



April 2006

# EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

## Intellectual Property Rights

### Highlights:

- § Criminal law provisions to combat intellectual property offences, p.1
- § Note from EBLIDA Interim Director, p. 2
- § Commission acts to ensure Spain implements the 2001 Copyright Directive, p. 11

### Criminal law provisions to combat intellectual property offences

<http://www.europarl.europa.eu/ocil/file.jsp?id=5263692>

The Commission adopted on 26 April a proposal for a directive (*COM (2006)0168*) to combat intellectual property offences that amends the proposal approved by it on 12 July 2005 (*COM (2005)02760*). It is thus responding to the Court ruling of 13 September 2005 in Case C-176/03, according to which the criminal law provisions necessary for the effective implementation of Community law are a matter for Community law. Accordingly, the proposal for a Council framework decision to strengthen the criminal law framework to combat intellectual property offences has been withdrawn and its provisions incorporated into the amended proposal for a directive.

The proposed measures are designed to bring Member States' criminal legislation more closely into alignment and to improve European cooperation so as to combat more effectively counterfeiting and piracy, which are frequently committed by criminal organisations, often pose a risk to health and safety, and seriously harm the interests of many sectors in the European economy.

The arrangements will have to be applied to all types of IPR infringements. In the directive, all intentional infringements of an IPR on a commercial scale, including attempting, aiding and abetting such infringements, are treated as criminal offences. The minimum sentence is a term of four years' imprisonment where the infringement is committed under the *aegis* of a criminal organisation or carries a serious risk to the health and safety of individuals. The amount of the fine will have to be at least € 100 000 or € 300 000 where there is a link with a criminal organisation or any risk to health and safety. Member States may impose heavier penalties or fines.

The Council is to debate it on 1 June.

Moreover, the Commission adopted on 27 April a proposal amending the Agreement on **trade-related aspects of rights (TRIPS)**, done at Geneva on 6 December 2005 (see *COM (2006)0175 of 27 April 2006* at <http://register.consilium.europa.eu/pdf/fr/06/st08/st08932.fr06.pdf>).

## Information Society

### Follow-up to the World Summit on Information Society

#### Internet governance, freedom of expression and the combat against spam

*COM (2006)0181 of 27 April 2006*

On 27 April, the Commission set out its priorities for implementing the international policy commitments made at the World Summit on Information Society (*Tunis, 16-18 November 2005*). It calls for continuing international talks to improve **Internet**

**governance** through the Internet

Governance Forum (which first meeting will take place from 30 October to 2 November in Athens) and the mechanism of enhanced cooperation that will involve all governments on an equal footing. An Advisory Group will meet in Geneva in May.

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## Lobbying for archives and libraries

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### Note from EBLIDA Interim Director

After the Executive meeting in Rome, the EBLIDA office had plenty to do. A new director would be welcomed on May 1<sup>st</sup>. A number of actions following EC decisions were executed: they included creating a realistic view of EBLIDA membership. The Executive decided that all should be done to prevent members from building up debts of more than two years.

In the meantime, the Copyright Expert Group organised a successful working meeting in Warsaw, which included an open seminar. New experts were added to the group. The University library colleagues did an excellent job in hosting this meeting.

As interim director, I took the opportunity to cooperate with the European Association on Adult Education, knowing that a new communication will be published in November. Libraries should be mentioned as partners in this context for lifelong learning. A reception held in the European Parliament offered the possibility to speak with responsible MEPs and their staff.

Further preparations were made for the Council meeting in Budapest. Reports and papers prepared for delegates. Extra meetings of the expert groups on Copyright and on Trade and Libraries were scheduled. Library colleagues were contacted in the library association, the national library, the parliamentary library and the famous Szábo Ervin public library.

At the Council meeting itself we were fortunate to have dr. Norbert Króó, vice president of the Hungarian Academy of Sciences, and member of the High Level Expert Group on Digital Libraries to address the audience on the knowledge economy and the need for open access in order to give scientists, researchers and the audience a continuous flow of information, as a source for new creativity and innovation.

Participants enjoyed the social events such as the dinner cruise on the Danube and the walking tour in the Jewish Quarter. With the good help of the EBLIDA staff and Margo de Groot as additional help, we succeeded in having a well-visited and valuable council meeting. Building bricks were laid for new activities, which will be developed and undertaken by the new director. It is a pleasure to hand over the baton to Andrew Cranfield and wish him much success in leading EBLIDA in the European waters.

*Marian Koren*

I would like to take this opportunity of thanking Marian Koren for all her hard work over the last months, making sure that the EBLIDA office continued to function and that the Council meeting in Budapest was a success. I look forward to taking over from Marian and helping to ensure the continued relevance of EBLIDA in the affairs of European libraries and archives.

