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Copyright Directive: Vote in EP's Legal Affairs Committee

On 20 January 1999, the European Parliament's Legal Affairs Committee (LAC) voted on the more than 300 amendments to the draft Copyright Directive. On articles 5 and 6 the Committee adopted exclusively the amendments of the rapporteur Mr Roberto Barzanti, only some additional paragraphs were adopted that were tabled by other members of this Committee. Out of the 57 adopted amendment, only 12 were originally tabled by the three other opinion-giving committees.

In summary, the result of the vote in the Legal Affairs Committee: a wide definition of author's rights including technical copies is kept, exceptions are maintained only as options for Member States and the list of exceptions is still exclusive. In addition, LAC members voted for a distinction between analogue and digital private copying and a European-wide harmonisation of remuneration schemes and Europe-wide extension of levies for private copying. The exception to the reproduction right for "establishments accessible to be public" is specified and gives examples of such institutions, and an exception to the "making available right" is kept among others for "illustration for teaching and scientific research". The exception for disabled persons is enlarged. The distribution right can be limited in certain cases. Some new recitals claim for a balance between copyright and freedom of expression and public interest. One recital asks for specific licenses and contracts for non-profit-making libraries and equivalent institutions that would support their disseminative purpose. Technical protection systems cannot be circumvented without authority.
It is expected that the plenary of the European Parliament will vote on the draft text during the week 8-12 February 1999. After the completed first reading in the Parliament, the European Commission will examine which amendments it can accept and will then issue its amended proposal. The Council of Ministers have to come to a common position on this proposal, which could be the earliest in June this year. The text will then be sent again to the European Parliament for second reading. At that stage it will only be possible to change anything with a majority of MEPs voting in support.

EBLIDA members can receive a detailed list of votes as well as detailed information on further activities including the Copyright Expert group from the EBLIDA secretariat.

Electronic signatures: Parliament amends draft Directive at first reading

Voting on 13 January 1999 on the report by German Green member Wolfgang Ullmann on the draft Directive on a common framework for electronic signatures, the European Parliament amended in first reading the draft Directive which was presented by the European Commission last June. This was done to strengthen especially the consumer elements and the protection of privacy.

The aim of the Directive is to contribute to the establishment within the EU of a harmonised legal framework that guarantees electronic signatures the same legal recognition as handwritten signatures, and to facilitate cross-border recognition of signatures. The Commission noted that the lack of security for electronic networks is one of the major obstacles to the rapid development of electronic commerce. Electronic signatures would allow the receiver of electronically transmitted data to verify the origin of data and to ensure that they are complete and unchanged.

The rapporteur stated that the general approach of the Commission is good mainly because it places emphasis on the flexibility needed in this field. The rapporteur was pleased that the proposed Directive is "technologically neutral and open to authentication measures other than key cryptography". The text of the Ullmann report (Nr A4-0507/98) is available at: http://www.europarl.eu.int/

So far, the Council of Ministers has not been able to agree on the measures to ensure transaction security. The Council had mandated the Permanent Representatives Committee (COREPER) to continue its work with a view to reaching a decision at the next Telecommunications Council, which is scheduled for 22 April.

Fifth Framework programme: adoption by Council of Ministers

After lengthy negotiations with the European Parliament, the Council of Research Ministers finally adopted the Fifth Framework programme for research and technological development for the period 1998-2002 during its session on 22 December 1998. Conciliation between the two institutions resulted on 17 November in a compromise on the programme with a total budget of Euro 14.960 million, which the plenary session of the Parliament adopted on 15 December. The ministers also reached agreement on the content of the specific programmes of the Fifth Framework programme and the division of the budget between the various activities in each specific programme. With regard to the specific programme on a user-friendly Information Society (Information Society Technologies programme) the breakdown of the budget between
the key actions is as follows:

- systems and services for the citizen: Euro 646 million
- new methods of work and electronic commerce: Euro 547 million
- multimedia content and tools (with reference to libraries, archives and museums): Euro 564 million
- essential technologies and infrastructures: Euro 1.363 million
- RTD activities of a generic nature: Euro 319 million
- support for research infrastructure: Euro 161 million

The ministers also adopted the rules governing the participation of enterprises, research centres and universities, and the dissemination of research results.

This meeting of the Council represents the end of the legislative process setting up the Fifth Framework programme. The Commission has already made preparations to enable the new programme to get under way quickly, without interruption in funding. Expert advisory groups have already been set up and a call has been issued seeking experts to evaluate project proposals. Documentation describing the new programme for the research community is being prepared and will be available soon. A conference to launch the programme has been scheduled for February in Essen, and a wave of information days will follow all over Europe. The first call for proposals is likely to be published in mid-February.

