



November - December 2006

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

Highlights:

- § Council conclusions on digitisation & online accessibility of cultural material, p.1
- § Note from EBLIDA Director, p. 2
- § Parliament concludes examination of FP7, p. 9

Culture

Study on the Economy of Culture in Europe

http://ec.europa.eu/culture/eac/sources_info/studies/economy_en.html

On 13 November, the Council held an exchange of views on the economy of culture in Europe, based on a study prepared for the Commission by *KEA European Affairs* (<http://www.kernnet.com/kea/index.html>), made available in October.

The study proposes a future strategy composed of three main strands: to improve intelligence gathering of statistical evidence on the importance of the cultural sector in Europe; to increase its contribution to the

Lisbon strategy's goals through a more intensive use of the EU's programmes, promoting investment in cultural industries, and integrating the cultural dimension in international cooperation agreements between the EU and third countries; structural reform via strengthened coordination of activities and policies impacting on the cultural and creative sector within the European Commission.

The Council discussed three main issues:

...continues in Page 8

Information Society

Council conclusions on digitisation & online accessibility of cultural material

<http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:C:2006:297:SOM:EN:HTML>

Audiovisual ministers approved on 13 November conclusions on digitisation and digital preservation (*OJ 2006/C 297/02, p. 6 of 7 December 2006*) inviting the Member States to address the issues related to digitisation and online accessibility of cultural material and digital preservation identified in the Commission

Recommendation (i2010: digital libraries initiative). Annexed to the conclusions, there is an indicative timetable for Member States to reinforce national strategies and targets for digitisation and digital preservation; contribute to the European Digital Library; improve framework conditions; reinforce coordination within and between Member States on related issues; and contribute to an effective overview of progress at European level.

Activities and goals for Member States to contribute to the European digital library include: preparing roadmaps and incentives

for cultural institutions to bring existing and newly digitised material into the European digital library (by 2007); encouraging private content holders to make their copyrighted material searchable and accessible through the common multilingual access point (between 2008 and 2009); agreements or collective agreements between right holders and cultural institutions e.g. archives, libraries and museums, by which the latter can make copyrighted material accessible online on contractual terms (by 2009).

The Commission in turn is invited to assess overall progress at European level by monitoring progress in the Member States and towards the European Digital Library using both quantitative and qualitative indicators based on the information collected both at national and European levels (2007 onwards). Visit http://ec.europa.eu/information_society/activities/digital_libraries/index_en.htm.

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Note from EBLIDA Director

This issue of *Hot News* will be the last one to be published by EBLIDA and from next year it will be replaced by a fortnightly electronic newsletter, *EBLIDA News*. The aim of the new newsletter is to provide EU information relevant to the European library sector and news about EBLIDA and its actions. At the same time EBLIDA is launching its new website in January.

At the beginning of December some members of EBLIDA's Executive Committee and the Director met in London to discuss EBLIDA's overall strategy 2007-2010. The result from this meeting will be a draft strategy proposal, which will be sent out to all EBLIDA members in January for comments and feedback in a period of open consultation. The strategy will then be presented at the EBLIDA Council Meeting in Reykjavik for final approval.

One of the most important developments in 2006 was the publication of the Commission recommendation on the European Digital Library (EDL) and digitization of European culture in general. From a European library perspective it is positive that focus is directed at the library as an institution and it will be exciting to follow and be involved with the EDL. However, the recommendation also showed that many issues concerning

copyright are still unresolved (as for example orphan works) and there are still many areas which EBLIDA and the organizations and institutions it represents will be involved in to ensure that users' rights are not limited in an online environment.

We should remember that libraries are not only cultural heritage institutions preserving documents and materials for future use, but are also those institutions where users expect to have access to the latest information, be it in analogue or digital format. While academic and research libraries are giving their users access to electronic journals and information, public libraries are certainly not always in the same position. Undoubtedly one of the major challenges for public libraries in the coming years will be giving their users access to digital content, be it text, music, films, games or a combination of these. Hopefully libraries and rights holders can find terms to agree upon for the benefit of both parties.

On behalf of the EBLIDA Secretariat I would like to wish everyone a Merry Christmas and a Happy New Year.

Andrew Cranfield
Director

Audiovisual Policy

MEPs set new rules on TV commercials and product placement

http://ec.europa.eu/comm/avpolicy/reg/tvwf/modernisation/proposal_2005/index_en.htm

The European Parliament backed on 13 December a proposed overhaul of the advertising rules for TV channels in Europe, including a new approach to product placement (soon to be legal all across Europe but subject to common EU wide limits). MEPs also voted to include new means of broadcasting to widen the scope of the 'Television without Frontiers' Directive to all Audiovisual Media Services. Parliament agreed to allow breaks for commercials in movies and some other TV programmes every 30 minutes.

