



EBLIDA

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Copyright: the final furlong of the draft EU copyright directive

We are reaching the final stages of the adoption of the draft EU copyright directive and the last chance to lobby for a balanced directive. The upcoming key dates are 8-9 January in Brussels, when Enrico Boselli MEP, the rapporteur, presents his report to the Legal Affairs Committee. The plenary session in Strasbourg on 16-18 January will be an important opportunity to brief MEPs on the response of the library community to Boselli's report. Then the Legal Affairs Committee will vote on the report on 29-30 January in Brussels. And finally, the European Parliament will vote on the directive during their plenary session in Strasbourg on 12-15 February. EBLIDA and EFPICC will be present at all these key events and we will maintain our high visibility until the end. Perhaps the 14 February will acquire a new meaning within the library community!

The EBLIDA and EFPICC position papers are available in several Community languages at: <http://www.eblida.org/>

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Copyright: European Blind Union call on Parliament to ensure their inclusion

The European Blind Union (EBU), members of the EFPICC campaign, has called on the Parliament to protect the right of blind and partially sighted people to also be part of the information society.

The screen reader software, programmes used for reading information on the Internet, are not always compatible with copyright and security measures in force on the web. The technology does not allow access to images and graphics.

The draft directive on copyright provides that, in most circumstances, technical blocks cannot override legitimate exceptions (Article 6.4). This means that, in the absence of any voluntary agreement, member states have to oblige rightholders to provide the means of circumventing blocks to legitimate beneficiaries of exceptions. The draft text, which is being examined by the Legal Affairs Parliamentary Committee, prevents those concerned from legally using these technical means. EBU has called on Parliament to delete Article 6.4 sub-paragraph 4 of the draft to ensure that copyright holders allow them - as beneficiaries of exceptions - to overcome the technical and legal obstacles.

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Fundamental Rights: Presidents of Parliament, Council and Commission sign Charter

On 7 December, on the occasion of the European Council, Nicole Fontaine, Romano Prodi and Jacques Chirac signed the Charter of Fundamental Rights. The Charter, which combines in a single text the civil, political, economic, social and societal rights laid down in a variety of international, European or national sources, will be used as a reference for Parliament acts having a direct/indirect link with the citizens throughout the Union.

A future process should address, inter alia, the question of the status of the Charter proclaimed in Nice, in accordance with the Cologne conclusions (declaration which will accompany the Treaty referring to its legal value, as part of the post-Nice process). The European Council would like to see the Charter disseminated as widely as possible amongst the Union's citizens (published in the Official Journal, 2000/C 364/01 of 18 December 2000; http://europa.eu.int/eur-lex/en/dat/2000/c_364/c_36420001218en00010022.pdf).

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eCommerce: Parliament voted report as regards VAT on Internet downloading

At December plenary session, Parliament voted to endorse with amendment, the Commission proposals to charge VAT on goods downloaded from the Internet, such as books and CDs as well as broadcasting, including TV subscriptions. This was the first reading and received 334 votes to 102 with 52 abstentions.

One of the approved amendments provides for VAT exemption for suppliers whose annual turnover is Euro 40,000, rather than Euro 100,000 as proposed by the Commission. Parliament also calls on the Commission to raise, in another proposal, the question of VAT revenue distribution among member states, to take into account the risk that third-country companies would probably choose to register in a low tax country, e.g. Luxembourg, thereby entailing a loss of tax receipts for the other states. The proposal foresees that non-EU suppliers with annual sales above Euro 100,000 operating in the EU will have to register in at least one member state, which will be responsible for applying the tax.

In addition, the proposal wants educational services supplied by member state-based institutions and companies destined to third countries, including developing countries, to be exempted from VAT obligations (Article 9.2, new paragraph f). The proposal would cover the right of supply to:

- cultural, artistic, sporting, scientific, educational, entertainment or similar activities (e.g. activities of the organisers, the supply of ancillary services), broadcasting and other sound and images delivered electronically for consideration;
- software (including computer games);
- data processing (including computer services such as web-hosting and web design);
- the supply of information.

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School Education: Commission fully supports Council common position

Although the Council agreed with the modified proposal of the Commission, some minor changes have been introduced. Contrary to the Commission, the Council agreed with Parliament that quality education should promote equal opportunities for boys and girls.

In addition, where Commission and Parliament invited schools to form networks also at a local and regional level, the Council preferred them to be at all appropriate levels, making it more general. A Parliament recommendation for second reading was tabled on 4 December.

