In this issue:

- Copyright: Council took stock of progress made on the EU draft Directive
- Electronic Commerce: Council took stock of progress made on EU draft Directive
- Electronic signatures: Council adopted common position on EU Draft Directive
- Piracy: Green Paper on combating Counterfeiting and Piracy in the Internal Market
- Culture: Culture 2000 programme adopted by Council
- Culture: Finnish Presidency's Programme
- Culture: Call for Proposals to prepare Culture 2000 and CONNECT
- Fixed book prices: Several cultural delegations and MEPs in opposition to Commission
- Transparency and Access to Documents: Council adopted conclusions
- Transparency and Access to Documents: Finnish Presidency Programme
- Scientific and technological co-operation: EU/Switzerland agreement signed
- Agenda 2000: Council adopted regulations

Copyright: Council took stock of progress made on the EU draft Directive

On 21 June at the Internal Market Ministers meeting, the Council took note of the state of play regarding work on the proposed Directive on Copyright. Discussion of the proposal in the competent Council Working Group had already begun under the UK and Austrian Presidencies; it resumed earlier this year after the European Parliament had voted its amendments in first reading. An amended proposal was presented by the Commission in May.

Discussions over the last few months concentrated on Article 5 which is one of the key provisions of the proposed Directive; it sets out the exceptions to the exclusive rights of authors to authorise or prohibit reproduction or communication to the public of their works as well as to the exclusive right of authors to any form of distribution of their works.

The next Council Working Group meeting will take place on 14 July and will be chaired by international copyright expert Jukka Liedes for the Finnish Presidency. Mr Liedes acted as draftsman during the WIPO Diplomatic Conference leading to the 1996 international WIPO Copyright Treaties. Finland is expected to start the debate on article 6, and refer back to article 5 possibly in October, depending on progress in other "easier" areas.

Electronic Commerce: Council took stock of progress made on EU draft Directive

On 21 June, the Council of Internal Market Ministers also took stock of the progress made on the proposed Directive concerning electronic commerce. The proposal aims at establishing a legal framework for the development of electronic commerce within the Single Market. It builds upon and completes a number of other initiatives (regulatory transparency mechanism,
The protection of personal data, legal protection of conditional access services, electronic signatures) that together aim at eliminating the remaining legal obstacles to the on-line provision of services.

The Commission proposes to improve the coherence of the legal framework for electronic commerce in the European Union by:

- clarifying the application of key Internal Market principles (freedom of establishment of Service Providers and free movement of services) to Information Society services; the basic principle would be that such services could be provided throughout the EU if they comply with the law in their country of origin (NB: the Directive would apply only to service providers established within the EU and not those established outside);
- supplementing the existing Community legislation with additional harmonisation of certain specific legal aspects related to such services, in particular to:
  1. commercial communications (advertising, direct marketing);
  2. the on-line conclusion of contracts;
  3. the liability of intermediaries;
  4. the enforcement and implementation of the legal framework.

Delegations have generally welcomed the Commission initiative. All Member States have shown themselves to be in favour of establishing a clear regulatory framework for electronic commerce at Community level and support the application of Internal Market principles. On the detailed content of the proposal, and although work has been quite intensive, many delegations are still in the process of formulating a definitive position.

Electronic signatures: Council adopted common position on EU Draft Directive

The Council adopted at a meeting on 28 June its common position on the proposal for a Directive on a common framework for electronic signatures. The text, on which political agreement had already been reached at the Telecommunications Council of 22 April 1999, will now be transmitted to the European Parliament for second reading, in accordance with the co-decision procedure.

The purpose of the proposal is to ensure the functioning of the Internal Market in the field of electronic signatures by creating a harmonised legal framework. This framework, consisting of a set of criteria to be used as a basis for the legal recognition of electronic signatures, should, according to the Council, facilitate the use of such signatures and enable consumers and businesses in Europe to benefit from opportunities offered by electronic communications.

Piracy: Green Paper on combating Counterfeiting and Piracy in the Internal Market

On 21 June at the Internal Market Ministers meeting, acting Commissioner Monti gave a presentation of the results of the consultation process held on the basis of the Commission’s Green Paper on combating counterfeiting and piracy which was issued in October 1998. The Commission intends to adopt a follow-up communication to the Green Paper taking stock of the consultation process and presenting an action plan containing concrete measures to be taken in combating counterfeiting and piracy. However, the Commission will await the European Parliament’s opinion on the Green Paper before finalising this communication.
Culture: Culture 2000 programme adopted by Council

Following the political agreement reached at the last session of the Cultural Council on 17 November 1998, and the confirmation, in the meantime, of the programme budget by all delegations, the Council adopted its common position regarding the proposal for a framework programme for cultural co-operation, the Culture 2000 programme. The common position will now be sent to the European Parliament for a second reading according to the co-decision procedure. The total budget voted for by the Council for the five-year-period (January 2000-December 2004) is 167 million Euro. According to a Council official, only 0.3% of the European budget is spent on culture. The European Parliament has voted for a much higher budget in first reading and it remains to be seen how the two institutions will reach agreement.

