



February 2005

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

Copyright and Intellectual Property Rights

Highlights:

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§ EBLIDA/SCONUL Seminar on GATS, p. 2

§ 2005 Work programme for the financing of host structures of relays, p. 8

§ Proposed directive on the recognition of professional qualifications, p. 11

Data protection issues related to intellectual property rights

http://europa.eu.int/comm/internal_market/privacy/docs/wpdocs/2005/wp104_en.pdf

The ARTICLE 29 Data Protection Working Party (WP) adopted on 18 January a working document on data protection issues related to intellectual property rights (*WP 104*), which recalls the application of the main data protection principles contained in the Data Protection Directive (*Directive 95/46/EC*) in two circumstances: in the deployment of online services using the so-called **digital management rights systems** (DRMS) and in the processing of personal data to conduct investigations of users suspected of **copyright infringement**.

In its document, the WP calls for the development of technical tools offering privacy compliant properties and for a transparent and limited use of unique identifiers, with a choice option for the user.

Public consultation has been launched, which is **open until 31 March 2005**, for interested parties to submit their comments to the WP 104 by email to markt-privacy-consultations@cec.eu.int; once received comments will be posted on the website unless otherwise specified.

Culture

Campaign for EU culture funding

On 20 January, 7 members of the Parliament's Committee on Culture co-signed a letter urging the Member States and the Commission to commit to a campaign for EU culture funding based on a "**modest goal**" of **70 cents per citizen per year**. MEP GRAÇA MOURA, Rapporteur for Culture 2007, has also put in an amendment to the Committee's opinion to the Parliament's Temporary Financial Perspectives Committee (FINP) to increase the budget to 70 cents per citizen.

In its Communication on the Financial Perspectives 2007-2013, the Commission proposes a separate Heading 3: Citizenship and the following breakdown between policies: Freedom, Security and Justice (65%), Public health and consumer protection (20%) and **Fostering European culture and citizenship** (15%). A working document which deals with the latter was presented by MEP BOGE on 22 February [see *FINP Working Document no 16 - Culture and diversity* at

http://www.europarl.eu.int/meetdocs/2004_2009/documents/DT/555/555426/555426en.pdf]. Legal bases will be reduced to 4 - one programme per policy area. As a result, the number of budget lines concerned will be reduced from 22 to 4.

The Rapporteur underlines shortcomings in the existing programmes and expects to draw up from discussions whether the financial framework proposed for Culture 2007 (€ 408 million) - a modest increase compared to the current situation - is justified.

FINP will consider its working document on 8 March (see agenda and documents at http://www.europarl.eu.int/meetdocs/2004_2009/organes/Finp/FINP_20050308_170_0.htm) and will report to plenary on 11 May; the Committee will then proceed to adopt reports on the 4 proposals. Parliament's first readings are scheduled for September. The Council will then have to reach common positions.

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Lobbying for archives and libraries

EBLIDA annual Council & Elections, Cork, 13 - 14 May 2005

EBLIDA members are getting ready for the next annual Council meeting which will take place in Cork (Ireland) on 13 and 14 May. An important issue on the Agenda is the elections' procedure for EBLIDA President and Executive Committee members for the term 2005-2007. The Call for Nominations and information letters were sent in January 2005 to all EBLIDA members and sponsors.

A new section entitled 'EBLIDA Elections 2005-2007' has been set up on our website at:

<http://www.eblida.org/eblida/meetings/Council/council05/elections2005-2007.htm>.

On this link you will find all the information available concerning the elections process, nominations and candidates' biographies. Updates will be regularly posted on this site as received by the Secretariat.

More information on the Council meeting can be found at:

<http://www.eblida.org/eblida/meetings/index.htm>, where links are provided to

the official website of Cork 2005 European Capital of Culture and all the

events going on in Cork along the whole year.

As a response to a request by several members, this year's Council meeting will put in place a new and more participative feature in the programme, consisting of discussions by the members of relevant matters of concern in small working groups, who will later speak out their conclusions to the rest of the participants.

Therefore, we encourage all our members to attend the annual Council meeting in Cork, share their concerns and participate in the elections process!

Please do not hesitate to contact the Secretariat should you have any further queries or should we be of any help.

EBLIDA wishes to express gratitude for the helpful support and cooperation from the Cork City Library in the organisation of this event.

We are looking forward to meeting you all in Cork!!

EBLIDA/SCONUL Seminar on GATS (General Agreement on Trade in Services)

EBLIDA with the support of SCONUL (UK) has organised a seminar on the WTO GATS (General Agreement on Trade in Services) and its implications for libraries as well as cultural and educational institutions.

