



Hot News

EBLIDA newsletter on EU library & information society issues

April 2002

Contents

[Audiovisual](#)

European co-operation with third countries in audiovisual matters [*](#)
News from the European Audiovisual Observatory [*](#)
Parliament report on protection of minors and human dignity adopted [*](#)
Parliament public hearing on European cinema held [*](#)
New proposals for negotiation with Switzerland adopted [*](#)

[Consumer protection](#)

Green Paper adopted to resolve disputes under civil and commercial law [*](#)
Parliament recommendation for second reading on data privacy adopted [*](#)
Report on the Daphne programme adopted [*](#)

[Co-operation with third countries](#)

Parliament report on higher education adopted [*](#)
Tempus programme will fund new projects worth € 30 million [*](#)

[Culture](#)

Meeting of experts to discuss cultural patronage [*](#)

[eCommerce](#)

Council proposal on legal basis for VAT regulation rejected [*](#)

[Education](#)

Infringement procedures against eleven member states initiated [*](#)
Parliament draft report on lifelong learning available [*](#)
Latest developments under the eLearning initiative [*](#)
Court of Auditors report on the Socrates and Youth programmes published [*](#)
Commission action plan on skills and mobility [*](#)

[Enterprise](#)

Open consultation on pan-European government services launched [*](#)

[EU Research and Development](#)

Parliamentary Industry committee report on FP6 adopted [*](#)

[Information Society](#)

Community statistical programme 2003-2007 approved [*](#)

[Internal Market](#)

Commission communication on the Internal Market Strategy published [*](#)

Parliament report on Community patent adopted at plenary [*](#)

[Trade](#)

WTO Decision on the FSC postponed [*](#)

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.

For more information, contact Carmen Morlon, EU Information Officer, email: morlon@nbic.nl

Audiovisual

European co-operation with third countries in audiovisual matters

A conference on 'Co-operation in the Filmmaking and Audiovisual Field of the EU and third countries: relations with the Latin American and Mediterranean Countries', organised by the Spanish Ministry of Education, Culture and Sport, was held in Madrid on 18 and 19 April.

The conference mainly focused on cultural co-operation in the filmmaking and audiovisual field. The initiative involved the analysis and study of the EU co-operation with third countries concerning audiovisual pursuits, the follow-up of the audiovisual related conclusions at the Summit meeting of the EU, Latin America and the Caribbean, and the preparation of proposals for the Cultural Forum and Summit meeting in May 2002. The final statements of the conference as well as conclusions are available at: http://europa.eu.int/comm/avpolicy/media/conthird_en.pdf.



News from the European Audiovisual Observatory

The European Audiovisual Observatory (the observatory), a European public service body with 34 member states and the European Community, gathers and circulates information on the audiovisual industry in Europe. It was set up in December 1992 and operates within the legal framework of the Council of Europe. It works alongside a number of partner organisations, professional organisations from within the industry and a whole network of correspondents. The observatory has recently published the following reports:

- '2001 was a Flourishing Year for the European Film Market' (2 May 2002);
- 'The distribution of Third Party Country Films in the European Union, 1996-2001' (16 April 2002);
- 'The imbalance of Trade in Films and Television Programmes Between North America and Europe Continues to Deteriorate' (9 April 2002);
- 'The financial situation of public radio-television companies in Europe is deteriorating' (9 April 2002);
- 'Yearbook 2002 - Film, Television, Video and Multimedia in Europe';
- 'The Film and Television Sector in the European Union and Third Party Countries' (see above).

All reports can be downloaded from: <http://www.obs.coe.int/about/oea/pr/>.



Parliament report on protection of minors and human dignity adopted

On 11 April, Parliament adopted at first reading, the report by MEP Beazley (voted 460 to 0 with 3 abstentions) on the 1998 Council recommendation on the protection of minors and human dignity (Commission evaluation report) calling on the Commission to report on its implementation preferably by 31 December this year (see Hot News [February 2002](#), p. 9). The full report (A5-0037/2002, consultation paper) can be downloaded from http://www.europarl.eu.int/plenary/default_en.htm, under latest reports.



Parliament public hearing on European cinema held

On 26 March, the Parliament culture committee (the committee) organised a public hearing in Brussels aimed at exchanging views before drawing up its report on a draft directive on the legal aspects of European cinema. The Federation of European Film Directors (FERA) called on Parliament and Commission to ensure that the concerns of European creators were taking into account e.g. better circulation of non-national European works, measures for European films to find a place on the distribution networks. The Movement against Audiovisual Pirating (MAP) representative, Luis Mendo, gave statistics on audiovisual piracy e.g. 30% of CDs are pirated in Spain and called for the setting up of a monitoring centre for piracy.

