacy, Directive on Privacy and Electronic Communications	12
DDA, the Doha Development Agenda	13
DDA, Seminar on Parliamentarians for Multilateralism	13
VAT: place of supply of services (amend. direct. 77/388/EEC)	13
Statistics relating to the trading of goods	13

EU Enlargement, 1 May 2004

Europe celebrates its enlargement

Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia are now members of the European Union. As from 1 May 2004, the EU of 15 has become the EU of 25.

Numerous events took place around 1 May in all Member States and acceding countries, a chain of events from the west coast of Ireland to the eastern border of Poland, and from Valletta in the south to the northernmost tip of Finland [see http://europa.eu.int/comm/enlargement/index_en.html].

A huge variety of events, large and small, ranging from concerts and exhibitions to food fairs, debates and border exchanges, were organised all across Europe. And there was a strongly personal note in the celebrations, as European citizens as well as European politicians marked the occasion.

On 30 April, the eve of enlargement, there was a gala concert with some of the most popular artists from the new Member States, including the Latvian group Brainstorm, Estonia's Neiokõsõ, Michalis Hadjiyiannis from Cyprus, the Hungarian Cotton Club Singers, Poland's Blue Café, Rozmarinke from Slovenia, Slovakia's Jenis Dalibor, Lukáš Vondráček from the Czech Republic, and Lithuania's Violeta Urmana. There was also a special guest appearance by the Turkish singer Sertab.

Organised by the European Broadcasting Union with the support of the Commission, it culminated in a midnight firework display from Malta harbour.

New Commissioners

On 5 February, each of the ten new Member States nominated its candidate for appointment as Member of the Commission. The European Parliament held hearings with the 'Commissioners-designate' from 13 to 15 April. The new Members of the Commission will

be officially appointed by the Council, in accordance with the Act of Accession, Article 45. This specifies that the Council must act by qualified majority (QMV) and by common accord with the President of the Commission. See the new Commissioners at http://europa.eu.int/comm/mediatheque/photo/commprodi/newcomm/newcomm1_en.htm.

Published in the Official Journal

- § First Procès-Verbal of Rectification to the Treaty
2004/L 126/, p. 1 of 28.04.04
- § Second Procès-Verbal of Rectification to the Treaty
2004/L 126/, p. 2 of 28.04.04
- § Council Decision (26 April 2004) amending Decision 2002/668/Euratom to adapt the financial reference amount in order to take account of the enlargement of the EU
2004/L 127/, p. 112 of 29.04.04
- § Council Decision (30 March 2004) concerning the provisional application of the Agreement on the participation of the Czech Republic, Estonia, Cyprus, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia and the Slovak Republic in the EEA and the provisional application of four related agreements and Agreements in the form of an exchange of letters concerning the provisional application of the Agreement
2004/L 130/, p. 1 and 3 of 29.04.04
- § Notice concerning the entry into force of the Treaty of Accession
2004/C 104/02, p. 20 of 30.04.04



Audiovisual

Community programmes supporting European audiovisual works and industry

Agriculture ministers adopted on 26 April two Decisions, as amended by Parliament at first reading, prolonging the existing action programmes MEDIA-Training and MEDIA-Plus unchanged for 2006.

The MEDIA-Plus programme is aimed at encouraging the development distribution

and promotion of European audiovisual works. The MEDIA-Training programme is a training programme for the European audiovisual industry professionals.

Both MEDIA programmes, now awaiting publication in the Official Journal, are planned to start in 2007.

*Co decision procedure
Second reading*

Television without Frontiers, certain aspects of the provisions on TV advertising

http://europa.eu.int/comm/avpolicy/legis/com_en.htm

The Commission published on 23 April a communication on certain aspects of the provisions on televised advertising in the "Television without Frontiers" Directive (see *provisional version C (2004)1450*

http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/c_102/c_10220040428en00020011.pdf).

It follows on from the communication on the future of European regulatory audiovisual policy (15 December 2003) and aims at clarifying how the relevant provisions

of the directive apply to certain forms and techniques of commercial communication which have emerged in parallel with technological and market developments.

