



Hot News EBLIDA newsletter on EU library & information society issues

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Information sources used for this issue include:

Bulletin Quotidien Europe
[Cordis](#)
[EUR-Lex](#): European Union law
[Europa](#) website
[European Parliament](#) Press Service
[European Voice](#)
[ISPO](#)

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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Audiovisual

Commission review of the *Television without Frontiers* directive

Viviane Reding, Commissioner for Education and Culture, provided an update on the review of the *Television without Frontiers* directive at the European Voice conference on 21 March in Brussels. The review is due to be completed by the end of the year. Three options were presented to serve as a basis for the new proposal: a radical amendment to the directive; a 'fine-tuning' of the current directive or a work programme to prepare a radical proposal at a later date. Whatever the option, the Commission will report on its implementation since it entered into force.

The primary purpose of regulation in the audiovisual sector is to safeguard certain public interest objectives such as pluralism, cultural and linguistic diversity, and the right of reply, consumer protection, and the protection of minors. The directive thus, constitutes the minimum level of harmonisation. Further information on the audiovisual regulatory framework can be found at: http://europa.eu.int/comm/avpolicy/regul/regul_en.htm.



Books and reading

Commission commitment in procedures involving German book price fixing

On 22 March, the European Commission announced that it will no longer pursue competition proceedings regarding the German book price fixing system (Sammelrevers). Following the sending of a Statement of Objections (*see Hot News, July-August 2001, p. 1*) last July, the German Association of Publishers and Booksellers as well as the editors and publishers involved, submitted an Undertaking (declaration of a commitment), which the Commission has found satisfactory, with regard to the objections it had voiced. This commitment guarantees the freedom of direct cross-border sales of German books to final consumers in Germany, in particular via the Internet. In parallel, it establishes an exclusive list of conditions under which the Commission exceptionally accepts that a circumvention of the national price fixing occurs. These conditions ensure that German publishers and booksellers cannot consider direct cross-border Internet selling of cheaper books by foreign retailers to be a circumvention of the Sammelrevers system. Nor can they hinder these sales by means of a collective embargo. As a result, if correctly implemented, the current German price fixing system has no effect on trade between member states and thus, does not infringe the EU competition rules.

The Undertaking, which is only valid during the maintenance in force of the Sammelrevers 2000, ensures that the Commission will intervene in case of concerted blocking of direct cross-border Internet book selling to German customers. For this reason, the complainant Libro agreed with both the Undertaking and the closure of the proceedings whilst Proxis withdrawn its complaint shortly before. For further information visit: <http://europa.eu.int/rapid/start/cgi/guesten.ksh>, reference IP/02/461.



European publishing industry call to EU institutions

Representatives of the European publishing industry met with Information Society Commissioner Erkki Liikanen, European Commission officials and members of Parliament in Brussels on 5 March 2002. The meeting aimed at exchanging views on policy issues affecting the publishing industry. These included the role of self-regulation and co-regulation, content and editorial liability, advertising in the digital economy, data protection and privacy, and applicable law in the sector.

Commissioner Liikanen presented the priorities of the eEurope 2005 action plan, and their relevance for the publishing industry. He highlighted the need to promote attractive content and digital inclusiveness for all Europeans and the need for wider broadband take-up to unleash the full potential of the digital economy.

The Publishers' Forum "Publishing in the Digital Age", organised by five European publishing industry associations with the support of the Commission, aims to become a yearly meeting point for industry representatives and policy makers to exchange views on important policy and regulatory issues affecting the European publishing industry. In a Resolution, the publishers of the EU called on the EU institutions to:

- implement positive policies for European publishing, promoting the competitiveness of European publishing and Europe's cultural identity by ensuring by every means possible the widest availability of all kinds of publications;
- take into account the specific nature of electronic publishing by making the necessary adjustments to such policies;
- recognise the valuable and effective role played by self-regulation.

For further information visit: <http://europa.eu.int/comm/enterprise/ict/publ-forum/index.htm>.