Michel Rocard, Chairman of the culture committee, pointed out that the imbalance in the EC legal bases depended on the subject e.g. while the Commission is authorised to impose competition in all sectors, cinema aid has to get a derogation from the competition rules if it is to survive. As some cultural sectors are not covered by the general competition rules, MEP Rocard asked for the directive to set out that 'competition rules do not apply to the weakest film directors and operators'. In addition, he suggested that the committee put forward proposals on the issue to the Convention on the future of Europe. The Chairman and MEP Fraisse called for an international instrument for cultural diversity to be set up in order to defend the notion of culture as an exception to the WTO rules. Moreover, MEPs Pack, O'Toole and Echerer called for a better legal protection with a better definition of private copying and effective sanctions.



New proposals for negotiation with Switzerland adopted

On 9 April, the European Commission adopted a proposal calling on the Council to allow it the opening of four new negotiation agreements with Switzerland in the areas of Schengen, asylum, trade in services and audiovisual. Seven other agreements are to take effect this summer (see Hot News [March](#) 2002, p.4).

With regard to audiovisual, Switzerland hopes to conclude a bilateral agreement in order to participate in the Media Plus programme. Christophe Forax, spokesman for Commissioner Reding, noted however that the participation of Switzerland in the Media Plus programme depends mainly on whether the Swiss government would transpose the Television without Frontiers directive into national law. He pointed out that while the external dimension of Swiss audiovisual policy is compatible with Community law, this is not the case within the context of the WTO (Doha Declaration).



Consumer protection

Green Paper adopted to resolve disputes under civil and commercial law

On 19 April, the European Commission adopted a Green Paper on the alternative ways of resolving disputes under civil and commercial law. Although there are many sector-specific initiatives, especially for eCommerce, consumer and family law, there is no detailed regulation. Some member states have undertaken joint tasks. The Commission has asked 21 questions e.g. what problems would justify Community action in this matter, what recognition is there for an out-of-court settlement in another member state, what instrument - recommendation, regulation or directive. Denmark will hold a seminar on the subject in June and the Commission foresees a public hearing early in 2003. The Green Paper is available at: http://europa.eu.int/comm/off/green/index_fr.htm.

Contributions should be sent by 15 October to JAI-coop-jud-civil@cec.eu.int.



Parliament recommendation for second reading on data privacy adopted

On 18 April, the Citizens parliamentary committee adopted the report by MEP Cappato (A5-0130/2002) amending the Council's common position on data privacy under the second reading (co decision procedure). The committee re-tabled a number of amendments adopted by Parliament at first reading, which had not been taken up by the Council. In particular, it reiterated Parliament's position that user data should not be stored by electronic service providers for longer than necessary (billing purposes) and that any restrictions by member states on the provisions of the directive should be appropriate, proportionate and limited in time.

As regards the use of "cookies", the committee rejected the Council's view that users should receive clear information on the purposes of cookies in advance. On the issue of "spamming", the committee reiterated Parliament's position at first reading that it should be left up to the member states to decide whether users should give prior permission before being sent unsolicited commercial email ("opt-in" system) or should merely have the right to demand that they be removed from an existing mailing list ("opt-out"). Another re-tabled first reading

amendment provided for subscribers to be entitled, 30 months after the directive's entry into force, to ask service providers to use technical solutions enabling them to view the sender and subject line of emails, and also to delete them, without having to download the rest of the contents or any attachments. Lastly, the report repeated Parliament's call for the Commission to submit an impact report on the implementation of the directive as a whole, and not just on the implementation of Article 13 (unsolicited communications).

The draft directive is awaiting Parliament second reading, scheduled for second plenary in May (the amendments must receive a majority of 314 votes in plenary in order to be adopted).



Report on the Daphne programme adopted

On 11 April, the European Commission published its assessment report on the Daphne programme, which aims at fighting violence against women, young people and children in Europe with a budget of € 20 million (2000-2003). The report, which outlines the level of progress achieved since its adoption in January 2000, was presented to Parliament on 18 April.