The event, which was held in Cambridge (UK) on 2 and 3 March has counted with speakers with international expertise and knowledge in the matter like George MONBIOT, the radical investigative columnist and author; Dale HONECK, WTO/GATS Counsellor for Culture; and Paul Whitney, city librarian of Vancouver (Canada) and internationally active in the

area of free trade agreements.

EBLIDA repeatedly tried to invite a speaker representing the European Commission DG Trade in order to have the perspective of the European Commission on the matter. EBLIDA profoundly regrets that the European Commission representatives did not take this opportunity to reply to our invitation and participate in this event.

The results of this relevant event will be posted on the EBLIDA website for access and dissemination. Stay tuned at <http://www.eblida.org!!>

Audiovisual

Impact of control measures on the TV advertising markets

The preliminary results of the "Comparative study concerning the impact of control measures on the TV advertising markets in the EU Member States and certain other countries" were presented at a workshop on 19 January
[\[http://europa.eu.int/comm/avpolicy/stat/etude_carat_slides.pdf\]](http://europa.eu.int/comm/avpolicy/stat/etude_carat_slides.pdf).

The selected contractor is CARAT S.A. (identifier: *EAC/44/03*, see contract award notice *2004/S 29-025168 of 11 February 2004* at <http://ted.publications.eu.int/>).

A questionnaire relating to the study could be returned until 21 February; results are expected during the first quarter of 2005.

Switzerland's participation in the MEDIA Programmes

[COM (2004)0649 of 6 October 2004]

On 22 February, Parliament adopted a non-binding resolution on the conclusion of an Agreement between the Community and Switzerland in the audiovisual field, establishing the terms and conditions for its participation in the MEDIA Plus and MEDIA Training Community programmes, and a final Act. The report by MEP SIFOUNAKIS (*A6-0018/2005*) was

adopted, without amendments, on 1 February.

The financial contribution by Switzerland to the EU budget will be allocated proportionally to the respective programme budgets (€ 4.2 million for 2005 and € 4.2 million for 2006).

The proposed agreement is now awaiting final signature.

Consultation procedure
 First reading

Consumer Protection

Unfair business-to-consumer commercial practices

On 24 February, Parliament adopted a report by MEP BRESSO (*A6-0027/2005*) on measures designed to tackle unfair commercial practices.

The Commission's proposed directive defines and lists such practices. Under the directive, there would be standard rules at European level to replace the existing patchwork of national laws.

The report, as adopted, contains 19 amendments. MEPs voted to amend the blacklist of unfair practices proposed. They also emphasised that no single country will be able to alter the list, which can be changed only by revising the directive itself. The Council, which agreed on 15 November 2004 to a majority of Parliament's first reading amendments, made it clear that it would not accept some of the MEPs'

resubmitted proposals e.g. the 'common market' clause (under which the law of the Member State where the trader is established is applicable). This links this directive to the **services directive** (now being debated by Parliament) and the text regulating **sales promotions** (currently blocked in Council).

One aim of the new rules is to give better protection to consumers regarded as 'vulnerable' e.g. children. Member States will have 24 months from the entry into force of the directive to adopt and publish the necessary national legislation. After that they may continue to apply previously existing national rules for six years where those rules are more restrictive than those of the directive or where they derive from the implementation of other directives introducing minimum levels of harmonisation.

Co decision procedure
 Second reading

Copyright and Intellectual Property Rights

Commission and Member States step up action against counterfeiting and piracy

http://europa.eu.int/comm/taxation_customs/customs/customs_controls/counterfeit_piracy/index_en.htm

Statistics published by the Commission on 8 February show a significant increase in the amount of counterfeit and pirated articles seized at the EU's external borders in 2003.

Customs officials seized almost 100 million of such articles in 2003 compared with 85

million in 2002, of an estimated value of € 1 billion. While the compilation of statistics for 2004 has not yet been completed, the results so far demonstrate that the customs authorities of the new Member States have intercepted a significant amount of counterfeit goods.

Culture

European capital of culture, criteria for submitting nomination of cities

The report by MEP PRETS (A6-0017/2005) was adopted on 3 February. MEPs voted on 22 February to approve without amendment the Council's common position listing the countries which will be asked to put forward a candidate for the period 2005 to 2019.

The ten new Member States are included as of 2009 and the Council has agreed to guarantee sufficient Community funding for two annual capitals from that date. The proposed Decision is now awaiting Council second reading.

*Co decision procedure
Second reading*

Town Twinning, "Golden Stars" awarded to ten projects involving 27 towns

http://europa.eu.int/comm/towntwinning/index_en.html

Since 1993 the European Commission selects each year 10 outstanding Town Twinning projects to receive the "Golden Stars" award for their contribution to European integration and towards bringing European citizens closer together.

This year, the "Golden Stars" were awarded on 3 February in the framework of a

Consultation Forum on the future action programme to promote active European Citizenship. The Forum was the second step in the consultation process which began on 15 December 2004 and ended on 15 February.

