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Copyright Directive: Hearings and first discussions in European Parliament
On 30 June 1998, a public Hearing on the draft Directive was organised by Mr Barzanti, rapporteur for the Directive in the EP Legal Affairs Committee in Brussels. EBLIDA was represented by its director who gave a five minute statement on the main concerns of information professionals. Among the 14 associations invited to present their views on the Directive, only four were representing consumer and user interests. Anyone interested can request a copy of all statements made at the EBLIDA secretariat.

On 16 July 1998, Mr Whitehead, rapporteur for the Directive in the EP Consumer Committee, invited five representatives to speak at the Consumer Intergroup meeting in Strasbourg (FEP, British Music Rights association, EACEM, EBU and EBLIDA). EBLIDA's director gave a ten minute statement on the major problems of the Directive. A total of 15 MEPs and 18 assistants to MEPs attended the meeting which turned out to be more positive for consumer and user interests.

On 20 July the European Parliament's Cultural Committee discussed the draft opinion by MEP Maren Günther (Germany). According to Ms Günther, the main task of the Cultural Committee in the discussions is to support creativity and to guarantee the rights of cultural workers. She introduces in her opinion the request for having at least remuneration schemes in place for all limitations to the exclusive rights to compensate for the loss of rightholders. Deadline for amendments was 28 July, EBLIDA and EFPICC sent suggestions for amendments to several MEPs. On 1 September the Cultural Committee will vote on these amendments, and the amended opinion will be sent to the Legal Affairs Committee, Mr Barzanti.

On 21 July the European Parliament's Consumer Committee dedicated three minutes to MEP Philip Whitehead's (UK) draft opinion. Mr Whitehead had only time to give a brief summary and Mr Reinbothe, European Commission, could only briefly state the general aims of the Directive. Mr Whitehead is following closely EFPICC's concerns and even quotes the Campaign's position paper. Deadline for amendments is set for 2 September, on 21 or 22 September the Committee will vote on these amendments, and then the amended opinion will also be sent to the Legal Affairs Committee.

On 21 July also the Legal Affairs Committee had a first exchange of views. Mr Roberto Barzanti (Italy) gave a summary of the Directive and its major issues but had not yet prepared anything in writing. He agreed with the rigid structure of the proposed Directive but saw also room for some improvement. Due to time constraint, the European Commission was not given an opportunity to comment. Mr Barzanti will present his first draft report on 22 or 23 September 1998, and more time will be given for detailed discussion. It is not expected that there will be a report available for the European Parliament's plenary session to adopt before November at the very earliest.

On behalf of the Economic and Monetary Affairs Committee, Mr Bryan Cassidy (UK) had already presented his paper on 3 June, deadline for amendments was 30 June (EBLIDA sent suggestions for amendments to some MEPs), and the Committee will vote on these amendments and the opinion on 1 or 2
September, before it is sent to the Legal Affairs Committee. Mr Cassidy had also taken a lot of EFPIIC's concerns on board but it remains to be seen how his opinion will look like after the vote on almost 30 pages of amendments.

To summarize, two draft opinions out of four committees were so far very positive for us. However, the Cultural Committee's opinion has more weight than the Consumer or the EMAC Committee's opinions, and in the end it is the Legal Affairs Committee that decides on the EP text.

The European Commission is already one step further in its activities. On 12-14 July 1998, they organised in Vienna the third consultation conference "Creativity and Intellectual Property Rights: Evolving scenarios and perspectives", however, not on the draft Directive but on the other questions that were raised in the Green Paper on Copyright. Only one issue debated in Vienna was connected to the Copyright Directive, namely the question of "digital private copying". In the draft Directive, the Commission committed itself to some further consultation on this issue. The Commission stated that they had no intention to re-open the debate on private copying as such, because former experiences have shown that a European proposal would not be enforceable as there is no agreement between Member States on the question of levy schemes.

However, with the new technology, a European approach might now be agreeable and many new questions needed to be debated like: is a European remuneration scheme enforceable, how will it be enforced (copy control mechanism), who will enforce it (collecting societies?), will consumers accept it (privacy), should a distinction be made between technology (analogue - digital). Representatives of both sides (no digital private copying at all versus digital private copying if according to fair practises) presented their opposing views. After the conference, a European Commission's representative said that there is now the idea of distributing a questionnaire to interested parties to receive further information and that the Commission is in addition awaiting the outcomes of the European Parliament debate.


