



October 2006

EBLIDA Hot News

The EBLIDA newsletter on EU library & information society issues

Highlights:

- § Study on scientific publication markets in Europe, results on consultation now available, p.1
- § Note from EBLIDA Director on the Frankfurt Group, p. 2
- § Lifelong Learning programme reaches the final step in the legislative process, p. 7

Intellectual Property

Copyright and certain related rights

<http://www.europarl.europa.eu/oel/file.jsp?id=5348312&language=en&mailer=true>
<http://www.europarl.europa.eu/oel/file.jsp?id=5348062&language=en&mailer=true>

The European Parliament adopted on 12 October two legislative resolutions drafted by MEP GARGANI on:

- § the proposed codified version (*COM (2006)0226 of 22 May 2006*) of Council Directive 92/100/EEC on **rental right and lending right and on certain rights related to copyright in the field of intellectual property (P6_TA-PROV (2006)0405)**;

- § The proposed codified version (*COM*

(2006)0219 of 19 May 2006) of Council Directive 93/98/EEC harmonising the **term of protection of copyright and certain related rights (P6_TA-PROV (2006)0404)**.

Both new Directives will supersede the various acts incorporated in them whilst fully preserving the content of the acts being codified. They are awaiting Council's opinion (*co decision procedure, first reading*)

Information Society

Study on scientific publication markets in Europe, results on consultation now available

http://ec.europa.eu/research/science-society/page_en.cfm?id=3185

Responses to a public consultation on the EC-commissioned "Study on the economic and technical evolution of the scientific publication markets in Europe", held from 31 March to 15 June 2006, were received from individual researchers, academic organisations, libraries and information organisations, and publishers. Many of the respondents welcomed the study and its recommendations, while the publishers responding to the study were generally critical.

The next milestone will be a joint communication with DG INFSO on access to and dissemination of scientific information to be released in December 2006. In addition, a conference addressing scientific publication issues will take place on 15 and 16 February 2007 in Brussels. Key features of the responses are: the importance of the future well-being of

research dissemination.

Despite a number of publishers' concerns, there is significant support that public access to the results of publicly-funded scientific research should be guaranteed; the issue of long-term preservation and access to content; the strong connection between scientific publication issues and the European Digital Library initiative; quality issues e.g. standards used in evaluations and peer review; the visibility of European research, particularly in languages other than English and the need for further research, particularly on interoperability.

The study can be downloaded at http://ec.europa.eu/research/sciencesociety/pdf/scientific-publication-study_en.pdf. Further information, a synthesis report on the public consultation and all individual responses can be found at the website above.

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Note from EBLIDA Director

From the Frankfurt Group

At the end of October the Frankfurt Group met to discuss, among other things, the recently published report "Survey on the impact of VAT on libraries and the scientific publication markets". The report had been commissioned by the Frankfurt Group and carried out by Soziologisches Forschungsinstitut Gottingen during April to May of this year. For those working in research libraries the problem of VAT in general is probably well known, so the focus of the report was to gather some empirical data that this issue does have an impact – in many European countries – on library budgets and the shift from analogue to electronic materials.

From the report we can see that in some countries libraries do not pay VAT (e.g. Denmark) or the VAT is reimbursed at the end of the year (e.g. Sweden). In some countries there are special exceptions for library consortia (e.g. Lithuania), but in countries such as Germany, Italy, Spain, the Netherlands etc the full VAT rate has to be paid on electronic information.

Not surprisingly in those countries that are not VAT exempt this does have a detrimental effect on the change to electronic publications, though of course many other factors have to be taken into account when analyzing the broader picture – language, academic fields etc will all play a part. However, there is evidence to show that the VAT issue in the countries where it is a problem is a hindrance in regard to electronic publications.

On the basis of this report the Frankfurt Group has issued a press release and this has been sent to all EBLIDA members. EBLIDA urges its members to raise this issue – where applicable – with their respective governments. At a time when the European Union is focusing its attention on eContent and the need for mechanisms to ensure this change, it seems slightly paradoxical that different rules regarding VAT on electronic information are proving a hindrance for libraries' ability to provide electronic publications to their users.

EBLIDA Communication

EBLIDA will launch its new website in January next year. We hope that this will provide a better information tool for our users, with a better structure and easier to use. Hot News will cease publication from next year and be replaced by a twice monthly electronic newsletter where we hope to give a better overview of EBLIDA activities and European developments of relevance to EBLIDA. The newsletter will be electronically mailed to all our members and will also be available on the EBLIDA website. I would also like to thank those EBLIDA members who contributed with input and ideas to our communication strategy, just as we hope that our members feel that they can contribute with ideas or issues that they would like to have information about.