*Andrew Cranfield*  
*Director*

## Audiovisual

### Television without Frontiers Directive

<http://www.europarl.europa.eu/ocil/file.jsp?id=5301252>

[http://ec.europa.eu/comm/avpolicy/res/tvwf/index\\_en.htm](http://ec.europa.eu/comm/avpolicy/res/tvwf/index_en.htm)

#### Co decision Procedure First Reading

The Commission's proposal [COM (2005)0646, SEC (2005)1625 and SEC (2005)1626 of 13 December 2005] aims at creating a single market framework for all types of TV services irrespective of the technology used to transmit or receive them. Its main features are more flexible, liberal rules for TV advertising and some basic obligations for all audiovisual media services, including on-demand and non-linear services, which subject them to the fundamental *country of origin* principle.

For convergence to be fully effective, the barriers that inhibit the wide availability and distribution of audiovisual content online and on other distribution platforms e.g. spectrum and IPR issues, sound and reasonable commercial agreements adapted to new platforms also need to be addressed.

As part of a strategy to drive European content and to stimulate the competitiveness of European companies, Commissioner Reding launched the Film Online Talks - aimed at leading the way to a Charter of

commendable practices and is currently working on a communication on content online, scheduled for the end of this year.

On 4 April, the Committee of the Regions gave its first response to the proposal. The working paper states that the proposals do not go far enough in some respects - and too far in others. The Lambertz opinion, due for adoption by EDUC on 20 June with final approval foreseen for the plenary session of 11-12 October, argues that all media services using mainly sound or text, not just audiovisual content, should be covered.

Audiovisual ministers are expected to debate the proposal on 18 May. Vote on the report at CULT Committee (Rapporteur, MEP Hieronymi) is scheduled for October, with final vote at plenary session scheduled for November.

See also the fifth report on application of directive 89/552/EEC (COM (2006)0049 of 10 February 2006) at <http://europa.eu.int/eur-lex/en/index.html>.

## Consumer Protection

### Protection of personal data

<http://www.europarl.europa.eu/ocil/file.jsp?id=5279032>

On 28 April, Justice ministers debated the state of play on a draft Framework Decision which aims at determining common standards to ensure the protection of individuals as regards the processing of personal data (COM (2005)0475 and SEC (2005)1241 of 4 October 2005). The main issues concern extending its scope to law enforcement agencies other than the police; whether it should also cover information which is transmitted to third States; whether its scope should be confined to the cross-border transmission of information and the processing of data thus transmitted or whether it should also encompass data gathered and used in a purely domestic context, as envisaged in the Commission

proposal.

MEP Roure, Rapporteur to LIBE Committee, proposes drafting a new article defining subsequent treatment as well as inserting in *Article 7* a measure providing for automatic deletion of personal data after a fixed period; adding a paragraph to *Article 4* stipulating that data relating to people who are not under suspicion should be used solely for the purposes for which they were collected; inserting a new article stipulating that a decision having an effect on an individual may not be taken on the sole basis of automated processing of data pertaining to them.

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## Consumer Protection

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### Protection of personal data

...continues from Page 3

In addition, MEP Roure would like to clarify that access to and use of European databases by the competent law-enforcement authorities must be governed by the principles and provisions of the framework decision.

The EDPS delivered his opinion on 24 January; the Conference of European Data Protection Authorities has also delivered an opinion. The Council will further debate it on 1 June; Parliament is expected to vote on its opinion at plenary in July.

### Rome II, law applicable to non-contractual obligations

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

On 28 April, the Council, with Estonia and Latvia entering reservations, reached a political agreement on the **Rome II Regulation**, which aims at standardising the rules regarding non-contractual obligations and thus extending the harmonisation of private international law in civil and commercial matters at Community level (*COM (2005)0650 of 15 December 2005*). On those matters, the **Brussels I Regulation** contains a set of rules regarding the court responsible for dealing with a litigation conflict, while the **Rome I Convention** relates to the law applicable to contractual obligations. As the latter covers only contractual obligations, **Rome II** is the natural extension of the unification of the rules of private international law.

Unless otherwise provided for in the Regulation, the law applicable to a tort or delict shall be the law of the country in which the damage occurs irrespective of the

country in which the event giving rise to the damage occurred, and irrespective of the country or countries in which the indirect consequences of that event occur. However, it still gives the parties the option to select the law to be applied to their obligation. The choice must be demonstrated and may not affect the rights of third parties. Specific rules are laid down for some non-contractual obligations e.g. damage caused by a defective product, damage to the environment, and industrial action.

No later than four years after the Regulation enters into force, the Commission shall report on the issue of the law applicable to non-contractual obligations arising out of traffic incidents and out of violations of privacy and rights relating to personality, including defamation. This report shall be accompanied by proposals to adapt the Regulation, if necessary.

