



March 2005

# EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

## Highlights:

§ Non-implementation of the Copyright Directive by Belgium, Finland and Sweden, p.1

§ Data protection issues related to intellectual property rights, p. 2

§ Results of the public consultation on the new European Information Society policy, p. 11

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## Copyright and Intellectual Property Rights

### Non-implementation of the Copyright Directive by Belgium, Finland and Sweden

Implementation of the 2001 Copyright Directive (*2001/29/EC of 22 May 2001*) is necessary to provide for an adequate level of copyright protection for authors and other right holders in the digital environment. The Directive aims at ensuring that all copyright material including e.g. books, films and music is adequately protected and is the means by which the EU-25 implement the two 1996 World Intellectual Property Organisation (WIPO) "Internet Treaties".

As adopted, Member States agreed to implement the directive before 22 December 2002. The European Court has already ruled against Belgium, Finland, Sweden and the

UK (Gibraltar) for their failure to implement it. The Commission has now decided to start infringement proceedings against Belgium, Finland and Sweden for non-compliance with the Court's rulings. The Commission has postponed its decision to start infringement proceedings against the UK as its authorities have informed on the forthcoming implementation of the directive in the territory of Gibraltar.

For the latest information on infringement proceedings concerning all Member States visit

[http://europa.eu.int/comm/secretariat\\_general/sgb/droit\\_com/index\\_en.htm](http://europa.eu.int/comm/secretariat_general/sgb/droit_com/index_en.htm)

### Court cases on Public Lending Right involving Italy and Luxembourg

The Commission has decided to refer Italy and Luxembourg to the European Court of Justice for failure to fully implement the 1992 Directive on rental right and lending right (*92/100/EEC of 19 November 1992*) into national legislation.

Italy and Luxembourg have no legal provisions in place for ensuring that authors are remunerated if their works are used for public lending. Authors in these countries therefore do not receive any payment if their works are lent by public establishments; this includes public music and book libraries in Italy and all public lending establishments in Luxembourg. This is contrary to the Public Lending Right Directive, which requires that authors be compensated when their works are rented out or lent. Under the Directive, authors have the exclusive right to either

authorise or prohibit the lending of their works. However, the Directive allows Member States to derogate from this right, provided that authors are remunerated for such use of their works. Remuneration for authors has to be ensured by the State, even if the works are lent free of charge to the public.

The Commission had postponed its decision to refer them to the Court last December as both countries had previously notified that they would comply with the Directive. The Commission however is not aware that they have taken any action as yet. Besides, Italy and Luxembourg must be treated on an equal basis as Spain, Ireland and Portugal whose cases were sent to the Court last December (*see IP/04/1519 of 21 December 2004*).

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## Lobbying for archives and libraries

### Data protection issues related to intellectual property rights

[http://europa.eu.int/comm/internal\\_market/copyright/index\\_en.htm](http://europa.eu.int/comm/internal_market/copyright/index_en.htm)

EBLIDA has recently submitted a Position Paper to the European Commission as a reaction to the EC Working Document [\[http://europa.eu.int/comm/internal\\_market/privacy/docs/wpdocs/2005/wp104\\_en.pdf\]](http://europa.eu.int/comm/internal_market/privacy/docs/wpdocs/2005/wp104_en.pdf) on Data Protection issues related to Intellectual Property Rights of 18 January 2005. A full version of the EBLIDA response, summarised below, will be available at <http://www.eblida.org>.

EBLIDA views with concern the potential adverse effects on personal privacy from Digital Rights Managements systems (DRMS). If such systems are taken beyond their stated purpose, library users -and in general private users of digital material- could find themselves not merely verified as conforming with copyright law, but also subject to 'ubiquitous surveillance of users' of digital works. If electronic copyright management systems are indeed 'monitoring every single act of reading, listening and viewing on the internet' (*as noted on page 3 of the working document*), European principles of privacy are being breached to a deplorable degree.

### The eight principles of good practice

Anyone processing personal information must comply with eight enforceable principles of good information handling practice. These say that data must be:

- 1 fairly and lawfully processed
- 2 processed for limited purposes
- 3 adequate, relevant and not excessive
- 4 accurate and up to date
- 5 not kept longer than necessary
- 6 processed in accordance with the individual's rights
- 7 secure
- 8 not transferred to countries outside the European Economic area unless the country has adequate protection for the individual

### The six conditions

At least one of the following conditions must be met for personal information to be considered fairly processed:

- 1 the individual has consented to the processing
- 2 processing is necessary for the performance of a contract with the individual
- 3 processing is required under a legal obligation (other than one imposed by the contract)
- 4 processing is necessary to protect the vital interests of the individual
- 5 processing is necessary to carry out public functions, e.g. administration of justice
- 6 processing is necessary in order to pursue the legitimate interests of the data controller or third parties (unless it could unjustifiably prejudice the interests of the individual)

EBLIDA believes that the collection of data about the reading, viewing and listening habits of individuals constitutes the collection of sensitive data, and as such it should be permitted only after prior authorisation through due process of law in defined circumstances and under defined conditions.

