



EBLIDA

Hot News June 2001

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Access to documents: new Regulation comes into force

The Regulation regarding public access to European Parliament, Council and Commission documents (*EC/1049/2001 of 30 May 2001*) was published in the Official Journal on 31 May 2001 (*see Update May 2001, p. 23*). Each institution should adapt its rules of procedure to the provisions of this regulation. In addition, within six months of its entry into force, the Commission should examine the conformity of **Council Regulation No 354/83 of 1 February 1983** concerning the opening to the public of the historical archives of the European Economic Community (EEC) and the European Atomic Energy Community (EURATOM) with this Regulation, in order to ensure the preservation and archiving of documents. This Regulation entered into force on 3 June 2001 and shall be applicable from 3 December 2001.



Audiovisual: Television without Frontiers directive under review

Culture Commissioner Viviane Reding has proposed an amendment to the 'Television without Frontiers' Directive by 2002 in order to adapt it to the digital age. According to Reding, a television landscape dominated by a limited number of broadcasting stations would not be appropriate in several areas, such as advertising, the protection of minors and European content.

As regards the protection of minors against dangerous or unlawful content, culture ministers adopted on 21 June the conclusions from a report of 27 February 2001 which assesses a Council 1998 recommendation on the establishment of national self-regulatory measures in order to protect minors.

In addition, Reding raised the question of how appropriate it is to maintain the quota system in order to defend European content (cultural diversity and pluralism) in the digital world. The Commission will be publishing the results of three studies during 2002. These are the impact of measures to promote the distribution and the production of European TV programmes; technological developments in the audiovisual sector and the development of advertising techniques. A consultation period will then start at the end of 2002 before the Commission presents a communication and amendments to the directive. The fourth report on the application of the Directive is due by 31 December 2002.



Civil and commercial matters: European judicial network to be established

On 29 May, Justice Council ministers adopted a Decision establishing a European judicial network in civil and commercial matters, aimed at improving judicial co-operation between member states and at providing the public with practical information in cross-border litigation practices.

The network will establish and update two information systems, one for members of the network and the other for the public. Denmark will not take part. It will be composed of contact points designated by member states, central bodies and authorities, liaison magistrates and any other appropriate judicial or administrative authority with judicial responsibilities. Each member state should designate at least one contact point. The Council decision is awaiting publication in the Official Journal.

In addition, the Council adopted a Regulation on co-operation between the courts of member states in the taking of evidence in civil and commercial matters, which will provide an important role in improving and facilitating cross-border litigation practices. The regulation should enter into force on 1 July 2001 and shall apply from 1 January 2004 (articles 19, 21 and 22 shall apply from 1 July 2001).



Copyright: new Directive comes into force

The Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society was published in the Official Journal on 22 June 2001 (*see Update June 2001, p.22*).

Member states should bring into force the laws, regulations and administrative provisions necessary to

comply with this Directive before 22 December 2002. In addition, member states should communicate to the Commission the text of the provisions of domestic law which they adopt in the field governed by this Directive.



Data protection: Decision on contractual clauses adopted

On 18 June, the European Commission adopted a Decision in order to guarantee that consumers are adequately protected when companies use standard contractual clauses to transfer personal data to third countries.

This decision forces member states to recognise that companies which incorporate such clauses for data transfers ensure protection in accordance with Directive 95/46/EEC (protection of personal data). This Decision only concerns the adequacy of protection provided by the standard contractual clauses set out in the annex.

In addition, the Commission intends to adopt separate decisions referring to specific types of transfers and situations. Further information about this decision and the standard contractual clauses is available at: http://europa.eu.int/comm/internal_market/en/dataprot/news/



eCommerce: directive on taxation of digital services at debate

On 7 February 2001, the Commission presented a communication on eCommerce and financial services aiming to clarify how the eCommerce directive, which enters into force on 17 January 2002, interacts with existing and pending financial services legislation. The Commission had proposed to undertake a review of national provisions member states may apply to online incoming services and subsequently provide 'guidance' on the sort of rules it may be willing to accept. It further proposed to:

- develop a programme of convergence of contractual and non-contractual rules;
- take steps to enhance consumer confidence in cross-border redress and internet payments, notably through the establishment of FIN-NET (the network of financial services ombudsmen);
- enhance supervisory co-operation by further reviewing the arrangements for monitoring cross-border services.