*Co decision Procedure  
First Reading*

## Cooperation with Third Countries

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### EU and China link up high-speed electronic networks for researchers and students *IP/06/549 and MEMO/05/205 of 28 April 2006*

A new Sino-European high-speed network connection co-funded by the EU, China and European National Research and Education Networks was announced on 28 April to facilitate communication and collaboration among 45 million researchers and students across Europe and China. The €4.15 million ORIENT (Oriental Research Infrastructure to European NeTworks) project will benefit all Sino-European research, including radio astronomy, sustainable development, meteorology, and grid computing.

ORIENT, supported by FP6, will connect Europe's GÉANT2 (<http://www.geant2.net>) and the Chinese research networks CERNET and CSTNET on an overland route via Siberia. Scheduled to go live later in 2006 it will link over 200 Chinese universities and research institutions, at speeds of up to 2.5 Gbps. It will be co-ordinated by research networking organisation DANTE (<http://www.dante.net/orient>) in Europe and the CERNET network in China.

## Culture

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*Co decision Procedure  
First Reading*

### European Year of Intercultural Dialogue (2008)

<http://www.europarl.europa.eu/ocil/file.jsp?id=5279532>

The Committee of the Regions adopted on 27 April its opinion (*Rapporteur*: Mr Mátis) on the proposed Decision to declare 2008 the European Year of Intercultural Dialogue (COM (2005)0467 of 5 October 2005). The

CULT Parliamentary Committee in turn, adopted its report by MEP Hennicot-Schoepges (A6-0168/2006) on 8 May; vote in plenary is scheduled for 31 May, after examination by the Council on 18 May.

### UNESCO Convention, adopted in Paris on 20 October 2005

<http://www.europarl.europa.eu/ocil/file.jsp?id=5301262>

COM (2005)0678 of 21 December 2005

The European Parliament adopted on 27 April a resolution drafted by MEP PRETS (P6\_TA-PROV (2006)0151 of 27 April 2006) approving the conclusion of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural

Expressions. It instructs its President to forward its position to the Council and the Commission, to the governments and parliaments of the Member States and to UNESCO.

The proposal is now awaiting Council's final decision.

### European Capitals of Culture 2010

[http://europa.eu.int/comm/culture/eac/other\\_actions/cap\\_europ/cap\\_eu\\_en.html](http://europa.eu.int/comm/culture/eac/other_actions/cap_europ/cap_eu_en.html)

Essen, Pécs and Istanbul endorsed as European Capitals of Culture 2010. The panel set up to assess the European Capitals of Culture 2010 application packages published on 11 April its report, which recommends that Essen, Pécs and Istanbul be designated as "European Capitals". The decision will be taken by the Culture Council in the second half of 2006, under the Finnish presidency.

Essen focused on regeneration of the Ruhr district through culture, thus placing its candidature in a long-term perspective (Essen and Görlitz had been pre-selected by

a competition among 11 German cities). Pécs emphasised the cultural links it proposed to develop with the neighbouring countries, especially in the Balkans. The theme chosen by the Hungarian city is the "Borderless City". Istanbul's application stressed promotion of cultural contacts at European level. The Turkish city centred its project on the theme "Istanbul: City of the Four Elements" - a bridge between Europe and the East.

Further details and the panel's full report can be found at the site above.

## Education

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### European Quality Charter for Mobility

<http://www.europarl.europa.eu/ocil/file.jsp?id=5274982>

COM (2005)0450 of 23 September 2005

The Committee of the Regions adopted on 27 April its opinion (*Rapporteur*: Mr Caveri) on the proposed Recommendation to adopt a European Quality Charter for Mobility, laying down a set of principles in the field of mobility for education and training purposes.

The Economic and Social Committee adopted its opinion on 14 February. Culture ministers will examine the proposed recommendation on 18 May.

The CULT Committee appointed MEP PRETS as Rapporteur on 18 October 2005; vote at plenary is scheduled for 27 September.

*Co decision Procedure  
First Reading*

## Education

### Promoting multilingualism and language learning in the EU

<http://www.europarl.europa.eu/oeil/file.jsp?id=5288422>

Parliament adopted on 27 April a resolution based on the own-initiative report drafted by MEP MAVROMMATIS (*P6\_TA-PROV (2006)0184 of 27 April 2006*) in response to the Commission communication on a 'European Indicator of Language Competence'. It welcomed the inclusion of a European Indicator of Language Competence among the criteria used by Member States under the 'Education and Training 2010' programme and agreed that in the initial phase, this indicator should be used to assess linguistic proficiency in the five most widely taught languages in the Union's education and training systems (English, French, German, Italian and Spanish). However, measures should be taken to extend these tests to a wider range of official Union languages without undermining standards of teaching in respect

of other languages not assessed by the indicator. Parliament called on the Member States to participate actively in the implementation and development of the Indicator and give fresh impetus to language teaching.