Parliament endorsed mechanisms to allow all Member States to adopt stricter, but duly justified rules and to enable them to fight abuses by audiovisual media service providers based in other EU countries. Several amendments on ethical and fairness issues as well as on definitions were adopted too.

Parliament did not wholly endorse the Commission's suggested definition of audiovisual media services, opting instead to modify the concepts of 'linear services' and

'on demand services' in the draft legislation.

Audiovisual ministers agreed on 13 November on a general approach to amend the directive. Four major issues were addressed: scope, jurisdiction, product placement and quantitative advertising rules. The compromise text was supported by all delegations except Sweden, Ireland, Latvia, Belgium, Lithuania, Luxemburg and Austria. The Commission, Austria, Germany and Italy stated their intention of adding statements to the Council minutes.

Now it is the Council's turn. Once its Common Position is adopted early next year under the German Presidency - probably based on the preliminary compromise agreed on 13 November -, the draft legislation will return to Parliament for a second reading. Once finally adopted by both the EP and the Council, Member States will have two years to transpose the new directive into national law.

See also *MEMO/06/419 of 9 November 2006* at <http://europa.eu/rapid>.

*Co decision Procedure
First Reading*

Protection of minors and human dignity and right of reply

http://ec.europa.eu/comm/avpolicy/reg/minors/index_en.htm

On 12 December, Parliament adopted a resolution drafted by MEP DE SARNEZ (*P6_TA-PROV (2006)0537 of 12 December 2006*) approving, without amendments, the Council's common position on the proposed recommendation on the protection of minors and human dignity and the right of reply in relation to the competitiveness of the European audiovisual and information services industry.

Last September, the Council adopted its common position by qualified majority and accepted, as did the Commission in its amended proposal, 31 amendments approved by Parliament at first reading. Furthermore, the Council has followed the line taken by the Commission in its amended proposal and did not include 6 of them in its common position. The recommendation is now awaiting Council's final decision.

*Co decision Procedure
Second Reading*

MEDIA 2007 programme

http://ec.europa.eu/information_society/media/overview/2007/index_en.htm

The European Parliament and the Council adopted on 15 of November the MEDIA 2007 programme, with a budget of € 755 million over seven years (2007-2013). The Decision is published in the Official Journal of the European Union, Series L 327 of 24

November 2006, p. 12 (<http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2006:327:SOM:EN:HTML>).

Measures funded under MEDIA 2007 must strengthen the production structures of SMEs and enhance cultural diversity and intercultural dialogue in Europe.

Consumer Protection

Data protection in criminal matters

<http://www.europarl.europa.eu/ocil/file.jsp?id=5279032>

On 4 December, the mixed committee (EU, Norway, Iceland and Switzerland) took note of the state of play concerning data protection. The main fundamental outstanding question remains whether this Framework Decision should also apply to domestic data processing, or only to cross-border data processing.

It would determine common standards to ensure the protection of individuals as regards the processing of personal data provided for by *Title VI of the Treaty on EU*, while safeguarding citizens' freedom and providing them with a high level of safety. The position of the vast majority of delegations has been so far that any data gathered in the context of an internal investigation could, at a later stage, possibly be exchanged with foreign authorities and that its scope should thus encompass all data. The opposing delegations thought the scope of the Framework Decision should be limited to the cross-border exchange of data.

Parliament has only been consulted in this procedure (*P6_TA-PROV (2006)0370 of 27 September 2006*). The proposed Decision is awaiting Council's final decision.

Moreover, in its follow-up opinion of 29 November

([http://www.edps.europa.eu/legislation/Opinions_A/06-11-](http://www.edps.europa.eu/legislation/Opinions_A/06-11-29_2ndOpinion_third_pillar_EN.pdf)

[29_2ndOpinion_third_pillar_EN.pdf](http://www.edps.europa.eu/legislation/Opinions_A/06-11-29_2ndOpinion_third_pillar_EN.pdf)), the European Data Protection Supervisor (EDPS) is concerned that the proposal in its current state will lead to an artificial division in data files - between national data and data originating from another Member State. Other concerns relate to the risks of allowing for processing of data on religion, race or ethnic origin as well as to the possibilities of exchanging data also with non-law enforcement authorities and private parties. Some basic rights for data subjects, like the right to be informed, no longer seem to be guaranteed. Exceptions to this right may become the rule.

Ombudsman and EDPS sign Memorandum of Understanding on data protection

http://www.edps.europa.eu/legislation/06-11-30_EO_EDPS_MoU_EN.pdf

The European Ombudsman, P N Diamandouros, and the European Data Protection Supervisor (EDPS), Peter Hustinx, signed on 30 November a Memorandum of Understanding to ensure the consistent treatment of complaints concerning data protection and to avoid unnecessary duplication.

