



February 2006

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

Intellectual Property Rights

Highlights:

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§

Commission sends Statement of Objections to the CISAC and its EEA members

The Commission has decided to open formal proceedings against the International Confederation of Societies of Authors and Composers (CISAC) and the individual national collecting societies in the EEA that are members of CISAC and has sent them a Statement of Objections (SO), which concerns certain parts of the CISAC model contract and its implementation at bilateral level by CISAC members in the EEA. This model contract and its duplicates at bilateral level concern the collective management of copyright for every category of exploitation.

The SO however concerns only certain relatively new forms of copyright exploitation: Internet, satellite transmission and cable retransmission of music; traditional forms of exploitation are outside its scope. The Commission considers that certain aspects of the agreements might infringe the EC Treaty's prohibition of restrictive business practices (Article 81). These aspects are the membership restrictions which oblige authors to transfer their rights only to their own national

collecting society (whatever the subsequent exploitations of the rights); the territorial restrictions, which oblige commercial users to obtain a license only from the domestic collecting society and limited to the domestic territory, and the network effects of the agreements (the membership and territorial restrictions multiply and guarantee to collecting societies an absolutely exclusive position on their domestic market: the historical *de facto* monopoly is strengthened and potential new entrants are prevented from entering the market for copyright management).

SO is a formal step in European antitrust investigations. After receiving such statement, companies have two months to defend themselves in writing (they can also ask the Commission to hear their case at an oral hearing). After having heard the company's defence the Commission can take a final decision, which may be accompanied by fines.

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Education

Key competences for lifelong learning

<http://www.europarl.eu.int/ocil/file.jsp?id=5289042>

COM (2005)0548 and SEC (2005)1415 of 10 November 2005

Pending the opinion of the European Parliament, the (Education) Council held an exchange of views on the proposed Recommendation which further establishes how the key competences can be accessed through lifelong learning. The delegations agreed that the eight competences outlined in the proposal are necessary for individuals

to live in the current knowledge-based societies, even though some delegations considered that other competences could be added to the list, as, for instance, basic skills on the European Union. Some delegations noted that it was better to make reference to the instruction language rather than the mother tongue. The outcome of the debate will be used as a reference for future examination of the proposal.

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Lobbying for archives and libraries

Note from EBLIDA Interim Director

With active and alert members, EBLIDA is monitoring a number of issues at the European level, and preparing responses to official consultations. Working groups have been e-mailing intensely or have met to discuss in depth what is useful and what is threatening for libraries and archives in Europe. The Professional Education Group met in Granada at the end of January, and enjoyed hospitality from member Pedro Hípola and the University. The Directive on the Recognition of Professional Qualifications relates to regulated professions and does not directly affect LIS and Archives, but creating a common platform may mean an opportunity to improve the sector's profile. Results of monitoring professional education and qualifications were reported to the Executive Committee.

In addition to our response on the Communication of the European Commission about Digital Libraries, i2010 (http://www.eblida.org/position/i2010_DigitalLibraries_Response_Jan06.htm), we are also trying to have an expert on the High Level Expert Group on Digital Libraries (Commission Decision of *14 February 2006, 2006/L 46, p. 32 of 14 February 2006*).

Another piece of work is EBLIDA's response to the review of the Database Directive (http://www.eblida.org/position/Databases_Response_March06.htm). As we all know, this Directive is not an easy and transparent piece of legislation, to say the least. When we take the view of European citizens there is much in the Directive contributing to confusion in daily practice, hindering smooth access to information and delivering modern information services.

The mandatory retention of personal data, as presented in a new EU Directive is another issue to watch, maybe especially in the view of the prolongation of the *Patriot Act*, which seems to set a frame for some regulation in European countries as well.

The Executive Committee met in Rome on 3 and 4 March and worked on strengthening EBLIDA. The procedure for recruiting a new director was successfully executed, resulting in final discussion with a good candidate. EBLIDA will send a press release as soon as final negotiations have ended positively.

A new full member was welcomed: the [Lithuanian Research Library Association](#).

The Executive took measures for increasing membership and urging members to pay in time, on recommendation of an internal working group. The financial reports and budgets for 2006 and 2007 were discussed with a reality check. Pending the appointment of a new director the Strategy and activities as mentioned in the work programme were primarily maintained for later priority setting.

As has become a deliberate tradition, the Executive Committee took the opportunity to present EBLIDA and discuss European issues at stake, with local representatives.

This EBLIDA-Italy meeting was held in the National Library, which, with the help of EC member Lalla Sotgiu, was a fine local host. Rome in spring, that makes heavy EBLIDA issues lighter!