The Indicator as proposed does not involve additional EU budget outlay, the estimated operating expenditure being met by the existing **Socrates** and **Leonardo da Vinci** programmes and the new integrated **Lifelong Learning** programme. The Commission and Council must ensure that the next financial perspectives include sufficient funding for measures to make full use of the Indicator.

The resolution is awaiting publication in the Official Journal.

### Key competences for lifelong learning

<http://www.europarl.europa.eu/oeil/file.jsp?id=5289042>

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

On 4 April, the Committee of the Regions (EDUC) discussed the opinion on the proposed recommendation on **key competences for lifelong learning** (*Rapporteur*: Christina Tallberg). The Council will examine the draft recommendation on 18 May; Parliament vote at plenary is expected in June. The *Rapporteur* for the CULT Committee, MEP Trüpel, was appointed on 23 November 2005.

Moreover, they discussed the communication on a **new framework strategy for multilingualism** (*COM (2005)0596 of 22 November 2005*) - *Rapporteur*, Seamus Murray. The CULT Committee appointed MEP Joan i Mari as *Rapporteur* on 23 January; adoption of the report in committee is scheduled for 9 October and the communication on **Digital Libraries** (*COM (2005)0465 of 30 September 2005*) - *Rapporteur*, Jyrki Myllyvirta. The three opinions are due for adoption at the plenary session of 14-15 June.

*Co decision Procedure  
First Reading*

## Enterprise

### Financing of European standardisation

<http://www.europarl.europa.eu/oeil/file.jsp?id=5268032>

*COM (2005)0377 of 18 August 2005*

In its report by MEP PLEŠTINSKÁ (*A6-0107/2006*), the Internal Market Committee stressed the need to ensure that SMEs are effectively able to apply European standards. MEPs called for the drawing up of documents to explain, interpret and simplify standards, as well as user guides and best

practice. They also wanted Member States to be encouraged to ensure proper national financing for standardisation tasks.

The report, to be adopted at plenary in May, said that Parliament and Council should be informed of the conclusion of any partnership agreement signed by the Commission and the European standardisation organisations.

*Co decision Procedure  
First Reading*

### European Competition Network launches one-stop access website

[http://europa.eu.int/comm/competition/antitrust/ecn/ecn\\_home.html](http://europa.eu.int/comm/competition/antitrust/ecn/ecn_home.html)

The European Competition Network (ECN) has launched a website providing businesses, their advisors, and citizens with information about antitrust enforcement, annual reports and background documents about the Network.

The ECN website will inter alia provide one-stop access to news releases from all the

national competition authorities, plus the Commission.

The existence of the ECN allows the exchange of best practices and ensures the coherent application of EU competition law in cases with a cross-border dimension where *Articles 81 and 82 of the EC Treaty* apply.

## EU Information Policy

### A dissemination policy at the service of EU citizens

[http://epp.eurostat.ec.eu.int/portal/page?\\_pageid=1090,1&\\_dad=portal&\\_schema=PORTAL](http://epp.eurostat.ec.eu.int/portal/page?_pageid=1090,1&_dad=portal&_schema=PORTAL)  
STAT/06/41 of 3 April 2006

Eurostat, the Statistical Office of the European Communities, has made all its data and publications available free of charge on the Internet since 1 October 2004, thus fully playing its role as a public service institution.

More than 300 million data, from many different domains, are available online, varying from consumer prices, through poverty and environmental indicators, to detailed external trade data by product.

On 30 March, the **European Information Association** (<http://www.eia.org.uk/>), a professional organisation for librarians and information professionals who work with EU information worldwide, presented Eurostat with the 2005 Award for European Information Sources for its website, in recognition of the steps that Eurostat has taken to make statistical data widely and freely available through the site.

### Access to the Institutions' documents (amend. Reg. 1049/2001/EC)

On 4 April, Parliament adopted the own-initiative report by MEP CASHMAN (*P6\_TA-PROV (2006)0122*) on access to the institutions' texts. The report, drawn up under *Rule 39 of Parliament's Rules of Procedure*, enables Parliament to request the Commission to submit proposals for legislation, thus Parliament requests a legislative proposal to be prepared in inter-institutional discussions on the right of access to Parliament, Council and Commission documents, and 'general principles and limits on grounds of public or private interest governing this right of access'. Recommendations should respect the principle of subsidiarity, the fundamental rights of citizens, the case-law of the European Court of Human Rights, in particular that on *Article 8 of the European Convention on Human Rights*, and *Articles 7 and 8 of the Charter of Fundamental Rights*. The financial implications of the requested

proposal must be covered by the institutions' operating budgets.