Each of the signatory institutions would

undertake to inform complainants about the other institution when this could be relevant to them and to facilitate the transfer of complaints; to inform the other institution about complaints relevant to it; not to reopen a complaint that has already been brought forward, unless significant new evidence is submitted; to adopt a consistent approach to legal and administrative aspects of data protection.

Cooperation with third countries

EC agreements with Canada and US in higher education, training and youth

The Council adopted on 1 December a Decision to sign the Agreement between the EC and **Canada** establishing a cooperation framework in the fields of higher education, training and youth (awaiting publication in the OJ). On 5 December, JHA ministers adopted a Decision to conclude the Agreement between the EC and the US

renewing the cooperation programme in higher/vocational education and training (*OJ 2006/L 346, p. 33-34 of 9 December 2006*).

On 14 November, Parliament adopted two resolutions approving the conclusion of the Agreements with **Canada** (*P6_TA-PROV (2006)0469*) and the **US** (*P6_TA-PROV (2006)0470*).

European Neighbourhood Policy

http://ec.europa.eu/world/enp/index_en.htm

The European Commission presented on 4 December, new proposals to further develop the European Neighbourhood Policy (ENP). Participating countries are Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestinian Authority, Syria, Tunisia and Ukraine.

The first 18 months of implementation of the ENP have shown good results. Yet, poverty and unemployment, mixed economic performance, corruption and weak governance remain major challenges. The Communication thus contains a series of proposals to improve the impact of the policy, which are accompanied by progress reports on the Neighbourhood partners whose ENP Action Plans began to be

implemented in 2005[Ukraine, Moldova, Israel, Jordan, Palestinian Authority, Tunisia and Morocco].

There are areas of the ENP where there is considerable potential for further progress e.g. trade and economic integration (FTA approach for all ENP partners), mobility and migration (visas, travel obstacles for e.g. business, educational, tourism purposes), promoting people-to-people exchanges (educational, cultural, civil society, youth and research exchanges) and regional conflicts.

The communication will feed into work during the incoming German Presidency. The Strategy paper, progress reports, press release and *MEMO/06/460* can be found at the link above.

A new impetus to the "Northern Dimension"

http://ec.europa.eu/comm/external_relations/north_dim/index.htm

The EU, Iceland, Norway and the Russian Federation adopted on 24 November the Northern Dimension Policy Framework Document and a Political Declaration on the Northern Dimension Policy, which will be the basis of practical implementation. The new policy will also reflect the EU-Russia

Common Spaces as relevant for this region. The new policy will replace the Northern Dimension II Action Plan.

Both documents and further information on the Northern Dimension policy can be found at the link above.

EU and South Korea sign Science and Technology agreement

http://ec.europa.eu/comm/external_relations/south_korea/intro/index.htm

Further to the Decision of 14 November approving the signature of an agreement on scientific and technological cooperation with the Republic of Korea, the EU and South Korea signed on 22 November two cooperation agreements - one on **science and technology** (S&T) and one specific to **fusion energy research** - which will promote collaboration in areas where EU and South Korea have similar priorities e.g.

life sciences, IST and telecommunications, sustainable development, satellites and earth observation. The conclusion of the agreement will be subject to a subsequent Council decision.

This agreement joins those already in place with Japan, Russia and the US, and is expected to be followed by similar agreements with China and India.

Western Balkans, European Agency for Reconstruction

http://ec.europa.eu/enlargement/countries/index_en.htm

ECOFIN ministers adopted on 28 November a Regulation (amending *Regulation 2667/2000*) to extend until the end of 2008 the work of the European Agency for Reconstruction with its current mandate and status, whilst phasing out its activities under the CARDS (Community assistance for reconstruction, development and

stabilisation) programme.

The Agency is responsible for assistance to **Serbia and Montenegro**, including **Kosovo** (*UN Security Council Resolution 1244*), and the **Former Yugoslav Republic of Macedonia**.

Intellectual Property

Intellectual Property

http://ec.europa.eu/internal_market/copyright/index_en.htm

The Council adopted on 1 December a directive on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version). The decision codifies and repeals directive 92/100/EEC, substituting the various acts incorporated in it by bringing them together with only such amendments as are required by the codification exercise itself.

Furthermore, the Council adopted a directive on the term of protection of copyright and certain related rights (codified version).

The decision codifies and repeals directive 93/98/EEC, substituting the various acts incorporated in it by bringing them together with only such amendments as are required by the codification exercise itself.

In addition, the replies to the public consultation on copyright levies launched by the Commission on 19 June 2006 were published on 16 November 2006 (http://forum.europa.eu.int/Public/irc/markt/markt_consultations/library?l=/copyright_neighbouring/).