Consumer protection

Commission draft Rome II regulation to be prepared

In a letter to the newspaper *European Voice*, British MEP Theresa Villiers hoped that the Rome II regulation was deferred as she believes that the "misconceived proposal would significantly undermine the single market 'country of origin principle' ". The draft regulation was originally listed as a priority in the Spanish Presidency's work programme but removed later on in response to industry opposition. MEP Villiers considers the proposal to pose huge risks for SMEs trading across borders on the web (*European Voice*, 14-20 February 2002, p. 12). However, Justice Commissioner, Antonio Vitorino, claims that a draft Rome II Regulation governing non-contractual legal disputes is still on course, probably in the form of a Green Paper before the summer, followed then by a consultation period for interested parties to give their views (*European Voice*, 28 February - 6 March 2002, p. 30).

The Rome II regulation would settle the question of which laws take precedence in legal disputes involving more than one country. Industry however, claims that it would undo single market rules by allowing companies, provided that they comply with laws in their home countries, to operate freely across the Union.



Parliament opinion on framework for Community activities concerning civil matters adopted

The Council adopted in 1998 an action plan on how to implement the provisions of the Amsterdam Treaty on the area of freedom, security and justice. The action plan lists a number of priorities to be achieved within five years after the Treaty of Amsterdam entered into force. The Tampere European Council (October 1999) reaffirmed this objective and invited the Commission to make a proposal for "an appropriate scoreboard" to achieve this goal. The Commission presented in May 2001, a Communication (COM(2001)0221), which was later, used as a basis for the current legislative proposal, which continues some of the activities financed under the Grotius-civil and Schuman programmes. Neither of these programmes were renewed after they expired in 2001.

In this regard, Parliament gave its opinion on the proposed Regulation on 23 October 2001. Given that it appointed a management committee procedure for the implementation of Article 8, COREPER decided on 19 December 2001 to re-consult Parliament on this text. Consequently, Parliament approved on 12 March - with a minor amendment regarding the definition of "legal practitioners", a general framework for Community activities to facilitate the implementation of a European judicial area concerning civil matters (2002 - 2006). The Regulation is awaiting final decision/signature. For further information visit: http://europa.eu.int/comm/justice_home/unit/civil_en.htm.



Co-operation with third countries

Commission support to Mediterranean partners

The CapMed Euro-Mediterranean TV Archives Network project, co-ordinated by the French National Audiovisual Institute (INA), aims at preserving and restoring archives of TV stations in most Mediterranean partners under the **Euromed Audiovisual** regional programme. CapMed has recently published a the newsletter 'CapMed News' and is expected to launch a website in April.

The **EUMEDIS Interconnection Initiative** is providing support to [DANTE](#), which manages the European research network GEANT, to connect GEANT with 12 Mediterranean partners. DANTE is identifying the entry points and determining the capacities required in each country taking into account the requirements of the EUMEDIS pilot projects. A call for tender will then be launched to select who will provide the links between the Mediterranean partners and GEANT from the international connection service providers. As only a small part of the population has access and the capacity to use the communication networks, the EUMEDIS interconnection initiative will support several pilot projects to be implemented by consortia.



Poland participation in Community programmes

On 28 February, Council agreed for the EU-Poland Association Council to adopt (written procedure) a decision on the general terms and conditions for the participation of **Poland** in Community programmes. The framework decision is part of the enhanced pre-accession strategy. Similar decisions have already been taken for a number of other candidate countries (*see Hot News February 2002, p.3*).



Council conclusions on seven agreements with Switzerland adopted

On 28 February, Council adopted a decision whereby seven sectoral agreements signed on 21 June 1999 with the Swiss Confederation are finally approved. Amongst them are the agreement on the free movement of persons and the agreement on scientific and technological co-operation (FP5) between the European Communities and the Swiss Confederation.