The Forum can be found at

http://europa.eu.int/comm/dgs/education_culture/activecitizenship/index_en.htm.

Dialogue between people and cultures: the artists and the cultural actors

http://europa.eu.int/comm/education_programmes/ajm/organisation/dialogue2005/index_en.html

The DG for Education and Culture held a Jean Monnet Action conference on "Dialogue between people and cultures: the artists and the cultural actors" on 25 and 26 February.

The conference addressed citizens, recognising that culture is a tremendous intra and inter-community communication tool. A significant part of the conference was thus

devoted to the testimonies of the artists.

From a European perspective, it aimed at identifying concrete proposals on the cultural dimension of the dialogue in Europe, notably in view of the adoption of Culture 2007 and of the proposed European year of intercultural dialogue planned for 2008.

Culture 2000, applications received under 2005 general call

http://europa.eu.int/comm/culture/eac/how_particip2000/pract_info/appel_2005_en.html

The call for proposals for 2005 closed on 15 October 2004 (Action 1) and 29 October 2004 (Action 1 and 2).

The Commission received 533 applications (Action 1) and 52 (Action 2). The selection procedure has now begun (see indicative timetable in *Annex D* of the specifications).

Education

*Co decision procedure
First reading*

Statistics in the area of lifelong learning

[COM (2004)0095 of 17 February 2005]

Parliament adopted a legislative resolution on statistics relating to vocational training in enterprises on 23 February. The report by MEP DEL TURCO (A6-0033/2005) was adopted on 8 February.

The recent focus on **lifelong learning** in the European Employment Strategy (EES) and the inclusion of education and training among Community competencies has created an increasing demand for statistics. The Commission's proposal aims at establishing a common framework for the production of

Community statistics on vocational training in enterprises. It covers the domains for which data should be collected e.g. training policy and training strategies; management, organisation and forms of continuing vocational training; the role of social partners in ensuring adequate continuing vocational training in the workplace and access to continuing vocational training, its volume and content, especially in context of economic activity and enterprise size.

Budget lines and headings (2005-2008) are as follows: **29 02 01** (DG ESTAT), **04 02 15** (DG EMPL) and **15 03 01 02** (DG EAC).

Implementation report on TEMPUS during 2002 and 2003

http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2005/com2005_0026en01.pdf

[COM (2005)0026 of 10 February 2005]

The implementation of TEMPUS in 2002 and 2003 was marked by the pursuit of the process of programme implementation reform, its launch in the MEDA region, the introduction of a new type of project (Structural and Complementary Measures); and the final evaluation of TEMPUS II as well as the interim evaluation of TEMPUS III.

For these developments were launched in 2002 and materialised in 2003, the annual reports for 2002 and 2003 have been merged into a single document. The main outcomes of the report are:

- Design and management of the programme are perceived as satisfactory;
- Multilateral cooperation approach offers a significant European added value compared with bilateral assistance from Member States;
- Dialogue on national priorities should be reinforced;
- Result dissemination should be toughened.

The report will be used for any necessary reorientation of the programme in its current phase and as a basis for proposals to carry forward the achievements of TEMPUS actions after 2006. Further information on TEMPUS can be found at http://europa.eu.int/comm/education/programmes/tempus/index_en.html.

Euro pass opens doors to learning and working in Europe

<http://europass.cedefop.eu.int>

The EU Luxembourg Presidency together with the European Commission launched on 31 January and 1 February the implementation of Euro pass with a conference that gathered 300 education and training representatives, stakeholders and social partners from 32 European countries.

Euro pass is a direct service to citizens that will help them to make their qualifications and competences clearly understood throughout Europe, thus facilitating their

mobility for both occupational and lifelong learning purposes.

It is an open framework, which in future might include further elements to provide citizens with instruments focusing on specific sets of competences e.g. IT.

See *MEMO/05/31 of 1 February 2005* [<http://europa.eu.int/rapid/>] for Frequently Asked Questions (FAQ) on Euro pass.

Education

An additional 69 universities join the Erasmus Mundus programme

The Erasmus Mundus programme aims at strengthening European cooperation and international ties in higher education. The European Commission has selected a further 17 Erasmus Mundus masters' courses, involving 69 European universities in 18 countries new to the scheme to start at the beginning of the next academic year (2005-2006).

The second call for proposals prompted 139 applications for masters' courses (Action 1). Of the 17 chosen for five years, 16 will fully come into operation in 2005-2006 while the

remaining one will have the status of a preparatory year. The countries most prominently represented are the UK (11 universities), Germany (8), the Netherlands (7), Sweden and France (6 each).