The communication, which does not prevent member states from laying down more detailed or stricter rules, aims at clarifying the existing rules, not create new ones. It is without prejudice to the outcome of the Commission's future work on a revision of the Directive and to the application of other rules laid down in Community law e.g. those relating to copyright.

Community participation European audiovisual Observatory until 2006

Parliament adopted on 21 April a legislative resolution by MEP Sanders ten Holte on Community participation in the European Audiovisual Observatory which aims at amending Council Decision 1999/84/EC prolonging Community participation in the Observatory for a period of two years. The Observatory is an enlarged partial Agreement of the Council of Europe. At

present, 35 States participate in the Observatory, among which all the present and future Member States.

The proposed decision is now awaiting Council common position. See COM (2003) 0763 at <http://europa.eu.int/eur-lex/>; see A5-0241/2004 at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Co decision procedure
Second reading*

Consumer Protection

ADR, Alternative Dispute Resolution to solve civil and commercial disputes

http://europa.eu.int/comm/justice_home/fsj/civil/dispute/fsj_civil_dispute_en.htm

Alternative dispute resolution (ADRs) methods e.g. mediation or conciliation are extra-judicial procedures by which civil and commercial disputes can be solved.

development of a European plan for best practice in mediation, and the presentation of a proposal for a directive on mediation, scheduled for September 2004.

The European Commission published a Green Paper on ADRs in April 2002 (COM (2002)0196).

As part of its preparations of the latter, interested parties were invited to submit their comments on the preliminary draft text **until 23 April**. The target date for achieving an area of freedom, security and justice in the EU is May 2004.

In 2003 the Commission announced that two follow-up initiatives would be taken: the

*Co decision procedure
Second reading*

The Unfair Commercial Practices Directive

On 20 April, Parliament adopted the report drafted by MEP Ghilardotti, with amendments, on the draft directive on unfair commercial practices, which takes over a large part of the Green Paper (COM (2001)0531) on consumer protection. The scope of application is limited to a framework directive based on business-consumer relations; only unfair commercial practices have been taken into consideration. Emphasis is placed on the codes of conduct. An indicative, non-exhaustive list of general and specific examples of unfair commercial practices is set out in the annex.

Regarding misleading commercial practices, MEPs voted to include new definitions and defined the term "particular group of consumers" as a group of consumers who

have distinct characteristics such as vulnerability due to age, disability, physical or mental conditions and similar, all of which may influence their assessment or their reaction capacities.

The Commission must report regularly to Parliament and Council on its application and should put forward, every five years, a proposal for a revised list of commercial practices which are in all circumstances considered unfair.

The Council common position is expected on 17 May. See COM (2003)0356 at <http://europa.eu.int/eur-lex/>; the report (A5-0188/2004) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Co decision procedure
Second reading*

Cross-border infringements, administrative and legal cooperation

On 20 April, Parliament adopted the report by MEP Gebhardt on cooperation between national authorities responsible for the enforcement of consumer protection laws.

The scope of the proposed regulation is limited to cross-border infringements thus Member States are not required to change their arrangements for domestic infringements.

The proposed Regulation lays down the conditions under which the competent authorities in the member states responsible for the enforcement of the laws that protect consumers' interests are to be designated and are to cooperate with each other and with

the Commission to ensure compliance with those laws as well as enhancing the protection of consumers' economic interests.

MEPs amended the provisions under which the Commission would maintain an electronic database storing and processing the information it had received regarding an intra-Community infringement.

The Council common position is expected on 17 May. See COM (2003)0443 at <http://europa.eu.int/eur-lex/>; the report (A5-0191/2004) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Co-operation with third countries

EIB mandate for loans to new neighbour third countries

Parliament adopted on 20 April a non-binding resolution by MEP Böge to take into account the enlargement of EU and the EU's Wider Europe new neighbourhood policy.