Andrew Cranfield
Director

Audiovisual Policy

Commission begins public consultation on media literacy

http://ec.europa.eu/comm/avpolicy/media_literacy/index_en.htm

The European Commission launched on 6 October an EU-wide survey of best practices to cultivate and improve media literacy in the digital age, which seeks views on media literacy in connection with digital technologies, and information about initiatives in commercial communications, film and the online world.

Media organisations and industry, formal and non-formal education institutions, content-providers and producers, research and cultural institutions, regulators, and citizens' and consumers' associations are invited to participate. The **deadline for replies is 15 December 2006**. All submissions should be mailed to the media literacy group: INFISO-MEDIA-LITERACY@ec.europa.eu.

The questionnaire is divided in four sections: the first contains general questions about media literacy while the other three collect information about initiatives and projects in commercial communications, audiovisual works and the online world. The questionnaire can be found at the site above. The findings and proposals will guide

discussions, notably within the media literacy expert group

(http://ec.europa.eu/comm/avpolicy/media_literacy/docs/expert_group.pdf) and lead to the adoption of a communication foreseen in 2007. The expert group intends to reflect the leading role industry itself plays in media literacy as well as academic research and findings. They aim at meeting three times a year (the first meeting was held on 30 March 2006).

The media literacy initiative is an integral part of the European Commission's general policy to enhance the trust and take-up of content online (the [European Digital Library](#), the [European Charter for Film Online](#), [management of online rights](#) in musical works, forthcoming communication on [content online](#) [see contributions at http://ec.europa.eu/comm/avpolicy/other_actions/content_online/contributions/index_en.htm] and the [eContent plus programme](#)).

See also *IP/06/1326 of 6 October 2006* at <http://europa.eu/rapid/>.

Adoption of MEDIA 2007 programme by European Parliament

http://ec.europa.eu/comm/avpolicy/media/index_en.html

P6_TA-PROV (2006)0432 of 24 October 2006

balanced text.

On 24 October, the European Parliament adopted, without amendments, the recommendation by MEP HIERONYMI (A6-0337/2006) approving the Council's common position on the MEDIA 2007 programme (<http://register.consilium.europa.eu/pdf/en/06/st06/st06233.en06.pdf>). This should ensure a timely beginning of the call for tenders and allow potential beneficiaries of the programme to participate in the new programme.

Although the overall financial amount allocated to MEDIA 2007 (€ 671 million) in light of the Inter-institutional Agreement on the Financial Framework does not reflect the goals set in the Commission's proposal, MEPs consider the common position a

MEDIA has been improved and made more accessible for potential beneficiaries. More attention is given to companies specialising in loan financing in the audiovisual sector and in the issue of access to credit than in the original proposal.

Parliament has also included the *European Cinema Days* and the *Prize for New Talents*. In addition, support to digitisation has become a central feature of the programme to overcome the fragmentation of the European market and to support innovation.

Moreover, cooperation between MEDIA and other EU programmes as well as with the Council of Europe's Euro image production aid programme has been strengthened.

*Co decision Procedure
Second Reading*

Audiovisual Policy

Editors-in-chief of newspapers discuss the future of the print media

A high-level-meeting between Media Commissioner Viviane Reding and the editors-in-chief of, *Helsingin Sanomat* (Finland), *Westdeutsche Allgemeine Zeitung* (Germany), *La Stampa* (Italy), *Luxemburger Wort* (Luxembourg), *Polityka* (Poland), *Diário de Notícias* and *Expresso* (Portugal) and *The Times* (UK) was held in Brussels on 23 October. This is the second time that dialogue between the written press and the European Commission takes place, following a first meeting in autumn 2005 (*see IP/05/1164 of 20 September 2005*).

Topics on the agenda were how the print media will evolve in times of increasing Internet use; enhanced cross-media competition; the emergence of “publications

for free” and an apparent reduction of interest of the younger generation in newspapers and magazines. Moreover, they discussed several broad subject areas, ranging from educational and copyright issues and business models and sources of advertising revenue, to the rules distinguishing editorial content from advertising features, and how they relate to developments in product placement within the audiovisual media.

A Media Task Force (http://europa.eu.int/information_society/media_taskforce/index_en.htm) is screening all Commission proposals at an early stage to ensure that their impact on the print media is duly taken into account.