The 73 projects approved since 2000 include innovative methods of prevention, co-operation, exchanges and networks, the developing of new models, and best practices. The projects also reveal that different kinds of sexual violence account for the highest level of violence, and 6% of total cases come from child pornography on the Internet. The Commission received a total of 622 proposals and funding requests for a total amount of € 40m (2000) and € 22m (2001), which largely exceeds the annual € 5m made available in the programme's budget line.

Summarised information on past and current projects is available in the [Daphne project database](#), where final reports are included as soon as possible after project completion. For further information visit:

http://europa.eu.int/comm/justice_home/project/daphne/en/index.htm.



Co-operation with third countries

Parliament report on higher education adopted

On 11 April, Parliament approved (consultation procedure), a resolution by MEP de Sarnez ([A5-0035/2002](#)) on a Commission paper to boost co-operation with third countries in higher education. According to the resolution, the EU needs to ensure a high education standard to boost its competitiveness in the international education market and must try to ensure equal standards of education and reception facilities in higher education throughout Europe.

Parliament calls on the Commission to consider, in conjunction with the European University Association, introducing a European 'quality label' to cover a whole range of trans national teaching modules. In addition, Parliament recommends that member states include foreign language teaching in all higher education courses and the promotion of joint study courses between European universities. The Commission is asked to continue improving and promoting the ECTS (European Credit Transfer System).



Tempus programme will fund new projects worth €30 million

The European Commission approved on 16 April, new projects and requests for scholarship under the framework of the [Tempus III](#) programme (2000-2006). Countries from the Western Balkans, Eastern Europe and Central Asia will benefit with a total funding of € 30m. For the Western Balkans, 46 projects and 48 mobility scholarships for teachers and students have been selected, with a total funding of € 14,1m. The European Training Foundation of Turin will supply the technical assistance for running the programme. For Eastern European and Central Asian countries, a total amount of € 15,3m will provide funding to 43 projects and 73 mobility scholarships. Details of the selected projects can be requested from DG EAC, Christophe Forax, tel.: +32 2 295 69 64.



Culture

Meeting of experts to discuss cultural patronage

The meeting on [cultural patronage](#) was held in Madrid on 8 and 9 April and attended by representatives of major European museums, corporate/university patronage and directors of foundations. The meeting gave an opportunity to take into account the situation of patronage in Europe and to discuss how it can be further developed and promoted. The main objective was to identify what Community mechanisms need to be set up or improved to do so in order to give more scope to cultural diversities in Europe.

Commissioner Reding hoped that it would contribute to the relevant fields in the EU and improve information and dissemination so that cultural resources were used in an optimal way. Reding also said that DG EAC is prepared to set up an inter-service working group at the Commission involving the different areas of European cultural patronage. According to DG EAC 'patronage is now a key factor in funding culture. [...] the level of private funding of culture is still very low. However, patronage can complement or facilitate sorely needed action by public authorities in this area, which is all the more crucial now, since the cultural borders of the EU encompass countries in which this public/private partnership is an absolute necessity'. For further information on the meeting documents, papers and reports as well as conclusions, send an email to immaculada.canet@dgcc.mcu.es.



eCommerce

Council proposal on legal basis for VAT regulation rejected

Parliament adopted on 25 April, a resolution ([A5-0140/2002](#)) rejecting the change in legal basis proposed by the Council to a proposal on VAT and eCommerce from co decision to consultation. The regulation amending Regulation 218/92/EEC on administrative co-operation in the field of indirect taxation (VAT) could only be adopted by the Council after Parliament's opinion (see Hot News February 2002, p. 6). The resolution calls on the Council to transmit the common position to Parliament.



Education

Infringement procedures against eleven member states initiated

The European Commission decided on 18 April, to formally request eleven member states to implement into national law Directive 1999/42/EC on the recognition of professional qualifications relating to certain industrial, commercial and craft activities. Austria, Finland, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the UK. The Commission has asked for reasoned opinions, the second stage of formal infringement procedure and may decide to bring an action before the Court of Justice against any member state which fails to provide a good response in the two months following receipt of the reasoned opinion. The deadline for implementation into national law was 31 July 2001.

For updated information concerning infringements against all member states, visit:
http://europa.eu.int/comm/secretariat_general/sgb/droit_com/index_en.htm.



Parliament draft report on lifelong learning available

The draft report by MEP van Brempt on the Commission communication on 'Making a European area of Lifelong Learning a reality' (26 March 2002) is available, in all eleven official languages, at:

<http://www.europarl.eu.int/meetdocs/committees/cult/20020417/CULT20020417.htm> (Item 14).