The agreement on the free movement of persons, a so-called mixed agreement requiring ratification by member states, is approved on behalf of the European Community and the member states, with all the procedures for ratification having now been completed. With regard to the agreement on scientific and technological co-operation, the Commission still needs to take a decision. Subsequently, the decision on the conclusion of the seven agreements will be published in the Official Journal together with information on the date of their entry into force.



Copyright and Intellectual Property Rights

Court of Justice case brought against Ireland on Berne Convention

Judgment of the Court of Justice (the Court) case against Ireland (C-13/2000) for failing to ratify the Berne Convention for the Protection of Literary and Artistic Works (Paris Act of 1971) was given on 19 March 2002. The UK, in support of Ireland, argued that the Court has jurisdiction to rule on the EEA Agreement only in relation to matters which have been subject of harmonisation measures at Community level, which is not the case with regard to intellectual property. Consequently, in its view, the Berne Convention is a matter of international law and the competence of the member states and its application cannot be subject of review by the Court. The UK dismisses the action brought by the Commission. Ireland however, accepts that it has failed to fulfil an obligation and confines itself to requesting the Court to suspend the case until its legislation has been amended accordingly (Ireland had informed the Commission that the draft legislation on intellectual property was at an advanced stage of its scrutiny).

The Court, on its part, dismisses the UK submission as intervener and declares that, by failing to obtain its adherence before 1 January 1995 to the Berne Convention, Ireland has failed to fulfil its obligations under Article 228(7) of the EC Treaty (now, after amendment, Article 300(7) EC) in conjunction with Article 5 of Protocol 28 to the Agreement on the European Economic Area of 2 May 1992). Therefore, the Court orders Ireland to pay the costs and the UK to bear its own costs. Further information on C-13/2000 can be found at: <http://europa.eu.int/cj/en/recdoc/indexaz/index.htm>.



Culture

Culture ministers seminar on culture in the Treaties held

Culture ministers and Commissioner Reding met in Salamanca on 18 March to discuss the future of culture in the Union. The three main items discussed were: Article 151 of the Treaty, lines of action and priorities for future implementation, and the drawing up of a programme of Community action on culture for an enlarged Europe. All comments and suggestions will serve as the basis for a resolution to be presented for approval to Culture ministers on 23 May. With regard to Article 151, ministers considered the overall results of its first ten years to be 'satisfactory'. Nonetheless, they decided that the decision-making procedures needed to be revised to deal with enlargement. The Commission is preparing evaluation of § 4, expected by the end of the year. About the Article itself and the possible European policy for culture, different positions shown that Sweden only favours for co-operation and exchange of best practices to be handled at European level, whereas German Culture Minister, Julian Nida-Rümelin, argued that it is vital to have common positions in order to facilitate a real cultural policy in view of enlargement. Belgium however, believes that the discussion has substantially changed its primary objectives and that a resolution on cultural policy was a step backwards, in particular the proposed change to the wording of § 2.

With regard to priorities for future implementation, ministers agreed on the need for a definition of 'European nature' in Community cultural action; the establishment of mechanisms to ensure that culture is represented in other Community policies; the creation of permanent institutional networks for co-operation between different cultural sectors; and the development of the culture industries.

Furthermore, culture was described as a fundamental element for the development of the EU. On this basis, ministers agreed on the need to draw up a Community cultural action programme for an enlarged Europe. Commissioner Reding pointed out that there is presently Euro 36m per year available for 28 countries participating in the Culture 2000 programme, whereas only the city of Frankfurt spends Euro 215m a year on cultural policy. Moreover, she talked about the EC financial perspectives adopted in the run-up to 2006.

For the Commission, "proposing a new programme in these conditions means implementing a long and burdensome procedure that will consume human resources, and leading at best to a Culture 2000 Plus programme, without any significant budget increase, without major modifications and without rethinking of the operational modes (deemed unsatisfactory) of our cultural action for the past ten years".

Another issue discussed at the seminar was patronage (linked to taxation), which plays an essential role in furthering European cultures. A meeting on 8 and 9 April will take place in Madrid to discuss possible Community mechanisms to stimulate patronage.