The loan proposed for Russia and the Western New Independent States (WNIS) was increased to € 800 million. The European Investment Bank (EIB) was asked to prepare feasibility studies on the inclusion, as from 2007, of countries of the South Caucasus and Central Asia regions.

Necessary preparatory measures to include, as from 1 January 2008 at the latest, Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan were also requested.

See COM (2003)0603 at <http://europa.eu.int/eur-lex/>; the report (A5-0198/2004) now awaiting final decision can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Co-operation with third countries

The Asia-Link Programme

The Asia-Link programme is an initiative to promote regional/multilateral networking between higher education institutions in Europe, South and South East Asia and China and to existing partnerships.

Eligible countries are the EU-fifteen and 17 Asian countries. Institutions and organisations from Brunei, Hong Kong, Macau and Singapore can fully participate in projects as associates, provided they do not receive Commission funding.

As part of the preparations for a second phase of Asia-Link, a number of initiatives have been taken to consult interested parties about their views on the programme, and to elicit their proposals for possible changes. As of mid-March, 53 completed questionnaires had been completed and sent back.

Email europaaid-asia-link@cec.eu.int or visit http://europa.eu.int/comm/europaaid/projects/asia-link/index_en.htm for further information.

Copyright

Council approval of directive on the enforcement of intellectual property rights

<http://register.consilium.eu.int/pdf/en/04/st03/st03636.en04.pdf>

Agriculture Ministers, by approving Parliament's first reading amendments, adopted on 26 April the proposed Directive as amended, with Austria and Italy abstaining, on measures and procedures to ensure the enforcement of intellectual property rights.

The European Commission welcomed the adoption of the Directive, proposed on 30 January 2003 and approved by Parliament on 9 March 2004 in a form to which the Council has now agreed, without the need for a second reading by either Parliament or Council.

The directive would require all member states to apply effective, dissuasive and

proportionate remedies and penalties against those engaged in counterfeiting and piracy. It means that, once the deadline for implementation has been reached, all member states will have a similar set of measures, procedures and remedies available for right holders to defend their intellectual property rights if they are infringed.

Member States have agreed to bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years after its publication in the EU's Official Journal, which will take place very shortly.

Visit

http://www.europa.eu.int/comm/internal_market/en/indprop/piracy/index.htm.

*Co decision procedure
Second reading*

Culture

Culture, Education and Training and Youth Community action programmes

Justice Ministers adopted on 30 March three Decisions establishing action programmes aimed at providing financial support to organisations active at European level in the fields of **culture, education and training, and youth, during 2004 to 2006**, accepting all the amendments adopted by Parliament at second reading.

The Decisions lay down the conditions for eligibility, define the type of grant to be

awarded and describe the activities to be supported, indicate the criteria for assessing requests. The decisions further establish the financial framework for the implementation of the programmes and provide for a system of evaluation of the achievement of the programmes' objectives.

They are awaiting publication in the Official Journal.

*Co decision procedure
Second reading*

Culture

*Co decision procedure
Second reading*

European Capitals of Culture after 2008

Parliament adopted on 22 April a legislative resolution on establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019.

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

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)

The use of Structural Funds in the domain of culture

http://europa.eu.int/comm/culture/eac/sources_info/compolitics/fond_structural_en.html

The results of the questionnaire sent to member states seeking to better understand the use of Structural Funds in the cultural domain in each country during the period 1994-1999 are currently available in the form of a working document of the Commission services, composed of two parts.

The first part comprises an analysis of the survey results as well as a presentation, in the form of a reminder, of the different Structural Funds and the measures

concerning the domain of culture [http://europa.eu.int/comm/culture/eac/sources_info/pdf-word/funds_structural_en.pdf].

The second reproduces the replies provided by the EU-fifteen, slightly modified to ensure clarity and certain homogeneity of presentation [http://europa.eu.int/comm/culture/eac/sources_info/pdf-word/funds_structural2.pdf].