In the meantime, we are already looking forward to the hosts for the Council Meeting in Budapest on 5 and 6 May. Our Hungarian colleagues have got together and are preparing a very hospitable framework for the Council meeting. The main venue will be the National Library, and we hope to include some local visits with discussions and exchanges as well.

The first announcements for registration and information will appear at <http://www.eblida.org/eblida/meetings/index.htm>.

We hope to welcome many members!

Audiovisual

Television without Frontiers, fifth report on application of directive 89/552/EEC <http://www.europarl.eu.int/oeil/file.jsp?id=9196213>

COM/2006/0049 and SEC (2006)0160 of 10 February 2006

*Co Decision Procedure
First Reading*

The present report follows the fourth report (January 2003) and deals with the application of the Directive 89/552/EEC "Television without Frontiers" in the years 2003-2004.

According to the report, the "Television without Frontiers" Directive continues to function successfully in ensuring the freedom to provide TV services in the EU. The fundamental objectives of public interest that the Directive aims to safeguard in establishing a minimum harmonisation in the internal market remain valid. The Directive provides effective regulation for the European audiovisual sector and the report confirms the validity of the common European approach to audiovisual matters.

However, in view of market and

technological developments, a need to review the current EU regulatory framework has become apparent, thus the Commission presented on 13 December 2005 (COM (2005)0646, SEC (2005)1625 and SEC (2005)1626) a proposal for a directive to amend the Directive, which intends to establish a flexible framework for TV broadcasts, including other linear (scheduled) audiovisual media services, and to introduce a set of minimum rules for non-linear (on-demand) audiovisual media services. It also introduces new definitions based around the notion of "audiovisual media service". Services where the audiovisual content is merely ancillary to and not the principal purpose of the service are not covered.

The Council will examine the proposed directive in May; Parliament in turn will vote on the report at plenary (first reading) in November.

Reviewing the interoperability of digital interactive TV services

<http://www.europarl.eu.int/oeil/file.jsp?id=9192363>

In its Communication published on 2 February on reviewing the interoperability of digital interactive TV services pursuant to COM (2004) 541 of 30 July 2004, which assesses the developments in interactive digital TV since July 2004, the European Commission states that compulsory technical standards imposed by regulators are not necessary; this dynamic market is best served by voluntary, industry-led standardisation initiatives.

The Commission's priorities are now to work with Member States to ensure the successful switchover to digital TV as the

facilitator for interactive digital services and to promote open standards e.g. Multimedia Home Platform (MHP) and interoperability; to support cooperation/exchange of best practice between Member States and between stakeholders; to promote international cooperation on digital TV open standards and interoperability and to monitor use of proprietary technologies.

The communication can be found at http://europa.eu.int/information_society/policy/economy/info_centre/documentation/communic_reports/index_en.htm.

Consumer Protection

European order for payment procedure

<http://www.europarl.eu.int/oeil/file.jsp?id=242002>

*Co Decision Procedure
First Reading*

On 21 February, the JHA Council reached a political agreement on the proposed Regulation creating a European order for payment procedure, which aims at reducing the costs of litigation in cross-border cases

concerning uncontested pecuniary claims and to permit the free circulation of European orders for payment throughout the Member States. It will apply in cross-

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Consumer Protection

European order for payment procedure

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border cases (one in which at least one of the parties is domiciled or habitually resident in a Member State other than the Member State of the seized court) to civil and commercial matters, whatever the nature of the court or tribunal. Denmark will not take part in its

adoption.

Political agreement is expected in April; the Commission in turn adopted its modified proposal in response to amendments voted by Parliament on 7 February (*COM (2006)0057*).

Rome I, law applicable to non-contractual obligations

<http://www.europarl.eu.int/ocil/file.jsp?id=5301232>

COM (2005)0650 of 15 December 2005

On 21 February, the JHA Council had an exchange of views on certain issues of the draft Regulation on law applicable to non-contractual obligations, presented by the Commission on 15 December 2005, in particular those relating to a damage cause by a defective product; damage arising out of an act of unfair competition; violation of privacy and rights relating to the personality, particularly in the event of defamation by the mass media, and incompatibility with the public policy (Article 20, *ordre public*).

The Council broadly agreed with the compromise guidelines presented by the Presidency. The Presidency will propose a revised draft text to the Committee on Civil

Law Matters (Rome II) on that basis.

Regarding the violation of privacy and rights relating to the personality, the Council took note of a modified Commission proposal excluding - for the time being from the scope of the Directive a specific Article on this issue (the Commission may invoke a revision clause, two years after its adoption, to allow re-introduction of defamation for discussion at Council). Other articles e.g. Article 5 (consumer contracts), Article 23 (Relationship with existing international conventions) will be finalized at forthcoming meetings of the Council. A political agreement on the draft regulation is foreseen in April. MEP Berger was appointed Rapporteur for the Parliament's Legal Affairs Committee on 23 February.