The objectives of the Culture 2000 programme are to contribute to the promotion of a cultural area common to the European people, supporting co-operation between creative artists, cultural operators, private and public promoters, the activities of the cultural networks and other partners as well as the cultural institutions of the Member States.

The types of cultural actions to be supported are:

- Specific innovative and/or experimental actions (such as for example projects aimed at improving access to books and reading). This support would take the form of grants, seminars and congresses, studies, or measures to increase awareness.
- Integrated actions covered by structured, multi-annual cultural co-operation agreements. The programme will contribute to the emergence of structured areas of co-operation through the participation of networks of cultural co-operators, as well as organisations and research institutes in the cultural fields. The activities should for example aim at promoting the use of new technologies, making cultural works and creations accessible to the public, promoting the exchange of experience and mutual awareness of common cultural values of the European people
- Special cultural events with a European and/or international dimension (in particular the European Capital of culture and the European Cultural Month).

The Culture 2000 Programme will be open to participation by the countries of the European Economic Area, by Cyprus and the associated countries of Central and Eastern Europe. It will also permit joint actions with international organisation in the field of culture such as UNESCO or the Council of Europe.

Culture: Finnish Presidency's Programme

According to its programme, the Finnish Presidency will focus on getting the decision on the Culture 2000 framework programme rapidly approved so that it can start right at the beginning of the new millennium. The Finnish Presidency wishes to encourage concrete debate on the consideration of cultural aspects in other areas of Community competence, with special emphasis on the operations of the internal market in the culture sector and the importance of culture in creating jobs. In the culture sector and in audio-visual policy, Finland stresses the availability of high-quality European digital content and the development of the European information society.
Culture: Call for Proposals to prepare Culture 2000 and CONNECT

While waiting for Parliament and Council to reach a decision, the Commission published for 1999 two calls for proposals, one to prepare the future framework programme Culture 2000 and one to create links between culture, education and new technologies (CONNECT).

Regarding the future framework programme Culture 2000, there are three actions open until 30 June:

- Experimental measures designed to test the implementation of specific and innovative projects (among others: literature, books and reading)
- Experimental measures covered by structured, multi-annual transnational cultural cooperation agreements (one of the priorities is in books and reading)
- Experimental measures designed to test the organisation of special cultural events with a European and/or international dimension

Regarding the CONNECT programme: In 1999, the EU provides support for actions aimed at developing links between culture, education and training with the help of research and new technologies. The new budget line "Connect - innovation and connection of Community programmes" is managed by both, DG X (Culture) and DG XXII (education). This is the call from the cultural sector, DGXXII (education) already launched its call on 13 May with a deadline of 30 June. Areas of action are:

- Culture and education: projects aiming to introduce culture to young people in a lively and innovative way
- Culture and training/continuing education: projects involving training and continuing education using innovative educational techniques.

For further information, please contact your National Cultural Contact Points or the European Commission, DG X/C.5 (Cultural action), 120, rue de Treves - Office 5/51, B-1049 Brussels


http://europa.eu.int/comm/dg10/culture/calls/connect.html

Fixed book prices: Several cultural delegations and MEPs in strong opposition to Commission

In the context of the Cultural Council meeting on 28 June 1999, the German and Austrian delegations, supported by several more Member States, reiterated their strong opposition to any Commission decision tending to abolish the present cross-border book price agreement covering their two countries. These two delegations also contested the competence of the acting Commission to take a decision in this matter.

According to these delegations, the contractual system in place does not have an impact on trade for other Member States; its scrapping would not have the result expected by the Commission, but would jeopardise the diversity and broad accessibility of books.

It is recalled that the draft decision prepared by the Directorate-General for competition under the responsibility of Commissioner van Miert is negative towards these agreements, and that...
the Consultative Committee on concerted agreements (composed of the European Commission and the representatives of the fifteen Member States) expressed itself along the same lines (with Germany and Austria voting against). Further reflection at least is required, say the Member States concerned. The Santer Commission, which has resigned and which is at the end of its term of office, should leave this task up to the Prodi Commission. In Brussels, the spokesperson pointed out that Mr van Miert has informed the German and Austrian authorities of the conditions required for the current cross-border agreement to be transformed into a national agreement, thus circumventing the power of the Commission. The latter therefore considers that the next step is up to the two Member States concerned.