Education

*Co decision procedure
Second reading*

Euro pass, transparency of qualifications and competences

Parliament adopted on 21 April a legislative resolution by MEP Zissener on a single framework for the transparency of qualifications and competences (Euro pass).

The proposed regulation is now awaiting Council common position, scheduled for 17

May.
See COM (2003)0796 at <http://europa.eu.int/eur-lex/>; the report (A5-0247/2004) now awaiting final decision can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

New EU member states to benefit from high investment in education

New data published on 6 April by the European Training Foundation (ETF), show positive prospects for the ten new EU member states after 1 May 2004. Public expenditure on education as a percentage of

GDP in 2000 was 4.94% in the EU and 4.86% in the 12 acceding countries. If Bulgaria and Romania (not joining until 2007) are excluded, the figure is higher in the acceding countries than in the EU.

Erasmus Mundus, Frequently asked questions

http://europa.eu.int/comm/education/programmes/mundus/faq/index_en.html

Education

Education and Training for Entrepreneurship

http://europa.eu.int/comm/enterprise/entrepreneurship/support_measures/training_education/index.htm

A new expert report entitled "Education for Entrepreneurship", coordinated by the European Commission, looks at ways of teaching entrepreneurship in primary and secondary schools in 26 European countries.

The conclusions reflect many of the priorities identified by the Entrepreneurship

Action Plan. Examples of positive policy action across Europe are laid out.

The report contains more than 20 recommendations on policy-making and initiatives, addressing the authorities, educational institutions, the business world, NGOs and the Commission itself.

Commission asks Greece to implement European law on professional qualifications

On 1 April, the European Commission made a formal request to Greece for information on the measures taken to implement at national level the Directive on the general system for the recognition of professional qualifications.

The date set as the deadline for its implementation into national law was 1 January 2003. Greece has provided details of some national implementing measures, but there are as yet no measures relating to the

professions of doctor, dentist, veterinary surgeon and architect.

The Commission's request takes the form of a reasoned opinion, which is the second stage of the infringement proceedings. If there is no satisfactory reply, the Commission may refer Greece to the European Court of Justice. Directive 2001/19/EC is part of the SLIM initiative which aims at simplifying internal market legislation.

Commission amended proposal on recognition of professional qualifications

On 20 April, the European Commission adopted its opinion on the proposed directive on the recognition of professional qualifications. The proposal aims at consolidating the existing Directives on the mutual recognition of professional qualifications; contributing to the flexibility of labour markets, particularly by facilitating the provision of services; simplifying the existing rules regarding the recognition of professional qualifications and the administration of the recognition systems; better administration and improved information and advice for citizens.

The Commission has accepted 55 of the 125 amendments adopted by the European Parliament in their entirety, redrafted for purely formal reasons, or in part, in spirit or with adaptation.

See COM (2004)0317 at <http://europa.eu.int/eur-lex/>; the report (A5-0470/2003) can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

The Council common position on the amended proposal is expected on 17 May 2004.

*Co decision procedure
Second reading*

Enlargement

Participation of the new Member States in the European Economic Area

Justice Ministers adopted on 30 March a Decision authorising the signature of letters of agreement with **Iceland, Liechtenstein and Norway** allowing for provisional application of agreements on extension of the EEA to include the EU's ten new member states as from their accession on 1 May 2004.

The letters of agreement will enable EEA enlargement provisions to apply provisionally, since the formal agreement on EEA enlargement and four related bilateral agreements are not likely to be ratified by all parties in time for them to enter into force on 1 May. The formal agreements were signed in Luxembourg on 14 October 2003.

EU Research and Development

Scientific research, admission of third-country nationals to carry out scientific research

The Council preparatory bodies are to examine the 'researcher packages' recently submitted by the Commission with a view to adopting them as soon as possible (see *COM (2004)0178* at <http://europa.eu.int/eur-lex/>).

The communication and related legal instruments – a proposed directive on a specific procedure for admitting third-country nationals for the purpose of scientific research and two proposed recommendations dealing with the admission of researchers and with the issuing of uniform short-stay visas for third-country researchers travelling within the EU for the purpose of carrying out scientific research.