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Telecommunications: final adoption of unbundling the local loops

The Industry Council gave final approval on 6 December for the regulation of the Council and Parliament to unbundle the local loop. With its signature, the Council establishes the conditions for telecommunications liberalisation in Europe.

The regulation, adopted according to the codecision procedure, requires that, as from 31 December, the last mile of the local loop of the public network is opened up to competition. This should intensify competition, lower rates for Internet access, encourage technological innovation and a greater variety of services for consumers, as well as encouraging the development of e-commerce and knowledge-based society. The regulation is awaiting publication in the Official Journal.

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Trade: European Council amends Article 133 of the TEC

On 7 December, the European Council agreed to amend Article 133 of the TEC (Treaty establishing the European Community) covering decision-making in the field of trade. Therefore, application of the common commercial policy will apply to ***trade in services***, to investments and to ***commercial aspects of intellectual property rights***.

A new paragraph 6 reads: "An agreement may not be concluded by the Council if it includes provisions which would go beyond the Community's internal powers, in particular by leading to harmonisation of the laws or regulations of the Member States in an area for which the Treaty

rules out such harmonisation.

In this connection, by way of derogation from the first subparagraph of paragraph 5, agreements relating to ***trade in cultural and audiovisual services, educational services, and social and human health services***, shall continue to fall within the shared competence of the Community and its Member States. Consequently, in addition to a Community decision taken in accordance with the relevant provisions of Article 300, the negotiation of such agreements shall require the common accord of the Member States. Agreements thus negotiated shall be concluded jointly by the Community and the Member States..."

The draft text of the Treaty of Nice can be consulted at: <http://ue.eu.int/en/summ.htm>

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Education: European Council approves resolution on mobility

On 7 December, the European Council approved the Resolution adopted by the Council concerning an action plan for mobility. It calls on member states to step up their internal co-ordination in order to implement the 42 practical measures, relating to administrative, legislative, financial and social aspects, which are designed to define, increase and democratise mobility in Europe and to promote suitable types of funding. Progress will be assessed every two years.

In addition, the European Council welcomed the mobility action plan, which was submitted to education ministers on 30 September 2000. The plan has three major objectives: to define and democratise mobility in Europe; to promote appropriate forms of funding, to increase mobility and to improve the conditions.

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eEurope: eEurope activities show positive results

On 7 December, the European Council took note of the Commission and Council interim reports on the implementation of the eEurope 2002 Action Plan, which describes the progress achieved.

Smart cards, the eContent programme, the eLearning initiative, the launch of the Geant project and of '.eu' are all specific initiatives which have started to show positive results. Expertise and funding from the **Structural Funds** - eEurope Regio will be one of the three themes of the new generation of innovative actions under the ERDF (worth Euro 400 million for 2000-2006 period), the **IST research programme and TEN-Telecom** have all supported such key areas. Benchmarking activities (e.g. surveys, data collection) will be funded from the **Promise** programme, which has been re-oriented to focus on support for eEurope activities.

The European Council will examine an initial report on its contribution to the knowledge-based society as well as the priorities for its further implementation in Stockholm in March 2001. In the same context, the contribution which the plan has made to modernise the civil service in member states will also be examined in Strasbourg.

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CARDS programme: European Union contributes to Croatia development

On 28 November, the Foreign affairs Parliamentary Committee adopted the report by MEP Baltas, which welcomed negotiations at the Zagreb summit to conclude a stabilisation and association agreement between the European Union and the Republic of Croatia. Together with the CARDS programme and measures by the EIB, this would constitute one of the main instruments by which the EU contributed to Croatia's economic and social development.

The CARDS programme will replace the **Obnova** programme, which aimed at further underpinning the peace process in the countries of the former Yugoslavia, to encourage reconciliation and regional economic cooperation as well as creating the economic and social conditions that will lay the foundations for development.

The committee stressed the importance of significantly increasing the assistance provided annually to Croatia, which should not average less than Euro 50m a year, and called on the Commission to do more to promote regional and cross-border co-operation.

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Education: European Union signs co-operation agreement with USA and Canada

On 18 December, the European Union and the USA held their second biannual summit this year, in Washington DC. Issues discussed were:

- outstanding trade disputes;
- a future new WTO Round;
- eConfidence and Alternative Dispute Resolution (ADRs) between buyers and sellers on the internet;
- renewed co-operation in people-to-people links, including the signature of a new EU-USA higher education and vocational training agreement for educational exchanges and joint projects as well as the promotion of joint research on online education.