The Council of Ministers formally adopted on 29 June its common position on the legal protection of services based on, or consisting of, conditional access. The proposal for this Directive seeks to harmonise the legal protection of a very broad range of services, which are characterised by the fact that access to the service at a distance is made conditional upon prior authorisation. Conditional access ensures remuneration of the service. The proposal covers all services such as pay-TV, video-on-demand, audio-on-demand and electronic publishing.
The Directive would oblige EU Member States to ban and sanction any activity intended to enable users access to these services without paying for them. It would also prohibit pirate decoders or other illegal equipment. The proposal for the Directive has been forwarded to the European Parliament for second reading. On 21 July the European Parliament's Committee on Legal Affairs held a further debate. MEP Anastassopoulos will re-introduce his previous amendments extending the scope of the Directive into the area of copyright. As both the Commission and the Council are opposed to this amendment, the report is expected to be submitted to the conciliation procedure.

Information Society: Council adopted Directive on transparency in regulations relating to Information Society services

Having accepted the amendments proposed by the European Parliament, the Council adopted on 29 June the Directive on the provision of information in the field of technical standards and regulations relating to Information Society services. Information Society services are defined as services that are provided at a distance, by electronic means and at the individual request of a service receiver. The services covered include electronic newspapers, distance selling of goods and services and distance education. The purpose of the Directive is that any draft national legislation relating to Information Society services has to be notified to the European Commission and the other Member States, and can not be adopted during a so-called standstill period, so that its compatibility with European legislation and the internal market can be checked. The Directive aims at guaranteeing regulatory transparency, which is regarded as a pre-requisite for the legal certainty that businesses need.

Information Society: communication and Directive on electronic signatures

On 17 July the European Parliament's plenary session adopted the report by MEP Wolfgang Ullmann on the European Commission's communication on digital signatures and encryption. Digital signatures allow the receiver of data over electronic networks to determine the origin of the data (identity) and to verify whether the data has been altered or not (integrity). The data is accompanied by a certificate, issued by a certification service provider. The main objective of the EC communication published in October 1997 was to develop a common European framework for digital signatures, and ensuring the functioning of the internal market. The text of the EC communication is available at: http://www.ispo.cec.be/eif/
The European Parliament shared the Commission's view that a legal framework at European level is necessary, but pointed out that electronic signatures will become increasingly important for people in their everyday lives and not just for commerce. The confidence of users in digital signatures and electronic communication in general has to be increased. The Parliament stressed that funds should be made available within the Fifth Framework programme for research and technological development (1998-2002) to encourage development of products and standards in the field of electronic signatures and encryption, and to design techniques to improve the protection of privacy and personal information. The report of Mr Ullmann (nr. A4-0189/98) is available at: http://www.europarl.eu.int/plenary/en/default.htm

Following its communication of October 1997, the European Commission adopted on 13 May 1998 a proposal for a Directive on a common framework for electronic signatures. By laying down minimum rules concerning security and liability, the Directive aims to ensure that electronic signatures are legally recognised in all Member States of the European Union on the basis of the principles of free movement and home country control. The proposed Directive is available for downloading in all EU languages at: http://europa.eu.int/comm/dg15/en/index.htm

It is expected that the Council of Ministers will adopt a common position on the proposed Directive in November 1998. The European Commission is planning for the second half of 1998 to propose the Infosec II programme to support the development of cryptographic services. The Directive on digital signatures is scheduled to be implemented by the Member States before 1 January 2001.

Information Society: Call for proposals for standardisation projects

On 8 July the European Commission published a call for proposals for standardisation projects for the Information Society. Deadline for submission of proposals is 15 September 1998. Eligible organisations are invited to submit project proposals which apply, validate or demonstrate standards, and actions aimed at the promotion and dissemination of best practice in the area of electronic commerce, multimedia systems, teleworking, telecom systems and services, and services to the citizen. For further information please visit: http://www.ispo.cec.be

Information Society: European Parliament approves Action Plan on safe use of the Internet
On 2 July the European Parliament adopted the report by MEP Gerhard Schmid on the Action Plan on promoting safe use of the Internet. The Action Plan will be based on self-regulation by the industry and promoting closer cooperation between national authorities. It calls on the Member States to create a European network of hot lines for Internet users to report illegal or harmful material, to promote the development of filtering tools and rating mechanisms, to increase awareness among users, to promote international cooperation, and to assess legal implications and questions raised by the content or the use of the Internet.