IST programme: call for expression of interest during 1999

The European Commission published on 16 January a call for expression of interest in the programme of research, technological development and demonstration of Information Society Technologies (IST programme). Under this programme the Commission is intending to launch a series of calls for proposals, among others for multimedia content and tools (with reference to libraries, archives and museums). Organisations or individuals seeking further information on these opportunities are invited to register their name and address, and to provide introductory details about themselves and their research interests, by completing the proforma available at: http://www.cordis.lu/ist/eoi. Such registration will ensure that you are kept informed on news and developments related to IST, and that your interest in the programme is known to other potential participants. All expressions of interest will be valid for calls for proposals published during 1999, and have to be renewed for calls planned for future years. For further information please contact: European Commission, IST Information Desk, Tel: +32 2 296 8596; fax: +32 2 296 8388; email: ist@cec.be

Information Society: Green Paper on Public Sector Information

The European Commission has finally published its Green Paper on Public Sector Information. It can be downloaded in English, French, German and Italian at: http://www2.echo.lu/info2000/en/publicsector/greenpaper.html

The European Commission invites interested people to give their comments and answers to the questions raised by 1 June 1999. The Commission tries to find out how information gathered by government departments and other public bodies can be used to provide greatest benefit to businesses and citizens in Europe. A lot of information gathered by public bodies could be used by the multimedia industry for developing new products and services. Citizens could make
better use of their rights if information was readily available. But the technical and legal procedures and terms under which the Member States make this information available are uncoordinated and therefore not very transparent for citizens and business.

European industry is said to be at a disadvantage vis-à-vis its competitors in the United States, where the "Freedom of Information Act" was passed already in 1966, since when American public bodies have granted access free of charge or for a small fee to highly developed information systems.

The Green Paper does not suggest that the Member States should gather or publish more information but that the existing information which is accessible in principle should be made available for use on more transparent and simpler terms. The Green Paper puts in the 30-pages document a number of questions, including:

- What are the copyright, data-protection and liability implications?
- What new barriers are created at European level by the fact that the conditions for access to this information differ from one Member State to another?
- What are the consequences of the fact that the Member States have different pricing policies for information of this kind?
- Could the establishment of European metadata help citizen and business in finding their way in the public sector information throughout Europe?
- To what extent are the policies pursued by the European institutions in the field of access and dissemination of information adequate?

Information Society: Action Plan on promoting safer use of the Internet adopted

On 21 December the EU Council of Ministers adopted the multiannual Community Action Plan on promoting safer use of the Internet by combating illegal and harmful content on global networks. The four amendments adopted by the European Parliament in its second reading on 17 November 1998 were accepted by the Council which modified its common position of 24 September 1998 accordingly.

The Action Plan is specifically aimed at actions where financial support from the Community is necessary and comprises four action lines:

- creating a safe environment,
- developing of filtering and rating systems,
- encouraging awareness actions and
- taking support measures.

The budget for the implementation of the Action Plan for the period from 1 January 1999 to 31 December 2002 is Euro 25 million. Annex 1 to the Decision adopting the Action Plan comprises four categories of action lines which include the following in particular:

- creating a European network of "hot lines". These lines shall allow Internet users to report content which they consider to be illegal;
- encouraging self-regulation and codes of conduct;
- developing filtering and rating systems to make content easier to identify;
- awareness actions that will build on the dissemination of information from access providers to customers and develop material for use in the education sector;
- assessing legal implications; a call for tenders could be organised for an assessment of legal questions raised by the content or the use of Internet; an international conference
could also be organised to allow experience gained through the Action Lines to be shared.

The Commission will now present a work programme and draft calls for proposals which will be examined by a committee of representatives of Member States. The publication of the calls for proposals is scheduled for March 1999. Further information on the Action Plan is available at: http://www.echo.lu/iap/

Information Society: Parliament supports idea of international Internet Charter

With the adoption on 14 January of the report by MEP Franco Malerba on the European Commission's Communication on globalisation of the Information Society, the Parliament supports the idea of establishing international cooperation based on an 'Internet Charter'. This would be a legally non-binding document setting out internationally agreed objectives and principles in areas such as taxation, liability, jurisdiction and data-protection. European Commissioner Martin Bangemann was pleased that the EP and the Commission took the same view. He disagreed with the EP's Committee on Culture, which was concerned that the smaller languages would be threatened by present development. According to Bangemann, the contrary would be the case: the Internet was an enormous challenge for smaller languages to introduce themselves.