Together with the 19 courses selected last year, a total of 36 Erasmus Mundus masters' courses will thus be operational as from autumn 2005. Further information and a list of the 17 masters' courses selected are available at

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

Another successful year for Erasmus

http://europa.eu.int/comm/education/programmes/socrates/erasmus/erasmus_en.html

The number of Erasmus Students increased by a significant 9.4% in the academic year 2003-2004, and there was a similar percentage rise in the number of Erasmus teachers. This follows from figures submitted by the Socrates-Erasmus National Agencies reports to the Commission. Most

of the 30 participating countries experienced a growth in outgoing mobility. Spain remained the most popular destination for students and Germany for teaching staff.

For further information see *IP/05/190 of 18 February* at <http://europa.eu.int/rapid/>.

Higher Education in the Lisbon strategy

The conference '*Enabling European education to make its full contribution to the knowledge economy and society*' was held in Brussels on 10 February. See the programme, list of participants and conference papers at http://europa.eu.int/comm/education/policies/2010/lisbon_en.html.

Furthermore, the Committee on Culture at Parliament is preparing an own-initiative report on "*Education as the cornerstone of the Lisbon process*" (BONO report *INI/2004/2272*) to be presented before Council at the spring summit in March.

Education Training 2010 diverse systems, shared goals

Education and Training 2010 integrates all actions in the fields of education and training at European level, including vocational education and training (VET) - the

"[Copenhagen process](#)". Two new studies are now available at

http://europa.eu.int/comm/education/policies/2010/study_en.html#financing.

Maastricht Study

This study (*1 November 2004*) was prepared for the conference "*Strengthening European cooperation in VET: The way forward*", held in Maastricht on 15 December 2004. It reports on how ready VET systems in Europe are to meet the challenges that the **Lisbon agenda** has set, which is important because VET has a dynamic part if **lifelong learning strategies** are to be implemented effectively.

Financing of Higher Education in Europe

This study (*4 September 2004*), related to the Communication on "*The role of the universities in the Europe of knowledge*", aimed at collecting information to provide a clear picture of the current financial flows in higher education in Europe. It analyses the situation in the EU-25, 3 Candidate Countries, 2 EFTA countries and 4 non-European OECD countries) and describes the current situation and trends at a national and EU level.

GMAC Task Force report on graduate management education

<http://www.gmac.com/gmac/NewsCenter/NewsCommentary/BolognaTaskForceReleasesReport.htm>

On 20 January, a special task force of the GMAC (Graduate Management Admission Council) released a report on the state of graduate management education under the system of European higher education reforms known as the **Bologna Accord**. The GMAC Bologna Project Task Force studied the implications of the Bologna Accord and made recommendations concerning its implementation.

The Bologna Accord is a voluntary agreement among European nations that will

reform European higher education. So far, it has been signed by 40 European countries and will be fully implemented in 2010, although some of its provisions are already taking effect. It will bring into the educational pipeline more than 2.4 million new bachelor's degree graduates per year who are able to consider graduate management education. Other effects may include changes in education funding and an increase in the percentage of European students pursuing graduate degrees outside their countries.

Enlargement

Additional protocols after the 2004 enlargement

On 22 February, Parliament gave its assent to the conclusion of Additional Protocols to the Agreement establishing an association between the EC and **Romania (A6-0009/2005)** and the EC and **Bulgaria (A6-0010/2005)** to take account of the accession of the new EU member states.

In addition, Parliament gave its assent on a Cooperation Agreement with the Principality of **Andorra (A6-0014/2005)**. Most of the sectors contained in the 1998 draft Agreement were retained as matter for future

cooperation, notably: Environment; Communication; **Information and Culture; Education, Training and Youth**; Social questions and Health; Transport, Energy and Trans-European Communications; Regional Policy.

An assent was also given to the conclusion of an agreement between the EC and **Egypt (A6-0041/2005)** to enable the ten new member states to adhere to the Euro-Mediterranean Agreement.

Stabilisation and Association Agreement with Croatia enters into force

http://europa.eu.int/comm/external_relations/see/croatia/index.htm

The Stabilisation and Association Agreement (SAA) is an essential cornerstone of the EU's stabilisation process for the region [Albania, Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Serbia and Montenegro (including Kosovo)]. The SAA with **Croatia**, the first comprehensive Agreement between the EU and Croatia, is the second Agreement to

enter into force (Former Yugoslav Republic of Macedonia, 1 April 2004).

The SAA covers e.g. political dialogue; regional cooperation; the four freedoms; approximation to the *Community acquis*, including precise rules in e.g. competition and **IPR**; wide-ranging **cooperation in all areas** of Community policies.

Structural Funds, nine programmes for cross-border co-operation adopted

Nine new cross-border programmes between regions in new Member States, accession countries and third countries were launched as part of European Regional Policy at the Seminar "*Neighbourhood Programmes*" in Warsaw (Poland) on 27 January. Projects will aim at developing transport, infrastructure,

SMEs, tourism, the environment, and local communities' initiatives.