Commission new portal on culture

Commissioner Reding presented a new European portal dedicated to cultural policies at the informal meeting of Culture ministers held in Salamanca on 18 March. The portal provides free of charge,

easy access to information on EU cultural measures which were previously spread across various sources.

Action in the cultural field that had been taken by different Commission departments before Maastricht via policies on social and regional development, research, internal market and international co-operation lacked visibility and will now be provided by this portal. It lists the EU cultural activities by type of action (regulation, co-operation, international relations), type of activity (music, dance, theatre, heritage) and also provides information on European funding available as well as links to Culture ministries sites and portals in member states and candidate countries. The portal is available in five languages (German, English, French, Spanish, Italian) and can be accessed at <http://europa.eu.int/comm/culture/>.



eCommerce

Member states failure to implement eCommerce directive

The Directive on eCommerce (2000/31/EC), designed to ensure that information society services can be freely provided throughout the EU, was adopted on 8 June 2000 and should have been transposed into national law by 17 January 2002.

To date, Denmark, Finland - which have chosen an opt-in system together with Italy, Germany and Austria, Spain and Belgium have all officially submitted draft laws to the Commission, as have European Economic Area (EEA) countries Iceland and Norway. Ireland, Sweden, Greece and the Netherlands have all prepared draft laws which have not yet been submitted to the Commission. The UK, Italy and Portugal are still in the process of drawing up draft laws. For more information on implemented directives contact your member state single market contact point, http://www.europa.eu.int/comm/internal_market/en/cpoints/index.htm.



Education

Commission results of Second Chance Schools published

The Commission presented the results of its European pilot project on Second Chance Schools, which aims at providing new education and training opportunities for the young who have no qualifications or the necessary competencies to follow training or getting a job. Since the launch of the project in 1996, 13 schools have been set up in 11 members states.

The projects have a close partnership between local authorities and social services, with a teaching approach that focuses on the needs and aptitudes of the young as well as on training modules that facilitate the combination of basic skills and practical training. A central role is given to information technology. The full report can be downloaded from:

http://europa.eu.int/comm/dgs/education_culture/publ/pdf/2chance_en.pdf.



Commission proposed directive for recognition of professional qualifications

The European Commission adopted on 12 March, a proposal for a directive which aims at creating a single legal framework for recognition of professional qualifications to simplify the current system, replacing with a single text the fifteen directives set in place in forty years of harmonisation. Simplification had been requested by the Stockholm summit and prepares for enlargement.

The proposal covers the three existing recognition systems: automatic recognition of training qualifications for doctors, nurses, dentists, veterinarians, midwives, pharmacists and architects; automatic recognition of qualifications attested by professional experience for a series of industrial, craft and commercial activities and a general mutual recognition for the other professions, which leaves member states the right to apply compensatory measures (adjustment courses, aptitude tests) when training required in the state of origin and the host state are substantially different. These measures should however, be eliminated once the qualification criteria have been fixed by Community rules, on the basis of common standards defined by common platforms of professional associations that may be required by relevant authorities of the host member state. Only the recognition of lawyers' qualifications will continue to be regulated by the two existing specific directives.

The new directive gives the regulated professions the freedom to ensure occasional or temporary service, without having to go through official recognition of qualification by the host state. Consultation carried out between June and September last year showed that member states wanted to preserve the current safeguard mechanisms and the compensation system, and that there is considerable fear about equivalence of training when it comes to enlargement. Furthermore, the Commission foresees a procedure for updating rules in order to take scientific and technological progress into account. For further information visit:

http://europa.eu.int/comm/internal_market/en/qualifications/index.htm;

<http://europa.eu.int/comm/education/recognition/inen.html>.