It is important that such data, if collected, should be kept for the shortest possible time to fulfil a specific purpose. Data protection principles apply by law in the UK (see [www.informationcommissioner.gov.uk/cms/DocumentUploads/Data%20Protection%20Act%20Fact%20V2.pdf](http://www.informationcommissioner.gov.uk/cms/DocumentUploads/Data%20Protection%20Act%20Fact%20V2.pdf)).

These principles are reproduced below. We recommend that they be applied to the processing of all personal information for the purposes of DRMS within the EU. EBLIDA therefore supports very strongly the Working Party's reaffirmation of the necessity to allow for anonymous or pseudonymous transactions on the internet (*page 5 of the working document*).

## Audiovisual

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### European Broadcasting Regulators against hate broadcasts

A meeting of the Audiovisual Regulators' High Level Group was held in Brussels on 17 March. A pan-European drive to combat incitement to hatred in broadcasts was agreed by national broadcasting regulators at the meeting.

Measures agreed by the broadcasting regulators include stepping up information exchange and cooperation to ensure that EU rules which guarantee freedom of the media on the one hand and prohibit broadcasts

which contain an incitement to hatred on the other hand, are enforced swiftly, effectively and consistently. The broadcasting regulators called on the Commission to take this into account when proposing a modernisation of the EU "Television without Frontiers"

Directive later this year. Further information on audiovisual policy can be found at [http://europa.eu.int/comm/avpolicy/index\\_en.htm](http://europa.eu.int/comm/avpolicy/index_en.htm); the European platform of regulatory authorities, <http://www.epra.org/>.

### Audiovisual, protection of minors and human dignity

On 14 March, the Parliament's Culture Committee considered the draft report by MEP de SARNEZ which aims at enabling the right of reply to be exercised in all audiovisual and information services. Several measures for the protection of minors have been taken at national and European level since implementation of the 1998 Recommendation (2003), however new and more innovative measures which meet users of these new technologies' concerns should be proposed.

The recommendation invites Member States, the industry and the parties concerned to take measures, together with the Commission, to improve the protection of minors and human dignity in the

broadcasting and Internet services sectors.

The Rapporteur suggests, amongst others, the creation of a top level domain name (.KID) with content reserved for children which would provide a secure Internet area regularly monitored by an independent authority and measures and rules to be regularly updated, balanced and assessed. The right of reply, previously dealt with only in the context of the TV without frontiers directive, should be adapted to developments in communications media and recognised in all Medias to guarantee freedom of expression.

The report is awaiting vote by the Culture Committee, scheduled for 9 May.

### Media pluralism

The Parliament ALDE Group has asked the Commission (*Oral question O-0015/05*) whether it intends to make a legislative proposal on pluralism of the media at EU level which could supplement national competencies and would contribute to the development of freedom of expression and the expression of the diversity of opinions in

the EU. The question follows concerns expressed in a number of Member States after the Boogerd-Quaak report on freedom of expression and information and the publication of a detailed report by the European Institute for the Media (Düsseldorf).

### Public Hearing on the Services Directive and the Audiovisual Media

The Committee on Culture and Education held on 15 March a public hearing on the Services directive and the audiovisual media (the programme and several contributions can be downloaded from [http://www.europarl.eu.int/hearings/default\\_en.htm](http://www.europarl.eu.int/hearings/default_en.htm)). The hearing focussed on the definition of 'Audiovisual Service' (Part I)

and the pros and cons of the Services directive (Part II). Two questions were put to the speakers regarding their definition of the various 'audiovisual services', above all the identification of existing legislative instruments applicable; the instruments which are lacking and their opinion on the legal implications for the various types of audiovisual services (Services directive).

## Audiovisual

### Standardisation on the harmonisation of cataloguing and indexing practices

<http://europa.eu.int/comm/avpolicy/regul/avworks-05-02-mandate-en.pdf>

FIAF

<http://www.fiafnet.org/uk/>

ACE

<http://www.ace-film.de/>

The Commission has given the European Committee for Standardisation (CEN, <http://www.cenorm.be/cenorm/index.htm>) a mandate for adoption of a European standard on **cataloguing and indexing practices of cinematographic works** and on the **interoperability of film databases** (20 January 2005). The mandate, while is not based in any specific legislation, relates to several provisions of the EC Treaty [*Article 157, Article 151(4) and Article 151(2)*] and aims at implementing the EU industrial policy since the proposed Recommendation of 19 March 2004; at conserving and preserving cultural heritage of European importance; and improving the functioning of the internal market in audiovisual services.