*Co Decision Procedure
First Reading*

EU adopts data retention directive

<http://www.europarl.eu.int/ocil/file.jsp?id=5275032>

Following an agreement reached by the Council at its meeting on 1 and 2 December 2005, the JHA Council adopted on 21 February a Directive on data retention, amending Directive 2002/58/EC. The Irish and Slovak delegations voted against.

This Directive aims at harmonising Member States' provisions concerning the obligations of the providers of publicly available electronic communications services or of public communications networks with respect to the retention of certain data which are generated or processed by them, to ensure that the data are available for the purpose of the investigation, detection and prosecution of serious crime, as defined by each Member State in its national law.

It shall apply to traffic and location data on

www.eblida.org

both legal entities and natural persons and to the related data necessary to identify the subscriber or registered user; it shall **not apply to the content of e-communications**, including information consulted using an electronic communications network. The data retained e.g. phone calls, text messages and emails - for periods of not less than six months and not more than two years from the date of communication - are provided only to the competent national authorities in specific cases and in accordance with national law. Each Member State will designate a public authority to be responsible for monitoring the application within its territory of the provisions adopted regarding the security of stored data.

Following its entry into force, Member States will have 18 months in which to comply with its provisions.

*Co Decision Procedure
First Reading*

Cooperation with Third Countries

Figel visits the USA to strengthen relations in higher education

http://europa.eu.int/comm/education/programmes/ei-usa/index_en.html

Commissioner Figel visited the USA from 6 to 8 February to meet the US Secretary for Education and other senior government officials, as well as the President of MIT, to reinforce and renew European-US cooperation in higher education and vocational training, which since it began in 1995, has involved over 600 institutions and 3000 students.

The EU-USA joint cooperation programme's core activities are joint

curriculum development and student exchanges in a wide range of disciplines such as International Education Development, Environment and Agriculture, Engineering, Health Science and International Business. More than 600 institutions have participated by drawing on their best resources to build transatlantic study programmes and over 3000 students have benefited from the resulting exchanges.

The programme is now up for renewal.

Intellectual Property Rights

The Effective Protection of Intellectual Property: a Challenge for Europe

http://www.europarl.eu.int/hearings/20060131/juri/programme_en.pdf

The Parliament's Committee on Legal Affairs held on 31 January a public hearing on Intellectual Property to discuss the latest developments at EC level; the point of view of companies and consumers; the harmonisation of criminal sanctions in the field of Intellectual Property; the Community patent and competence policy and Intellectual Property.

As regards digital technology and the Internet in particular, it was noted that the Commission should focus more on setting up a one-stop shop system and foresee a roadmap to allow a single Intellectual Property legislation to be set in place. On behalf of the consumers, BEUC tackled the problem of sanctions linked to privacy on the Internet.

Trademark Law Treaty

The ECOFIN Council adopted on 14 February a Decision authorising the Commission to open negotiations on a revised international treaty on trademark law and on the participation of the EU in the new treaty.

A diplomatic conference of the World Intellectual Property Organisation (<http://www.wipo.int/>) will take place in Singapore on 13 to 31 March 2006 with the aim of updating the 1994 treaty.

Commission sends Statement of Objections to the CISAC and its EEA members

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Collecting societies manage copyright and grant exploitation licences to commercial users of public performance rights. Each collecting society that is a member of CISAC enjoys an exclusive position on its domestic (national) market and has its own portfolio of works (the "repertoire"). Each EEA collecting society also has a reciprocal representation contract with all the other EEA societies. As a consequence, all EEA collecting societies have a global portfolio of musical works – a multi *repertoire* and can

deliver to commercial users a multi *repertoire* licence to be exploited in the domestic market only.

The reciprocal representation contracts are a duplicate at bilateral level of a model contract proposed by CISAC. The Commission's concerns are not based on the reciprocal representation contracts as such, but only some of the restrictive clauses contained in the reciprocal representation contracts.

Education

“Time to move up a gear”, preparation of the Spring European Council

On 23 February, the (Education) Council was briefed by the Commission on its 2006 annual report addressed to the Spring European Council in the context of the renewed Lisbon strategy for growth and jobs: “Time to move up a gear”. The Commissioner gave special relevance to the education elements, concluding that there is a need to accelerate the reforms at national level.