EU Information policy

Parliament call for boost to EU information policy

On 13 March, Parliament adopted the report by MEP Andreasen (A5-0051/2002) in response to a Commission paper on co-operation between EU institutions on information and communication policy. MEPs expressed their concern at the planned decrease in the overall multi-annual estimate of expenditure on information and communication in the Commission (B3 budget lines). Parliament stressed the general need to match the available information more closely with the main target groups such as women, young people between 16 and 20, the elderly, rural communities, children, teachers, SMEs, professional decision-makers and opinion formers. The need to make information more easily available to journalists was also emphasised. A "civic education" unit should be established within the Parliament with sufficient resources in order to act as a centre for all matters relating to education for European citizenship, as well as a centre for European level exchanges between different project operators and promoters in the EU and applicant countries.

Moreover, Parliament believes that information campaigns should focus on issues close to everyday citizens' lives e.g. food safety, employment, environment, freedom of movement but also on issues such as the future of Europe, enlargement and the Charter of Fundamental Rights. MEPs are also calling for greater decentralisation and support to be given to existing information networks in the member states e.g. EU houses, InfoPoints, and the European Movement. Information should be factual, readable, impartial and free of propaganda. Other demands include the reorganisation of the various websites of the major EU institutions as well as a shared portal for Council, Commission, Parliament and other institutions. Access to databases such as CELEX should be free. The full report can be downloaded from http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.



Parliament resolution on access to documents adopted

On 14 March, Parliament adopted a resolution tabled by five groups (EPP-ED, PES, Greens/EFA and

UEN) on the implementation of Regulation (1049/2001/EC) on access to documents, and welcomed the establishment of the inter-institutional committee, expected to start work on defining the agenda and guidelines for future co-operation between the institutions on access to documents. The resolution praises the Commission for the adoption of some measures: rights of citizens to have access to its proposals in co decision procedure; adoption of provisions concerning the administration of documents, as its internal rules are not always fully compatible with the regulation. Parliament regrets that the Commission continues to withhold the entire infringement procedure from public scrutiny.

Moreover, the Commission is requested to ensure compatibility of public archives with the Regulation, as well as the compatibility of existing rules on access to documents. With regard to measures to inform citizens, Parliament wanted *Europe Direct* to be converted into an inter-institutional "help-desk" service providing for assistance to citizens seeking information on the EU. The registers, which are to be operational by 3 June, must be established on the basis of common standards designed to provide user-friendly access for citizens, particularly in relation to legislative activities. On Council meetings, there is a duty to record all documents that have been examined as part of the legislative process, including the positions taken by the representatives of national delegations acting in their capacity as members of the Council, and to give direct access to such documents.



EU Research and Development

Council debate on FP6 rules for participation and specific programmes

On 11 March, Research ministers held a policy debate on certain key issues raised by the proposals for rules for the participation of undertakings, research centres and universities in the sixth framework programme (EC and Euratom). The debate provided some guidance to the Presidency for steering further work on these proposals whilst awaiting Parliament opinions. The President invited COREPER to pursue discussions on outstanding technical issues in order to enable the Council to proceed rapidly in the decision-making process, as to respect the timetable set by the European Council for adoption of both framework programmes in June. However, further detailed work is required, in particular on:

- issues relating to the competences of the programme committee responsible for assisting the Commission in implementing the EC specific programmes require closer examination. Given the dimension of research projects, in particular those covered by networks of excellence and integrated projects, the measures to be submitted should be at least equivalent to those in FP5, adjusted if necessary to cater for the new approach;
- more detailed information is required on practical implementation of thematic priorities to ensure full clarity, transparency and efficiency of management;
- criteria for evaluation and selection of research actions require more detailed examination;
- further explanations by the Commission concerning the liability of participating consortia - their contractual arrangements with the Commission should be examined as well as the question of financial liability and the interests of all participants. The 'liability clause' would only be used in the event of fraud and it would no longer apply to universities, which benefit from a State guarantee.



Information Society

Commission new platform for eGovernment services launched

The European Commission announced on 5 March, the setting up of a secure communications infrastructure for information exchange among European public administrations. In line with the eEurope initiative this facility, which is financed and managed under the Interchange of Data between Administrations (IDA) programme, will provide a platform for new pan-European eGovernment services to citizens and enterprises by improving co-operation between European public services at all levels of government.