The European standard should be based on existing international systems or common practices e.g. those of the *International Federation of Film Archives* (FIAF) and the *Association des Cinémathèques Européennes* (ACE) and seek the highest possible degree of compatibility with existing international standards. It shall contain harmonisation of

terminology (Part 1), a minimum set of common rules on cataloguing and indexation (Part 2) and common rules on cataloguing and indexation (Part 3).

The CEN will submit the standardisation project to the Commission in December 2006; the European standard will be adopted by mid-2008. The three language versions (DE, EN, and FR) will be available by then. The CEN will submit a progress report to the Commission at least once a year. The mandated work shall be coordinated with that of other programmes e.g. projects under the **eEurope Standardisation Action Plan**. Relevant industrial and professional associations, public and private bodies responsible for the cataloguing, indexing and archiving of cinematographic works, as well as commercial operators should be associated.

Further information on Audiovisual and Media Policy can be found at

[http://europa.eu.int/comm/avpolicy/a\\_to\\_z/a\\_to\\_z\\_en.htm](http://europa.eu.int/comm/avpolicy/a_to_z/a_to_z_en.htm).

### Media Programme 2007-2013

At a seminar on Media held on 28 February in Luxembourg, Commissioner Reding explained that EU action on the Media programme (2007-2013) should be developed around four axes: reinforcing financial means (the proposed € 1 billion to be increased despite restrictive positions of many of the larger member states); taking technical and economic developments on board at every stage of the production and broadcasting of works; facilitating access to private funding for SMEs in the production and distribution sectors; and guaranteeing the diversity of works and market access from countries with low production

capacities. The launch of promotion activities in the field of media literacy and the development of synergies between audiovisual and telecommunications as part of the **i2010 Initiative**, which is to take over where **eEurope** left off, are foreseen.

Discussions at Council on the Media 2007 programme were last held on 16 November 2004; the Committee of Regions in turn, presented its opinion on 23 February. The proposed programme (*COM (2004)0470 of 14 July 2004*) is awaiting vote in plenary, scheduled for 6 September.

## Consumer Protection

### Data Protection

[http://europa.eu.int/comm/internal\\_market/privacy/index\\_en.htm](http://europa.eu.int/comm/internal_market/privacy/index_en.htm)

Commissioner FRATTINI is fully responsible for all dossiers on data protection within the Commission since

March. His services are currently preparing a long-awaited proposal on data protection in the third pillar.



## Consumer Protection

### Unfair Commercial Practices Directive

On 7 March, the Competitiveness Council was briefed on the outcome of the negotiations it had conducted with Parliament to enable the adoption of the proposed Directive on unfair commercial practices. The Council will adopt this proposal for a Directive, thus amended, at a forthcoming meeting. In its opinion (*COM (2005)0096 of 15 March 2005*), the Commission has accepted all 19 amendments adopted by Parliament (*24 February 2005*) in full. The proposed directive

is now awaiting Council second reading.

The centrepiece of this framework is a general prohibition of unfair commercial practices, based on common criteria for determining when a commercial practice is unfair. For extra legal certainty, this is supplemented by further elaboration of two key types of unfairness, misleading and aggressive practices, and a blacklist of practices which will always be unfair and are therefore prohibited up-front.

*Co decision procedure  
Second reading*

### Fundamental Rights in the European Union 2004

In its draft opinion on the situation of *Fundamental Rights in the EU (2004)*, the Committee on Culture and Education believes that an enhanced **information and communication strategy** is necessary and that specific sections of the proposed Fundamental Rights Agency should be responsible for monitoring adherence to the Charter of Fundamental Rights in the areas

of education (Article 14) and respect for cultural, religious and linguistic diversity (Article 22).

The Committee on Culture and Education thus calls on the Committee on Civil Liberties, as the committee responsible, to incorporate these amendments to its report, to be adopted on 5 September.

## Co-operation with third countries

### ENPI, European Neighbourhood and Partnership Instrument

In its draft opinion on the proposed regulation establishing a **European Neighbourhood and Partnership Instrument (ENPI)** [*COM (2004)0628 of 29 September 2004*], the Committee on Culture and Education calls on the Commission to open up **Culture 2007** and the **Lifelong Learning** action programme for the neighbourhood countries enabling teachers, students and people working in the cultural sector to cooperate more closely and benefit from mobility exchanges.

The Commission financial programming of ENPI shows a significant increase in appropriations (2007-2013), the programme details however are not given but will be defined in future strategy documents; thus the proposal provides no visibility for levels of funding per country, region, thematic objective or type of programme. ENPI covers Algeria, **Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan,**

**Lebanon, Libya, Moldova, Morocco, the Palestinian Authority of the West Bank and Gaza Strip, the Russian Federation, Syria, Tunisia, and Ukraine.**

The report is awaiting vote by the Foreign affairs committee, scheduled for 28 September.