Justice Ministers reached on 30 March political agreement on this draft Council Directive. Given that the conditions of entry

and residence of third-country nationals for the purpose of studies or vocational training currently diverge widely between the member states, the main objective of this directive is to establish a harmonised Community legal framework for the conditions for entry and residence of certain categories of third-country nationals (students, pupils participating in exchange schemes, unremunerated trainees and volunteers) in the territory of the member states for a period exceeding three months.

The directive defines the requirements to which the persons concerned are subject in order to be admitted, and the benefits which are attached to the issue, by the member states, of a residence permit, which allows them to stay legally on their territories during the relevant period.

Increasing Human Resources for Science and Technology in Europe

http://europa.eu.int/comm/research/conferences/2004/sciprof/pdf/hlg_report_en.pdf

On 2 April, a high-level expert group presented recommendations on increasing Europe's human resources for science and technology at the EC conference "Europe needs more scientists" in Brussels.

According to the report, the changing nature of the "high-tech" industry means that governments must step in to play a more active role in ensuring and promoting better resources and skills development. The public sector is under-funded and European universities and school science education

systems are also failing to keep abreast of the real world of science.

The group has identified serious shortcomings that stand in the way of increasing the number of science professionals in Europe and has called for European governments to develop a more effective policy on human resources in science. To address the shortcomings outlined, the Commission is assessing the possibility of launching an awareness-raising campaign in 2005.

Conference 'Science and society in an enlarged EU'

<http://www.ff.uni-lj.si/asrlo/confsciencesloparl/confsciencesloparl.htm>

The Slovenian parliament held a conference in Ljubljana on science and society in an enlarged EU on 15 April to highlight the importance of science and knowledge for development and stability in the enlarged

EU.

The ongoing project ETHNIC - raising public awareness of science and technology among ethnic minorities was presented at the conference.

The European Science Congress

http://www.europarl.eu.int/conferences/2004_science/default_en.htm

The conference '*Investing in research, investing in the future*', held on 6 and 7 April in Brussels, aimed at supporting the Barcelona target of raising total European research spending to

an annual rate of 3% of GDP by 2010 - a target which the European Parliament supported in its resolution of 18 November 2003.

*Consultation procedure
First reading*

EU Research and Development

Online Publications Library

http://europa.eu.int/comm/research/publications/pub_en.cfm

An online library which gives you access to thousands of publications recently launched by the European Commission's DG Research.

For each publication you will get useful bibliographical data plus information on how to order it (free of charge).

Information Society

Review and update of IST Work Programme for 2005 and 2006

<http://www.cordis.lu/ist/workprogramme/wp0506-consultation.htm>

Consultation with the industrial and academic research community is aimed at contributing to the definition of the content of calls for proposals and tenders in 2005 and 2006 for the IST work programme. Through meetings, workshops and a series of web-based consultations, the consultation process will help focus on adapting objectives and target breakthroughs; provide guidance on types of activities and

instruments required and to align priorities with related regional, national and international activities and policies.

Ideas and suggestions were sent until **20 April**. A consolidated report drawing on all feedback will be published **by June**. The adoption of the IST work programme 2005-2006 and publication of the first call is foreseen for the end of year.

Community statistics on the Information Society

On 20 April, the Council, with the German delegation voting against, adopted by written procedure, the Regulation concerning Community statistics on the information society. The Regulation shall enter into force on the 20th day following that of its publication in the Official Journal of the EU. The proposed legislation provides a legal framework for National Statistical Institutes to provide the statistics needed for the Structural Indicators, used in the annual

Spring Report to the European Council, and the eEurope benchmarking process, while at the same time being flexible enough to respond to new needs.

The act is a framework regulation which covers statistics to be provided only in terms of outputs, leaving member states full flexibility in how to obtain the statistics. It is limited in duration to avoid creating any permanent statistical burden.