Parliament also stresses that any new rules on access to documents should apply as from the date of the entry into force of the prospectively amended Regulation and should, consequently, have no retroactive effect.

Moreover, Parliament adopted, by 595 votes for, 9 against and 12 abstentions, the own-initiative report drawn up by MEP HAMMERSTEIN MINTZ (*P6\_TA-PROV (2006)0121*) in response to the Special Report from the European Ombudsman on the openness of meetings of the Council when it is acting in its legislative capacity.

Both non-legislative resolutions are awaiting publication in the Official Journal.



## EU Information Policy

### Plan D and communication policy set to call for more focus on regional media [http://ec.europa.eu/comm/communication\\_white\\_paper/index\\_en.htm](http://ec.europa.eu/comm/communication_white_paper/index_en.htm)

The Committee of the Regions' Commission for Constitutional Affairs (CONST) discussed on 7 April a draft report by Mercedes Bresso on the White Paper on communication policy and 'Plan D' for Democracy, Dialogue and Debate. The document, scheduled for final approval at the plenary session of 14-15 June, reiterates calls for the Commission to emphasise a more decentralised approach in its communication policy – with greater attention being paid to the influential regional media.

The issues surrounding Plan D and the White Paper have already sparked a major initiative by the Committee, 'Communicating

Europe – Going Local', which aims at establishing a more central role for the CoR members in bringing Europe closer to citizens.

The CONST meeting also discussed issues arising from the 'period of reflection', launched by EU leaders following the rejection of the EU Constitutional Treaty in France and the Netherlands. Initial findings are being compiled by the Austrian Presidency and will be presented to EU leaders at the European Summit in Brussels on 15-16 June. On the eve of the Summit, the CoR and the European Commission will jointly organise a Plan D 'forum'.

### Most citizens complain about lack of transparency

Mr. Diamandouros, the European Ombudsman, presented his Annual Report 2005 in Brussels on 24 April. According to the report, 3,920 complaints from EU citizens, companies, NGOs and associations in 2005 were received - one quarter of them concerned lack of transparency in the EU administration, including refusal of information.

68% of the inquiries dealt with concerned the Commission, followed by the European Personnel Selection Office (12%), Parliament (9%) and the Council (2%). Spain

produced the greatest number of complaints (20%), followed by Germany (11%), France (10%) and Poland (9%). However, relative to their population most complaints came from Malta, Cyprus and Luxembourg.

The Ombudsman's Executive Summary and Statistics 2005 containing summaries of cases, background information and statistics is available in all official EU languages at: <http://www.euro-ombudsman.eu.int/report/en/default.htm>, as well as the full Annual Report (in English).

### N-Lex, the gateway to national law

N-Lex (<http://eur-lex.europa.eu/n-lex/>), a common access portal for sources of national law, has been developed by the Office for Official Publications of the European Communities in conjunction with the Member States of the European Union. Opened as an experimental site on 28 April, it will allow direct access to national legislation of Member States for all European citizens.

Search masks are offered in eleven official languages. The search interfaces are linked to

the national law sites, one national law site per Member State, giving access to each country's legislation. New Member States are added as their collections become available.

Where a search by word is possible, N-Lex also offers access to a multilingual thesaurus, Eurovoc, which serves as a vocabulary and makes it easier for users to enter terms in languages other than their own.

The search possibilities and the results are completely dependent on the national sites.

## Information Society

### Follow-up to the World Summit on Information Society

#### Internet governance, freedom of expression and the combat against spam

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On **digital divide**, the Commission proposed in October 2005 a new Partnership on Infrastructures, which will cover e.g. ICT strategy and regulation, technology-neutral broadband networks and development of non-commercial pan-African electronic services. EU action should also include promoting international cooperation in ICT. The Commission also wants to closely monitor attempts to call into question the neutral character of the Internet.

The Telecom Council will debate this communication on 8 June; the ITRE Parliamentary Committee on 4 July.

The communication and the Tunis documents can be found at [http://europa.eu.int/information\\_society/activities/internationalrel/global\\_issues/wsis/index\\_en.htm](http://europa.eu.int/information_society/activities/internationalrel/global_issues/wsis/index_en.htm) (see also *IP/06/542* and *MEMO/06/172 (Frequently Asked Questions)* at <http://europa.eu.int/rapid/>).

### i2010, eGovernment Action Plan in the EU for 2010

COM (2006)0173 of 25 April 2006

In its new eGovernment action plan adopted on 25 April, the European Commission addresses five priority areas for 2010 and underlines its commitment to deliver tangible benefits to all Europeans, regardless of gender, age, nationality, income, or disability, in cooperation with the Member States.

have agreed to facilitate access to services by establishing secure systems for mutual recognition of national electronic identities for public administration websites and services. The Commission will help make this happen by supporting wide-scale cross-border demonstrators, identifying common specifications for electronic ID management during 2007 and by reviewing the rules of electronic signatures in 2009.