Furthermore, the Commission presented on 2 March recommendations for **Armenia, Azerbaijan, Georgia, Egypt and Lebanon** (*COM (2005)0072*) based on country reports, which give a factual analysis of political, economic and institutional reforms, with particular emphasis on areas which would form the basis of any future Action Plans e.g. education, RTD, culture, civil society, the opening of certain Community programmes (People-to-people contacts). Further information on the European Neighbourhood Policy can be found at [http://europa.eu.int/comm/world/enp/index\\_en.htm](http://europa.eu.int/comm/world/enp/index_en.htm).

### Council conclusions adopted on Iraq

The External Relations Council reaffirmed on 21 February its commitment to assist Iraq through a further Community budget contribution of € 200 million for 2005 for

the restoration of essential public services boosting employment e.g. **education** and health as well as supporting the political process, civil society and human rights.

### EU-Korea Agreement on Scientific and Technological cooperation

The Competitiveness ministers adopted on 7 March a Decision authorising the Commission to negotiate an agreement on

scientific and technological cooperation with the Republic of Korea.

### Council conclusions adopted on Ukraine

On 21 February, the External Relations Council agreed on increasing people-to-people contacts, including in the key areas of youth and education through measures such as the **Erasmus Mundus** and **TEMPUS** programmes; supporting Ukraine's efforts to

work towards convergence in higher education by participating in the **Bologna process**, considering the possibility of offering internships for young professionals and continued support to independent media.

### Asian Windows within ERASMUS MUNDUS

<http://europa.eu.int/comm/education/programmes/mundus/asian.pdf>

Five country-specific Windows within the Erasmus Mundus programme will become operational as of the academic year 2005-2006, notably:

- § A € 9m **China Pilot Window** for a three year period (2005-2008);
- § A € 33m **India Window** for a three year period (2005-2008);
- § A € 3.2m **Thailand Window** for a two-year period (2005-2007);
- § A € 2.1m **Malaysia Window** for a two-year period (2005-2007);
- § A € 10m "**Other Asian countries**"

Window covering Afghanistan, Bangladesh, Bhutan, Cambodia, East Timor, Indonesia, Laos, Maldives, Mongolia, Nepal, North Korea, Pakistan, Philippines, Sri Lanka and Vietnam) for a two-year period (2005-2007).

The Commission expects to provide funds for approximately 220 Chinese students, 920 Indian students, 90 Thai students, 60 Malaysian students and 280 students from the aforementioned "other Asian countries".

## Culture

### UNESCO Convention on the protection of cultural diversity

In a draft resolution on the UNESCO Convention on the protection of the diversity of cultural contents and artistic expressions, Parliament believes that the Convention must recognise the role played by public services in safeguarding, supporting and developing cultural diversity and identity as well as access for all citizens to quality content and knowledge. Parliament also stresses that cultural services and products have a dual nature as economic and cultural goods.

Parliament believes that media pluralism must be a fundamental principle of the Convention and insists that the Convention

guarantees transparency, the right to freedom of information, opinion, intellectual property, the protection of fundamental rights and cultural human rights, and the democratic principle. Any definition of cultural industries in the Convention should include not only production but also creation, publication, promotion, distribution, exhibition, provision, sale, collection, storage and preservation.

It calls on the UNESCO General Conference (Paris, October 2005) and the negotiating parties to ensure that the Convention relates to all forms of cultural expression.

## Education

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### Education and training as part of the mid-term review of the Lisbon Strategy

On 21 February, Education Ministers reaffirmed that **lifelong learning** is an essential condition for achieving the Lisbon goals and adopted contributions submitted to the European Council on 22-23 March for the Lisbon Strategy Mid-term Review. The draft conclusions recommend that further action be taken at European and national level according to the priority levels of "Education and Training 2010" (*2004 Joint Interim Report*) in preparation for the next Council/Commission report to the European Council in 2006. The Council invites the European Council to:

- § implement coherent and comprehensive **lifelong learning strategies** in the Member States by 2006 encompassing all levels and dimensions of education and training with the involvement of all stakeholders concerned;
- § contribute to the monitoring of those aspects coming within its competence e.g. education and training;
- § Include the initiative of a **Youth European Pact** to define orientations for concrete measures to promote higher levels of education and training.

### Effectiveness and fairness of European education systems

The Education, Youth and Culture Council discussed on 21 February the structural factors ensuring effectiveness and fairness that could be identified in national education systems, which are seen as essential elements of the "Education and Training" dimension of the Lisbon Strategy. The discussion focussed on the evaluation of the

functioning of education systems with regard to fairness and the use of these results as well as on the forms of quality assurance that can raise accountability and improve effectiveness and fairness in schools.

Discussion of these matters will continue at a later date.

