



June 2003

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

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EU Information Policy

EU Transparency, report on implementation of Regulation 1049/2001/EC

The Citizens Parliamentary committee held on 12 June, a public hearing on EU transparency considering the Cashman report on Regulation 1049/2001/EC, adopted in May 2001 and applicable since 3 December 2001. Article 17(1) stipulates that an annual report should be published by each institution (Commission, Council and Parliament) for the preceding year including: cases in which the institution refused to grant access to documents, reasons for such refusals and the number of sensitive documents not recorded in the register.

The first annual report of this kind was published on 29 April. This document will serve as a basis for the European Commission to publish a report on the implementation of the principles of the Regulation by January 2004. The full report (COM(2003)0216) can be found at <http://europa.eu.int/eur-lex/>.

For further information on the public hearing, go to http://www.europarl.eu.int/hearings/20030612/libe/programme_en.pdf.

EU Research and Development

Excellent response to first call under FP6 Priority 3

406 proposals were received in response to the first call (NMP-1) for FP6 Priority 3, launched on 17 December 2002 and devoted to the new instruments – Integrated Projects (IPs) and Networks of Excellence (NoEs) (http://europa.eu.int/comm/research/fp6/instruments_en.html). The proposals were split as 213 Integrated Projects and 193 Networks of Excellence, and 77 proposals were recommended for stage two.

The call received a high response to stage one, with a 17% success rate in the evaluation (April 2003). Universities and research centres provided the majority of partners in Networks of Excellence. A workshop

on 8 May clarified the main aspects for stage two proposals. See http://europa.eu.int/comm/research/industrial_technologies/pdf/p3-evaluation_newinstruments_april.pdf.

Visit

http://europa.eu.int/comm/research/industrial_technologies/03-06-03_p3-reponse-1stcall_en.html.



For daily news relating to research and development in Europe, go to

http://europa.eu.int/comm/research/headlines/index_en.cfm;

European Research Area,
<http://www.cordis.lu/era/>.

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Lobbying for archives and libraries

EBLIDA reacts towards the Commission proposal for the enforcement of the Intellectual Property Rights

The European Commission has recently issued a proposal for a Directive to ensure the enforcement of intellectual property rights throughout the European Union.

The Document COM(2003)0046 (http://europa.eu.int/eur-lex/en/com/pdf/2003/com2003_0046en01.pdf), dated 30 January 2003, sets out the

Article 2

The hidden danger in the wording of Article 2 is that it could potentially widen the scope of this Directive beyond its objective. Firstly, Article 2 applies to “any” infringement of intellectual property rights deriving from the Directives as listed in the Annex. This could be construed to give too wide an application of the measures and procedure proposed by the Directive especially since the Annex lists every Directive in the area of intellectual property rights adopted since 1986.

Secondly, it permits Member States to introduce more onerous measures and procedures for infringements committed for commercial purposes or for infringements that cause significant harm to the rights holder. The term “commercial purpose” is not defined. Taking into account that several

Article 20

The term “serious” has been defined but insufficiently. An infringement is considered serious if it is intentional and committed for commercial purposes. This casts an unduly wide net. To be constituted as a criminal offence, the conduct should at the very least cause substantial financial loss to the rights holder otherwise its application could be too wide.

EBLIDA considers necessary the re-drafting of Articles 2 and 20, so that their application is in accordance with the objective of this Directive. Unrestricted, the present anti-counterfeiting and piracy Directive risks

outline of the EC goal of harmonising the national law of the EU member states and fight against piracy, emphasizing the necessary balance between right holders and users’ rights.

EBLIDA has reacted, on a first instance basis, issuing the following comments to the text of the proposal of Directive:

Member States will use the same term for the implementation of the phrase “for direct or indirect economic or commercial advantage” as mentioned in Article 5.2 (c) of the EU Directive on the harmonisation of copyright and related rights in the information society (2001/29/EC), special care should be taken in using this term undefined. Otherwise, minor infringements may end by being punishable by disproportionate penalties.

Thirdly, the term “significant harm” is not specific enough and could lead to a much wider application than intended. The Commission should have used wording that is in line with terms employed in other intellectual property rights directives or used a defined term.

criminalizing even the most minor breach of copyright.

If you are interested in finding further information and background on this subject you can visit the following Internet addresses:

European Commission Internal Market DG:
http://europa.eu.int/comm/internal_market/en/intprop/news/index.htm;

WTO TRIPS Agreement:
http://www.wto.org/english/docs_e/legal_e/legal_e.htm#TRIPs.