The compromise text foresees that digital services provided from third countries are taxed at the normal rate set in the country administration of a single EU country to undertake the provision of services in other EU countries. For example, an American company could register in the Netherlands for services provided in Belgium and Spain. It would pay the VAT rate applicable in Belgium or in Spain to the Dutch administration, which would direct the amount to the country where the consumer is located. Fourteen member states supported the final text, with the exception of the British government, which has proposed a short-term tax moratorium on these transactions of two or three years.

In addition, Parliament approved on 13 June, a Commission proposal aimed at replacing fifteen different national rules governing VAT invoices with one simple set of rules. This resolution also covers electronic invoicing and contains a provision for the use of advanced electronic signatures.



Intellectual property: Conciliation Committee agreement on artists' resale rights

On 22 June, Parliament adopted a Recommendation (third reading) by MEP Zimmerling (*A5-0235/2001*) on the proposed directive which defines the 'resale right' that artists are entitled to when their works are sold. The Conciliation Committee reached an agreement on 1 June on those key questions where there had been major differences between Parliament and Council, namely, the threshold value and the transposition/transitional periods. The agreement was as follows:

- the minimum sale price above which authors may demand a resale right will be Euro 3,000, in accordance with the principle of subsidiarity. However, member states will be allowed to establish national thresholds lower than those of the Community;
- the deadline for implementation of the directive will be 4 years (1 January 2006) and 6 years for member states who do not apply the resale right (not later than 1 January 2010). A supplementary period of two more years is foreseen to enable economic operators in those member states to adapt gradually to the resale right system.

The resale rights does not currently exist in four member states (Austria, Ireland, the Netherlands and the UK). Although Luxembourg legislation provides for a resale right, it has not yet adopted measures for its application.



Telecommunications: Parliament adopted report on users' rights

Parliament adopted on 13 June (first reading), the report by MEP Harbour (*A5-0202/2001*) on the proposal on universal service and users' rights, the aim of which is to update existing measures on universal service and lay down specific rights for users.

Parliament amendments include a call for a minimum set of high quality services to be made available to all users at an affordable price, although without distorting competition. The key points raised by the report include the need to ensure that the connection provided allows users effective access to the internet and that member states take special measures to ensure that the disabled and those with special needs can take advantage of the choice of companies and service providers available. However, the definition of users with special needs should be decided after public consultation. Parliament also wanted tariffs to be structured in order to be affordable for people on low incomes or with special social needs. The proposal is awaiting Council common position. The report can be found at: http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.



Culture 2000: Council agrees on Hungary participation

On 28 June, telecommunication ministers agreed to the EU-Hungary Association Council adopting a Decision which concerns the terms and conditions for the participation of Hungary in the Culture 2000 programme.

All the associated countries of Central and Eastern Europe have taken part in one or more Community programmes in the cultural sphere which have now expired. These countries also wish to participate in the Culture 2000 programme (2000-2004). To permit such participation, a fresh Association Council decision is needed.



eEurope: Commission launches eEurope+ for candidate countries

On 16 June, the European Commission launched in Göthenburg the eEurope+ Action Plan, which aims at allowing candidate countries to partake in the information society.

This action plan mirrors the priority objectives and targets of eEurope, but provides for actions which tackle the specific situation of the candidate countries. Like eEurope, the eEurope+ Action Plan aims to accelerate reform and modernisation of the economies in the candidate countries, encourage capacity and institution building, improve overall competitiveness and provide for actions which address the specific situation of the candidate countries.

The eEurope+ Action Plan can be downloaded from:
http://europa.eu.int/information_society/international/candidate_countries/doc/eEurope_june2001.pdf



eEurope: Commission recommendations on security launched

The European Commission presented a communication on *'Network and Information Security: Proposal for a European Policy Approach'* in Gothenburg. This aims at developing a strategy on electronic networks security. Tackling cybercrime, network and information security, data protection and hacking are some of the major initiatives proposed. The specific measures mentioned include raising awareness of the security issues. Member states and the Commission are asked to further support free circulation of encryption products and services and the Commission will propose legislation on cybercrime.

The proposals contained in the communication will be further discussed at national and Parliament level. Feedback from industry and users can be sent to eeurope@cec.eu.int by August 2001. The communication can be downloaded from:
http://europa.eu.int/information_society/eeurope/news_library/pdf_files/netsec_en.pdf



EUREKA: two new projects launched

[PIDEA](#), the EUREKA cluster programme which deals with the development of interconnection and packaging technologies, has launched two new projects in the fields of professional communication and smart cards.