*Co decision procedure
Second reading*

Transparency, Public access to documents

The Council adopted on 26 April its annual report on implementation in 2003 of **Regulation 1049/2001 on public access to Parliament, Council and Commission documents**. The report shows that during the course of 2003, the Council received 2 831 requests for access from the public concerning 12 595 documents and that it gave access (total or partial) to 87, 4% of requested documents.

documents, and the content of 249 935 of these documents could be accessed directly.

In addition, the report highlights the key developments in 2003 as regards: extension of the Regulation's scope of application to cover Community agencies and bodies; activities of the inter-institutional committee on public access to documents; and preparation and launch of a pilot project on transparency in the field of justice and home affairs. Complaints submitted to the European Ombudsman and cases brought before the Court of First Instance regarding access to Council documents are also reviewed.

The report presents all the regulatory, administrative and practical adjustments made by the Council to comply with the Regulation. By 31 December 2003, its public register of documents referred to 467 532

WSIS, World Summit on Information Society

General Affairs ministers adopted on 26 April conclusions on the World Summit on Information Society (WSIS). The EU expects that all states and institutions taking part in the WSIS process will respect fully the Declaration of Principles agreed in Geneva in December 2003.

The Declaration reaffirms inter alia the right to freedom of opinion and expression including the right to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The plan of action has identified national development policies and national e-

strategies as essential foundations for the IS. The EU will address the Digital Solidarity Agenda. In addition, the EU is committed to making a substantial contribution to the deliberations of the Task Force on Financial Mechanisms and the Working Group on Internet Governance.

The Council requested a short strategy paper which would outline the Union's overarching approach to the various aspects of the preparatory process, including the EU priorities for the deliverable in Phase II. The EU believes that to be effective this preparatory process should be lightly structured, simple and transparent, and this should be reflected on the strategy paper.

Risks of violation in the EU of freedom of expression and information

Parliament adopted on 22 April a highly controversial report on freedom of expression and information by 237 votes in favour to 24 against with 14 abstentions. Before the vote two political groups, EPP-ED and UEN, declared that they would not participate in protest against the voting procedure to be followed. Before this vote MEPs rejected a request to refer the report back to the committee by 214 to 259 against with 1 abstention.

In this report Parliament stressed that a free and pluralist media is essential to freedom of expression and information. 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. A preliminary study carried out by the European Institute for the Media (EIM) showed that in each of the eight countries examined (France, Germany, Ireland, Italy, Netherlands, Poland, Sweden and UK) there were issues which required further investigation. The complete study by the EIM is **due in June** and will contain final comparative conclusions based on the situation in all 25 member states.

MEPs made a number of recommendations. They called on the Commission to draw up a directive to safeguard media pluralism in

Europe. MEPs believe that legislation should 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. The EU Constitution should contain a provision on the need to ensure pluralism in the media. Member States should incorporate in their constitutions an active duty to promote respect for freedom and diversity of the media.

As regards the situation in member states Parliament noted inter alia that in Ireland, there was an absence of a level playing field due to the payment of VAT on Irish newspapers but no VAT on the UK newspapers, which have approximately 25 % of the Irish market. As regards Italy, Parliament said "there could be a risk of breaches of the right to freedom of expression and information". MEPs invited the Italian Parliament to accelerate its work on the reform of the audiovisual sector taking account of the provisions in the Gasparri bill which are incompatible with Community law.

The report (A5-0230/2004) now awaiting final decision can be consulted at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Own-initiative report
Procedure terminated*

Information Society

Equal opportunities, a European action plan for People with disabilities

On 20 April, Parliament adopted an own-initiative report on a European action plan for equal opportunities for people with disabilities. MEPs regretted the plan's overemphasis and rather narrow focus on employment and education policy. The report said that attention must be focused on all areas of life.

MEPs were critical of the lack of legislative proposals in the action plan and repeated Parliament's longstanding demand for a directive to combat discrimination based on disabilities in areas not covered by *Directive 2000/78/EC*. They also urged Member States to develop training measures for those responsible for the directive's implementation, including judges.