Culture

Culture 2007 programme (2007-2013)

http://ec.europa.eu/culture/eac/culture2007/cult_en.html

Telecommunications ministers adopted on 11 December the proposed Decision establishing the Culture 2007 programme. The Council approved all the amendments passed by Parliament at second reading, with the abstention of the Portuguese delegation.

The programme will give priority support to three objectives and will provide for three strands of intervention: direct financial support for cultural actions; support for bodies active at European level in the field of culture; support for analyses, for the collection and dissemination of information and for other activities improving the impact of projects in the field of European cultural cooperation.

Compared to the Commission's original proposal, the Decision includes some changes. Support for measures for the

preservation of memorials was transferred to "Citizens for Europe" programme. The minimum Community support was lowered from € 60 000 to € 50 000 and the minimum number of operators was reduced from 4 to 3 for cooperation measures to make it easier for small operators to access the programme. Greater flexibility has been introduced in the duration of both multi-annual cooperation projects (3 to 5 years) and cooperation measures (1 to 2 years). A management committee procedure has been introduced for multi-annual cooperation projects.

The total appropriation allocated to the programme amounts to € 400 million (in current prices).

The Decision will enter into force one day after its publication in the Official Journal to speed up implementation.

European Capital of Culture

http://ec.europa.eu/culture/eac/ecocs/cap_en.html

The Council has designated Essen (Germany), Pécs (Hungary) and Istanbul (Turkey) as European Capitals of Culture for 2010 (2006/L 324, p. 7 of 23 November 2006). Furthermore, the Council will appoint Mr Thomas ANGYAN (Austria) and Mr Seppo

KIMANEN (Finland) as members of the "European Capitals of Culture 2011" selection panel representing the Council. The two candidates were proposed by the Austrian and Finnish delegations in May.

Culture 2000, second external interim evaluation report

<http://www.europarl.europa.eu/ocil/file.jsp?id=9319363>

The European Commission presented on 8 November its report on the second external interim evaluation of the Culture 2000 Programme (2000-2006). Carried out by an independent consultancy, the report presents the consultancy's main findings and recommendations and the Commission's position on the latter. The evaluator confirms that there is a need for a programme dealing specifically with the cultural sector, rather than culture being included in other programmes. Most of the recommendations made have already been partially or totally implemented, or will be adopted in the new Culture Programme.

Some of the recommendations include: allocation of funding available for each cultural field and action should be presented in the annual call for proposals. The Commission should ask all project leaders

(and unsuccessful applicants) to complete a short questionnaire seeking their views on the application and selection procedure as to facilitate the adoption of a set of Key Performance Indicators for each programme objective, against which the impact of the programme could be measured. A programme dissemination strategy e.g. an online searchable partner-matching database should be developed and published. The application forms for Culture 2007 should be simplified.

The second interim evaluation report, annexes and a summary can be found at http://ec.europa.eu/dgs/education_culture/evalreports/index_en.htm#cultureHeader. The full text of the report (COM (2006)0666) can be found at http://europa.eu.int/eur-lex/en/search/search_lip.html.

Citizens for Europe Programme (2007-2013)

<http://eacea.ec.europa.eu/static/en/citizenship/guide2007.htm>

The Telecommunications Council approved on 11 December all the amendments passed by Parliament at second reading, with the abstention of the Portuguese delegation, concerning the proposed "Europe for citizens" programme, which will ensure continuation of the ongoing programme on civic participation (*OJ L 30, 2.2.2004, p. 6*) and open the way for new activities to encourage cooperation among citizens and civil society organisations from the participating countries.

The programme comprises e.g. town-twinning, support for European public

policy research organisations and civil society, commemorations, awards and for Europe-wide conferences, and active European remembrance for the preservation of memorials.

The financial envelope amounts to € 215 m.

The Commission had accepted the four amendments adopted by Parliament in its opinion of 15 November 2006 (COM (2006)0707). The Decision is awaiting publication in the OJ. A conditional Programme Guide was published in the *OJ 2006/C 285/08, p. 14 of 22 November 2006*.

European year of intercultural dialogue 2008

http://ec.europa.eu/culture/eac/dialogue/dialogue_en.html

The Council adopted on 14 November its common position (*OJ 2006/C 301E, p. 94-102 of 12 December 2006*) for adoption of a Decision declaring 2008 as the European year of intercultural dialogue. The text passed its second reading (without amendments) at Parliament on 13 December (*P6_TA-PROV (2006)0556*). Compared to the Commission's amended proposal, there are minor technical and linguistic changes.

The activities of the European year will be developed around three types of action with

a budget of € 10 million. The resolution is awaiting Council's final decision.