Among other measures, the report proposes to increase investment in universities up to 2% of GDP. Some delegations had doubts on the possibility and the opportunity for such an increase. Some delegations would like to give more relevance to the problems raised by early school leaving.

The report is divided in two parts: Part I (The new partnership for growth and jobs) evaluates the process of drawing up national reform programmes and highlights a number of key initiatives for agreement at the European Council. Part II (Country chapters) is a detailed assessment of the national reform programmes, pointing out their strengths as well as areas where they need review and updating by Member States. The first cycle of implementation of the Lisbon strategy, as re-launched last year, will culminate in messages from the spring 2006 European Council pointing out the strategy for the year ahead. The Commission progress report on the national reform programmes is intended to be a contribution in this context.

Education and training 2010 work programme, key messages

On 23 February, the (Education) Council, jointly with the Commission, adopted the 2006 joint interim report on progress achieved within the context of the “Education and training 2010 work programme”, a programme established to follow up the objectives set by the Lisbon reform agenda as regards education and training systems in Europe.

The joint interim report, entitled “Modernising education and training: a vital contribution to prosperity and social cohesion in Europe” gives a picture of progress already made on implementing the work programme and proposes measures to be taken for further improvements. The

Council further adopted the following key messages addressed to the Spring European Council: education and training are vital for growth, jobs and social cohesion; progress is being made but more substantial efforts are required in key areas.

Member States should as a matter of priority mobilise all necessary means to implement coherent and comprehensive **lifelong learning strategies**. Peer-learning activities and the use of research results will make an important contribution in this respect. To support greater mobility and an efficient European labour market, progress on a **European Qualifications Framework (EQF)** should also be achieved.

Commission tables plan to promote business spirit in schools and universities

http://europa.eu.int/comm/education/policies/2010/objectives_en.html#basic

On 13 February, the European Commission outlined a set of recommendations aimed at enhancing the role of education in creating a more entrepreneurial culture in European societies as part of the EU’s Lisbon partnership for Growth and Jobs. The Commission has proposed 8 key competences that all citizens should have in a modern, knowledge-based society - including- entrepreneurship (as a competence it refers to an individual’s ability to turn ideas into action). The Commission www.eblida.org

recommends that national and regional authorities establish cooperation between different departments, leading to developing a strategy with clear objectives and covering all stages of education and curricula for schools at all levels should explicitly include entrepreneurship as an objective of education.

For further information see *IP/05/1405* and *MEMO/05/416* at <http://europa.eu.int/rapid/>.

Education

European indicator of language competence

COM (2005)0356 of 1 August 2005

The (Education) Council held a policy debate on a Commission communication on the “European indicator of language competence”, covering, in particular, the approach outlined in the communication towards the establishment of the European indicator of language competence (EILC); the establishment of an advisory board composed of a representative of each Member State whose initial mandate would be to clarify/define the parameters for implementation; and the main parameters for the EILC.

The debate was aimed at giving a clearer picture of the arrangements needed to implement the indicator. Delegations broadly agreed with the approach proposed by the Commission as well as with the creation of an advisory board to define the parameters of the indicator. Concerning the latter, there were different opinions concerning the level

of education for the evaluation (some delegations would prefer a higher level). A number of delegations could not accept limiting the first round of data gathering to the more widely taught languages EU wide. Some delegations recalled that in their countries there is more than one national language and that those specificities should be taken into account.

The indicator should also be seen in the context of the range of indicators that Member States have agreed to develop through the “Education and training 2010” process.

In its draft report, MEP Mavrommatis (*Rapporteur*) considers it essential for both Council and Commission to propose further initiatives leading towards a genuinely multilingual European Community. The CULT Committee is scheduled to vote on its report in April.

Fostering entrepreneurial mindsets through education and learning

<http://www.europarl.eu.int/oeil/file.jsp?id=9197863>

COM/2006/0033 of 13 February 2006

The Commission presented on 13 February a communication entitled “Fostering entrepreneurial mindsets through education and learning”, which aims at supporting Member States in developing a more systematic strategy for entrepreneurship education.

While recognising that the entrepreneurship competence should be acquired throughout **lifelong learning**, the Communication focuses on education from primary school to university, including also secondary level vocational education (initial vocational training) and technical institutions of tertiary level. It will serve as a reference for reviewing progress in policy development, notably through the Lisbon Reports that the Member States will submit under the Integrated Guidelines for Growth and Jobs (*Guideline No 15*).

It presents a set of recommendations for concrete action, based on evidence and good

practice found in Europe. Most of the action needs to be taken at national or local level. The recommendations are: a coherent framework; support for schools and teachers; participation by external actors and businesses; and fostering entrepreneurship in higher education. The proposals aim at helping formulate more systematic approaches to entrepreneurship education and at enhancing the role of education in creating a more entrepreneurial culture in European societies.