MEPs also wanted disability issues to be mainstreamed into certain areas of Community legislation e.g. Structural Funds. They called for the recommendations of the report on "*Accessibility for All*" to be implemented without delay. An appropriate legislative framework should be drawn up laying down common rules on accessibility to goods, services and infrastructures and accompanied by incentives for business and the promotion of public/private partnerships.

See COM (2003)0650 at <http://europa.eu.int/eur-lex/>; the report (A5-0263/2004) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

*Own-initiative report
Procedure terminated*

Internal Market

Transparency of regulations and standards in the area of services

http://europa.eu.int/comm/internal_market/services/transparency/consultation_en.htm

The Commission highlighted a number of obstacles to the freedom of establishment and to the freedom to provide services within the internal market, which were listed and examined in a specific report adopted on 30 July 2002 (*COM (2002)0441*). This led the Commission to adopt on 13 January 2004 a proposal for a directive on services in the internal market as well as to consider the possibility of extending Directive 98/34/EC to other than information society services.

With regard to standardisation, the directive would be amended to extend the information procedure for standards to standards in the services sector. Also, the procedure for the exchange of information that provides for standstill periods could be

better adapted to current needs. National governments, economic operators, standardisation bodies and users of services are invited to give their opinion for the Commission to assess in detail the costs and benefits of expanding Directive 98/34/EC and to decide whether to include **all services or only certain sectors** in the scope of the directive. Interested parties can answer the questionnaire electronically by **20 June 2004 at the latest**.

The results will be published on the DG Internal Market (http://europa.eu.int/comm/internal_market/services_en.htm) and DG Enterprise (<http://europa.eu.int/comm/enterprise/services/index.htm>) websites.

Safe harbour for licensing of patents, know-how and software copyright

The European Commission adopted on 7 April new rules for applying competition policy to the licensing of patents, know-how and software copyright. They consist of a 'block exemption' Regulation and Guidelines. The first creates a safe harbour for most licensing agreements. The second explain the application of Article 81 for

agreements not covered by the safe harbour and will now cover design right and software copyright licensing.

Both the regulation and guidelines will be published in the OJ and available at <http://europa.eu.int/comm/competition/whatsnew.html>.

Internet

Illegal and harmful content on the Internet in the European Economic Area

The Justice Council approved on 30 March draft Decisions aimed at enabling the European Economic Area (EEA) states that are members of the European Free Trade Association (EFTA) to participate in two EU programmes: the Community action plan on combating illegal and harmful

content on the Internet and the general framework for financing Community actions in support of consumer policy for the year 2004 to 2007.

The two draft Decisions will be forwarded to the EEA Joint Committee for adoption.

Telecommunications

ENISA, European Network and Information Security Agency

<http://www.enisa.eu.int/>

ENISA is the new agency for information security for both member states and EU institutions which formally came into being on 15 March 2004. The agency will increase cooperation and information exchange between different stakeholders in the member states and contribute to a higher level of information security on the internal

market for the benefit of business, citizens, consumers, and public sector organisations in the EU.

ENISA will also assist the Commission in the technical preparatory work for updating and developing Community legislation in the field of network and information security.

'Broadband via Satellite, Bridging the digital divide: A regional perspective'

http://www.ianis.net/default.php?page=detail_events&idevent=404

IANIS, the Innovative Actions Network for the Information Society, coordinated by ERIS@, the European Regional Information Society Association in collaboration with EUTELSAT held a workshop on 'Broadband via Satellite, Bridging the digital divide: A regional perspective' in Paris on 26 April.

A significant part of the population in

Europe today lacks the physical possibility of accessing broadband networks and services. It is for this reason that EUTELSAT and ERIS@ assembled representatives from regions with limited or no access to the Information Society.

<http://www.eutelsat.com/home/index.html>;
<http://www.erisa.be/default.html>.

ePrivacy, Directive on Privacy and Electronic Communications

On 1 April, the European Commission took the second step in infringement proceedings against eight Member States for failing to notify it of measures transposing the Directive on Privacy and Electronic Communications (ePrivacy Directive) into their national laws.