In addition, the Commission held on 22 and 23 November a conference on intercultural dialogue to identify examples of best practice among projects that have been funded through e.g. Leonardo da Vinci, Socrates, Youth, Civil Society and Culture. A special exhibition showed the results of 29 star projects from around Europe (see http://ec.europa.eu/dgs/education_culture/dialogue/index_en.html).

Study on the Economy of Culture in Europe

http://ec.europa.eu/culture/eac/sources/info/studies/economy_en.html

the need for harmonised cultural statistics at European level; how would delegations assess the recommendations presented in the study and what were the delegations' views on the economy of culture and creative industries within the framework of the Lisbon agenda.

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The Commission presented a timetable for the preparation of a policy document

highlighting the importance of culture to be published in spring 2007. Two important recommendations were also highlighted during the debate: one to strengthen the internal market for artists, for example by tackling taxation rules and the other one to support SMEs that create cultural content.

The full text can be found at

http://ec.europa.eu/culture/eac/index_en.html.

Education

Commission launches consultation on a European Credit system for Vocational Education & Training (ECVET)

http://ec.europa.eu/education/ecvt/index_en.html

http://ec.europa.eu/education/ecvt/work_en.pdf

The planned ECVET (*SEC (2006) 1431 of 31 October 2006*) aims at creating a European device to facilitate the transfer, validation and recognition of learning outcomes acquired by individuals moving from one learning context to another or from one qualification system to another, in particular during a mobility period, and who wish to obtain a qualification. ECVET will be used on a voluntary basis.

The Commission is consulting all the countries participating in the *Education and Training 2010 Work Programme*, the European Social Partners, the relevant European associations, NGOs and networks, European Sectoral bodies, etc. The responses to the consultation, which will **close at the end of March 2007**, will be

taken into account in establishing the final content and technical specifications of ECVET.

The Commission and the German Presidency will co-host a conference in Munich in June 2007. To participate in the ECVET consultation, please email your comments to EAC-A3-ECVET@ec.europa.eu.

Furthermore, Cedefop has recently launched a Sectoral training database available at (<http://www.trainingvillage.gr/etv/Projects/Networks/SQualifications/>), which offers concrete examples of initiatives and projects to develop training or training-related actions at Sectoral level in Europe.

Enlargement

Accession of Bulgaria and Romania

On 30 November, Parliament adopted two non-legislative resolutions in response to the Commission's final monitoring report on the accession of **Bulgaria** (*MEP van ORDEN, P6_TA-PROV (2006)0511*) and **Romania** (*MEP MOSCOVICI, P6_TA-PROV (2006)0512*). Both resolutions are awaiting publication in the Official Journal.

Parliament congratulated the Romanian authorities on the progress made. As regards Bulgaria, Parliament noted that there are areas which require further progress e.g. transparency, a stronger role for the Bulgarian Ombudsman.

In just two weeks Bulgaria and Romania will join the EU.

EU Information Policy

White paper on European communication policy with citizens

http://ec.europa.eu/communication_white_paper/doc/white_paper_en.pdf

The European Parliament has adopted, with 285 votes in favour to 54 against with six abstentions, a resolution on the White Paper on a European communication policy, based on the own-initiative report drafted by MEP HERRERO-TEJEDOR (*P6_TA-PROV (2006)0500 of 16 November 2006*).

The resolution calls upon Member States to encourage the national public audiovisual channels to inform adequately the citizens about the policies conducted at European level. It calls on the Commission to specify how it intends to take into account citizens' views and suggests that possible initiatives such as 'Agora' - a body that Parliament has decided to set up for the purpose of consultation with civil society representatives - be incorporated. The Commission is urged to explore the possibility of launching a genuine Community programme, for information and communication on Europe.

Parliament welcomed the withdrawal of the proposal on the creation of an EU news agency and recommended that the Commission use clear and concise language when communicating with the media and citizens. The establishment of an Observatory for European Public Opinion was regarded as questionable in the short term. The resolution calls for Euro barometer personnel to carry out an exhaustive opinion survey to determine exactly how well-informed Community

citizens were, distinguishing them according to their country of origin, socio-professional category, and political leanings. Moreover, Parliament asks the Commission to draw up concrete proposals for the implementation of the communication policy and to evaluate its legal and financial implications. The work of the Inter-institutional Group on Information (IGI) should be analysed to see if improvements were possible.

The resolution is awaiting publication in the Official Journal.

In addition, the European Civil Society Forum

(<http://www.empower06.eu/index.htm>)

met in Bergamo (Italy) on 9 and 10 November to adopt concrete suggestions related to the set of priorities outlined in the White Paper

(<http://www.empower06.eu/download/Conclusions/EMPOWER%20Summary%20note.doc>).