German MEP Doris Pack has announced that she has written to Commissioner van Miert to ask on behalf of the CDU/CSU members that the present Commission cease dealing with the matter of German/Austrian book pricing agreements during the last weeks of its term of office. Since the resigned Commission is supposed to be managing current affairs alone, an initiative on a matter as politically sensitive as this one would be a 'provocation' for the European Parliament, according to Ms Pack, reminding Mr van Miert that both the Parliament's Committee on Culture and on Economic Affairs voted against the Commission's proposal.

**Transparency and Access to Documents: Council adopted conclusions**

At its meeting on 24-25 June 1999 in Luxembourg, the [Council of Ministers](http://www.consilium.europa.eu) adopted the following conclusions:

It is the Council's hope that the new provisions on openness and transparency contained in the Treaties will be reflected in genuine, perceptible changes in the daily practice of Community institutions. In this context, with regard to the Council, special attention will be given to:

- an early adoption of the legislative instruments on public access to documents mentioned in Article 255 of the Treaty establishing the European Community,

- a correct implementation of Article 207 of the Treaty establishing the European Community concerning public access to the results of votes and explanations of vote as well as statements in the minutes when the Council acts in its legislative capacity.

To cater for the needs of the general public, efforts towards openness must be backed up by increased activities providing information on the European Union in all the official languages. Cooperation in this field between Community institutions, and between institutions and Member States, is essential. The Council welcomes the initiatives recently undertaken by the Commission for carrying out information measures in partnership with Member States, and takes note of other information activities, in particular the most recent seminars held in Berlin and Brussels.

In order to make activities on information on the European Union more effective and consistent, objectives should, where appropriate, be set and adequate resources be allocated, working from a clear definition of the roles and powers of those involved, with constant regard to pluralism and the principle of subsidiarity.

The Council welcomes the efforts to develop co-ordinated information strategies and activities, and takes note of the suggestions brought forward by the Presidency in the field of information about the European Union. It considers that this debate should continue.
Transparency and Access to Documents: Finnish Presidency Programme

The programme of the Finnish Presidency lists the promotion of transparency as one of its objectives by focusing on improving citizens' right of access to documents. An integral part of transparency in practice will be a clear definition of the general principles and restrictions governing access to documents. Other integral features of transparency include public document registers, a uniform classification of documents, provisions for each EU institution on good administrative practices, and open-minded use of new communications technology.

Under the Treaty of Amsterdam, the Union must ensure access to documents of the Parliament, Council and Commission in a manner to be specified separately. The Council is to approve, jointly with the Parliament, general principles and limits with due consideration to public and individual interests for such transparency following a proposal from the Commission.

It is the Finnish Presidency's aim to create the political pre-conditions and efficient procedures for preparation of the transparency legislation and to reach agreement on the main elements of the legislation. Finland will also strive for progress in other areas of transparency.

The Commission Green Paper on public sector information in the information society is regarded as a good opportunity for assessing whether progress has been made towards more transparent administration in Europe. Finland hopes the Commission will issue a communication and proposals for further action on this matter.

Scientific and technological co-operation: EU/Switzerland agreement signed

The EU and Swiss authorities signed on 21 June the seven sector-specific bilateral agreements that will give fresh impetus to relations between the two parties. This formula of sector-specific agreements was made necessary by the fact that the Swiss people had rejected, at their referendum, the participation of their country in the general agreement for the creation of European Economic Area. One of the agreements cover scientific and technological cooperation. The agreements must now be ratified. It is compulsory that they should all take effect together, which means that if any is not ratified, none can be applied.

Agenda 2000: Council adopted regulations

Following the political agreement on Agenda 2000 and the adoption of the common positions on 14 April 1999 on the basis of the Berlin European Council's overall agreement on 24/25 March 1999, and further to the opinions or resolutions of the European Parliament of 6 May 1999, the Council of General Affairs Ministers formally adopted at their meeting on 21-22 June the following nine Regulations:

- laying down general provisions on the Structural Funds;
- on the European Regional Development Fund (ERDF);
- on the European Social Fund (ESF);
- on Structural Measures in the Fisheries Sector (FIFG);
- amending regulations establishing a Cohesion Fund;
- on co-ordinating aid to the applicant countries in the framework of the pre-accession

strategy
- establishing an Instrument for Structural Policies for Pre-Accession (ISPA);
- on Community support for pre-accession measures for agriculture and rural development in the applicant countries of Central and Eastern Europe in the pre-accession period (SAPARD).

It is recalled that the Berlin European Council agreed to set the overall amount at 213 billion Euro over the period 2000-2006, of which 195 billion is for the Structural Funds, including transitional support, and 18 billion is for the Cohesion Fund.

It was decided that 69.7% of the Structural Funds will be allocated to Objective 1 (mainly regions whose per capita GDP is less than 75% of the Community average), 11.5% to Objective 2 (industrial, rural and urban areas, as well as fishery dependent areas), and 12.3% to Objective 3 (this will apply horizontally to areas outside Objective 1).

Back to top / back to homepage

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