The Directive governs areas like "spam" email and identifier "cookies". These proceedings were opened against nine Member States in November 2003, but Sweden has since notified the Commission of new spam legislation.

The second stage in infringement

proceedings involves sending reasoned opinions to Belgium, Germany, Greece, France, Luxembourg, the Netherlands, Portugal and Finland. They now have two months in which to respond and could face action before the European Court of Justice if they fail to comply.

The deadline for incorporating the directive into national law was 31 October 2003.

For background information on the new privacy and data protection rules visit http://europa.eu.int/information_society/to_pics/ecommm/all_about/todays_framework/privacy_protection/index_en.htm.

Trade Policy

DDA, the Doha Development Agenda

External Relations ministers heard on 26 April the recent developments regarding the Doha Development Agenda (DDA), and of the prospect for progress during the coming weeks and months.

Discussions have been grouped into four main areas: agriculture (key issue); non-agriculture market access; investment, competition, trade facilitation and transparency in government procurement; special and differential treatment for developing countries.

Since the meeting of the WTO General Council last February, emphasis has been put on bilateral and multilateral between individual WTO members. A further General Council meeting is scheduled for 17 and 18 May aimed at reaching agreement on framework modalities that had already been mooted before Cancun, before the end of July.

A ministerial conference to conclude the Doha Round with a comprehensive agreement could take place in mid-2005 in Hong Kong.

DDA, Seminar on Parliamentarians for Multilateralism

On 29 April, parliamentarians and ambassadors from around 50 countries held a seminar as part of preparations for the Parliamentary Conference on the WTO taking place from 24 to 26 November 2004 in Brussels.

Sessions discussed included, amongst others, the EU offer under WTO negotiations; development and reactions, state of play and perspectives; as well as the role of Parliaments in WTO negotiations.

VAT: place of supply of services (amend. direct. 77/388/EEC)

Parliament adopted on 20 April a non-binding resolution drafted by MEP Karas on the proposal for a Council directive amending Directive 77/388/EEC as regards the place of supply of services.

Directive). The second part, covering the taxation of services supplied to non-taxable persons, e.g. consumers ("B2C"), is to be addressed later, in a subsequent proposal.

Consultation procedure

The Commission proposal, part of the Commission's new VAT strategy (July 2000), aims at amending the Sixth VAT Directive with regard to the place of supply - and thus of taxation - of services provided by one taxable legal person to another. Its application is strictly limited to business-to-business transactions ("B2B"), thereby forming the first part of the reform of the place of supply rules for services.

A few exceptions will remain under the new system e.g. **cultural, sporting and entertainment activities**, with any ancillary services, are to be taxable where they actually take place, as per the existing rules, although the relevant Article 9(c) of the amended directive will no longer cover scientific and educational services, which would therefore benefit from a self-assessment regime rather than the current refunding procedure.

The Commission's draft proposes to turn the main principle around and defining the place of supply for services between taxable persons as the place where the customer is established Article 9(1) of the amended

See COM (2003)0822 at <http://europa.eu.int/eur-lex/>; the report (A5-0233/2004), awaiting final decision, can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Statistics relating to the trading of goods

Agriculture ministers, approving Parliament's amendment to the Commission's proposal, adopted on 23 March the Regulation on Community statistics relating to the trading of goods between member states and

repealing Council regulation (EEC) no 3330/91.

This regulation, published in the OJ no 2004/L 102 of 7 April 2004, shall apply from 1 January 2005.

*Co decision procedure
Procedure terminated*

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<http://europa.eu.int/rapid/start/welcome.htm>
EUR-Lex: European Union law <http://europa.eu.int/eur-lex/>
Europa, <http://europa.eu.int/>
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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Subjects on which EBLIDA concentrates are European information society issues, including copyright & licensing, culture & education and EU enlargement. We promote unhindered access to information in the digital age and the role of archives and libraries in achieving this goal.