Audiovisual

Parliament report on Television without Frontiers directive tabled

On 12 June, the Culture Parliamentary committee tabled the report by MEP Perry on the fourth report on the application of Television without Frontiers directive (89/552/EEC).

Against the opinion of the rapporteur, the culture committee asked for a new audiovisual package to include rules on ownership of TV media to guarantee the pluralism of information and culture. The report (A5-0251/2003), awaiting vote in plenary, can be consulted at

<http://wwwdb.europarl.eu.int/dors/oeil/en/search.shtm>, under European Parliament.

Furthermore, as part of the work programme adopted last February, a second round of public hearings to revise the directive were held in Brussels from 23 to 25 June.

Results of ongoing public consultation, ending on 15 July (*see Hot News March 2003, p. 3*), will serve the Commission as a basis for its forthcoming communication on the future of audiovisual policies.

Consumer Protection

European Enforcement Order for Uncontested claims

Justice ministers held on 5 June, a debate on the draft regulation creating a European enforcement order (EEO) for uncontested claims.

In particular, the draft regulation contains minimum standards with regard to the service of documents covering the admissible methods of service. Only the compliance with the minimum standards provided for in the regulation can justify the abolition of a control in the member states where the judgement is to be enforced.

The debate focused on:

- the definition of an uncontested claim;
- the minimum standards on the service of documents;
- the possibility of appealing against the decision certifying a judgement as a EEO;

- the enforceability of the judgement in the member state of origin as a sufficient requirement for certification;
- the possibility of a refusal of enforcement in the member state of enforcement, including on the basis of the "public policy" criteria;
- the inclusion or not of consumer cases in the scope of application of the regulation.

Ministers agreed on general guidelines for future work and requested further examination of the draft regulation. Ireland and the UK wish to take part in the application of the proposal. Denmark does not participate in its adoption and is not bound by it or subject to its application.

See amended proposal (COM(2003)0341) at <http://europa.eu.int/eu-lex/> (11 June 2003).

Co-operation with third countries

Results of Phare ex post evaluation available

This ex post evaluation focuses on the assessment of the Phare Programme support allocated by the European Community to ten central and eastern European candidate countries (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia). The evaluation covers the country support

allocated in the years 1997 - 1998 and implemented until the end of 2001.

The report states that Phare projects had the lowest impact scores in the social/education and industry/SME domains. See the report at

http://europa.eu.int/comm/enlargement/phare_evaluation_reports_2.htm.

Tacis Regional Co-operation

The Tacis Regional Cooperation Strategy Paper and Indicative Programme 2004 - 2006 which was adopted by the European Commission on 11 April 2003 provides the strategic framework for EC assistance to

multi-country activities for the period 2004-2006.

Consult full paper at europa.eu.int/comm/external_relations/ceeca/rsp/04_06_en.pdf.

MEDA 2000 programme

The European Parliament adopted on 3 June, its own-initiative report drafted by MEP Pietrasanta on the annual report on the MEDA 2000 programme.

development of the information society and use of the Internet, by investing in training and education in schools.

Recommendations included greater funding for regional projects, a better balance between bilateral and regional cooperation,

The report (A5-0114/03) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

@LIS: Alliance for the Information Society

The @LIS programme aims at reinforcing the partnership between the EU and Latin America in the field of the Information Society. It aims at establishing dialogue and cooperation on policy and regulatory frameworks in key areas and to boost interconnections between research networks and communities in both regions.

under the provision that an agreement is settled. Furthermore, 7 other proposals have been placed on a reserve list in case some selected proposals renounce to the funding.

A definitive list of the future @LIS demonstration projects will soon be available at http://europa.eu.int/comm/europeaid/projects/alis/index_en.htm.

Following the call for proposals published in March 2002, 15 proposals have been selected

Commission new action plan on second Northern Dimension adopted

The Commission adopted on 16 June its proposals for the second Northern Dimension action plan, which sets out a framework of priorities, objectives and actions to be pursued in the implementation of the Northern Dimension in the external and cross-border policies of the EU over the period 2004-2006. See http://europa.eu.int/comm/external_relations/north_dim/ndap/ap2.htm.