Trans-European Services for Telematics between Administrations (TESTA) - a European backbone network, connects governmental intranets operated by national authorities. All but two EU countries are connected to TESTA, Iceland and Norway also participate and EU candidate countries are expected to hook up to it later this year. The network also provides links to Parliament and other European institutions as well as to most of the European agencies. The infrastructure also makes available groupware tools - Communication and Information Resource Centre for Administrations (CIRCA) that facilitate the sharing of resources and documents.

IDA is a Commission-driven strategic initiative using advances in ICT to support rapid electronic exchange of information between member state administrations. It aims at improving EU decision-making and facilitating the operation of the Internal Market and policy implementation.



Results of Commission consultation on re-use of public sector information available

On 23 October 2001, the Commission adopted a Communication on the re-use and the commercial exploitation of public sector information under the eEurope 2002 action plan. The Communication outlines the basic orientations of the Commission on the issue and indicates that a Directive to achieve a minimum harmonisation is under consideration. The Communication builds amongst others upon the replies to the Green Paper on Public Sector Information that was published in January 1999 and to which many of the stakeholders reacted. Following its proposal, the Commission launched an online consultation to get the views of all interested parties (industry, data-holders in the public sector, consumers associations, etc) on the content of a possible legal instrument for the exploitation of public sector information throughout Europe.

A number of replies are not published on the request of the author. Other replies are from ADBS, European association of directory and database publishers (EADP), National Archives of Scotland, National Museum Directors' Conference, Reuters, Scottish Cultural Resources Access Network, Scottish Museums Council, the British Library, the British Museum Company, the Natural History Museum, National Museum of Science and Industry in the UK. Comments received by 5 March 2002 are available for downloading at: http://www.cordis.lu/econtent/psi/psi_actions.htm.



Barcelona summit calls on Commission to draw up a eEurope 2005 action plan

The Barcelona European Council on 15 and 16 March, stressed the importance of widespread availability and use of broadband networks throughout the Union by 2005 and the development of Internet Protocol IPv6. The European Council called on the Commission to draw up a comprehensive eEurope 2005 action plan, which should focus on broadband networks, security of information and networks, eGovernment, eLearning, eHealth and eBusiness.

Member states, on their part, were urged to ensure that, by the end of 2003, the ratio of Internet-connected PCs to pupils is brought down across the EU to 1 for every 15 pupils. Moreover, they were asked to ensure that the new communications regulatory package is fully implemented by May 2003.

The new action plan will complement the current eEurope 2002 action plan with the objective to bring citizens, schools, businesses and administrations into the digital age and online; create a

digitally literate Europe and ensure that the whole process is socially inclusive, builds consumer trust and strengthens social cohesion. On 25 March, Telecom ministers debated work to be undertaken in the coming months to prepare the eEurope 2005 action plan, which will be drafted and presented by the Commission in time for the Seville European Council in June. For further information visit: http://europa.eu.int/information_society/eeurope/index_en.htm.



Internal Market

Council conclusions to launch SOLVIT adopted

The Internal market Council adopted on 1 March, conclusions to prepare the launch of the Solvit database, intended to improve the problem-solving mechanisms encountered by European companies and citizens relating to the application of internal market rules. Solvit will electronically connect the co-ordination centres of member states, which have been responsible for resolving this kind of problems since 1997.

In a communication presented in November last year (COM (2001) 702, published in OJ L 331 of 15 December 2001, p. 79), the Commission noted the disappointing results of co-ordination centres between public administrations and citizens (250-300 cases per year in a Union of over 370m citizens and 18m firms). On the basis of these results, the Commission proposes four measures: establishment of a database covering the EU by June 2002; provision of clear principles for the co-ordination centres; promotion and visibility of the network and implementation of preventive actions to eliminate the origins of recurrent problems.