The total available EU funding for the period 2004-2006 amounts to € 260 million.

... continues in Page 8

Assent Procedure

Enlargement

Structural Funds, nine programmes for cross-border co-operation adopted

...continues from Page 7

€ 215 million will come from INTERREG and the rest from financial instruments for accession and third countries (TACIS, PHARE and CARDS). The EU's resources will be combined with another € 76 million from national and regional sources.

For more detailed descriptions by programme e.g. **Poland-Slovakia** (cultural

heritage), **Slovakia-Czech Republic** (social and cultural development), see *MEMO/05/22 of 26 January 2005* [<http://europa.eu.int/rapid/>].

See European Neighbourhood Policy at http://europa.eu.int/comm/world/enp/index_en.htm; Enlargement, <http://europa.eu.int/comm/enlargement/>.

EU Information Policy

2005 Work programme for the financing of host structures of relays

Budget line 16.05.01 - Information relays

In its Communication of 20 April 2004 (COM(2004)0196,

http://europa.eu.int/comm/dgs/press_communication/pdf/com_2004_196_en.pdf),

the Commission announced that a second-generation network of relays would be established in 2005 to provide information for the general public with regard to specific social, cultural, political, and economic aspects at local level e.g. **Info-Points Europe, Carrefours, Europe Direct Information Relays**, covering the EU-25.

The appropriations available for this will be used to provide financial support in the form of an operating grant for the structures

hosting the information relays. Overall figures for the financial year (€) and further information can be found at

http://europa.eu.int/comm/dgs/press_communication/pdf/work_programme_en.pdf.

Types of action must extend over a similar period and terminate by 31 December 2008.

There are two types of action: indirect centralised management (budget-implementation tasks) for States acceding to the Union in May 2004 and direct or indirect centralised management (call for proposals) for States that were already members in May 2004. In the EU-15 that opted for direct centralised management, proposals are to be granted at the beginning of 2005.

EU Research and Development

Study on Tax treatment of RTD expenditure

http://europa.eu.int/comm/taxation_customs/resources/documents/eu_rd_final_rep_dec_2004.pdf

The International Bureau of Fiscal Documentation (IBFD) released on 24 January a study providing relevant data on tax treatment of RTD expenditure under the existing direct tax legislation in the EU, the US and Japan. The study describes both the treatment under the normal tax systems and any specific incentive schemes. Tax incentives are less common in the new member states. While tax legislation of many

countries provide for a definition of 'research and development expenditure', the tax laws of Cyprus, Czech Republic, Finland, Hungary, Italy, Latvia, Lithuania, Luxembourg and Malta do not contain such a definition.

Education, apprentice allowance/premium do not specifically relate to RTD activities, hence they are not considered relevant.

EU Research and Development

Doubling of EU budgetary resources for research

Whatever the outcome of the Financial Perspectives negotiations, the Commission is proposing to double the research funding from € 5 to € 10 billion per year, which still represents 9% of total public spending for research in the EU-25, compared to the 5% today.

The EU's research programmes are organised in multi-annual framework programmes. The Commission is currently working to present its proposal for the Seventh Framework Programme (FP7) in early April. It will be making proposals on funding levels as well as the main research areas to be supported. FP7 will address the new European Research Council; a strengthened infrastructures programme; a further enhanced "Marie Curie" scheme, promoting public-private career paths and mobility; and the convergence of national research programmes through a reinforced support scheme - the so-called "ERA-Net". Of particular interest to the new Member

States, the Commission intends to propose mechanisms to encourage the use of the Structural Funds.

On 21 February, the Parliament's Committee on Industry and Research adopted 41 votes to 3, an own-initiative report by MEP LOCATELLI, and just a few weeks before the Commission unveils its draft FP7. MEPs want the percentage of Member States' GDP represented to be at least doubled and not put up for discussion during the negotiations on the financial perspective. They also called on the Commission to plan the FP7 in line with its proposals for the 2007-2013 financial perspective and to stick to its position that the EU budget needs to be set at a figure significantly higher than 1% of GDP. The budget for research was also the subject of an oral question at plenary on 24 February. MEPs asked the Commission to indicate how a doubling of the EU budget for research can be financed. Vote in plenary is scheduled for March.

ERA-Link initiative to boost transatlantic researchers' networking launched

EU researchers based in the US have agreed to the creation of a network for them and about them. Following a survey of EU researchers working in the US carried out by the European Commission, over 90% of the 2000 respondents said that they wanted closer research links with Europe. The Commission has thus agreed to develop a networking and information tool called **ERA-Link**, which will be operational by the end of the year.