The first is UMANISTA (universal module packaging enhancement for secured telecom applications), which aims at enhancing high integration RF packaging technologies for professional radio communications in the perspective of future mobile terminals and base stations. The second is ACSIP (active silicon protection) which will develop a smart card integrated circuit immune to invasive attacks (chemical, physical or energetic) and will contribute to the improvement of smart cards security. Packaging technologies developed in the project will also be used in applications such as mobile telecoms, tagging and micro electromechanical systems.



Fifth Framework programme: EU and Malta co-operation agreement signed

The scientific and technological association agreement which gives Malta full access to the FP5 (1998-2002) was signed on 20 June. This concludes the negotiations initiated in November 2000. This agreement also defines rules concerning intellectual property rights related to results obtained either by Maltese projects involving EU organisations or viceversa. Maltese research organisations are already involved in several project proposals under the current programmes.



INTERREG III: Commission communication on strand C implementation

On 7 May, the Commission adopted a communication on the implementation of strand C of the Interreg programme, which aims at promoting interregional co-operation within the European Union, financed by the Structural Funds. The communication sets out methods to implement co-operation activities under the Interreg III C initiative for the period 2000-2006. The communication, which was published in the Official Journal on 15 May 2001 (*2001/C 141/02*), is available for downloading from [EUR-Lex](#).

INTERREG and Tacis programmes can be used more effectively in the future in support of co-operation across the external borders of the European Union. Check on the guide entitled '[Bringing INTERREG and TACIS funding together](#)' for further information.



IST programme: support activities in RTD co-operation with Newly Associated States

The objectives of the IST support activity VIII.1.6 are to build awareness of IST and facilitate the formation of project consortia that include partners from the Newly Associated States (NAS); to better link the NAS IST research base to that of the EU and viceversa, and to support and develop more

efficient means of co-operation with these countries.

Support will be considered for working groups and thematic, information, and partnering networks, for regional information centres, facilities and websites, for enhancing the scope of existing IST actions, and for the organisation of events, in conjunction with the horizontal programme on 'Confirming the international role of Community Research'. Sub-regional such activities e.g. in the Balkans or the Baltic regions, are encouraged. The types of actions addressed are research and development, demonstration and combined projects, thematic networks and accompanying measures.

Guide for Proposers Part 2A (January 2001) explains how to present proposals to this action line, which will be open again in June. Check on the [IST Workprogramme 2001](#) for further information.



MLIS/INFO 2000 programmes: Commission communication on final evaluations published

On 28 May, the European Commission adopted a communication concerning the final evaluations of the INFO 2000 and MLIS programmes, carried out by separate companies contracted during 1999. The evaluations were conducted between January and June 2000. Interim reports during the course of the two evaluations were used by the Commission in formulating its proposal on the follow-up eContent programme.

The communication invites Parliament, Council, ESC and COR to support its approach of including digital content as part of the eEurope 2002 action plan, positioning the eContent programme as a key element of the eEurope action plan and simplifying project administration procedures.



Sixth Framework programme (FP6): Commission draft programmes adopted

On 30 May, the European Commission adopted a draft programme concerning both the content and the implementation of the specific programmes foreseen in FP6. Draft decisions were adopted on the integration and enhancement of the ERA, its structure, the mission of the Joint Research Centre (JRC) and nuclear energy.

In addition, the Commission presented a communication on the implementation of article 169 of the Treaty and the networking of national programmes, which focuses on the arrangements for implementing article 169 and describes the conditions for participation. With its communication, the Commission proposes the adoption (in codecision) of a framework decision that would fix the general principles and modalities for implementing article 169. This would allow the Commission to take technical decisions for implementation of each individual programme involving several member states.



European Year of Languages programme: 142 new projects to be funded

Out of 1,300 applications, the European Commission will support 142 more projects under the European Year of Languages 2001. The funding announced on 11 June, totals nearly Euro 4.2m and is additional to the Euro 1.75m already allocated to 43 projects last January. The list of the selected projects can be found at <http://www.eurolang2001.org>

A wide range of highly original activities across Europe will be funded e.g. a language learning carriage on a commuter train, a multilingual celebration of the philosophical thought of Immanuel Kant and the creation of a replica European town populated with native speakers of various languages. Several projects involve the production of TV and radio programmes.