In its conclusions, Council invites the Commission to allow candidate countries to be actively involved in the network, but does not take any clear commitments in financial terms. Moreover, it invites member states to take the appropriate measures to ensure that the existing centres play an active part in the network. The Commission has earmarked commitment appropriations of € 1.2m for the management of the information network and operations between 2001 and 2003, when it will present a report on the system latest results.



Commission proposal for a directive on protection of patents

The European Commission presented on 20 February, a proposal for a directive on the protection by patents of computer-implemented inventions, which would harmonise the way in which national patent laws deal with inventions using software. The purpose is to end the legal uncertainty resulting from different practices in this area, largely on the basis of the jurisprudence of the EPO. Such inventions can already be patented by applying to either the EPO or the national patent offices of the member states, but the detailed conditions for patent ability may vary. The proposal would not allow patents to be granted for computer programmes on their own e.g. in isolation from a machine on which they may be run, and would have no direct legal effect on the EPO.

The proposed directive will be submitted to the Council, who had a first view on 1 March, and Parliament for adoption under the co decision procedure. The full text of the proposal is available from: http://europa.eu.int/comm/internal_market/en/indprop/index.htm.



Council report on Community patent

On 1 March, Internal market ministers took note of a progress report by the Presidency on the creation of the Community patent and asked COREPER to continue its discussions on the language arrangements, the judicial system and the financial aspects to enable the Internal market Council to reach political agreement at its meeting on 21 May.

The issue is still so controversial that the Council of ministers has not yet been able to reach the unanimous agreement required to adopt the draft regulation. Work continues on the basis of the compromise reached by the Belgian Presidency on 20 December. The two main outstanding issues are those relating to jurisdiction and languages, but there seems to be unanimous agreement for the translation into all Community languages of demands - that is three pages making up the legal core of the patent. A solution remains to be found to ensure that the cost of the patent is competitive. For further information visit: http://europa.eu.int/comm/internal_market/en/indprop/index.htm.



Internet

ICANN conclusions presented to Telecom ministers

On 25 March, Commissioner Liikanen informed Telecom ministers about [ICANN](#), the Internet Corporation for Assigned Names and Numbers, its latest developments and the conclusions from the ICANN meetings held in Ghana last February.

ICANN was set up in 1998 to help co-ordinate certain key aspects of the Internet technical infrastructure. A first broad public discussion on a proposed reform took place in Ghana, where participants agreed on the need to improve ICANN performance and discussed how this should be achieved. Public consultation has now started and a proposal will then be submitted to the ICANN Board in June. The Commission presented two communications on this subject, and proposed in both the support of the principle of private sector self-regulation, and the need for the privatisation and internationalisation of DNS management. Parliament and Council have endorsed the Commission's approach in various resolutions.



Council/Parliament Regulation on .EU Top Level Domain adopted

On 22 March, the Commission accepted all six of the Parliamentary amendments tabled at second reading. The first set of amendments determines what type of committee should assist the Commission. It was a compromise solution and represents a balance whereby the "communications committee" and the "ONP committee" will support the Commission. The second set of amendments relate to the registration method. A new recital makes reference to the "first come first serve" principle. The third set of amendments clarifies the obligations of the Registry.

Since the amendments voted on were a compromise reached between the institutions, the conciliation procedure will not be invoked. Telecom ministers adopted the regulation on 25 March, following verification of the texts by the jurist-linguists. The Commission will now select private, NGO to manage the '.eu' Top Level Domain and the will define the rules to safeguard certain public policy issues. A call for expressions of interest to operate the .eu Registry will be published in due course and the selected party will then be awarded a contract. Measures on which the Registry will be consulted relating to extra-judicial settlements of conflicts or the treatment of intellectual property rights first need to be proposed by the Commission. Visit: http://europa.eu.int/information_society/topics/telecoms/internet/eu_domain/index_en.htm.



eEurope 2002 action plan brings Resolution on access to public websites

On 25 March, Telecom ministers were to adopt a Resolution on Accessibility of public websites and their content. The Commission has adopted a Communication (COM(2001/59) as part of the eEurope action plan (point 6 – eAccessibility) in order to avoid social exclusion and to promote equal opportunities for all. The Resolution invites ESDIS, the high level group on Employment and Social dimension of the Information Society of the Commission to monitor progress in adoption and implementation of the guidelines. It also calls on member states and the Commission to participate in the European Year of People with Disabilities in 2003 and improve web accessibility awareness and training. The Commission should also submit a progress report by the first half of 2004. Further information can be found at:

europa.eu.int/information_society/topics/citizens/accessibility/wai_presentation/good/index_en.htm.