This was unveiled on 18 February at the American Association for the Advancement of Science (AAAS) conference in

Washington. ERA-Link will give European researchers working in the US access to information about career and research funding opportunities in Europe, as well as possibilities for collaborative work with EU laboratories, student exchanges and visiting professorships.

The Commission and EU Member States will start work on the next phase of the project - the electronic network itself. The full report with results of the survey can be found at

<http://eurunion.org/legislat/STE/STHome.htm>.

Information Society

DG Information Society and Media reorganised

From 1 February, DG Information Society and Media has two new Directorates and three new Units. This reorganisation completes the changes following President BARROSO decision to bring together under

the responsibility of Commissioner Reding all three aspects of 'modern day electronic communications' in the fields of broadcasting, computer networks and electronic communication services.

New EU Programme to promote European Digital Content Market

Parliament voted on 27 January with only 1 amendment in favour of the **eContent plus** programme. The amendment, which is the result of a compromise with the Council, sets the budget of the programme at € 149 m for the period 2005-2008. The report by MEP RÜBIG (*A6-0002/2005*) was adopted by the Committee on 19 January.

The Commission in turn presented its opinion accepting the amendment proposed by Parliament on 21 February (see *COM (2005)0070* at <http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2005/co>

[m2005_0070en01.pdf](http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2005/com2005_0070_en01.pdf)). The proposed programme is now awaiting Council second reading.

eContent plus will support the development of multilingual content for innovative, online services across the EU and tackle the fragmentation of the European digital content market as well as improving the accessibility/usability of geographical information, cultural content and educational material.

Further information can be found at <http://www.cordis.lu/econtent/>.

*Co decision procedure
Second reading*

WSIS, Chapter Two of the Operational Part (Financial Mechanisms)

The Second Preparatory Committee (PrepCom-2) was held in Geneva from 17 to 25 February 2005. Two documents are now available for downloading:

[Compilation of Comments on Chapter Two of the Operational Part \(Financial Mechanisms\), Part One \(Para 12-26\)](http://www.itu.int/wsis/docs2/pc2/working/dt1-part1.pdf)
<http://www.itu.int/wsis/docs2/pc2/working/dt1-part1.pdf>

In Para 18, the Luxembourg Presidency on behalf of the EU, replaces "... *it is imperative that no action be taken by any country that could discourage, impede or prevent* with **We recognize the importance of removing difficulties regarding** the participation of these countries in the global market for information technology- enabled services". In Para 19, it has added "We recognise that attracting investment in ICTs has depended

crucially upon **good governance, including** a supportive enabling environment for business and an ICT policy [...]"

[Compilation of Comments on Chapter Two of the Operational Part \(Financial Mechanisms\), Part Two \(Para 27\)](http://www.itu.int/wsis/docs2/pc2/working/dt1-part2.pdf)
<http://www.itu.int/wsis/docs2/pc2/working/dt1-part2.pdf>

In Para 27, Civil Society suggests that a new 27A be added: the **Digital Solidarity Fund** should be governed and operated on a multi-stakeholder basis; located in Africa; focus its objectives and the scope of initiatives that it supports; and adopt the principles of free and open source software, open standards and open access. The EU and the US in turn, reserve the right to comment on the text during the second reading.

New EU report on eInclusion and local dimension of the Information Society

According to a new Commission report released on 14 February, the poorly educated and paid are not catching up as quickly as women and the over 55s. The report says that education, age and income remain the most important areas in the digital divide. The statistical data are mostly based on face-to-face interviews through the *Euro barometer 59.2 survey (June 2003)* conducted in the EU-15 and the *Euro barometer 2003.3 survey* conducted in the **new Member States, Romania, Bulgaria and Turkey**. **Croatia** was not covered in the survey.

All Member States are implementing **eInclusion policies**. Two broad approaches

are followed: initiatives for the overall population (awareness, computer literacy and access to common infrastructures of knowledge e.g. **public access points in libraries**, community centres, cyber cafés); other measures for specific groups at risk e.g. youth, women, retired, elderly, etc.

'*eInclusion revisited: The Local Dimension of the Information Society*' [*SEC (2005)206 of 4 February 2005*] can be found at http://europa.eu.int/comm/employment_social/news/2005/feb/eincllocal_en.pdf (Part I) and http://europa.eu.int/comm/employment_social/news/2005/feb/eincllocal_annex_en.pdf (Part II, Statistical Annex).

Information Society

eGovernment, enhancing electronic delivery of European government services

'Architecture for European eGovernment services' [<http://europa.eu.int/idabc/3760>], a blueprint for the future technical infrastructure of eGovernment in Europe, builds on the European Interoperability Framework's general recommendations on interoperability between public sector organisations. Published by the **IDABC programme** (Interoperable Delivery of European eGovernment Services to public Administrations, Business and Citizens).