They also identified a number of other key areas in which to focus future efforts such as enhancing electronic government, combating high-tech crime, measuring the digital economy, researching the societal benefits of information technology and reducing the digital divide.

The conclusions of the summit and several adopted statements can be downloaded from: http://europa.eu.int/comm/external_relations/us/summit12_00/index.htm

In addition, the conclusions of the EU-Canada Summit, which took place in Ottawa on 19 December are also available for downloading: http://europa.eu.int/comm/external_relations/canada/summit12_00/conclusions_en.htm

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Meda programme: Euro 10 million for Turkey

The European Commission has approved, in the framework of the Meda programme, a scholarship

programme for a total of Euro 10 million, which will allow young Turkish graduates and both public and private sector staff, to undertake a year of postgraduate university studies in the European Union. The Jean Monnet Scholarship programme is a continuation of a similar project currently implemented by the Commission. The new scholarship programme should benefit around 400 graduates over a five-year period and so it will strengthen links between young Turkish and European citizens.

The management of the programme, candidate selection as well as educational, administrative and financial matters will be managed by a placement agency which will be selected following a tender procedure, in accordance with Community rules.

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Media: Parliament allocates budget for audiovisual industry

On 4 December, the Culture Committee took the view that the programme should start in January 2001 and so approved the Council common position, in order to avoid a conciliation procedure, which might have delayed implementation.

At the Nice summit, the European Council welcomed the agreement reached by the Council on the MEDIA Plus programme of aid to the audiovisual industry and the adoption of a Resolution on the systems of national aid for this sector.

The annex to the "MEDIA Plus - Development, Distribution and Promotion" decision gives the following breakdown for the distribution of financial resources between its various parts: at least 20% for development; 57,5% for distribution; around 8,5% for promotion; 5% for pilot projects and 9% for horizontal costs. These percentages are indicative and flexible, and are subject to change by the programme committee according to requirements.

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PHARE programme: Euro 134 million SME finance facility signed

The European Commission, together with the Council of Europe Development Bank (CEB) and Kreditanstalt für Wiederaufbau (KfW), have reached an agreement to allocate Euro 134 million to the existing SME Finance Facility programme, provided within the framework of the Phare programme since 1990. The objective is to promote growth in the local small business sector by providing incentives to local participating banks, to enable them to strengthen their loan appraisal and monitoring, supervision and implementation skills and to improve their credit products to SMEs.

Euro 21 million will be granted from the Commission and Euro 113 million will consist of credit lines from CEB and KfW.

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Research: new project for small and medium-sized enterprises

A new project, Partners for Life, will aim at offering small and medium-sized enterprises (SMEs) with targeted information on technological and market trends as well as supporting their participation in European research projects, in particular in the biomedicine, biotechnology and agro-industry sectors.

Partners for Life is a network of expert organisations from 18 contracting countries. The project is co-ordinated by the Austrian Bureau for International Research and Technology co-operation (BIT) with support of the European Commission. More than Euro 1 billion is available for SMEs in the Fifth Framework Programme (1999-2002). Groups of SMEs preparing innovative projects can receive up to Euro 1 million for research. This mechanism for the submission of joint projects is available until April 2002. Further information: http://www.bit.ac.at/partners_for_life.htm

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Community patent: new act revises patent convention

On 29 November, the European patent convention of 5 October 1973 was discussed in Munich. After discussion, a new act revising the convention of the grant of European patents was approved (http://www.european-patent-office.org/epo/dipl_conf/pdf/em00003a.pdf).

The Conference urged that the revisions to the European Patent Convention which were adopted, be ratified by each Contracting State as soon as it possibly can, bearing in mind the declaration of the heads of state and government of the European Union made in Lisbon in March 2000.

It also agreed to maintain for the present the European Patent Convention's current provisions on software, which will provide the opportunity for full consultations already underway to be completed. For further information: <http://www.european-patent-office.org/>

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eContent: Parliament debates digital content and linguistic diversity

On 14 December, Parliament agreed on a number of amendments to the Commission proposal for the eContent programme. The programme follows the INFO 2000 and Multilingualism in the Information Society (MLIS) programmes and would cover a period of five years (2001-2005) with an overall budget of 150m, according to the Commission proposal.