### EILC, Erasmus Intensive Language Courses (2005-2006)

[http://europa.eu.int/comm/education/programmes/socrates/erasmus/eilc/index\\_en.html](http://europa.eu.int/comm/education/programmes/socrates/erasmus/eilc/index_en.html)

The Erasmus Intensive Language Courses (EILC) are specialised courses in the less widely used and less taught EU languages and the languages of other countries participating in Erasmus. The EILCs give Erasmus students (and possibly Erasmus teachers) the opportunity to study the

language of the host country for 3-8 weeks, in the host country.

General information, important dates for students and institutions, application forms, organising institutions and course descriptions can be found on the website.

### Sustainable development in education programmes

The concept of 'Sustainable development' emerged in the 1980s in response to growing awareness of the need to reconcile economic and social progress with the environment.

The United Nations Educational, Scientific and Cultural Organisation (UNESCO) launched last month the Decade, a ten-year new scheme (2005-2014) to promote the principle of sustainable development more thoroughly in education programmes worldwide.

The scheme also encompasses the economics of development e.g. fighting poverty and **socio-cultural aspects** including gender equality, sustaining **cultural diversity**, etc.

An evaluation mechanism will be set up to monitor the results of the ten-year scheme and a mid-term progress report will be presented at the 65<sup>th</sup> session of the UN General Assembly in 2010.



## Enlargement

### Protection of minorities and anti-discrimination policies in an enlarged Europe

In its draft opinion on the protection of minorities and anti-discrimination policies in an enlarged Europe (*COM (2004)0379 of 28 May 2004*), the Committee on Culture and Education urges Member States to ensure the effective integration in education systems of the children of refugees, asylum-seekers and immigrants [Charter of Fundamental Rights, Article 14 (Education)].

It also urges Belgium, Greece, Latvia, Luxembourg and the Netherlands to ratify the **Council of Europe Framework Convention for the Protection of National Minorities** and calls on France to sign the Convention.

It calls on Belgium, Estonia, Greece, Ireland, Latvia, Lithuania and Portugal to sign the **European Charter for Regional or Minority Languages** and urges the Czech Republic, France, Italy, Luxembourg, Malta and Poland to ratify it. Moreover, it urges Member States to improve the situation of the Roma/ Sinti minorities by acting against discrimination in e.g. employment, housing, and education [Charter of Fundamental Rights, Article 22 (Respect for cultural, religious and linguistic diversity)].

The report is awaiting vote by the Civil Liberties committee, scheduled for 7 June.

### EU Accession for Romania and Bulgaria

Parliament's Foreign Affairs Committee approved on 30 March EU accession for **Romania and Bulgaria** by an overwhelming majority. Romania's accession was approved by 59 votes in favour, 2 against and 9 abstentions. The majority for Bulgaria was even larger: 71 votes to 1 with 1 abstention.

MEPs want to be involved in a new mechanism which has been introduced in the Accession Treaty for Bulgaria and Romania

and by which the Council may decide to postpone accession if the two countries fail to take measures required in time. MEPs thus adopted an amendment to the resolutions giving their assent for Bulgaria and Romania, saying that the Council and the Commission must involve Parliament fully in the ongoing process.

The final vote will be taken in plenary on 13 April.

#### Assent Procedure

## EU Information Policy

### Information and communication strategy

On 14 March, the Parliament's Culture Committee considered the draft report by MEP HERRERO TEJEDOR which aims at presenting the Commission communication on implementing the **information and communication strategy** for the EU [*COM (2004)0196*]. The Rapporteur has put forward positive ideas aimed at promoting a more effective information strategy in future.

The main conclusions suggest that the information and communication strategy has fallen far short of achieving its objectives and that it will not be effective unless the institutions act on the recommendations they receive; it is possible to convey to the general public what the 'spirit' of the EU really means; if it continues to be based mainly on

the instruments used hitherto; unless cooperation between Parliament and the Commission is improved and Member States and national parliaments decide to work actively together with the European institutions; unless the groups to be targeted by each specific action are carefully selected; until it openly puts its faith in the use of new tools and is allowed to make use of other Community programmes, either fully or in part. Lastly, it will not be effective until knowledge of the EU and its institutions is included as a subject in the Member States' school curricula.

The report is awaiting vote by the Culture Committee, scheduled for 12 May.

## EU Research and Development

### Supporting scientific research in the EU

In adopting an own-initiative report by MEP LOCATELLI (A6-0046/2005) on the Commission communication on **science and technology** on 10 March, Parliament is suggesting some answers to e.g. how should scientific research be funded in the EU; what are the priorities for the next few years; how can research policy help make Europe more competitive.

The Commission will be making proposals on funding levels as well as the main research areas to be supported in April. Parliament thus wants the percentage of Member States' GDP represented by the FP7 budget to be at least doubled and not put up for discussion during the negotiations on the financial perspective. It also calls on

the Commission 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 subject of an oral question to the Commission on how a doubling of the EU budget for research can be financed.