The document develops implementation scenarios for the three dimensions of information exchange - the technical, semantic (the meaning of the information transferred) and organisational

(administrative processes). It also includes reviews of current and future requirements as well as an assessment of market and technology trends. The scenarios as well as the notion of an infrastructure for inter-administrative information exchanges raise the issues of durable financing and long-term management, soon to be addressed by the European Commission and Member States.

This is why the DG for Enterprise and Industry invites comments on the released documents and their proposals, to be addressed to idabc@cec.eu.int. More information on the IDA and IDABC programmes can be found at <http://europa.eu.int/idabc/>.

Internal Market

Proposed directive on the recognition of professional qualifications

The Council adopted its common position on 21 December 2004. The Commission assessment concerning the common position of the Council, adopted on 6 January, can be found at http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/com/2004/com2004_0853en01.pdf [COM (2004)0853 of 6 January 2005].

The Commission supported the Council's political agreement of 18 May 2004, which is incorporated into the common position. The amendments made by the common position concern in particular the provision of services, the formal reorganisation of the

levels of professional qualification underlying the general regime and the reintroduction of provisions from the *acquis communautaire* which were not included in the Commission proposal.

With regard to the provision of services, the Commission regrets that the common position does not further facilitate the conditions imposed on the service provider, but accepts the principle of control by the host Member State, thus supports the common position. The proposed directive is now awaiting Parliament second reading, scheduled for May 2005.

Second Implementation Report of the Internal Market Strategy 2003-2006

http://europa.eu.int/comm/internal_market/en/update/strategy/2nd-impl-report_en.pdf

The second report on the implementation of the Internal Market Strategy (2003-2006) shows that two-thirds of the legal steps towards a better internal market that the Commission wanted for 2004 have been completed. Economic indicators suggest however that market integration is not moving fast enough. Trade in goods between Member States is slowing; trade in services is growing but is still about 20% of that in goods.

The report includes an updated Internal Market Scoreboard, with Lithuania and Spain top of the league for implementing internal market law. Hungary and Poland are also in the "first division" and all ten new Member States have reduced their backlog since accession.

Overall the proportion of internal market Directives in force but not written into

...continues in Page 12

Second Implementation Report of the Internal Market Strategy 2003-2006

http://europa.eu.int/comm/internal_market/en/update/strategy/2nd-impl-report_en.pdf

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national law has fallen to 3.6 % across the EU-25, from 7.1% at enlargement. France, Spain, Belgium, Austria, Ireland, the Netherlands, Portugal and Finland have reduced the number of infringement cases against them, though their performance is not matched by others.

Despite good progress, the EU needs to adopt some key proposals delayed in the Council and Parliament e.g. Community Patent, the 'software directive' and the proposed directive on the recognition of professional qualifications.

Community Patent

The Council so far failed to reach agreement, especially because of language issues. Currently the Commission is reflecting on whether to take this further and how. The Kok Report calls on Member States to "deliver or drop it". Two accompanying proposals on jurisdiction and on the setting

up of a Patent Court are also before Council. The proposed system will establish a single EU-wide patent to provide protection in EU-25 for around the same price (or slightly less) as is currently paid for protection in just 5 countries.

Patents for computer-implemented inventions

The Council reached a political agreement in May 2004. This has still to be formalised. EU member states were expected to agree on 24 January. Parliament has asked the Commission to go back to the drawing board on the controversial proposals and the Council whether it still intends to push through it in its present form, which is giving rise to much controversy in a large number of circles and Member States e.g. Poland who blocked it for more than six months and will only support it if amendments prohibiting the patenting of computer programmes are introduced.

Internet

Safer Internet Day

Safer Internet Day 2005 was celebrated on 8 February by 65 organisations in 30 countries across the world. Safer Internet Day 2005 featured an Internet adventure storytelling contest for children in 19 countries and 16 languages, to be judged in June 2005. Other Safer Internet Day activities included conferences, the launch of Internet literacy programmes in schools, media releases on radio and TV and the launch of several new Safer Internet websites. Organised by the European internet safety network INSAFE

<http://www.saferinternet.org/>], it is part of a global drive by awareness-raising partners to promote a safer Internet for all users, especially young people.

The Safer Internet Programme

<http://europa.eu.int/saferinternet>] runs since 1999 with a budget of € 38.3 million. Safer Internet Plus, a follow-up programme scheduled to start at the end of March, aims at combating illegal and harmful internet content, with a budget of € 45 million.

European countries join forces to combat "spam"

http://europa.eu.int/information_society/topics/comm/highlights/current_spotlights/spam/index_en.htm

A joint drive to combat 'spam' email from Europe and Asia was agreed by Government participants attending an Asia-Europe (ASEM) conference on eCommerce, held in London on 21-22 February.

action to fight spam nationally and to promote anti-spam efforts in international organisations and by industry.