Culture: The Netherlands block Culture 2000 programme

The Dutch government has announced that it can not agree to the Euro 167 million proposed for the Culture 2000 programme, which will replace the three current cultural programmes Ariane (books and reading), Kaleidoscope (artistic and cultural creation) and Raphael (cultural heritage) from 1 January 2000.

In principle, the Council of Culture Ministers had approved a common position during the Council meeting of 17 November 1998. The Dutch delegation, however, was to consult its government before giving its final agreement. The Netherlands agree to a budget of Euro 90 million over five years, and refuse to give its agreement for any larger amount until there is a global agreement on the EU's general financial guidelines for 2000-2006. As decisions by the Council in the field of culture require unanimity, the Dutch position means a delay in the adoption of the programme.

In the meantime, the European Parliament, which shares power of decision with the Council, calls for a budget of Euro 250 million. At the meeting of the EP's Cultural Affairs Committee on 19 January, MEP Nana Mouskouri, rapporteur for the European Parliament, expressed her fear that there will not be a cultural programme in place by the year 2000, and that the same would happen as with the Ariane and Kaleidoscope programmes (i.e. only pilot projects to prepare the unadopted programme). The Cultural Affairs Committee had planned a discussion on the common position of the Council, but as the Council was unable to reach this common position, the discussion in the Parliament had to be postponed. Mouskouri recalled that she will be leaving the European Parliament after the elections in June, and expressed the hope to proceed with the decision-making process as far as possible before leaving.
Culture: Parliament approved Council common positions on extension Kaleidoscope and Ariane

On 17 December the European Parliament approved at second reading the Council of Ministers' common positions on the extension of the Ariane (books and reading) and Kaleidoscope (artistic and cultural creativity) programmes, by adopting the two reports by MEP Peter Pex. Both programmes are now extended to 31 December 1999. The budget for the Ariane programme is fixed at Euro 4.1 million. The total amount allocated to the Ariane programme thus increases from Euro 7 million to Euro 11.1 million. The budget for Kaleidoscope is fixed at Euro 10.2 million. The overall amount allocated to the Kaleidoscope programme thus increases from Euro 26.5 million to Euro 36.7 million. The full texts of the reports can be found at: [http://www.europarl.eu.int/](http://www.europarl.eu.int/) (Nr. A4-0504/98 for Ariane, nr. A4-0505/98 for Kaleidoscope).

Culture: 292 projects designated under Ariane programme for 1998

The European Commission has designated 292 cultural projects which will receive financial support under the Ariane programme for 1998. The total budget allocated to this programme in 1998 was approximately Euro 2.9 million. The Ariane programme supports individual translations, cooperation projects involving the promotion of books, and projects furthering training in this field. The 292 selected projects represent 61.6% of all projects presented (474 in total). The following projects could be of interest to libraries:

- European Cities of Culture in the year 2000: literature. The aim is to promote culture and to provide access to quality literature. Various libraries are involved in the project.
- La bibliothèque censurée. This project will set up an Internet site for a 'censored library', providing access to works written in refugee towns.
- Translit: Literatura entre continentes. This project will support the preparation of 'Translit 99' workshops. The project has library involvement.
- Photographers competition. This project will promote and improve access to writing and European literature, depicting the habits of European readers and writers via photography. Experiences of electronic archives will be exchanged.
- Il libro citta del 2000. The project involves the public and school library sector. Elements include meetings, story-telling workshops, readings, the production of a book and an Internet site.
- Le biblioteche scolastiche della societa dell'informazione: nuove sfide e nuovi compiti. Cooperation project between libraries with a view to improve citizen access to information technologies and reading in the early school years, to promote exchange between school librarians and to train professionals in the sector.
- Tradution littéraire bourses d'études pour traducteurs litteraires en résidence. The aim of this project is to place a specialised library and information technology available to resident trainees.
- Du conte populaire à l'identité culturelle. This project aims to create interest in and awareness of the popular European literary heritage and to improve and evaluate librarians' training.

For any further information about the projects please contact: European Commission, DG X, Mr Zapatero, tel.: +32 2 299 9251 or Ms Momoli, tel.: +32 2 296 7103; fax: +32 2 299 9283
Culture: Parliament rejects Council's common position on designation European cultural capitals