The action plan focuses on five priority sectors: economy and infrastructure; social issues - education, training and public health; environment; nuclear safety and natural resources; justice and home affairs and cross-border co-operation. The first action plan, adopted in 2000, expires at the end of this year. See europa.eu.int/comm/external_relations/north_dim/ndap/index.htm.

EU renews Israel participation in research programme

The European Commission renewed on 10 June, its agreement on scientific and technological co-operation with Israel. The new agreement will cover Israeli participation from the outset of the FP6 (2003-2006). Israel will contribute to the overall budget (€ 16.27 billion) with € 192 million. Israel has been the only non-European country to be fully associated with the EU's framework programmes.

The association of Israel to the FP6 took effect on 16 December 2002.

For further information, visit http://europa.eu.int/comm/external_relations/israel/news/ip03_813.htm. FP6, http://europa.eu.int/comm/research/fp6/index_en.html.



Co-operation with third countries

Scientific and technological cooperation agreement with Chile

The European Parliament adopted on 3 June, a resolution drafted by MEP Westendorp y Cabeza approving the conclusion of the agreement for scientific and technological cooperation between the EC and Chile.

The report (A5-0161/2003), which is awaiting final signature by the Council, can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Culture

Community action programme to promote culture

The European Commission adopted on 27 May, a draft decision establishing a Community action programme to promote bodies active at European level in the field of culture (COM (2003)275). Support to culture has so far been provided without any legal basis, under budgetary headings entered in the Commission's administrative expenditure.

The draft decision aims at supporting specific activities in the field of culture during a five-year period (2004–2008).

The proposal is based on Article 151 TEC.

The decision is to be adopted in co decision by Parliament and Council (acting unanimously) on the basis of the Commission proposal, which was transferred to Parliament and Council on 5 June.

The full text can be found at http://europa.eu.int/eur-lex/en/com/pdf/2003/com2003_0275en01.pdf.

Watchdog Committee for Cultural Diversity

The Comité de Vigilance - Watchdog Committee for Cultural Diversity (France) is a group of 45 French professional organisations working in the cultural domain who calls for the Convention to embrace the promotion of cultural diversity in the Union's objectives and maintain culture among the complementary competencies.

Moreover, it wants state aid to the cultural sector to be in principle, recognised as being compatible with the internal market. According to the Committee, the Convention should also maintain unanimity for cultural and audiovisual services in trade policies.

For further information visit: www.comitedevigilance.org.

Education

Community action programme to promote education and training

The European Commission adopted on 27 May, a draft decision establishing a Community action programme to support the activities of bodies in the field of education and training (COM(2003)273) for a period of five years (2004-2008).

The programme will support bodies and their activities which seek to extend and deepen knowledge of the building of Europe, or to contribute to the achievement

of the common policy objectives in the field of education and training, both inside and outside the Community. It is based on Articles 149 and 150 TEC.

The decision is to be adopted in co decision by Parliament and Council. The proposal was transferred to Parliament and Council on 3 June. See full text at http://europa.eu.int/eur-lex/en/com/pdf/2003/com2003_0273en01.pdf.

Education in Europe, Eurostat results

Eurostat published on 12 June data on education in Europe in 2000 and 2001. The publication covers the 15 EU member states, the 10 acceding countries and 3 candidate countries as well as Iceland, Norway, Albania and the Former Yugoslav Republic of Macedonia (FYROM).

According to the publication, between 55% and 95% of 18 year-olds were in education in EU member states during the school year 2000-2001; 71% of 18-year-olds living in the EU were still in the education system. Education remained highest in Sweden (95%), Finland (89%) and Belgium (85%). The lowest proportions of 18-year-olds still

in education were observed in the UK (55%) and Portugal (66%).

Amongst the acceding countries, the proportion of 18-year-olds who were still in education varied from 32% in Cyprus, where most tertiary students study abroad, to 86% in the Czech Republic.

Furthermore, more women than men were still in education at 18 (74% compared with 69% respectively) in all member states but Austria. In addition, there are generally more female than male teachers in upper secondary education.

Visit <http://europa.eu.int/comm/eurostat/>.

EU Research and Development

Commission amends proposal on research investment

The Commission adopted on 4 June, an amended communication on 'Investing in research: an action plan for Europe'. This action plan sets out initiatives required to give Europe a stronger public research base and to make it much more attractive to private investment in research and innovation. The objective is to reach the objective set by the Barcelona Council (2002) to increase the average research investment level from 1.9% of GDP today to 3% of GDP by 2010, of which 2/3 should be funded by the private sector.