In a joint statement on international anti-spam cooperation, 25 European and 13 Asian member countries agreed to take

Austria, Belgium, Cyprus, Czech Republic, Denmark, France, Greece, Ireland, Italy, Lithuania, Malta, the Netherlands and Spain will work together at CNSA, the Contact Network of Spam Enforcement Authorities.

Trade Policy

Consultation on VAT rules applied when services are supplied to private consumers http://europa.eu.int/comm/taxation_customs/common/consultations/tax/artide_1704_en.htm

On 3 February, the Commission launched a public consultation on possible improvements to the EU VAT rules that apply when services are supplied to private consumers (B2C). **Comments** are invited until **4 April 2005**.

The paper seeks suggestions for possible modifications of the basic rule when services are provided at a distance. Similar changes have been made to the rules on trends in the supply of digital services and proposed to the rules governing the supply of services where the customer is a trader. Based on the reactions, the Commission will decide whether to present a proposal to modify the current rules, under which the VAT rate that

applies is that of the place of establishment of the service provider. To ensure that VAT receipts accrue to the Member State of consumption, the paper considers changing the place of taxation to that of the private consumer for some specific services e.g. exhibitions, fairs, **cultural events** and other services capable of being supplied at a distance. This would mean that traders supplying these services to private customers in other Member States would have VAT compliance obligations in those other Member States. However, these obligations would be greatly simplified if the Council adopts the Commission's proposal for a One-Stop-Shop (29 October 2004) and other measures to simplify VAT obligations.

Foreign Sales Corporation, suspension of duties on US products

On 31 January, General affairs ministers adopted a Regulation suspending additional customs duties on imports of certain products originating in the US which it had imposed in December 2003 in response to illicit subsidies granted by the US pursuant to its legislation concerning the "Foreign Sales Corporation (FSC) Act". The new Regulation provides for the suspension of duties until 1 January 2006

or 60 days after the Dispute Settlement Body of the WTO confirms the incompatibility of certain aspects of the "American Jobs Creation Act" (adopted to replace FSC) with WTO law. In May 2003, the EU considered that the FSC legislation had been responsible for the granting of more than USD 4 billion per annum in illicit export subsidies in favour of US undertakings.

Doha Development Agenda, EC revised requests to third countries

http://europa.eu.int/comm/trade/issues/sectoral/services/index_en.htm

On 24 January, the EU submitted revised requests for improved market access on services to other WTO members in Geneva, which seek to reduce restrictions and expand market access opportunities for European services companies. The requests cover: **professional** and other business services, **telecommunications**, postal/courier services, distribution, construction and related engineering services, financial services, environmental services, **tourism**, **news agency services**, transport and energy services.

The Commission welcomes any input from Civil Society that helps it define the EC's negotiating positions. The main topic that has raised concern is the continued provision of public services in general and **health, education and audiovisual services** in

particular. No requests are being made on health or **audiovisual services** to any country. Only the US has received a request on **education services** but strictly limited to privately-funded higher education and in line with the commitments taken by the EC in the Uruguay Round and the interests of European providers of education services in that market.

Revised offers must be submitted by WTO members in this regard by mid-2005. Liberalisation of services which provide for public health, **education, culture and social services** "*should not be imposed by wealthier countries, nor should it be invoked in negotiations on export subsidies*" (Brussels Declaration of the Parliamentary Conference on the WTO adopted on 26 November 2004).

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Information sources used include

Bulletin Quotidien Europe
Council Press Office Newsroom, <http://ue.eu.int/newsroom/newmain.asp?lang=1>
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>
EUR-Lex, <http://europa.eu.int/eur-lex/lex/>. Since 1 November 2004, EUR-Lex incorporates the CELEX service and provides free access in 20 languages to EU law.
Europa, <http://europa.eu.int/>
Various mailing lists

Calls for Tenders are published in the S series of the OJ as well as in the Tenders Electronic Daily database TED, <http://ted.publications.eu.int/official/> (new dates for the Official Journal Supplement since January 2005). EBLIDA Hot News online 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 e.g. preparatory legislative documents and questions put by Members of Parliament to the Commission and Council.

The C series is available online via EUR-Lex. Please note that the C E edition of the Official Journal, which is only available online, now publishes the explanatory statement for all Commission proposals.

EBLIDA encourages dissemination of our information. However, we would ask that the source be acknowledged. Documents are available at the EBLIDA Secretariat.

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Subjects on which EBLIDA concentrates are European information society issues, including copyright & licensing, culture & education and EU enlargement. We promote unhindered access to information in the digital age and the role of archives and libraries in achieving this goal.