However, Parliament wants the programme to be reduced from 5 to 4 years (2001-2004), the budget to be increased to Euro 170m and the balance between the financial instruments within the programme to be changed. Parliament asked the Commission to improve payment procedures; to safeguard cultural diversity; to protect intellectual property and personal data and to observe the subsidiarity principle.

Parliament also noted some barriers to the full development of the European content industries, e.g. Internet access, translation costs, linguistic and cultural diversity.

Moreover, Parliament wants to be included in the high level group which would evaluate the achievements of the programme as well as to include representatives of content providers. It also

called on the Commission to present more frequent evaluation reports for each sector.

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Education: memorandum on lifelong learning

The Commission has produced a memorandum on lifelong learning with the aim of developing a strategy for education and lifelong learning in Europe. Six key messages, based on experience gathered at European level through Community programmes and the European Year of Lifelong Learning (1996), will offer a structured framework for an open debate on putting lifelong learning into practice. Each key message includes a set of questions, the answers to which should help to clarify priority areas for action.

Under the key message 'Bringing learning closer to home', which aims at bringing lifelong learning opportunities as close to learners as possible, in their own communities and supported through ICT-based facilities wherever appropriate, the Commission states that *"Bringing learning closer to home will also require reorganisation and redeployment of resources to create appropriate kinds of **learning centres in everyday locations** where people gather - not only in schools themselves, but also, for example, in village halls and shopping malls, libraries and museums, ..."*

The Commission asks member states, who are responsible for their education and training systems, to lead a debate on lifelong learning, also conducted in member states, and not only at European level. The debate should take place as close as possible to citizens themselves. The Commission intends to draw up a report in autumn 2001 based on its outcomes, which will set specific objectives and outline concrete points for action.

The memorandum has been sent to Parliament, Economic and Social Committee and Committee of the Regions for consultation. Further information can be downloaded from: <http://europa.eu.int/comm/education/life/index.html>

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Information society: Commission proposal on .eu adopted

On 12 December, the Commission adopted a proposal to create a registry to run the Internet top level domain '.eu'. The proposal is a step towards the creation of the '.eu' top level domain since the proposed registry will be the body that will run the domain in practice. ICANN and the Commission are working together so that its creation can become a reality once the registry is in place.

The legal basis of the proposal is Article 156 of the Treaty covering Trans European Networks. The Commission would be responsible for the development of policies regarding speculative and abusive registration of names and alternative dispute resolution procedures. These measures will be adopted after consultation on the register itself and the member states within the advisory committee. Parliament and Council have been encouraged to act quickly on this proposal so that the Commission can designate the future registry as early as possible.

The creation of '.eu' will open up the possibility of registering more names on the internet and will thus boost internet use and e-commerce in Europe in line with the objectives of the eEurope initiative. Further information: http://europa.eu.int/ISPO/docs/services/docs/2000/December/ip_00_1444_en.pdf

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ERDF: Guidelines for innovative measures for 2000-2006 period

On 14 December, Parliament adopted a resolution (rapporteur MEP Markov) welcoming the Commission new guidelines for regional spending (2000-2006). Although the Commission proposals were welcomed, the chosen approach of opting for programme-based rather than project-based financing to be implemented by the national and regional authorities, was regretted. This will, Parliament believes, mean a loss of European added value, visibility and closeness to the citizen. An amendment which was adopted insists that the Commission include innovative projects in its programming approach - thus allowing a project-based approach when appropriate.

The new proposals concern three areas of the modern economy: the development of a regional economy based on **knowledge and technological innovation**; support for the eEurope initiative and an extension of this initiative to the **regions, regional identity and sustainable development**.

The resources available will amount to 0.4% of the ERDF annual budget (e.g. a total of Euro 400m in the whole seven year period). The resolution emphasises that this should be an absolute minimum.

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Telecommunications: Commission sixth annual report adopted

On 7 December, the Commission adopted a communication examining the state of implementation by member states of the European regulatory framework in telecommunications. The report seeks to maintain the impetus by member states in implementing the regulatory package. The main conclusions concerning the market are that economic effects are good, both for companies and users, the use of Internet increases and prices for retail services and leased lines are decreasing. However, liberalisation and tariffs still need to be monitored. The Commission intends to alter the current regulatory framework along the lines of the already presented proposal, currently being examined in Council and Parliament.

The communication is available at:
http://europa.eu.int/comm/information_society/policy/telecom/6threport/pdf/com2000814_en.pdf

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