After Madrid and Bergamo, three more follow-up conferences are scheduled: one on the Media in Helsinki (4 and 5 December); one in Berlin with Member States in January and one on the principles of information and communication in Brussels in February. The outcomes of the discussions will be reflected in a European Commission report to be published next March and followed-up by operational action plans from 2007 on.

EU Research and Development

Parliament concludes examination of FP7

On 30 November, the European Parliament gave the go-ahead for the EU's Research and Development funding (2007-2013), when MEPs adopted ten reports relating to the 7th Framework Research Programme (FP7). The key amendments related to the following areas: Parliament's priorities; European Research Council; Risk Sharing Finance Facility (RSFF); European Institute of Technology; Confidentiality and Joint Research Centre (JRC).

The European Commission transferred its opinion to Council and Parliament on 7 December (*COM (2006)0803 of 6 December 2006*).

The European Parliament has joint legislative power with the Council (*Co decision procedure*) on the main programme (FP7) [MEP BUZEK, *P6_TA-PROV (2006)0513*] and the rules for participation.

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Parliament concludes examination of FP7

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'People'
(P6_TA-PROV (2006)0518)

'Ideas'
(P6_TA-PROV (2006)0519)

'Capacities'
(P6_TA-PROV (2006)0520)

'Cooperation'
(P6_TA-PROV (2006)0521)

'Joint Research Centre'
(P6_TA-PROV (2006)0522)

It is only consulted on EURATOM and the various specific programmes (awaiting Council's final decision). The Commission presented its opinion on 6 December (*COM (2006)0803*); Parliament and Council settled their main differences through a compromise package, thus FP7 is to enter into force on 1 January 2007.

The next generation of the EU's research programme sees the increase of EU funding for collaboration on science and research to € 54.58 billion over a period of seven years.

Parliament also adopted a co decision report (first reading) by MEP BUSQUIN (*P6_TA-PROV (2006)0514*) on the implementing

rules for participation of undertakings, research centres and universities in activity under FP7. A first-reading compromise has been reached between Rapporteur, shadow Rapporteurs and the Council.

The first calls for proposals/tenders could be published during the third week of December. An electronic press pack with individual fact sheets on all areas of the programme will be available at <http://ec.europa.eu/research/fp7/events/index.html>. See also the 2005 report on FP6 (2002-2006), issued by the Commission on 15 November 2006 (*COM (2006)0685*) at <http://europa.eu/rapid/>.

Commission proposes tax incentives in favour of research and development

The European Commission adopted on 22 November a Communication on the more effective use of tax incentives in favour of Research and Development (R&D), which clarifies the legal conditions arising from EU case law and sets out some basic principles and good practices for the design of tax incentives for R&D. It encourages Member States to improve the use and coordination of tax incentives on specific R&D issues.

R&D tax incentives usually provide for a reduction of the cost of research by reducing the amount of corporate tax paid. The three basic types of corporate tax relief are: tax deferral, tax allowance and tax credit (in the form of tax refunds). A growing number of countries (EU-15) have recently implemented or further developed tax incentives for firms to conduct more research.

The communication (*COM (2006)0728 of 22 November 2006*) can be found at

http://ec.europa.eu/taxation_customs/index_en.htm (see also *IP/06/1598* and *MEMO/06/440 of 22 November 2006* at <http://europa.eu/rapid/>).

Moreover, the European Commission adopted a new Framework to clarify to Member States how best they can give state aid to not only R&D but also innovation projects, without infringing EC Treaty state aid rules. This new Research, Development and Innovation (R&D&I) Framework, due to apply from 1 January 2007, sets out a series of guidelines for specific types of state aid measures e.g. aid for R&D projects, young innovative enterprises and innovation clusters that could encourage additional R&D&I investments by private firms.

The full text of the Framework is available at http://ec.europa.eu/comm/competition/state_aid/reform/rdi_en.pdf (see also *MEMO/06/441 of 22 November 2006* at <http://europa.eu/rapid/>).

Council conclusions on innovation policy and competitiveness

On 4 December, Competitiveness ministers adopted conclusions on a broad-based innovation strategy for the EU (submitted to the European Council for endorsement (http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/intm/91989.pdf)).

Main strategic priorities are boosting

innovation & growth in lead markets; creating a pro-active standard-setting policy; public procurement; launching Joint Technology Initiatives (JTIs); a policy approach to innovation in services and non-technological innovation; enhancing closer cooperation between higher education, research and business.