On 13 January the European Parliament rejected at second reading the Council of Ministers' common position on the appointment of the European capitals of culture for the period between 2005 to 2019. According to the rapporteur for the Parliament, MEP Philippe Monfils, the Council's proposal would mean that the choice is not based on any assessment of the cultural quality of the candidates, but simply on what Member States wanted in their political turn. There would be no real opportunity for new Member States to designate a city, and the European Parliament would not have a proper role in the procedure. The decision to reject the common position will not affect the cities that have already been chosen for the 2001 to 2004 period. European Commissioner Marcelino Oreja, responsible for culture, understood the position of the Parliament, and regretted that the Council had eliminated the jury of independent persons proposed by the Commission. It is now up to the Council to convene the conciliation committee to find, together with the Parliament, a procedure of designation that guarantees quality choice. The full text of the Monfils report (Nr A4-0509/98) can be found at: http://www.europarl.eu.int/

Research: EU and China sign scientific and technical cooperation agreement

On 22 December the European Union and China signed a scientific and technical cooperation agreement. Once approved by the European Parliament and formalised by the Council of Ministers, this agreement will allow Chinese scientists to participate in the Fifth Framework programme for research and technological development, and enable European researchers to take part in Chinese research programmes. Over the past 17 years, China and the EU have already implemented joint research projects within the framework of development aid: 230 cooperation projects have been conducted in the energy, information, environment, health, agriculture and biotechnology sectors. The new agreement will make it possible to broaden the spectrum of research areas. It provides for the sharing of information and equipment, and for exchanges among scientists. In principle, Chinese researchers will be able to respond to calls for tenders issued under four areas of the Fifth Framework programme, including the Information Society Technologies programme (IST). Financing will be provided by both parties in proportion to their participation.

Research: promotion of research activities with Mediterranean partner countries

At its meeting on 22 December 1998 the Council of Ministers discussed the promotion of research, technological development (RTD) and innovation activities with the Mediterranean partner countries. The Council recalled that the specific programme 'Confirming the international role of Community research', which falls under the Fifth Framework programme for RTD, foresees the strengthening of the research and technology dimension of the Euro-Mediterranean partnership. Moreover, the decision on the rules for the participation of undertakings, research centres and universities, and for the dissemination of research results under the Fifth Framework programme provides for participation of the Mediterranean partner countries. The Council recommended that science, technology and innovation should be made more visible in the MEDA programme. Furthermore, according to the Council, a more active coordination between all programmes involving Mediterranean countries would be needed to make a more effective use of RTD results. It was also recommended that RTD cooperation should be a regular item on the agenda at the Ministerial Conference of the Barcelona Process.
NIS: Commission proposed radical reform of Tacis programme

On 22 December the European Commission adopted a proposal for reforming the Tacis programme for technical assistance to the New Independent States (NIS) and Mongolia. Its main focus will become the promotion of democracy and the stimulation of investment in the NIS. In addition to establishing new priorities, the Commission proposed to focus on fewer, larger and better projects in key sectors. The proposal has been transmitted to the Council of Ministers and the European Parliament for approval by the end of 1999, when the current Tacis regulation expires. The reformed programme would cover the period 2000-2006, with a budget of approximately Euro 4.000 million.

As each region and country covered by the programme has its own needs and priorities, the EU will adopt a differentiated approach. Each country programme will be restricted to a maximum of three areas of cooperation. In addition, strict conditionality will apply to the provision of assistance: support will be dependent on respect for democracy and human rights, on partner countries fulfilling the obligations of the Partnership and Cooperation Agreements, and at project level on the successful completion of the previous phase. Partner countries will be encouraged to co-financing the projects. Up to 25 % of the budget will be set aside for an incentive scheme, designed to encourage partner countries to submit higher quality project proposals.

Information concerning assistance to the NIS is available on the Internet at: http://europa.eu.int/comm/dg1a/index.htm

CEEC and NIS: Parliament approves extension Tempus programme

With the adoption of the report by MEP Robert Evans (Labour, United Kingdom), the European Parliament approved, with some amendments, the proposal for a third phase of the trans-European programme for cooperation in higher education (Tempus III). This proposal is designed to extend the Tempus programme from 2000 to 2006, to support the reform of universities in Central and Eastern Europe (CEEC), the New Independent States (NIS) and Mongolia. Based on the success of its predecessors, Tempus III will play a key role in restructuring aid for the countries involved in the Phare (CEEC) and Tacis (NIS) programmes, but which do not yet have access to EU programmes in the field of education (Socrates) and training (Leonardo da Vinci). Tempus III will build bridges between universities and enterprises from EU Member States and the beneficiary countries, offer grants for exchanges and technical assistance in the field of higher education and provide assistance for technical training. In addition to a few technical amendments, Parliament recommended that funds be reserved for the creation of faculty chairs, courses in language and culture, and student exchanges. The Evans report (Nr. A4-0464/98) is available at: http://www.europarl.eu.int/

CEEC: applicant countries aiming at participation in Fifth Framework programme

The 11 countries which are candidates for membership of the European Union are determined to push forward on participation in the Fifth Framework programme for research and
technological development. They all have requested full association to the Framework programme and see cooperating in EU research programmes as an associate partner as a first step to integration. It will stimulate the national restructuring necessary in finance and research. The European Commission ensures that the management for the Fifth Framework programme is fully aware of the new partners, and that efforts are made to ensure that there will be no undue obstacles to cooperation.