Under the Action Plan, the Commission and the Member States will put in place a framework for benchmarking the impact of e-government. The action plan will also lay out a road map for achieving 100% availability and at least 50% take-up of procurement online by 2010 as well as the practical steps required for such large-scale cross-border procurement pilots and full electronic handling of company documents (*Electronic Company Dossier*). EU governments

Moreover, the Action Plan proposes to support experiments in the use of ICT for more effective public participation in policy making.

Further information can be found at [http://europa.eu.int/information\\_society/activities/egovernment\\_research/index\\_en.htm](http://europa.eu.int/information_society/activities/egovernment_research/index_en.htm). Read also *MEMO/06/171 (Frequently Asked Questions)* at <http://europa.eu.int/rapid/>.

### Joint Inter-Agency Meeting on Computer-Assisted Translation and Terminology

The Translation Directorate of the European Court of Auditors held from 26-28 April, together with the UN Office in Geneva, the Joint Inter-Agency Meeting on Computer-Assisted Translation and Terminology, known as JIAMCATT (created in June 1987).

presented their experiences in the area of translation tools, including project management and voice recognition software.

Besides the European Commission, the Council of Europe, the International Trade Organisation, the International Labour Office and the African Development Bank

Results of research carried out in leading fields such as the use of ontology in translation tools or the translation of content into XML will follow. For further information visit the European Court of Auditors at [http://www.eca.eu.int/index\\_en.htm](http://www.eca.eu.int/index_en.htm).

### Switch-over from analogue to digital broadcasting

On 27 April, Parliament adopted a resolution based on the own-initiative report drafted by MEP WEBER (*P6\_TA-PROV (2006)0154*) on the transition from analogue to digital broadcasting.

Parliament made a series of recommendations to Member States regarding specific measures to be adopted at national level e.g. the transition should not involve increased costs for the consumer, or any loss of service; efforts must be made to educate the public about digital technologies ('digital literacy'); and particular attention should be paid to access for people with disabilities.

At Union level, Parliament emphasised the importance of adapting national education systems to the cultural and social changes brought about by new technologies, convergence and digitisation as well as of harmonising copyright to combat piracy.

As regards the social/political impact of content, action should be taken to ensure: media pluralism to guarantee freedom of information and of expression; an adequate level of competition and diversification of media ownership and strict separation between the political authorities and the interests of e-communications and media groups. The Commission is asked to launch a debate at European level on pluralism and the concentration of media ownership with a Green Paper.

Parliament recommended that the measures accompanying the switchover must focus primarily on the interoperability of platforms and standards, and thus on the interests of citizens and consumers. Parliament pointed out that public-service broadcasting had an obligation to ensure access for all.

The resolution is awaiting publication in the Official Journal.

### Consultation on the representativeness of European civil society organisations

The European Economic and Social Committee (EESC) launched on 24 April an online consultation on the representativeness of European civil society organisations. The consultation will be open until 30 June 2006. Contributions will help to fuel the debate on the instruments and procedures needed for developing and consolidating participatory democracy in the context of a genuine European civil dialogue. To find out more, and to see the EESC opinion and the online form, go to [http://www.esc.eu.int/sco/registrations/index\\_en.asp](http://www.esc.eu.int/sco/registrations/index_en.asp).

Furthermore, the EESC has given the green light to the organisation of a prestigious annual prize for organised civil society. The prize, open to civil society organisations from within the EU, will have a value of € 20,000 and will reward intellectual work or concrete actions on a set theme, to be set each year by the EESC President.

Through the 2006 prize the EESC is seeking to recognise and stimulate initiatives that significantly help to enhance and reinforce European identity as a cultural element essential for European integration.

### Financial Perspectives 2007-2013

The agreement reached on 4 April between the European Parliament, the Austrian Presidency of the Council and the European Commission raised by € 4 billion the allocation for the 2007-2013 financial perspectives.

This agreement however, which allows the budget to be improved in key fields for the citizen e.g. **education, research or trans-European transport networks**, had its

limitations showing the weaknesses and disadvantages of the current system of financing the European budget.

At the European summit last December the Heads of State or Government of the EU-25 had agreed on a total budget of € 862.4 billion. Under the latest agreement, the overall package increases by € 2 billion to € 864.4 billion, plus € 2 billion in emergency reserves added outside the package.