The European information campaign (EU/CoE) includes a multilingual website and a booklet entitled "*How you can learn languages*", aimed at adults. A European Day of Languages will be held on 26 September 2001.



Youth for Europe: study on youth policies now published

On 26 June, DG Education and Culture presented a study, in the framework of the 'Youth for Europe' programme, on young people and youth policy. This study is the final result of collaboration between European research institutes in the fifteen member states, Liechtenstein, Norway and Iceland. The work is divided into three main sections:

- conditions for youth in all 18 European countries;
- youth policy in these countries;
- education and training of youth workers in Europe.

It identifies the main problems and challenges faced by the younger generation, focusing on particular issues such as education and training, labour market, well-being, health, and the "European dimension". It also contains general and national reports on each of the above focal points and provides some additional policy reflections and recommendations to help foster initiatives in the field. The study can be downloaded from: <http://europa.eu.int/comm/education/youth/studies.html>



Cultural goods: Council Regulation amended

Industry ministers amended on 14 May, the **Regulation 3911/92/EEC on the export of cultural goods** and the **Directive on the return of cultural objects unlawfully removed from the territory of a member state (Directive 93/7/EEC)**. The regulation applies to cultural goods listed in an annex. Changes introduced in the annex concern the values of the financial thresholds applicable and the use of the correct conversion rates, in order to prepare for the Euro.

For its part, the Commission has set up a working group which should elaborate guidelines on administrative co-operation. A study has also been launched to inquire into the possibilities for improving traceability of cultural goods.

Furthermore, Parliament adopted on 12 June, the report by MEP Aparicio Sanchez (first reading) on the application of Community legislation in the unlawful trade of cultural goods. The Council directive and regulation are both considered inadequate for tackling illegal trade, therefore Parliament calls for verification procedures to be tightened up. Parliament also calls for a Commission Green Paper or Communication on the issue by the end of 2001. Moreover, there is a request to assess the possibility of accession by the EU to the 1995 Unidroit Convention on the recovery of stolen artifacts (signed on 24 June 1985 in Rome).



Education: new network for lifelong learning launched

On 1 June, on the initiative of the Region of Tuscany, the first European network of regional and local authorities was launched in Brussels. Backed by countries such as Sweden, Denmark, Finland Lithuania and Spain, the network aims at ensuring equal opportunities to education and training services to all European citizens. It links together, via Internet and new technologies, regional, local and national governments to exchange experience and best practice. The network should contribute to the Commission Memorandum on Lifelong Learning, to be approved by the end of the year.



Education: report on education and training in employment available

All education and training goals set by the Lisbon European Council are included in the 2000 employment package ratified by the Nice European Council. This package is a response to the concerns expressed by education ministers in the conclusions of the Education Councils of 8 June and 9 November 2000, concerning the priority to be given to lifelong learning and to teaching in the field of new technologies.

The European report on [education and training in employment policies](#) was published in April 2001. This study analyses the role of education and training policies in the European employment strategy. Presented in two volumes, the first presents the new 2000 employment package and shows that the education and training dimension has been consolidated, particularly following the conclusions of the Lisbon European Council. The second summarises the role of education and training policies in the National Action Plans and includes a detailed analysis of member states policies in education and training.



eEurope: eGovernment recommendations adopted under Swedish Presidency

On 14 June, a series of recommendations for the development of eGovernment were adopted at a conference organised in the framework of the IDA programme, which aims at promoting the convergence between European countries to develop cross-border services.

Some of the recommendations are to:

- develop a common view on services provided by the eGovernment;
- promote initiatives to ensure citizens and industry confidence in security and reliability of electronic services;
- promote involvement of citizens and the private sector in the regulation process.



EU/CEE: Council Resolution on audiovisual adopted

On 22 June, the Culture Council adopted a resolution which emphasises the need for a reinforced exchange of information and experience between the EU member states and candidate countries in the audiovisual sector. It aims at the creation of a favourable framework for the adoption and implementation of the *acquis*, in order to facilitate accession negotiations.



EU/CEE: Council Decisions on education, training and youth programmes

On 7 May, the ECOFIN Council adopted Decisions concerning the participation of **Hungary** and **the Czech Republic** (who closed the culture and audiovisual chapter on 12 June) in the Socrates and Youth programmes. Furthermore, the General Affairs Council adopted on 15 May, two Decisions concerning the financial contribution of **Lithuania** and **Romania** for participation in the Socrates and Youth programmes for the years 2001-2006. On 22 May, the Agriculture Council adopted Decisions on the financial contributions of the **Slovak Republic** and **Poland** for their participation in the Socrates and Youth programmes.