From 2007 the proposed new **Community Integrated Programme on Lifelong Learning** will support innovative projects with a European dimension and the ESF will continue to support initiatives at European, national and local level.

Visit

http://europa.eu.int/growthandjobs/areas/fiche10_en.htm. For examples of good practice in Europe, see *MEMO/06/69 of 13 February 2006* at <http://europa.eu.int/rapid/>.

Education

Thirty years of European cooperation in education (1976-2006)

On 23 February, the European Commission published "The history of European cooperation in education and training", which highlights the fact that it was not until 20 years after the Treaty of Rome that European cooperation in this area began, laying the foundations for a people's Europe by making a direct impact on a growing number of its citizens: tens of thousands of

pupils, students and teachers from all EU countries benefited from support for mobility and for transnational projects and cooperation networks.

This publication is available at <http://publications.eu.int> in French only; the English version will be available in April/May this year.

European Institute of Technology, a new flagship for excellence

http://europa.eu.int/comm/education/eit/index_en.html

The Commission is proposing the creation of a European Institute of Technology (EIT) intended to be a new flagship for excellence in higher education, research and innovation. In a Communication adopted on 22 February, the Commission defined the key elements of the proposed EIT – originally put forward in 2005 as part of the revamp of the *Lisbon strategy for growth and jobs* - which is now ready for consideration by the Heads of State and government. Work is based on the results of a wide public consultation collecting more than 700 contributions.

The EIT will concentrate, in particular, on combining the three sides of the knowledge triangle: **education, research and innovation**. It will have a structure and a

mix of partners specifically designed to integrate and inseparably link these three areas.

The Commission invites the European Council to consider the elements outlined in the communication and will put forward a formal proposal before the end of 2006.

If the legal instrument establishing the EIT can be adopted in 2008, the Governing board could be appointed in early 2009, along with the first staff. Identification of the knowledge communities should start in 2009.

See *IP/06/201* and *MEMO/06/88 of 22 February 2006* at <http://europa.eu.int/rapid/>.

Enlargement

Accession partnership with Croatia

On 14 February, the ECOFIN Council adopted a regulation amending *Reg 533/2004* by changing the name of the "European partnership" for **Croatia** to "Accession Partnership" to align it with that used for the partnership for **Turkey**, as both are candidate countries that have started EU accession negotiations.

Moreover, after its political agreement of 12 December 2005, the Council adopted on 20 February a Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia, which is an important document to focus its

preparations for accession following the start of accession negotiations on 3 October 2005. The Accession Partnership updates the previous European Partnership with Croatia and identifies new priorities for action, adapted to the country's specific needs and stage of preparation; they will be updated as necessary. It also provides guidance for financial assistance to Croatia. Croatia is now expected to develop a plan with a timetable and specific measures to address the priorities of the Accession Partnership.

A revised Accession Partnership with **Turkey** was adopted by the Council on 23 January 2006.

Strategy paper on progress in the enlargement process

COM (2005)0561 of 9 November 2005

The own-initiative report by *MEP Brok (A6-0025/2006 of 3 February 2006)* on progress in the enlargement process was adopted by the Committee on Foreign Affairs. Parliament is to adopt its own-initiative report at plenary in March.

The Council adopted its conclusions on 12 December 2005. In its conclusions, the Council welcomed the intention of the Commission to submit a monitoring report to the Council and Parliament in April/May 2006 to review the situation in line with the provisions of the Accession Treaty.

EU Information Policy

White Paper on European Communication Policy

The Commission adopted on 1 February a White Paper on a European Communication Policy (*COM (2006)0035*), which follows the publication of the Commission Action Plan on Communication (*July 2005*), which outlined the steps to follow up to reform its own communication activities, to get closer to citizens and to be more responsive to their concerns.

The White Paper aims at mobilising all the key actors e.g. EU institutions and bodies, Member States, regional/local authorities, political parties and civil society. It proposes five areas where joint action should be taken: defining common principles for communication on European issues; empowering citizens; working with the media and new technologies; understanding public opinion; and doing the job together.

The **consultation period will run for six months**; then the Commission will draw conclusions based on the replies and propose plans of action e.g. a Charter, Code of Conduct or another instrument for each working area. European citizens and all interested parties are invited to respond by logging on to a specially-created multilingual website

(http://europa.eu.int/comm/communication_white_paper/index_en.htm).

The Commission together with other EU institutions, will also organise a series of 'stakeholder forums' to which specific interest groups (NGOs, business organisations and others) will be invited. A special series of Euro barometer polls will be launched in spring to provide the best possible data for analysis.