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Council conclusions on innovation policy and competitiveness

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The Commission is to present a Communication on knowledge transfer, including guidelines for public authorities, public research centres and industry. As regards Intellectual Property Rights (IPR), ministers agreed that an effective IPR framework at European level is essential for

innovation, thus welcomed the Commission's intention to present a comprehensive IPR Strategy during 2007, which should cover all forms of IPR and ensure synergy with other policies. Regarding patents, the Commission is due to present a Communication, based on ongoing consultations.

Information Society

More interoperability needed to boost European ICT industry's competitiveness

<http://ec.europa.eu/enterprise/ict/taskforce.htm>

The ICT Task Force, launched on 6 June, concluded a five-month debate with a report adopted on 27 November formulating recommendations on ICT uptake; growth of SMEs and entrepreneurship; a single regulatory environment; IP; innovation, investment and finance; standards and interoperability and skills and employability. The report recommends a strong focus on developing digital and entrepreneurial skills, strengthening the internal market and the promotion of lead markets through public procurement.

As regards Intellectual Property, given the diversity of IPR models in the ICT sector, the ICT Task Force recommends wide consultation before changing EU legislation.

Also, limit criminalisation for IPR infringement to wilful counterfeiting of trademarks, copyright infringement and design piracy, the adoption of the London Protocol, and reduction of patent costs.

As regards standards and interoperability, the ICT Task Force recommends industry to support the Commission efforts to address legal and semantic interoperability, promote effective conformance systems, and develop procurement policies.

The Commission will follow up the ICT Task Force's recommendations in 2007 with proposals for specific actions e.g. the design of a long-term eSkills strategy and promoting interoperability.

Member States should fight better against spam, spy ware and malicious software

http://europa.eu.int/information_society/policy/comm/info_centre/documentation/communic_reports/index_en.htm

In its communication of 15 November (COM (2006)0688), which stresses that national authorities should step up their actions to prosecute illegal online activities, the Commission calls on all regulatory authorities and stakeholders in Europe to step up the fight against spam, spy ware and malicious software.

The Communication identifies further actions that can be taken, including: strengthening Community law, law enforcement, and cooperation within and between Member States, political and economic dialogue with third countries, industry initiatives and R&D activities. It calls on Governments and national authorities to enforcement and cooperation

in particular. It calls on industry to cooperate fully, by applying proper filtering policies and assuring good online commercial practices in line with data protection law to promote consumer trust and mitigate the sending of abusive e-mails.

The Commission will monitor the implementation of the actions and assess by 2008 whether additional action is needed. Moreover, it plans to adopt a communication (beginning of 2007) aimed at further developing a coherent policy on the fight against cyber crime.

The latest SOPHOS figures (6 November) show where action is most needed, see <http://www.sophos.com/pressoffice/news/articles/2006/11/dirtydozq306.html>.

Internal Market

Services in the Internal Market, the Bolkestein directive

http://ec.europa.eu/internal_market/services/services-dir/index_en.htm

http://www.europarl.europa.eu/comparl/imco/services_directive/default_en.htm

The Council adopted on 11 December by qualified majority (the Lithuanian delegation abstained and the Belgian delegation declared that it abstained from taking part in the vote), the Directive on services in the internal market. It was signed on 12 December and will enter into force the day after its publication in the OJ (2006/C 967 E/01, p. 1 of 07.11.06). Member States have a maximum of three years to implement the provisions of the major directive (December 2009).

The Commission accepted the three amendments by Parliament in its opinion of 16 November (COM (2006)0718). Parliament adopted on 15 November a resolution by MEP GEBHARDT and approved the common position. The only amendments made provide for the use of the new Regulatory Procedure with Scrutiny (Comitology). The final position broadly reflects its first reading, achieving a balance between competition and social protection.

Internet

Internet usage in the EU-25, Norway and Iceland

<http://ec.europa.eu/eurostat/>

Eurostat presented on 10 November part of the results of surveys (STAT/06/146) on the use of Information and Communication Technologies (ICT) by households, individuals and enterprises in the EU-25, Norway and Iceland. As well as Internet use, the surveys also cover broadband connections, e-commerce, e-government and e-skills.

In the EU-25, 52% of households had access to the Internet during the first quarter of

2006 (48% during the first quarter of 2005) and 32% had a broadband connection (compared to 23% in 2005). At the beginning of 2006, 94% of enterprises with at least 10 persons employed had access to the Internet (91% at the beginning of 2005), and 75% of enterprises had a broadband connection (63% in 2005). In the first quarter of 2006, 47% of individuals in the EU-25 used the Internet regularly e.g. at least once a week, whether at home or at any other location.

Safer Internet

<http://ec.europa.eu/saferinternet>

On 6 November, the Commission published a communication on the implementation of the Safer Internet plus action programme (COM (2006)0661) and another on the final evaluation of the Safer Internet Action Plan (SIAP) for 2003-2004 (COM (2006)0663). Both communications can be found at http://europa.eu.int/information_society/activities/sip/programme/evaluations/index_en.htm.