The action plan comprises four main sets of actions:

- supporting the steps taken by European countries and stakeholders;
- improving considerably public support to research and technological innovation;

- addressing the necessary increase in the levels of public funding for research;
- improving the environment of RTD innovation in Europe e.g. IPR protection, regulation related standards, competition rules, financial markets, the fiscal environment, and the treatment of research in companies' management and reporting practices.

The Commission will report every year ahead of the Spring European Council meeting so that the European Council may follow progress and set further orientations or adjust its strategy as appropriate on the basis of progress made. See COM(2003) 226 final/2 Corrigendum, http://europa.eu.int/eur-lex/en/com/cnc/2003/com2003_0226en02.pdf.

Community statistics on science and technology

The European Parliament adopted on 19 June, a resolution approving the common position, without amendment, on the production and development of Community statistics in science and technology. The resolution aims at developing a new generation of statistical variables for Community science and technology

purposes.

The common position, adopted on 17 March this year, amends the draft Decision as recommended by the European Parliament and further clarifies the text of the Commission proposal. It is awaiting its publication in the Official Journal.

*Co decision procedure
(second reading)*

Information Society

European Council report and Commission statement on the European Council

The European Council met in Thessaloniki on 19 and 20 June 2003. The main items of the agenda were the next IGC, immigration, frontiers and asylum, enlargement, wider Europe, new neighbourhood, the follow-up of the 2003 Spring European Council, external relations, weapons and terrorism.

The draft EU Constitution, proposed by the European Convention after 16 months of debates, received backing as a "good basis" for negotiations. The forthcoming Italian Presidency of the EU was instructed to launch an Intergovernmental Conference (IGC) in October 2003 to negotiate a new Constitutional Treaty. The IGC should finish in time for the new treaty to be agreed

before the June 2004 European Parliament elections. The 10 future member states were invited to participate fully and on equal footing in the negotiations.

The Commission also made a statement on the forthcoming WTO Ministerial meeting to be held in Cancun, Mexico from 10 to 14 September 2003. For the latest on WTO round see http://trade-info.cec.eu.int/europa/index_en.php.

See Presidency conclusions, Thessaloniki European Council, 19 and 20 June 2003) at <http://ue.eu.int/newsroom/NewMain.asp?LANG=1>.

Internal Market

Parliament report on Community trade mark tabled

The Legal affairs Parliamentary committee tabled on 19 June, a report by MEP Berenguer Fuster on the proposal for a Council regulation amending Regulation (EC) No 40/94 on the Community trade mark (COM(2002)767). The purpose of the regulation is to amend certain provisions.

Changes proposed concern:

- proprietors (Article 5);
- searching system – the system has presented several drawbacks, thus it would be abolished;

- representation - the wording of Article 89(2)(c) has been adapted so that it suffices to be resident in any EU member state to be able to deal with the Office;
- Boards of Appeal;
- points of procedure.

The report (A5-0236/2003), which is awaiting vote in plenary, can be consulted at <http://wwwdb.europarl.eu.int/dors/oeil/en/search.shtml>, under European Parliament.

Community Designs

The Office for Harmonization in the Internal Market (Trade Marks and Designs) publishes the *Community Designs Bulletin* (<http://oami.eu.int/en/design/bull.htm>) in three parts:

- a) registrations of Community designs;
- b) entries in the Register subsequent to registration e.g. amendments, transfers, licences; and
- c) renewals and information on expired registrations.

In addition, the Office provides e-filing, a new service to apply for a registered Community design. E-filing allows you to complete an electronic application form, provide the associated attachments and complete the necessary payment details online.

Visit

<http://oami.eu.int/en/design/efentry.htm>.

Internal Market

Parliament report on patentability of computer-implemented inventions tabled

The Legal affairs Parliamentary committee adopted on 18 June, the report by MEP McCarthy broadly approving the proposal for a directive on the patentability of computer-implemented inventions.

What the proposal sets out to do is to provide a restrictive restatement of the law as it has been applied by the Boards of Appeal of the European Patent Office, in order to ensure that patents for computer-related inventions are granted on the same basis everywhere in

the EU and that the national courts deal with contested patents on the basis of uniform principles.

Furthermore, once there is a Community directive, the Court of Justice will have jurisdiction to give preliminary rulings.