There could be a particular emphasis on areas where the EU and Member States already act in parallel e.g. involving cooperation with the European Networks and Relays (EUROPE DIRECT). Another important project to be developed by the Member States would be the **transformation of libraries into digitally connected European libraries** that could work as information and learning centres.

The European Ombudsman (<http://www.euro-ombudsman.eu.int>), has welcomed the White Paper and feels that developing a European Charter on Information and Communication will make a real difference.

EUROPE DIRECT Contact Centre, background material

<http://europa.eu.int/eurodirect/>

MEMO/06/56 of 3 February 2006

EUROPE DIRECT offers a free telephone and email service which citizens can use from anywhere in the EU to find answers to questions about the EU and EU-related issues, or about very practical issues related

to, for instance, education and mobility.

It was launched during the UK Presidency (*Cardiff, June 1998*); the service began operational in the EU-15 in 2000. On 1 May 2004, the single telephone number became accessible to citizens in the EU-10 new member states and it is now operational in all the official languages of the EU.

Improving transparency of the EU institutions

How can the European Union speak of transparency and the need to close the gap with its citizens if it fails to apply the most basic rules on public access to the EU institutions' documents? Parliament's Civil Liberties Committee came out on 22 February in favour of revising and supplementing existing legislation to ensure that debates in Council and all preparatory documents on legislative procedures are available to the public and easily accessible.

In addition, the Petitions Committee adopted on 23 February an own-initiative report calling on the Council to meet in public. MEPs argued that it was unacceptable for the EU's most important law-making body still to meet behind closed doors. The committee says greater transparency would enable the European Parliament and national parliaments to fulfil their scrutiny role better and help broaden public debate on EU issues.

EU Research and Development

How Structural Funds can support Research and Innovation

Structural Funds support for Research, Technological Development and Innovation (RTDI) now amounts to €10.5 billion in the form of grants - around 8% of total European Regional Development Fund (ERDF) resources are invested into research and innovation. Structural Funds support for RTDI falls into four types of activity: research projects based in universities and research institutes (about 26% of total); research and innovation infrastructure (slightly over 25% of the total); innovation and technology transfer and setting up networks and partnerships between

businesses and/or research centres (about 37% of the total) and training for researchers (about 3% of the total, supported through the European Social Fund).

The Commission's proposal for FP7 includes an instrument to unlock the research potential of the EU's convergence and outermost regions. Such measures could include twinning, networks for exchanging know-how and expertise, secondments, acquisition of research equipment, and awareness-raising activities.

Information Society

Interoperability for Pan-European eGovernment Services

COM/2006/0045 of 13 February 2006

This communication sets out the basic requirements for implementing pan-European interoperability of eGovernment services. It outlines priorities and measures for achieving interoperability of eGovernment services and it proposes further action as first steps to fill in this framework.

A basic approach to European interoperability has been drawn up, and the foundations are in place e.g. European Interoperability Framework (EIF) for pan-European eGovernment Services (<http://europa.eu.int/idabc/en/document/3473/5585>) and its associated Architecture Guidelines have proposed policies, standards

and specifications to support partners of European eGovernment doing business with each other. Moreover, the Commission has launched a study (under the MODINIS programme) into legal and organisational barriers to eGovernment.

On the basis of this communication, the Commission will formulate proposals to create favourable conditions for the establishment of interoperable pan-European services within the context of the i2010 initiative where an "eGovernment action plan" is being prepared, and of the IDABC programme, where mechanisms to ensure the financial and operational sustainability of the IDABC infrastructure services need to be defined before 31 December 2006.

Information Society

i2010 - A European Information Society for Growth and Employment

The opinion of the Committee of the Regions (CoR) on the *i2010 - A European Information Society for Growth and Employment* initiative was adopted by unanimity at plenary session on 16 February (Rapporteur *T Georgakis, EL/PES*). According to the Rapporteur, it is essential for ICT strategies to be linked with the policies on youth and education as well as maintaining a balance between the positive economic effects of ICT and the likely social, legal and cultural consequences of their introduction for the life of European citizens.

The i2010 initiative, a follow-up to eEurope 2002 and eEurope 2005, aims at increasing support for Community ICT research by 80 % by 2010 (the EU invests only € 80 per inhabitant in this field as against € 400 per

inhabitant in the US), to provide citizens with better digital services and to create a single European Information Space by focusing efforts on network convergence and interoperability.