In her draft report, MEP van Brempt states that more work needs to be done to clarify and refine the policy initiatives the Commission recommends. She also states that:

- there is at present no firm agreement on what constitutes 'basic skills';
- mutual recognition of qualifications, knowledge and skills remains incomplete and constitutes a serious obstacle to mobility;
- recognition and transferability of non-formal and informal learning is an essential part of lifelong learning, but remains poorly developed;
- specific targets should be set for lifelong learning, clear progress indicators should be established, and regular reports published on what has been achieved;
- Socrates, Leonardo da Vinci and Youth programmes and joint actions between these, have their own distinct and more limited objectives, attainment of which must not be compromised.

With regard to the Community budget to support lifelong learning, the rapporteur notes that the Community budget remains difficult to quantify. In principle, the whole B3-1 (education and vocational training) chapter might be included (some €523m in budget 2002). The Commission adds an estimate of a further € 2 billion per year from the European Social Fund (ESF) for the 2000-2006 period. The contribution from FP6 is not clear however, nor is that of the European Investment Bank (EIB), the European Regional Development Fund (ERDF) or the EQUAL initiative. She asks the Commission whether additional Community expenditure is being considered.

The Culture committee considered the draft report on 18 April and has scheduled its adoption on 4 June. If adopted, Parliament will vote at plenary in July. Otherwise, it will be voted at plenary in September.



Latest developments under the eLearning initiative

A meeting was held on 8 April in Brussels to answer questions about the invitation to tender (DG EAC/02/02) for the creation/operation and maintenance of an Internet portal for the eLearning initiative. The invitation to tender was published on 8 March 2002, the deadline for submitting bids was 15 April 2002 and the bids were opened on 22 April 2002. The indicative timetable was to sign the contract in September 2002. This would be preceded by a thorough selection and evaluation procedure, which would take place immediately after the opening of the bids. The Portal should then be developed between September and November, with its launch being in November 2002. The minutes are available at:

<http://europa.eu.int/comm/education/elearning/min-meeting8-4-2002.pdf>.

With regard to the call for proposals, 65 proposals were received for the first deadline, of which 4 were ineligible and 61 were evaluated. 11 proposals are now being considered for Community funding, for approximately € 5 million. Proposals from the second deadline on 16 November 2001 are under evaluation. Responses show that the second phase of the call was even more popular than the first one, with around 180 proposals received. An important project for a 'European Observatory' has been selected and with the help of the European Investment Bank (EIB), it should become a reality in the near future.

In addition, the Commission published on 28 February, the 'eLearning: Designing Tomorrow's Education' interim report, as requested by the Council Resolution of 13 July 2001. The report and technical annex can be downloaded from:

http://europa.eu.int/comm/education/elearning/sec_2002_236_en.pdf.



Court of Auditors report on the Socrates and Youth programmes published

On 9 April, the European Court of Auditors presented its [special report no 2/2002 on the Socrates and Youth programmes, together with the Commission's replies](#). The report notes that the Socrates and Youth programmes have been allocated budgetary funds of € 920m and € 126m respectively. They have contributed to a strengthening of co-operation between EU universities and in the other participant countries and have made multicultural exchange activities possible for the benefit of young people. Nevertheless, the Court's audit has revealed weaknesses in the design of the two programmes and shortcomings in the management of their implementation (both programmes started late due to delays in the adoption of their legal frameworks).



Commission action plan on skills and mobility

The Commission communication on an [action plan on basic skills and mobility](#), adopted on 13 February (see Hot News February 2002, p.8), was assigned to the Parliamentary committee on Employment as the committee responsible. In view of the fact that of the 25 measures proposed as an action plan for this strategy, 11 were in the remit of the culture committee and the remainder were shared among the culture, industry and employment committees, the coordinators decided to open a conflict of competence procedure. The culture committee would send a letter to the Conference of Presidents to that effect.



Enterprise

Open consultation on pan-European government services launched

Before any policy can be developed or recommendations made, the Commission needs to know the views of the users of these services. In this context, the Commission has launched an open consultation on pan-European government e-services, which aims at identifying the needs and opportunities of EU enterprises and citizens in terms of pan-European Government e-services. That is to say, the requirements for government e-services for those enterprises and citizens that interact electronically across Europe's borders with public administrations in other member states.

The [IDA programme](#) has produced a discussion document which describes government e-services and highlights the issue of trans-border access, drawn up as a first stage in the development of policy on government e-services at the European level. Also a [document](#) containing some questions on this issue is provided.