The report (A5-0238/2003), which is awaiting vote in plenary, can be consulted at <http://wwwdb.europarl.eu.int/dors/oeil/en/search.shtm>, under European Parliament.

Application of Community law

The European Parliament adopted on 3 June, a resolution drafted by MEP Wallis (A5-0147/03) on the Commission 18th and 19th reports monitoring the application of Community law. It welcomed the improvements the Commission had announced to its administrative procedures with regard to infringements of Community law.

Furthermore, Parliament adopted on 5 June, the resolution drafted by MEP Fourtou (A5-0157/03) on relations with

the complainant in infringements of Community law. Parliament commended the provision of information to citizens about the stage reached in the processing of their complaints. The on-year delay is a reasonable one, within which the Commission must reach a decision and notify the complainants.

Both reports can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Simplifying and improving Community regulation

In 2001, the Commission submitted an interim report to the Stockholm European Council on improving and simplifying the regulatory environment. Later the same year, the Commission submitted a communication on the subject. The second report on the Commission communication on simplifying and improving Community regulation (COM(2001)726) was tabled on 17 June.

At the current stage in the development of Community law, the Union does not have clear and precise legislative powers. Under procedures other than co

decision, the final decision on Community law lies with the Council.

According to the rapporteur, these communications do not provide any new contributions and merely reproduce the proposals put forward by the White Paper on European Governance.

The report by MEP Medina Ortega (A5-0235/2003), which is awaiting vote in plenary, can be consulted at <http://wwwdb.europarl.eu.int/dors/oeil/en/search.shtm>, under European Parliament.

Internal Market

Public hearing on the future of services of general interest in Europe

On 11 June, the Economic Parliamentary committee held a public hearing on a positive perspective for the future of services of general interest in Europe. See position papers from the experts and contributions at <http://www.europarl.eu.int/hearings/20030611/econ/default.htm>. Social partners are seriously divided on the need to create legal instruments to protect services of general interest (SGI). UNICE (<http://www.unice.org/>) launched an assault against any legal instruments in this field. The Association of Finnish Local and Regional Authorities (<http://www.kunnat.net/>) felt that state aid in SGI in under-populated areas should be resolved through social or regional policy. The European Centre of Enterprises with Public Participation (<http://www.ceep.org/>) and the European Federation of Public Service Unions (<http://www.epsu.org/>) called for a framework directive and for SGI to be included in the future Constitutional

Treaty. MEP Herzog, rapporteur, published a special edition of his review *L'Option de Confrontations* entitled 'Objective SIG' in which fourteen authors pose a series of key questions. See <http://www.confrontations.org>.

MEP Herzog proposes making a clear distinction between fundamental non-commercial SIG e.g. education, health, where all harmonisation must be ruled out; SIG for access to common material or immaterial goods e.g. environment or information, a new field to be developed except for a few competition policy elements; large networks e.g. telecommunications, postal services which are currently ruled under internal market rules but where a specific regulation is essential and competition rules must be adjusted when applying to public goods.

Parliament working document (*March 2003*),

http://www.europarl.eu.int/hearings/20030611/econ/herzog_en.pdf.

Internet

Council of Europe adopts Declaration on Freedom of Communication on Internet

On 28 May 2003, the Committee of Ministers of the Council of Europe adopted a Declaration on freedom of communication on the Internet to strike a balance between freedom of expression and information on the Internet and other rights guaranteed by the European Convention on Human Rights, such as the protection of children against unsuitable online content.

The text underlines the principle of freedom of expression and the free circulation of information on the Internet, in accordance with the

requirements of Article 10 (freedom of expression and information) of the European Convention on Human Rights (ECHR).

The Declaration condemns practices aimed at restricting or controlling Internet access, especially for political reasons. It also deals with the freedom to provide services via the Internet, the responsibility of intermediaries and the anonymity of Internet communications.

The full text of the Declaration can be found at www.coe.int.

Social Policy

Building social and human capital in the knowledge society

The Council adopted on 3 June, a resolution on 'Building social and human capital in the knowledge society: learning, work, social cohesion and gender'.

The resolution aims, amongst others, at :

- promoting existing policies and initiatives in education and training;
- promoting new possibilities for education and training within lifelong learning e.g. eLearning and learning at work;
- increasing efforts in areas such as

transparency, validation and recognition of non-formal and informal learning and certification of skills for boosting mobility;

- emphasising the crucial importance of motivating people to participate in lifelong learning.