The CoR believes that the i2010 initiative can promote social inclusion, provided that questions of consumer protection and personal data protection are taken into account in formulating the operating rules for the ICT market, the security of transactions is guaranteed and the proposed services and communications are offered at affordable prices. There is also a need to clarify the funding of the initiative and to guarantee broadband access, rich digital content and interoperability.

i2010 Digital Libraries, results of online consultation available online

[IP/06/253 of 2 March 2006](#)

On 2 March, the Commission published an overview of the results of the online consultation on the digital libraries initiative, launched on 30 September 2005 (see [IP/05/1202](#)). The 225 replies came from libraries, archives and museums (46%), publishers and right holders (19%) and universities/academics (14%).

The replies generally welcome the initiative and see it as an opportunity for making Europe's cultural heritage more accessible and usable on the Internet. They also show that opinions are divided on copyright issues, in particular between cultural institutions and right holders.

The European Commission will co-fund the creation of a Europe-wide network of digitisation centres to boost European digitisation efforts. It will also address, in a series of policy documents, the issue of the appropriate framework for intellectual property rights protection in the context of digital libraries.

By the end of 2006, the **European Digital Library** should encompass full collaboration among the national libraries in the EU. In

the years thereafter, this collaboration is to be expanded to archives and museums. Two million books, films, photographs, manuscripts, and other cultural works will be accessible through the European Digital Library by 2008. This figure will grow to at least six million by 2010, but is expected to be much higher as, by then, potentially every library, archive and museum in Europe will be able to link its digital content to the European Digital Library.

Moreover, the Commission intends to present a proposal for a Recommendation by mid-2006 to tackle together with Member States and Parliament barriers to digitisation and online accessibility. Later this year, the Commission will also unveil its strategy for digital libraries based on scientific and scholarly information. Before the end of the year, a Commission Communication on Content Online will address broader issues such as intellectual property rights management in the digital age.

A High Level Group on the European Digital Library that will bring together major stakeholders from industry and cultural institutions will meet for the first time on 27 March, chaired by Commissioner Reding to address e.g. public-private collaboration for digitisation and copyrights.

Internal Market

Freedom of establishment for service providers and free movement of services

<http://www.europarl.eu.int/ocil/file.jsp?id=240902>

COM (2004)0002 of 13 January 2004

P6_TA-PROV (2006)0061 of 16 February 2006

Scope of the Directive: the Directive now covers fewer services than the original text. Services of general interest are not included; Parliament voted to exclude both public and private healthcare from the directive. Industries covered by legislation specific to their sector are also excluded e.g. e-communications services and networks.

Other areas excluded are e.g. legal services, audiovisual services, professions and activities linked to the exercise of public authority (e.g. notaries) and temporary work agencies and services with a social welfare objective e.g. social housing, childcare and non-profit-making amateur sporting activities.

Services of general economic interest, by contrast, are covered e.g. postal services, water supply, electricity, waste treatment and business services, but the Directive does not deal with the liberalisation of services of general economic interest reserved to public or private entities, nor does it deal with the privatisation of public entities providing services. It also covers services provided both to businesses and to consumers including e.g. tourism, leisure services, sports centres and amusement parks.

Parliament adopted on 16 February a resolution by MEP GEBHARDT on the services directive (A6-0409/2005 of 16 December 2005) by 391 votes to 213 with 34 abstentions, but made many amendments to the Commission's proposal. A compromise was reached before plenary, between the PES and the EPP-ED which overturned the approach proposed by the Commission. The Greens and GUE-NGL group voted against the compromise agreement. However, the ALDE group, apart from the German and Lithuanian delegations, supported it. The principal amendments relate to:

Country-of-origin principle: Parliament deleted this principle in favour of an article on 'freedom to provide services', which requires the Member States to respect the right of the service provider to supply services and to guarantee the provider 'free access to and free exercise of a service activity within its territory'. The Commission must produce a report on the prospect of harmonisation of national legislation on the provision of services five years after the directive enters into force.

*Co Decision Procedure
First Reading*

Internet

Safer Internet Day 2006, EU commitment to safer use of the Internet

On 7 February, Safer Internet Day was celebrated by 95 organisations in 36 countries across the world, including 24 EU countries, Russia, Argentina, New Zealand and the USA. Organised under the patronage of Commissioner Reding, Safer Internet Day 2006, featured a *blogathon* or "*blog-marathon*" during which wide range of organisations and special guests promoted Internet safety by making postings and inviting comments from visitors, children, schools and parents.

The Safer Internet Programme has been running since 1999 to equip parents and teachers with the knowledge and tools they need to ensure Internet safety.

The current 4-year programme (2005–2008) has a budget of € 45 million to combat illegal and harmful Internet content. It also covers other media e.g. videos, and explicitly addresses the fight against racism, and email "spam".