Commission Communication on Safer use of Internet action plan adopted

The Commission adopted on 22 March, a communication proposing the Council and Parliament to extend, with an additional budget of €13.3 million (the budget of the initial action plan was €25 million), the Safer Internet action plan for an additional period of two years. The Commission will now focus on raising awareness of safer Internet use, particularly for personalised, interactive e.g. chatting, online games, mobile and other new applications that have emerged since the inception of the initial action plan.

The second phase will prepare for a possible subsequent wider initiative related to content in Internet and new online media, including where appropriate support for creation of high-quality European content designed specifically for children and new media education to deal with convergence of technologies and broader issues of online safety such as consumer protection. An example of the type of project funded under the action plan is "Educaunet", which presented its results on 20 March in Paris (http://www.social.gouv.fr/htm/info_com/fete_02/intro.htm) focusing on the central role of education in creating a safer Internet. For more information on the Safer Internet Action Plan, visit: <http://www.saferinternet.org> (awareness exchange platform); http://europa.eu.int/information_society/programmes/iap/index_en.htm.



Telecommunications

Commission proceedings initiated against member states

The European Commission has decided to open infringement proceedings against Germany, France, Ireland, the Netherlands and Portugal in relation to the Regulation on unbundling of the local loop. The action is being taken because of failure to ensure that the reference offer from incumbent operators is complete and sufficiently detailed.

These proceedings follow the action taken in December 2001 against Germany, Portugal and Greece. Portugal and Greece have already remedied the problem, therefore the Commission closed these two cases on 20 March. Germany has just reported positive steps to remedy the situation and thus, the Commission will also consider closing this case and ensure that competition in local broadband access is encouraged, an objective that was reaffirmed by the Barcelona European Summit. In addition, the Commission could also initiate action against companies that make abusive use of their dominant position.

Results of a [study](#) by Squire, Sanders and Dempsey, on behalf of the Commission and under the EFTA Surveillance Authority, have shown that the unbundling of the local loop has so far been unsatisfactory within the EU. The study shows that newcomers to the market seeking to rent copper lines from incumbents to deploy their own services to end users are confronted with two sets of problems – tariff and cost-related problems and behavioural problems. According to the consultant, most of the problems reported by new entrants reflect possible infringements of competition law.

The Commission will therefore continue to monitor the unbundling process. A public hearing will be organised before summer to examine both conclusions of the report and comments received during the consultation.



Council amendment to Ten Telecom programme proposed

Telecommunications ministers proposed on 25 March, the amendment of certain aspects of the trans-European telecommunications networks (TEN-Telecom) programme, to focus it on the financing of applications and generic services. The amendments are essentially designed to simplify the application areas on which Community support for the TEN Telecom programme is to be focused.

The proposed revised guidelines focus support on services traditionally provided by public authorities, in line with the eEurope priority areas. The Commission proposal defines three areas where support will be directed: applications (services directly visible to the citizen); generic services (services used as building blocks in constructing applications) and interconnection and interoperability (actions that prevent the emergence of "islands" of networks and technologies).

Four applications areas are set out in the guidelines: eGovernment and eAdministration; health; disabled and elderly - all services aimed at meeting their specific requirements to improve their social integration; **culture and learning** - services which allow flexible delivery of educational material either to support lifelong learning for the individual or to allow education providers to customise their offerings, as well as services enhancing access to cultural resources, irrespective of location.

Parliament has not yet started examining the proposal, but it is hoped that agreement can be reached at first reading.



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