## Information Society

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### The current EU Universal Service safety net still works well

[http://europa.eu.int/information\\_society/policy/ecom/infocentre/documentation/communicareports/index\\_en.htm](http://europa.eu.int/information_society/policy/ecom/infocentre/documentation/communicareports/index_en.htm)  
*COM (2006)0163 of 7 April 2006*

The Commission issued on 7 April a report, to be submitted to Parliament and Council, which reviews the scope of EU universal service rules. It summarises replies to a public consultation based on the Communication of 24 May 2005 ([http://europa.eu.int/information\\_society/policy/ecom/infocentre/documentation/public\\_consult/universal\\_service/index\\_en.htm](http://europa.eu.int/information_society/policy/ecom/infocentre/documentation/public_consult/universal_service/index_en.htm)).

76 contributions were received from a wide range of stakeholders, including governments; regulatory authorities; non-governmental organisations e.g. consumer and user interests, people with special needs; private citizens; operators; service providers; manufacturers and other businesses and organisations. Several comments focused solely on the long-term questions; some others related to user rights and interests in communications e.g. access

to emergency services (which is covered by a specific provision in the Universal Service Directive). Some contributors raised additional questions e.g. quality of service and unjustifiably high international roaming charges. While all these issues are outside the focus of the review of the Universal Service Directive, contributions will however provide input for the policy debate in the context of the general regulatory review in 2006.

According to the report (available at the site above), stakeholders endorse the Commission's view that there is no need at present to extend the "universal service" safety net to mobile and high-speed internet services. Consumers already have widespread affordable access to mobile communications within their home countries, and so far only a minority has high-speed Internet connections, so the cost of extending universal service obligations to these services would exceed benefits to users.

## Internal Market

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### Commission acts to ensure Spain implements the 2001 Copyright Directive

The Copyright Directive provides an adequate level of protection for authors and other right holders in the digital environment and protection for all copyright material e.g. books, films and music. It provides a secure environment for cross-border trade in copyright-protected goods and services and will facilitate the development of e-commerce of new multimedia products and services.

Member States pledged to implement the directive by 22 December 2002. The European Court of Justice has already ruled against several Member States (Spain, Finland and France) for failure to implement it. The Commission had thus decided to launch infringement proceedings against these countries on the grounds that they had not complied with Court's rulings.

On 19 April, the European Commission

decided under Article 228 of the EC Treaty, to send a reasoned opinion to **Spain**, which has not yet communicated its national legislation for applying the provisions of the **2001 Copyright Directive** despite the European Court of Justice ruling to do so. If Spain does not comply, the Commission can ultimately ask the Court to impose daily fines.

The Commission has been able to shelve the case against **Finland**, which has finalised transposition of the Directive, and has postponed its decision against **France**, where the law transposing the Directive is being adopted.

Information on infringement proceedings concerning all Member States can be found at [http://europa.eu.int/comm/secretariat\\_general/sgb/droit\\_com/index\\_en.htm](http://europa.eu.int/comm/secretariat_general/sgb/droit_com/index_en.htm).

## Commission puts forward amended proposal on Services Directive

[http://europa.eu.int/comm/internal\\_market/services/services-dir/index\\_en.htm](http://europa.eu.int/comm/internal_market/services/services-dir/index_en.htm)

### Co decision Procedure First Reading

Following Parliament's vote at first reading in February, the Commission adopted on 4 April its amended proposal for the draft Directive on services in the EU, which aims at freeing up cross-border trade and investment in services. The Council will now debate and vote on the amended proposal aimed at removing barriers and enhancing consumer confidence.

In line with Parliament's amendments, it **does not affect labour law or deal with the posting of workers**. Excluded from its scope are financial services, transport and port services, **telecommunications**, healthcare, and social services, activities connected with the exercise of official authority, temporary work agencies, private security services, gambling and **audiovisual**

**services**. The Commission also published on 4 April guidance to Member States on the operation of the Directive covering the **posting of workers** from one Member State to another (*COM (2006)0159*) and a Communication (*COM (2006)0177 of 26 April*) which addresses the changes in **social services of general interest**; a study will look at their situation in each Member State. Based on the results as well as consultation, the Commission will produce a report every two years describing the latest modernisation trends, case law and developments (the first planned for end 2007). A separate initiative in the area of **health** is to follow.

See also *MEMO/06/154 of 4 April 2006 (Frequently Asked Questions)* at <http://europa.eu.int/rapid/>.

## Internet

### Internet usage in the EU-25 in 2005

[http://cpp.eurostat.ec.eu.int/portal/page?\\_pageid=1090.1&\\_dad=portal&\\_schema=PORTAL](http://cpp.eurostat.ec.eu.int/portal/page?_pageid=1090.1&_dad=portal&_schema=PORTAL)

In the EU-25, Norway and Iceland, 48% of households had access to the Internet during the first quarter of 2005 and 23% had a broadband connection. At the beginning of 2005, 91% of enterprises had access to the Internet and 63% of enterprises had a broadband connection. This information comes from a report (*STAT/06/45 of 6 April 2006*) released by Eurostat, which also covers e-commerce.