Twenty-three benchmarking areas are set for the action plan of which three are related to Government online: the percentage of basic public services online, public use of government information and public procurement. The first benchmarking indicator covers twenty services. Of these, eight are A2B (administration to business) services and twelve are A2C (administration to citizen) services, including public libraries. By participating in this consultation (email: ida-central@cec.eu.int), which is open from 8 April to 17 June 2002, you will contribute to the development of EU policy on pan-European Government e-services. Visit: http://europa.eu.int/comm/enterprise/consultations/government_e-services/index.htm.



EU Research and Development

Parliament Industry committee report on FP6 adopted

The Parliamentary Industry committee has substantially amended the draft report by MEP Caudron ([A5-0153/2002](#)), with a view to second reading. Forty eight amendments voted may not be submitted to plenary if the Council and the Commission agree to take them up in specific programmes on which Parliament is not consulted, but will be the subject of five other reports not yet adopted by the parliamentary committee (the culture Parliamentary committee would not be delivering an opinion).

After vote, the report comprises 88 amendments instead of the 50 initially proposed by the rapporteur, many of which had been adopted by Parliament at first reading but had not been taken up by the Council. Some amendments call for:

- endorsement of the "stairway to excellence" concept;
- an explicit reference to Article 6 of the Treaty of Amsterdam and to the conclusions of the Göteborg European Council;
- the integration of sustainable development and the reduction of external environmental costs;
- the promotion of basic research and space research;
- increased participation of SMEs in all areas of the framework programme;
- research into the preservation of the cultural heritage.

With regard to budget, the committee proposed small changes in the way funding is broken down.

Although some of the changes could bring into question a compromise between the Council and the European Commission, the rapporteur hopes that the timetable is kept so that FP6 can be

adopted before the end of the first term. The second reading will take place at plenary in Strasbourg on 7 May.



Information Society

Community statistical programme 2003-2007 approved

On 25 April, Parliament approved at first reading, the report by MEP Lulling ([A5-0105/2002](#)) on the proposal for a decision on the Community statistical programme for the 2003-2007 period. A number of amendments were also approved, including one to increase funding from € 192,5m to € 222,37m.

In an annex to the proposed decision, the statistical needs and priority tasks in individual policy sectors are identified. The following areas are of particular interest: Title XI (social policy, education, vocational training and youth), Title XII (culture), and partly Title VIII (employment) and Title III (free movement of persons, services and capital).

With regard to culture, the priority tasks for cultural statistics, according to the Commission proposal, will be the consolidation of the pilot work on culture employment, participation in cultural activities and statistics on culture expenditure. According to the culture committee's opinion, the first priority of the statistical system in the cultural field should be to develop instruments to allow the economic importance of the cultural industries to be measured. Regarding title XI, the report states the need for a comprehensive system of 'learning' statistics, giving special attention to public and private investment in education and asks for the current range of information on education and training to be supplemented with further data on adult education.

The draft programme is awaiting Council common position.



Internal Market

Commission communication on the Internal Market Strategy published

The third annual review of the [Internal Market Strategy](#), which is a five-year process launched in November 1999, was published on 11 April by the European Commission. The review draws together the different strands of Internal Market policy in a single document and provides decision-makers with a roadmap for the next 18 months. It is based on a thorough analysis – mainly in the Cardiff Report – of the areas where the Internal Market still needs to be improved and sets out a series of target actions aimed at filling these gaps.



Parliament report on Community patent adopted at plenary

On 10 April, Parliament voted 256 to 187 with 95 abstentions (consultation procedure) in favour of a resolution approving the Commission's proposal for a regulation to create a Community patent, together with a number of non-binding amendments. Ahead of the Council meeting on 21 May, which is expected to reach the unanimous agreement required to adopt the draft

regulation, the amendments express the rapporteur's views on a series of issues which are essential for the adoption and proper functioning of this regulation. The key points are the language arrangements, the role of national patent offices vis-à-vis the European Patent Office (an existing non-EU body to which the Community would accede in its own right) and the judicial system (see Hot News [December-January 2002](#), p. 9 and [March](#), p. 10).



Trade

WTO Decision on the FSC postponed

The Geneva verdict on the amount of sanctions that the EU is entitled to impose on US trade in the Foreign Sales Corporations (FSC) issue has again been postponed (see Hot News [February](#), p. 11) and will now be given on 17 June 2002.



Created: 18 June 2002