With regard to the **European Research Council** proposed by the Commission, Parliament wants it to be set up swiftly, although it stresses it must avoid duplication with existing bodies e.g. Joint Research Centre. The Research Council should provide EU support for basic research, must have adequate funding and avoid generating more red tape.

### Special visas to attract researchers from outside the EU

On 15 March, the Civil Liberties Committee, in a report by MEP PEILLON (A6-0054/2005 of 18 March 2005), gave its backing to plans by the Commission to create a special residence permit for non-EU researchers, although MEPs called for greater protection of rights e.g. family reunification and direct access to social security systems. The Council wants such measures to be optional for Member States; Parliament is only being consulted and thus,

any amendments it adopts are non-binding on the Council. The report is awaiting vote in plenary, scheduled for 11 April.

The proposed directive aims at making Europe more attractive to international researchers by offering them a renewable residence permit with some privileges which differ from a normal visa. It will be a small but crucial step in the achievement of the Lisbon Strategy.

### Being a researcher, European Commission defines roles and responsibilities

<http://europa.eu.int/ercareers/europancharter>

The European Commission adopted on 11 March a **European Charter for Researchers** and a **Code of Conduct for the Recruitment of Researchers**. These documents will give individual researchers the same rights and obligations wherever they may work throughout the EU. This should help counter the fact that research careers in Europe are fragmented at local, regional, national or Sectoral level as well as allowing Europe to make the most of its scientific potential.

The Charter addresses the roles, responsibilities and entitlements of researchers and their employers or funding

organisations.

The Code aims at improving recruitment, at making selection procedures fairer and more transparent and at proposing different means of judging merit - measured not only on the number of publications but on a wider range of evaluation criteria e.g. teaching, supervision, teamwork, knowledge transfer, management and public awareness activities.

The Charter and the Code of Conduct can be found at [http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/L\\_075/L\\_07520050322en00670077.pdf](http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/L_075/L_07520050322en00670077.pdf) (OJ 2005/L 75/, p. 67 of 22 March 2005).

### SINAPSE, new tool for scientific input to policy-making launched

At the Science and Society Forum held in Brussels on 9 March, the European Commission launched SINAPSE (Scientific Information for Policy Support in Europe), a web-based communication platform which encourages the exchange of information between the scientific community and all policy-makers who use science to help reach decisions. SINAPSE will provide an interactive library of scientific opinions and advice as well as an early-warning system for better detection of potential crises and awareness of important scientific issues.

More than 150 organisations, universities and individuals have already signed up for participation in the "Yellow Pages for scientific advice", and additional participation is welcomed, to create as broad a scientific base as possible. Participation is open to all and without cost.

More information on the Science and Society Forum can be found at [http://europa.eu.int/comm/research/conferences/2005/forum2005/index\\_en.htm](http://europa.eu.int/comm/research/conferences/2005/forum2005/index_en.htm).

### EU-25 spent nearly 2% of GDP on Research and Development in 2002

[http://ep.eurostat.cec.eu.int/cache/ITY\\_OFFPUB/KS-NS-05-002/EN/KS-NS-05-002-EN.PDF](http://ep.eurostat.cec.eu.int/cache/ITY_OFFPUB/KS-NS-05-002/EN/KS-NS-05-002-EN.PDF)

EU Member States spent nearly 2% of gross domestic product (GDP) on research and development (R&D) in the years leading up to 2002, according to the "Research & Development expenditure in the EU" (*Statistics in Focus, Science and Technology, 2/2005, 24 February 2005*) report, which also provides information on EFTA countries, Candidate Countries, China, Japan and the US. Nordic countries led the pack but many new Member States are showing signs of

strong growth.

According to the report, five countries reached the two-third target set in Lisbon for business sector contributions to R&D spending. Topping the list is Luxembourg with a massive 91% in 2000, followed by Sweden (72% in 2001), Finland (70% in 2002), Ireland (67% in 2000) and Germany (66% in 2002).

### The ERC Identification Committee submits interim report

[http://europa.eu.int/comm/research/future/pdf/interim\\_report\\_erc\\_ic\\_21\\_03\\_2005.pdf](http://europa.eu.int/comm/research/future/pdf/interim_report_erc_ic_21_03_2005.pdf)

The Commission has established a European Research Council (ERC) Identification Committee to identify members of the Council and ensure that the scientific Governing Council will be completely independent. The Committee submitted its interim report on 21 March, which provides a review of the Committee's work after completion of the first stage and briefly describes the findings to date and the outlook for the next stage. The report

presents the Committee's criteria and methodology to be used to identify members of the Governing Council of a future ERC.

Representative organisations are now invited to submit the candidates' names for the Governing Council. Views of other representative organisations are also welcome. Contributions should follow the guidance given in the report and should be sent to [rtd-erc@cec.eu.int](mailto:rtd-erc@cec.eu.int).