Six countries (Czech Republic, Estonia, Hungary, Latvia, Poland and Slovenia) have already begun negotiations for full association to the Fifth Framework programme. These countries will benefit from special financial arrangements and participate as observers on the committees which manage the specific programmes under the Fifth Framework programme. Both sides are aiming to complete the formalities of approving the participation of these countries before the start of the first evaluations of proposals in the Framework programme. For further information please contact: European Commission, DG XII, Rue de la Loi 200, Office SDME 1/139, B-1049 Brussels, Tel: +32 2 296 7927; fax: +32 2 296 3308, or: European Commission, DG XII, Mr Stephen Gosden, Press and Information Officer, Fax: +32 2 295 8220; email: stephen.gosden@dg12.cec.be

CEEC: cross-border Phare projects now also between CEEC's

The European Commission announced on 19 December that it will start financing cross-border projects between Central and Eastern European countries (CEEC's). Euro 180 million from the Phare programme for cross-border projects will be allocated, of which two thirds is reserved for cooperation between CEEC's and the EU, and one third for projects between CEEC's. The initiative will promote regional cross-border cooperation initiatives and help the candidate countries prepare for accession to the EU. Support under the Phare cross-border cooperation programme includes the exchange of information and experience across the border regions, as well as cooperation actions in fields such as telecommunication, business, technology, education, training and cultural exchanges. The Commission will formulate a programme proposal per border. For the first time, cross-border cooperation funds will be available to Romania, as it is the only applicant country without a common border with the EU. For further information please visit the Phare home page at: http://europa.eu.int/comm/dg1a/phare/index.htm

CEEC: Phare aid to Bulgaria

Recently a financial memorandum on Phare assistance to Bulgaria in 1998 has been signed by a representative of the European Commission and the Bulgarian Minister of Foreign Affairs. With this memorandum the overall budget of the Phare assistance to Bulgaria in 1998 adds up to Euro 149,50 million. The budget covers four sub-programmes:

- National Phare programme (Euro 68 million). This programme is defined on the basis of the short- and medium-term priorities set out in the EU/Bulgaria accession partnership agreement concerning Bulgaria's preparation for the incorporation of the European Union legislation and future accession.
- Trans-border cooperation with Greece (Euro 51 million).
- Large-scale infrastructure facility (Euro 20 million).
- Catch-up facility. This facility provides aid to the five candidate countries that have not yet begun accession negotiations with the European Union (Bulgaria, Romania, Lithuania,
Latvia and Slovenia). Euro 10,5 million have been allocated for Bulgaria.

CEEC: Europe Association Agreement with Slovenia

As all EU Member States had completed their procedures for ratifying the Europe Association Agreement with Slovenia, which was signed on 10 June 1996, the Council of Ministers adopted at its meeting on 20-21 December 1998 the Decision on the conclusion of this Agreement. The Agreement contains among others provisions regarding political dialogue, free movement of goods, movement of workers, right of establishment and supply of services, prevention of illegal activities and cultural cooperation.

Enlargement: German Presidency revealed timetable for accession negotiations

The German Presidency of the European Union intends to convene in the first half of 1999 only one negotiating meeting at Foreign Minister level with the six applicant countries with which negotiations began on 10 November 1998 (Czech Republic, Cyprus, Estonia, Hungary, Poland and Slovenia). This ministerial meeting, which is scheduled for 22 June, will be preceded by two meetings of Member State Ambassadors with the head negotiators of the six countries concerned: one on 19 April and one on 19 May. The goal of the ministerial meeting on 22 June is to conclude, if possible, negotiations on the four chapters of the European Union legislation that could not be completed at the first meeting in November 1998, namely telecommunications, culture and audio-visual policy, industrial policy and common foreign and security policy. Three other chapters were already provisionally concluded on 10 November, i.e. research, education and small and medium-sized enterprises. Furthermore, on 22 June negotiations will be opened on eight additional chapters: company law, free movement of goods, consumer protection, fisheries, statistics, external relations, customs union and competition policy. In the meantime, the six applicant countries have announced their intention to submit their negotiating positions on the eight additional chapters mentioned above by the end of January 1999. On the basis of these position papers, the European Commission will develop draft EU common positions.