In the first quarter of 2005, the highest proportions of households with Internet access was recorded in the Netherlands (78%) with the lowest registered in Lithuania (16%). 43% of individuals in the EU-25 used

the Internet regularly; the highest level was recorded in Sweden (76%) and the lowest in Greece (18%). A higher proportion of men than women (49% against 38%) and this was true for all Member States, although in Latvia, Lithuania and Hungary the gap was only 1% point.

At the beginning of 2005, the highest proportions of enterprises with Internet access were recorded in Finland (98%), Denmark (97%), Slovenia and Sweden (both 96%). Only in Latvia (75%), Hungary (78%), Cyprus (85%), Lithuania (86%) and Poland (87%) were fewer than 90% of enterprises connected to the Internet.

### .eu, new Internet Domain for everybody in the EU

From 7 April, anyone with a residence in the EU may apply to register a name under the .eu Top Level Domain, on a first-come, first-served basis. Nationality of an EU Member State is not a prerequisite. 320,000 .eu domain applications were filed during the "sunrise" period by trademark holders, public bodies and holders of other prior rights. EU institutions and officials switched to .eu on 9 May, Europe Day.

.eu will not replace the existing national country code TLDs in the EU, but will complement them and give users the option of having a pan-European internet identity for their 'Internet presence'.

Citizens wishing to register a .eu domain name should pick an accredited .eu registrar

... continues in Page 13

## Internet

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### .eu, new Internet Domain for everybody in the EU

...continues from Page 12

from <http://list.eurid.eu/registrars/ListRegistrars.htm?lang=en>. Their .eu domain name should be activated within few hours. Registration costs vary across the EU, and the total fees charged (by Registrar and Registry) may be as low as € 12 in some cases. There are more than 1000 registrars (commercial companies accredited by the Registry) competing to register names, so customers should shop

around for the best deal on price, quality, and services offered.

Further information on how to apply can be found at EURID (<http://www.eurid.eu/en>), the non-profit consortium of 3 registries: DNS-BE (Belgium), IIT CNR (Italy) and NIC SE (Sweden) and/or [http://europa.eu.int/information\\_society/policy/doteu/index\\_en.htm](http://europa.eu.int/information_society/policy/doteu/index_en.htm).

## Telecommunications

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### Commission takes steps to ensure implementation of EU Telecom rules

[http://europa.eu.int/information\\_society/policy/comm/implementation\\_enforcement/index\\_en.htm](http://europa.eu.int/information_society/policy/comm/implementation_enforcement/index_en.htm)

Following the 11<sup>th</sup> report on implementation of EU telecom rules (*Electronic communications regulation and markets in Europe. 11<sup>th</sup> report 2005, COM (2006)0068 of 20 February 2006*), the Commission has opened 13 new cases against Member States. Eleven of them concern the non-availability of caller location information to emergency authorities in **Greece, Ireland, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Portugal and Slovakia**. The other two cases concern incomplete transposition into national law of the mechanism (*Article 7*) for notifying the Commission of draft decisions following analysis of competition in the various e-communications markets in **Latvia**, and the incompleteness of the incumbent's reference offer to other operators allowing them to connect their own equipment to users' lines (called unbundling) in the local exchange in **Estonia**.

The Commission has also decided to send reasoned opinions to **Belgium and Poland** for not yet notifying any market reviews under the **2002 regulatory framework for e-communications** and it is still closely monitoring the market review notification process in the cases of **Cyprus, Latvia, Luxembourg, Czech Republic and Estonia**. **Slovenia** will receive a reasoned opinion because number portability (keeping

your number when changing operators) is still not fully available.

A further important element in this round of infringement proceedings is compliance with the EU rules on the **universal service** in the telecom sector. Infringement proceedings against **Hungary** are now closed, further to its assurances that individual universal service requirements could be provided by different operators. **Finland** has indicated that its national laws will be changed; in the case of **France**, a reasoned opinion has been sent for French law continues to restrict a priori designation as supplier of the universal service to operators capable of providing the universal service on a national basis.

Since the entry into force of the EU's regulatory framework for e-communications in 2002, the Commission has opened proceedings against 24 EU Member States in some 70 cases. A number of Member States chose to comply with the requirements, which has allowed the Commission to close 14 cases successfully, and without the need to move these cases to the European Court of Justice.

A detailed overview of the state of infringement proceedings in the telecom sector is available at the site above.

We're on the Web!  
Visit [www.eblida.org](http://www.eblida.org)

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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](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.