See Employment, Social Policy, Health and Consumer Affairs Council meeting, Luxemburg, 3 June 2003 (2512th) at <http://ue.eu.int/newsroom/newmain.asp?LANG=1>.

Scoreboard on implementing the social policy agenda

The report by MEP Figueiredo on the scoreboard on implementing the social policy agenda (COM(2003)57) was tabled on 11 June. According to the report, greater amounts must be invested in education, training, and lifelong learning in order to combat the high school dropout rates in several member states, improve educational and training conditions, and pave the way for women to participate in the labour market.

The Commission is still failing to produce new initiatives in areas already called for by Parliament. The initiatives in question should be rapidly drawn up, specifically with a view

to e.g. producing a green paper on illiteracy and social exclusion and, in due course, drawing up an action plan and setting up a European illiteracy monitoring centre. The report (A5-0247/2003), which is awaiting vote in plenary, can be consulted at <http://wwwdb.europarl.eu.int/dors/oeil/en/search.shtml>, under European Parliament.

In addition, the Commission published on 2 June, a communication on the mid-term review of the social policy agenda, which is awaiting Parliament consultation. See (COM(2003)312) at <http://europa.eu.int/eur-lex/>.

Structural Funds and Cohesion Funds

The European Parliament adopted on 19 June, a resolution based on its own-initiative report drafted by MEP Markov (A5-0186/03) on the Commission's report on the Structural Funds (2001). Parliament pointed out that the report for 2001 presents and evaluates the quantitative aspects (number of projects approved, level of commitment and payment appropriations) in differentiated form but does not produce any specific data about the qualitative improvements achieved in regional development.

Moreover, Parliament adopted a resolution based on the own-initiative report drafted by MEP Scallon (A5-0184/2003) on the

Commission's annual report of the Cohesion Fund (2001). Parliament regretted that the report gives no specific details concerning the appropriations outstanding under the Cohesion Fund. Parliament also felt that transparency could be further enhanced by including in the report a historical overview of the Fund's activities and by adding of a full statistical annex, which would allow comparison between member states on the basis of complete and corresponding figures.

Both reports can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Social Policy

Parliament Resolution on Open Co-ordination Procedure

The European Parliament adopted on 5 June, a joint resolution on the application of the open method of co-ordination (sharing of best practice across the member states).

Parliament considers that the open method of co-ordination should be developed not only in fields connected to the Lisbon Strategy, but also in the fields of youth, media, culture and sport. The House stressed its role in the procedure

must be clarified and enhanced so that the process gains democratic legitimacy.

MEPs also called on the Council and the Commission to join in negotiations for an inter-institutional agreement with Parliament, laying down rules governing the selection of policies for open co-ordination, and providing for a coherent application of the method with the full involvement, on equal terms, of the Parliament.

Open method of coordination in the fields of employment and social matters

The European Parliament adopted on 5 June, the own-initiative report drafted by MEP Smet which analyses the open coordination procedure in employment and social affairs.

The Commission was asked to draw up a study on the effectiveness of the method,

which should examine a number of specified topics.

The report (A5-0143/03) can be found at http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.

Corporate Social Responsibility

The Commission communication 'Corporate Social Responsibility: a business contribution to Sustainable Development' (July 2002). The Communication sets up a Forum to promote transparency and convergence of CSR practices and instruments.

The Forum, launched on 16 October

2002, will run until mid-2004, when a report will be presented to the Commission, containing results and recommendations for further action. For further information on CSR and the exchange of experience and good practice, visit <http://europa.eu.int/comm/enterprise/csr/roundtables.htm>.

Telecommunications

Implementation of structural funds in the electronic communications sector

The Commission is to prepare guidelines which aim at helping regions appraise and select projects relating to electronic communications within their co-financed programmes. They set out some general criteria and modalities for the financing of electronic communications infrastructure, with particular emphasis on broadband networks.

The Commission launched an open consultation inviting interested parties to submit by **2 July 2003**, their observations on the draft working paper. Send an email to regio-eval@cec.eu.int.

The draft working paper is available at http://europa.eu.int/comm/regional_policy/consultation/draftwpelectronic.doc.

WRC-03, World Communications Conference

The Council recently adopted a set of conclusions on the Communication from the Commission on the World Radio communications Conference (WRC-03).