The great number of reports received by the hotlines (over 534,000 in 2005 alone) shows the increasing need for such a service to fight against illegal content.

The evaluators found that SIAP has been successfully implemented and the attribution

of the grants and the management of the programme were in general transparent, efficient and satisfactory. The evaluation report contains seven recommendations, including a set of sub-recommendations [see the executive summary annexed to the Communication and pp.42 et seq. of the evaluation report.].

The launching of national hotlines and the development of awareness nodes in nearly all EU member states were seen as major achievements. Filtering technologies are seen as an essential element of growing importance. Harmonisation of national legislation, in particular with regard to illegal and harmful content and youth protection, was identified as an important issue.

Awareness raising

<http://www.saferinternet.org/>

Hotlines

<http://www.inhope.org/>

EUKids Online

<http://www.eukidsonline.net/>

Sip Bench

<http://www.sip-bench.org>

Trade Policy

Little progress on the VAT Package

On 28 November, ECOFIN ministers agreed to prepare a solution on the VAT package by June 2007.

The VAT package is composed of: a draft directive on the place of supply of services as concerns VAT payments [*amending directive 77/388/EEC*], which is aimed at changing the place of taxation for VAT from the place where the supplier is located to the place where the customer is located; two draft directives and a draft regulation on simplification of cross-border VAT obligations and refund procedures for businesses; and renewal of VAT arrangements for e-commerce [*provided for in directive 2002/38/EC*], which require the levying of VAT on the provision from third countries of broadcasting services and certain electronically-supplied services.

The Council agreed on the validity of the e-Commerce directive to be prolonged from 1 January 2007 **until the end of 2008** (subsequent to receipt of a Commission proposal and Parliament and the EESC opinions, a text will be finalised by the legal linguistic experts to allow its adoption without discussion).

The proposals on simplification of cross-border arrangements are aimed at creating a "one-stop" scheme to simplify registration and declaration of VAT by businesses in member states where they have no base

[*amending directive 77/388/EEC*]. Under the "one-stop" scheme, businesses active in member states where they are not registered would have the option of fulfilling in their home member state a single set of obligations for registrations, declarations and refunds.

VAT on online media services

On 24 November, the European Commission presented a proposed Directive (*amending Council Directive 2002/38/EC*) as regards the period of application of the VAT arrangements for radio and TV broadcasting services and certain e-supplied services (*COM (2006)0739*). Parliament adopted its resolution (*consultation*) on 13 December (*P6_TA-PROV (2006)0564*), which is awaiting Council's final decision.

On 7 November, ECOFIN ministers took note of remarks by the French delegation regarding their wish to use the extension of *Directive 2002/38/EC* to include a clause that authorises a reduced level of value-added tax (VAT) charged on online media services.

Whereas current EU rules allow MS to apply a reduced VAT rate (minimum 5%) to sales of newspapers and periodicals, they require the standard VAT rate (minimum 15%) to be applied to the online press. The French delegation considers that the distinction is hindering the development of the online press.

Youth Policy

Council resolution on European Citizenship

Youth ministers adopted on 14 November a resolution on European Citizenship (*2006/C 297/02, p. 6 of 7 December 2006*), which invites the Member States to identify, by the end of March 2007, lines of action for participation and information on which they intend to concentrate and to define concrete measures and/or action plans for their implementation.

Member States are invited to set up, in cooperation with young people, youth

organisations, youth researchers and local and regional authorities, mechanisms ensuring the effective implementation of the common objectives. The Commission in turn, intends to launch a youth-specific Euro barometer; mobilise European youth information networks e.g. ERYICA, EURODESK and EYCA to support dialogue; further develop the European Youth Portal; organise a European Youth week; and arrange encounters with young people who do not usually have contacts with the European institutions.

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Information sources used include

Bulletin Quotidien Europe
Council Press Office Newsroom,
http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=221&lang=en&mode=g
European Parliament, the Legislative Observatory,
<http://www.europarl.europa.eu/oeil/index.jsp?language=en>
RAPID - Press and Communication Service of the European Commission,
<http://europa.eu/rapid/setLanguage.do?language=en>
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/index_en.htm
PreLex, the database on inter-institutional procedures,
<http://ec.europa.eu/prelex/apcnet.cfm?CL=en>
Various mailing lists

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. Calls for Tenders are published in the S series of the OJ as well as in the Tenders Electronic Daily database TED, <http://ted.europa.eu/>.

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

The Council has agreed to the suggested new structure of the OJ to overcome certain problems with the current classification of documents published in it. The changes involved are minor. They respect its existing structure and their only purpose is to make the OJ easier to read.

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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