Mr Schmid regarded the Action Plan as a step in the right direction, but since it was only a financial instrument and not a legal one, it would not be an easy task to promote safe Internet use. Therefore he suggested as a better wording: 'safer use'. The Parliament urged for cooperation and exchange of experiences and best practices at European and international level. The Parliament report (nr. A4-0234/98) is available at: http://www.europarl.eu.int/plenary/en/default.htm

The European Commission and the European Parliament request a budget of ECU 30 million for the Action Plan for the period from 1 January 1998 to 31 December 2001, whereas the Council of Ministers agreed on a budget of ECU 25 million. The Action Plan will now go back to the Council of Ministers, who will take the final decision.

Information Society: European Parliament calls for public access to new information services

On 19 June the European Parliament adopted a resolution, drafted by six political parties, on the Information Society, the management of the Internet and democracy. In this resolution the Parliament stressed the need for open, free-of-charge Internet access points (in schools, libraries and neighbourhood centres) to familiarise the public with this new tool and to give them the skills required to have access to institutional or public service information. It called on the European Commission to draw up a draft recommendation aimed at ensuring public access to the new information and communication services. The European Commission was also requested to carry out a study on the impact and potential of the new technologies. Furthermore, the Parliament called on the Member States to ensure that the new services are used to promote freedom of speech and information, education and exchanges between cultures. The full text of the resolution (nr. B-0582/98) can be found at: http://www.europarl.eu.int/plenary/en/default.htm
Research: research priorities of Austrian Presidency

On 1 July 1998 Austria took over the Presidency of the Council of Ministers of the European Union. As Austria is chairing discussions in the Council during the second half of 1998, it will among others have responsibility for finalising the Fifth Framework programme on research and technological development. The Austrian Presidency hopes to launch conciliation discussions between the European Parliament and the Council of Ministers in September, so that adoption of the programme can follow as early as possible in the autumn. Another issue that has to be discussed are the ten specific programmes which will implement the Fifth Framework programme. Apart from finalising the Fifth Framework programme, Austria also aims to develop international cooperation in the research field, in particular with those countries which are now negotiating accession to the European Union. News on the discussions in the Council of Research Ministers, as well as an outline of the Austrian Presidency’s priorities in the research field, is available at the newly launched 'Austrian Presidency Research Information Service' on the Internet at: http://www.cordis.lu/austria/home.html

Research: ICT co-operation programme between EU and Asia expected in 1999

The European Union and Asia are planning to co-operate in an Information and Communication Technologies (ICT) programme. The programme will support projects and dissemination events concerning European ICT capabilities in fields relevant to South and Southeast Asia, such as agriculture, education, health, manufacturing and electronic commerce. Examples of the sort of projects which might qualify for co-financing are task forces and conferences to find and specify ICT solutions, practical projects demonstrating European capabilities and actions to improve Information Society interconnectivity between Europe and Asia (not infrastructure). At least two EU Member States will have to be involved in each project. The secretariat for the programme is scheduled to be established in early 1999, and the programme itself will be launched later in that year. For further information please contact: European Commission, DG IB, tel: +32 2 296 8022; email: johan.cauwenbergh@dg1b.cec.be

Research: scientific and technological co-operation with China and Canada

On 22 June the Council of Research Ministers authorised the European Commission to negotiate an agreement for scientific and technological
cooperation between the European Union and China. The Commission will try to come to an agreement with China for cooperation in the fields covered by the Fifth Framework programme for research and technological development. This includes the Information Society Technologies (IST) programme which includes reference to libraries.

The European Commission has also been authorised by the Council of Research Ministers to negotiate an amendment to the agreement already in force for scientific and technological cooperation with Canada. The amendment will widen the scope of the agreement to all research areas falling under the specific programmes of the first activity of the Fifth Framework programme. This also includes the Information Society Technologies (IST) programme.

Culture: EP Cultural Committee exchange of views on first Framework Programme for Culture

On 21 July the European Parliament's Cultural Committee exchanged views with the European Commission on the Commission proposal on the first Framework Programme in support of culture (2000-2004). This Framework Programme will replace the current cultural programmes Ariane (books and reading), Raphael (cultural heritage) and Kaleidoscope (cultural cooperation). Mr Baer, representative of DG X of the European Commission, briefly introduced the Commission proposal, after which Ms Nana Mouskouri (Greece), rapporteur for the European Parliament, gave her comments on the Commission proposal. She said that the proposed budget of ECU 167 million was not enough and that citizens should be more involved.