The Council expressed its support to the policy objectives to be achieved at WRC-03 in the context of Community policies, in particular:

- the protection of third generation

mobile communications (IMT-2000/UMTS) from harmful interference;

- the Public Protection and Disaster Relief (PPDR) with special attention to equipment interoperability and alternative wireless infrastructure platforms, including R-LAN systems especially identification of frequency bands for wireless access systems.

Eighth report on implementation of the regulatory package

MEP Clegg has been authorised to draw up an own-initiative report on the state of implementation of the current telecommunications regulatory framework.

The purpose of the eighth report is to assess and analyse both the state of the telecommunications market as well as examining the EU regulatory framework vis-à-vis telecommunications.

The state of preparation by the member states regarding the transposition of new regulations into national law is also scrutinised.

In its report, the Commission calls on governments to assist in areas such as electronic communication services by examining a number of additional burdens on the sector in the form of specific taxes on telecommunications services, disproportionate fees for the placing of infrastructure, including mobile antennas on public land and radio emission restriction stricter than those recommend at the European level.

The Commission proposal (COM(2002)0695), which is awaiting vote in plenary, can be downloaded from <http://europa.eu.int/eur-lex/>.

European network and information security Agency

Telecommunication ministers agreed on 5 June, on a general approach, pending the European Parliament's opinion in first reading, on the draft Regulation aimed at establishing a European Network and Information Security Agency. It requested COREPER to examine the Parliament's opinion when available to enable the Council to adopt a common position at a forthcoming meeting. The general approach was agreed on with two abstentions, by the German and UK delegations. The text of the general approach includes the main following changes in relation to the Commission's initial proposal:

- Limitation of the Agency's activities to an advisory role and deletion of

provisions concerning an advisory board;

- Modification of the composition of the Management Board to include one representative of each member state, three representatives appointed by the Commission and one representative each (without the right to vote) of the information and consumer technologies industry, consumer groups and academic experts in network and information security;
- Extension of the Management Board's functions and of its involvement in the day-to-day operation of the Agency.

Vote in plenary is expected in November.

Trade Policy

VAT and the place of Supply of Services

With regard to the supply of services, at present, it is the supplier who must pay VAT on the services provided and not the consumer. However, the number of services supplied across borders has increased, thus the DG Taxation is currently working on a document which considers the idea of shifting taxation from the place where the supplier is established or has a fixed place of business to the place where the customer is located, when the customer is a trader.

The working paper is the basis for a

consultation which closed on 30 June.

After consultation, the results will be the starting point for the Commission to prepare a legislative proposal by Autumn this year. This will aim at improving the existing provisions relating to the place where the supply of services is taxed.

Further information can be found at http://europa.eu.int/comm/taxation/customs/taxation/consultations/supply/supply_en.htm.

VAT measures for derogation, amending Directive 77/388/EEC

On 10 June, the European Commission adopted a proposal for a directive amending Directive 77/388/CEE concerning the common system of value added tax (VAT).

The current directive establishes a general framework but contains no machinery providing for the introduction of implementing rules.

The purpose of this proposal is to modernise the Article 27/30 procedure and specifically to make it more transparent, and also to provide for the adoption of implementing rules at Community level. See the full text of the proposal (COM(2003)0335) at <http://europa.eu.int/eur-lex/>. The proposal was transferred to Parliament for consultation on the same day.

US Foreign Sales Corporation

For the first time in the ongoing dispute over the US Foreign Sales Corporation (FSC), a deadline has been set up for Washington. The European Commission would assess the situation in the Autumn and if it does not detect any progress, then it will launch the legislative process required to adopt counter measures by 1 January 2004.

This means that if the US Congress does not withdraw the legislation declared illegal by the WTO before the end of this tax year, the EU will implement its package of reprisals targeting a vast range of products made in the US. The US goods included in the detailed list of products to which sanctions may

be applied were decided in the framework of a huge consultation procedure ongoing since September 2002. The list has now been lodged in Geneva and it includes paper and board, books, newspapers, photos and other products of the printing industry amongst others.

According to the European-American Business Council (<http://www.eabc.org/>), if the EU imposes retaliatory tariffs against US exports in the FSC, the result would be devastating for both US and European companies.

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EUR-Lex: European Union law <http://europa.eu.int/eur-lex/>
Europa, <http://europa.eu.int/>
European Parliament Press Service
http://www.europarl.eu.int/press/index_en.htm
RAPID - Press and Communication Service of the European Commission,
<http://europa.eu.int/rapid/start/welcome.htm>
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 **CE** 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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