The Safer Internet Day is organised by INSAFE, the European Internet safety network, which is coordinated by European School net and co-funded by the Safer Internet Programme.

Visit <http://www.saferinternet.org/> and/or <http://europa.eu.int/saferinternet> for further information.

Telecommunications

Evaluation on common regulatory framework for networks and services

COM (2006)0037 of 2 February 2006

This review takes account of the market developments since July 2004, which have shown, particularly in Italy, that interoperability can be achieved when stakeholders act together to implement a technical standard like MHP, but that this is not sufficient to ensure the emergence and growth of interactive digital TV services.

Further business and technical developments are needed. The Commission's priorities are now to work with Member States to ensure the successful switchover to digital TV – as the facilitator for interactive digital services; to support open standards and cooperation on interoperability and exchange of best practice between Member States and between stakeholders and to monitor use of proprietary technologies.

EU rules help to free up markets but much remains to be done

See IP/06/125 and MEMO/06/59 of 7 February 2006 at <http://europa.eu.int/rapid/>

Regular economic analysis by EU Member States and the Commission of competition in e-communications markets and Commission scrutiny of draft national rules are paving the way to free markets, regulated solely by competition law, says a progress report published by the Commission on 7 February.

Regulation in this sector applies only to operators whose significant market power could prevent the full benefits of telecoms liberalisation from getting through to consumers. Wherever a market analysis has found tangible signs of sustainable competition, regulation has been trimmed back or removed altogether. However, much

remains to be done.

As of 30 September 2005, sixteen EU Member States had found no effective competition on one or more of the 18 e-communications markets defined by the EU and had taken steps to boost competition on the markets concerned; 5 Member States had found only partial competition on one or more of these markets and had imposed remedies where it was lacking. But 9 Member States had yet to notify the Commission of their analyses of any of the 18 markets. Of the analysed markets (152 out of 450), 123 were not competitive, 19 fully competitive, and 10 partially competitive.

Youth Policy

Youth, preparation of the Spring European Council

On 23 February, the Commission presented to the (Youth) Council its communication addressed to the European Council in the context of the renewed Lisbon strategy: "*Time to move up a gear*" and adopted conclusions which will serve as a contribution to the Spring European Council. As regards implementation of the European Youth Pact, the conclusions consider that while progress has been made, the Commission and the Member States need to reinforce measures to implement the Pact by improving the employment situation of young people; reducing the numbers of early school leavers and developing closer cooperation on transparency and recognition

of the value of non-formal and informal learning.

The Youth Council invites the Spring Council to implement the European Pact for Youth in the Lisbon strategy and the Member States to reinforce links between policies on education, training, employment, social inclusion and mobility to develop more effective cross-Sectoral strategies for young people. It also invites the Member States, when preparing their national reform programmes, and the Commission, in its annual progress report, to report more systematically and more visibly on the Pact within the Lisbon strategy.

We're on the Web!
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Information sources used include

Bulletin Quotidien Europe
Council Press Office Newsroom, <http://ue.eu.int/newsroom/newmain.asp?lang=1>
European Parliament Press Service http://www.europarl.eu.int/press/index_en.htm
RAPID - Press and Communication Service of the European Commission,
<http://europa.eu.int/rapid/start/welcome.htm>
EUR-Lex, <http://europa.eu.int/eur-lex/lex/>. Since 1 November 2004, EUR-Lex incorporates the CELEX service and provides free access in 20 languages to EU law.
Europa, <http://europa.eu.int/>
Various mailing lists

Calls for Tenders are published in the S series of the OJ as well as in the Tenders Electronic Daily database TED, <http://ted.publications.eu.int/official/> (new dates for the Official Journal Supplement since January 2005). EBLIDA Hot News online provides links to calls and programmes!

Calls are in general published in the C series of the Official Journal (OJ) of the European Communities, which comprises information and notices issued by the institutions of the Union e.g. preparatory legislative documents and questions put by Members of Parliament to the Commission and Council.

The C series is available online via EUR-Lex. Please note that the C E edition of the Official Journal, which is only available online, now publishes the explanatory statement for all Commission proposals.

EBLIDA encourages dissemination of our information. However, we would ask that the source be acknowledged. Documents are available at the EBLIDA Secretariat.

About EBLIDA...

EBLIDA is the European Bureau of Library, Information and Documentation Associations. We are an independent umbrella association of national library, information, documentation and archive associations and institutions in Europe.

Subjects on which EBLIDA concentrates are European information society issues, including copyright & licensing, culture & education and EU enlargement. We promote unhindered access to information in the digital age and the role of archives and libraries in achieving this goal.