Some other MEP's took the floor, among others Doris Pack (Germany), Carole Tongue (United Kingdom), Odile Leperre-Verrier (France), Peter Pex (Netherlands), and Helena Vaz da Silva (Portugal), and they all agreed that the proposed budget was far from sufficient. The main reason for disappointment with the current cultural programmes was not the content of the programmes, but the insufficient budget allocated to the programmes. Besides, the Commission should also take into account that soon 29 countries will be eligible for funding.

Furthermore, Ms Doris Pack (Germany) was not in favour of the tendency to support big projects and huge networks. She preferred small projects and support for regional cultures, as this would reach the citizens better. She feared that the programme will end up supporting only secretariats of already existing networks. Ms Carole Tongue (United Kingdom) added that the Commission should come with more concrete ideas. She called for ideas to promote employment, excellence, education and social cohesion. She also emphasised the need for participation of a large part of the public. Mr Dietrich Elchlepp (Germany) warned that the Commission proposal treated culture in a too traditional way. The cultural function of educational programmes should also be
taken into account: exchange programmes are a bridge to other cultures.

On 22-24 September the Cultural Committee is planning to discuss the first draft opinion by Ms Nana Mouskouri, and the deadline for amendments is set for 2 October. On 28-29 October the Cultural Committee will adopt the report, which will then go to the plenary in November 1998. The Council of Culture Ministers will discuss the Framework Programme on 17 November 1998.

**Information policy: Council conclusions on information policy of the European Union**

On 29 June the General Affairs Council of Ministers discussed the information policy of the European Union and concluded that cooperation between the EU institutions and the Member States should be increased. The Council agreed to organise, in cooperation with the European Commission, seminars and meetings to exchange ideas and experiences and to achieve a better coordination between the various actors involved. This should contribute towards a better adaptation of information activities to the real needs of the public and it should prevent duplication of work. Furthermore, the Council welcomed the Commission’s intention to establish an information exchange mechanism on the Internet between the EU institutions and the Member States.

**CEEC: European Parliament approved participation of Czech Republic in education programmes**

On 17 July the European Parliament approved a report by MEP Dietrich Elchlepp on the European Commission proposal on participation by the Czech Republic in European programmes in the fields of education (Socrates), training (Leonardo da Vinci) and youth (Youth for Europe). In the debate prior to the voting Mr Elchlepp stressed that the Commission proposal represented an important component in the enlargement process and that personal exchanges between young people were very important. The Parliament unanimously adopted Elchlepp's report with three amendments, of which one seeks to ensure that exchanges of teachers, pupils and students are organised in a balanced way, i.e. in both directions. Furthermore, contact with the culture and language of the Czech Republic should be encouraged. The European Commission will now send its (amended) proposal to the Council of Ministers, who will take the final decision.
CEEC: European and Russian parliamentarians recommended strengthening of IPR in Russia

On 23 June the EU/Russia Parliamentary Cooperation Committee adopted recommendations to improve the protection of intellectual property rights in Russia. The parliamentarians urged the Russian authorities to amend the existing legislation on copyright and related rights and to provide protection for foreign works and sound recordings with retroactive effect. They also recommended that the highest priority should be given to the enforcement of legislation in order to more effectively combat piracy. Effective criminal sanctions should therefore be applied. The parliamentarians called upon the ministers of the EU-Russia Cooperation Council to address this issue at their next meeting in autumn 1998.

Enlargement: no major problems in accepting EU legislation by candidate countries

The European Commission's Enlargement Task Force has ended the analytical examination of EU legislation ('screening') with six applicant countries (Czech Republic, Cyprus, Estonia, Hungary, Poland and Slovenia) of the first eleven chapters, including science and research, telecommunications and information technologies, education and vocational training, and audiovisual and cultural policy. The Enlargement Task Force encountered no major difficulties. The six applicant countries raised only few problems and made minimum requests for exceptions to implementing EU legislation at the time of accession to the EU. Although there are no problems of accepting EU legislation by the applicant countries, there are nonetheless clear difficulties in implementing it.

The Enlargement Task Force is now waiting for the applicant countries' negotiation positions on at least the first seven chapters, including science and research, telecommunications, audiovisual and cultural policy, and education and training. As soon as these negotiation positions are tabled, which is expected by mid-September, the European Commission will prepare proposals on the European Union's negotiation position. It will then be up to the Member States to decide when they wish to begin negotiating these first chapters.