## Information Society

### EU Bookshop, Office for Official Publications of the European Communities

The EU Bookshop <http://bookshop.eu.int/> was launched on 10 March in Luxembourg. The EU Bookshop aims at becoming the 'Number One' public source of EU publications and a

forum of shared information and knowledge on EU matters.

Its objective is to provide a large amount of information in a platform easy to search, navigate and exploit.

## Information Society

### The future of Information society

On 14 March, the Parliament's Culture and Education Committee considered the draft opinion by MEP BADIA I CUTCHET for the Committee on Industry on the information society.

In its opinion, the Committee takes the view that full citizenship in the Information Society means granting people the following basic rights: access to basic technologies, public services at all levels of governance in the most effective, user-friendly and transparent way, adequate media education and literacy as well as participation in transparent and comprehensible decision-

making and policy-making processes. The Rapporteur stresses that innovation in educational systems, lifelong learning programmes and e-Learning initiatives (for both teachers and students) should be fostered as key factors to transform information into knowledge. Moreover, it calls upon Member States to act according to the "Education for All by 2015" UNESCO goal and to respond to the UNICEF appeals for a greater budget allocation to education in a Pact with Future Generations.

The report is awaiting vote by the Industry Committee, scheduled for 22 June.

*Own-initiative report*

### Results of the public consultation on the new European Information Society

On 22 February, Member States representing the First Section of the eEurope Advisory Group met to discuss the new 'i2010' strategy, in particular the implementation mechanism, before the adoption of the Commission Communication foreseen for the end of May. They agreed to revitalise the political momentum built in the last five years for an *Information Society* at EU level and to strengthen the link with the *Lisbon Strategy*.

During the meeting, the results of the public consultation on the new European Information Society policy initiative were presented. Comments were invited until 16 January. The Final Report and an annex (70 contributors) can be found at [http://europa.eu.int/information\\_society/europe/2005/all\\_about/2010\\_challenges/index\\_en.htm](http://europa.eu.int/information_society/europe/2005/all_about/2010_challenges/index_en.htm).

The most addressed target was technological challenges, in particular the issue of **interoperability**.

A clear trio of priority clusters was identified: Content and services, e-Inclusion and Citizenship and public services. Interoperability and Trust and dependability have also been identified as important domains where a re-enforcement of the EU dimension is requested. The last three clusters - exploitation of ICT, ICT as a key industrial sector and skills and work, did not fully meet the preference of stakeholders.

Furthermore, many contributions put emphasis on giving continuity to the current policies of eEurope 2005 to maintain the targets of the current action plan.

#### *Main areas for action*

- § *Promoting e-Learning and accessibility for all*
- § *Helping SMEs to take up technology*
- § *Development of good digital content and broadband for all*
- § *The establishment of regulatory frameworks for all areas*
- § *Data protection and security*
- § *Governments promoting best practice*

### EU Study on Exploitation of PSI and Benchmarking of EU framework conditions

*HELM International* (<http://www.helm-corp.com/>) has been awarded a contract by the Commission DG for Information Society to carry out a study on the exploitation of Public Sector Information (PSI) and benchmarking of EU framework conditions.

The project, entitled **MEPSIR** (Measuring European Public Sector Information Resources) was awarded as a result of an open competition, and HELM will

undertake the study - expected to last 18 months in combination with ZENC (<http://www.zenc.nl/>), the Netherlands Public Administration Consultancy. Further information on MEPSIR can be found at <http://www.helm-corp.com/mepsir.html>.

The study will develop an appropriate repeatable methodology to measure PSI re-use, including the definition of performance indicators; conduct a first, baseline measurement of PSI re-use in the EU

*Continues on Page 12...*

## EU Study on Exploitation of PSI and Benchmarking of EU framework conditions

..Continues from Page 11

Member States, the Accession Countries, and Norway using this methodology; analyse the findings by monitoring the evolution of PSI re-use over time and putting that into context with certain key framework conditions e.g. transparency, discrimination, charging principles and accountability; compare and contrast the results obtained for Europe with the

situation in the US and draw lessons for Europe from this analysis.

Detailed information on the **latest status of transposition** of the PSI Directive into national law is available at [http://europa.eu.int/information\\_society/policy/psi/implementation/index\\_en.htm](http://europa.eu.int/information_society/policy/psi/implementation/index_en.htm).

## Public contracts for ICT goods and services should stipulate eAccessibility

[http://europa.eu.int/information\\_society/policy/accessibility/com\\_ea\\_2005/index\\_en.htm](http://europa.eu.int/information_society/policy/accessibility/com_ea_2005/index_en.htm)

Requirements to make information and communication technology (ICT) goods and services accessible to elderly and disabled people should be laid down in public procurement contracts. So say 90% of the 500 respondents (public agencies, ICT goods and service suppliers, universities, business associations and user groups) to the Commission's January 2005 public consultation on the need for "eAccessibility" measures.