Those decisions taken during 2000 established the financial contribution of these countries only for 2000, and provided that the contribution for the remaining years would be detailed in subsequent decisions. These latter Decisions will be formally approved by the respective Association Councils.

In addition, the Council asked the Commission on 5 June, to negotiate agreements for further participation in Community programmes with **Cyprus, Malta and Turkey**, notably in education and research programmes. These agreements will specify conditions and details for participation for each of the programmes between the Commission and the country concerned, in consultation with the Council.



EU/Kosovo: exceptional financial assistance approved

Parliament agreed on 14 June, to the payment of further exceptional financial assistance to Kosovo of up to Euro 30m. This aid will help to develop administrative capacity and an adequate economic

framework.

This decision was adopted by telecommunications ministers on 28 June. The Community should make available to UNMIK, in conjunction with the contributions of the other donors, exceptional financial assistance in the form of straight grants of up to Euro 30m to be released in at least two instalments.



Information society: ICTs to reduce poverty in developing countries

On 12 June, Parliament adopted a report by MEP Dybkjaer (*A5-0191/2001*) on information and communication technologies (ICTs) and developing countries. Parliament considers it necessary to step up efforts to guarantee the right of universal access to education and training and the use of new technologies in sectors such as education, health, rural environment and tourism.

Parliament noted however, that the ICT revolution could widen the gap between rich and poor countries, unless measures are taken. Therefore, Parliament calls for ICTs to have a place in the new European Development Fund (EDF) programme and the establishment of an eDevelopment unit within the Europe Aid cooperation office. This should be able to assist sectoral units in the integration of ICT in development and the Commission Task Force established by the G8 (Dot.force). The report can be found at: http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.



Information society: SMEs to participate in centres of excellence

The Spanish Centre of Excellence in Information Society Technologies for SMEs, Comercio Electrónico Global, invites public and private European centres of innovation, research and development to participate in the new platform of European centres of excellence in IST for SMEs. This initiative aims at creating a gateway with information about EU centres specialising in IST policies, future scientific and technological needs and specific initiatives in order to bring together the best collective research capabilities. Please go to <http://www.e-global.es/> for further information.



Information society: Stockholm challenge selected around 100 projects

Out of 740 applications, around 100 projects have been selected as finalists in the Stockholm Challenge. The finalists are classified into seven categories: the new economy, health and quality of life, culture and entertainment, public services and democracy, education, environment and a global village.

Under culture and entertainment, one of the selected projects is 'Museums and Millennium' which invites museums worldwide to contribute. Each partner museum has chosen a theme corresponding to

its mission and the nature of its collections. Twelve museums have collaborated on the [website](#). The winners will be announced in Stockholm on 26 September 2001. For further information and a full list of finalists, visit: <http://www.challenge.stockholm.se/challenge.html>.



Social policy: EAPN indicators to combat poverty and social exclusion available

The [European Anti-Poverty Network](#) (EAPN) published on 22 June, a non-exhaustive list of indicators covering poverty, employment, education and training (early school leavers not in education or training, young people leaving school without any qualification, illiteracy rate), health and housing areas. Some of these indicators can be found amongst the structural indicators proposed by the European Commission, while others result from the European survey on income and living conditions (SILC) to be launched from 2003.

The Laeken summit on 14 and 15 December 2001 should lead to the adoption of common indicators of poverty and social exclusion. Indicators chosen in December must be closely linked to the objectives adopted in Nice.

National action plans on the basis of these objectives can be found at: http://www.eapn.org/inclusion/strategy_en.htm#napsincl



Telecommunications: Commission warnings on unbundling of local loop

Information Society Commissioner, Erkki Liikanen, has signalled a warning that he will start infringement proceedings in October against member states and traditional operators who have not implemented the regulation on the unbundling of the local loop. In addition, Competition Commissioner, Mario Monti, will be launching a second wave of investigations on unbundling after the summer. So far, only nine member states have unbundled their lines. Furthermore, four member states (Greece, Luxembourg, the Netherlands and Portugal) have not yet published tenders and six have not yet opened lines (Greece, Luxembourg, Portugal, France, Ireland and Spain).

The regulation, which entered into force on 1 January 2001, allows new operators to use existing telephone lines to provide high-speed Internet access without having to set up their own infrastructures.