Stakeholders also say that EU institutions should take the lead in proposing these measures, that ICT goods and services need to be made more fully interoperable, and that technical requirements should be

harmonised within and beyond the EU for this purpose. It is less clear how these requirements should be enforced. Although there is clear support for some form of product certification or a "labelling" scheme, stakeholders are fairly evenly divided on whether this scheme should be voluntary, mandatory, and/or rely on self-certification with checks. Commission proposals will be set out in a Communication scheduled for September 2005.

Other measures (including possible further legislation at EU level) may be considered two years from now, in the light of progress and the impact that these non-mandatory measures will have had on improving accessibility in Europe.

## Online availability of public services, progress in Europe

The Commission and the Member States defined a list of twenty basic public services for 28 countries. For twelve of these services, the citizens are the target group e.g. Public Libraries while for eight of them businesses are the target group. It is noticeable that the returns cluster has an average of 68% for 18 countries.

Public libraries and public procurement have a relatively high growth.

'Web-based survey on electronic public services' (*report of the fifth measurement, October 2004*) can be found at [http://europa.eu.int/information\\_society/soccul/egov/egov\\_benchmarking\\_2005.pdf](http://europa.eu.int/information_society/soccul/egov/egov_benchmarking_2005.pdf).

## Commission launches "Your Europe" Internet portal

<http://europa.eu.int/youreurope>

On 7 March, the Commission launched the new "Your Europe" portal to answer a wealth of questions e.g. where to register your company, how to start up a business, how to get access to financing and public procurement opportunities in other Member States. *Your Europe* is the first step towards European eGovernment services and aims at providing information, help and overcome obstacles and at making life easier for

businesses in the EU. It is an initiative of IDABC, which uses Information and Communication Technologies (ICT) to support the delivery of cross-border public sector services to citizens and enterprises in Europe as well as improving collaboration between European public administrations. Further information on the IDABC programme can be found at <http://europa.eu.int/idabc/>.

## Internal Market

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### French delegation wants VAT reduced rates applied to music

On 14 March, the Parliament's Culture and Education Committee considered the draft opinion by MEP DESCAMPS for the Legal affairs committee on the **Services Directive**. **Cultural and audiovisual services** have both economic and cultural aspects and thus cannot be treated as consumer goods or commercial services. According to the Draftsman, to include these services within the scope of the directive would endanger the promotion of cultural diversity and media pluralism.

Its current version does not reflect the requirements of cultural specificity, and does not sufficiently respect the competence of the Member States. Audiovisual services, particularly TV broadcasting, radio; cinema and press services should therefore be excluded from the scope of the Services Directive.

The report is awaiting vote by the Legal Affairs Committee, scheduled for 28 September.

## Trade Policy

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### The Doha Development Agenda

A mini-Ministerial meeting was held in Mombassa on 3 and 4 March on the Doha Round to rebalance negotiations across the board and identify precise steps to accelerate them. The meeting was one of a series, planned between now and the summer, aimed at providing political guidance to the negotiations in view of the sixth WTO Ministerial (Hong Kong, December 2005). The next ten months will be crucial in reaching broad agreement in all sectors.

On services, WTO members are committed to submit an offer for access to their service markets by May. Offers have been too few so far, and those that have been tabled have

been far from adequate. Ahead of the deadline for offers on services there is a mini-ministerial in Paris in May, then a second mini-Ministerial in China in July.

For the least developing countries and other vulnerable economies the EU has proposed that access be extended in a tailored choice of two out of five sectors (construction, financial services, transport, telecommunications and environmental services). The immediate priority for the EU is that agreement at Ministerial level is translated into progress among negotiators in Geneva.

## Youth Policy

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### Council conclusions on Youth

On 21 February, Youth ministers welcomed the **European Pact for Youth** initiative provided for in the Commission communication "*Working together for growth and jobs – A new start for the Lisbon Strategy*" and included in the mid-term review of the **Lisbon Strategy** by the Spring European Council. The Commission is to issue a communication on the pact by mid-May.

In its conclusions, the Council invites the European Council to include the initiative encompassing in particular the fields of

employment, social cohesion, **education, training, mobility**, and the reconciliation of family and **professional life**. Ministers came out in favour of having young people and youth organisations participate in reflections on the pact; the Pact should also be included in the existing mechanisms of the Lisbon Strategy. However, it will not foresee the implementation of new community youth programmes, create a new process, or become a new financial instrument. According to Ministers, the processes and programmes in place are a sufficient basis for realising the objectives of the pact.

# EBLIDA, European Bureau of Library, Information and Documentation Associations

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Visit [www.eblida.org](http://www.eblida.org)

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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](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.

## About EBLIDA...

EBLIDA is the European Bureau of Library, Information and Documentation Associations. We are an independent umbrella association of national library, information, documentation and archive associations and institutions in Europe.

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.