Consumer Protection

Council reaches political agreement on European small claims procedure

<http://www.europarl.europa.eu/ocil/file.jsp?id=5238222>

Following its June's agreement and after completion of the work on recitals and standard forms, the Council confirmed on 5 October its general agreement on a draft regulation establishing a European small claims procedure

(http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/misc/91149.pdf).

In adopting the report by MEP Mayer on 27 October, the JURI Committee agreed to come into line with the Council's common position. Parliament has not yet delivered its opinion in first reading (scheduled for

December plenary).

This draft Regulation will apply, in cross-border cases, in civil and commercial matters, whatever the nature of the court or tribunal, where the value of a claim does not exceed € 2000 at the time the procedure is initiated, excluding all interest, expenses and outlays.

Once adopted, it will be available to litigants as an alternative to the procedures existing under the laws of the Member States, except for Denmark.

*Co decision Procedure
First Reading*

European order for payment procedure

<http://www.europarl.europa.eu/ocil/file.jsp?id=242002>

P6_TA-PROV (2006)0440 of 25 October 2006

The European Parliament adopted on 25 October the recommendation by MEP McCarthy (*A6-0316/2006*) approving the Council's common position, subject to three amendments: the definition of a “cross-border case” was slightly amended to include a case in which at least one of the parties is

domiciled or habitually resident in a State (rather than a “Member State” as proposed in the common position) other than the Member State of the court seized. This will allow the Regulation to have EEA relevance.

Article 30 (amendments to the Annexes) was deleted for Parliament to be able to have a

*Co decision Procedure
Second Reading*

...continues in Page 5

European order for payment procedure

<http://www.europarl.europa.eu/ocil/file.jsp?id=242002>

...continues from Page 4

say in updating or adapting the forms and lastly, the introduction of a new clause stating that the form must be completed "in the language or one of the languages accepted by the court to be seized" and informing users that the form is available in all official EU languages.

Parliament's concern at first reading was that the forms should be as user-friendly as

possible, require the minimum of free text and be suitable for use online. All amendments of Parliament were included in the Commission's amended proposal (*COM (2006)0374 of 4 July 2006*) and also in the common position.

Following second reading, the European payment order could come into force shortly (it will only apply to international payments).

Cooperation with third countries

Council approves financing instrument for European neighbourhood policy

The Council adopted on 17 October a regulation establishing, and laying down general provisions for, a European neighbourhood and partnership instrument (2007-2013), following an agreement reached with Parliament in first reading (*July 2006*).

The regulation, awaiting publication in the Official Journal, aims at supporting the development of an area of prosperity and good neighbourly relations involving both the EU and the following countries and territories: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Authority, the Russian Federation, Syria, Tunisia and Ukraine.

A total of over € 11, 181 billion under the EU's financial framework (2007-2013) will be provided for its implementation, of which at least 95% will be allocated to country and multi-country programmes, and up to 5%

will be devoted to cross-border cooperation programmes. It will apply as from 1 January 2007.

In addition, the DG for External Relations commissioned a poll on EU citizens' awareness of countries neighbouring the EU and their attitudes towards EU relations with these countries. Interviews were conducted face-to-face in people's homes, in their national language, between 5 May and 11 June 2006. Euro barometer published on 10 October the findings in a special survey on the EU and its neighbours (*Special EUROBAROMETER 259*,

http://ec.europa.eu/public_opinion/archives/ebs/ebs_259_en.pdf). A summary and the full report are available at http://ec.europa.eu/public_opinion/archive/s/eb_special_en.htm. Further information on the European Neighbourhood Policy can be found at <http://ec.europa.eu/world/enp/>.

New agreements in the field of higher education, training and youth

The CULT Committee adopted on 10 October two reports by MEP DESCAMPS. The first approves the conclusion of an **EC/Canada Agreement (A6-0338/2006)** renewing cooperation in the fields of higher education, training and youth. See EU/Canada at http://ec.europa.eu/education/programmes/eu-canada/index_en.html.

The second approves the conclusion of an **EC/United States Agreement** renewing the cooperation programme in the field of higher education and vocational education and training (*A6-0339/2006*). See EU/US at http://ec.europa.eu/education/programmes/eu-usa/index_en.html. Both reports are awaiting vote in plenary (scheduled for 14 November).

Consultation Procedure

Intellectual Property

Council debate on criminal measures aimed at ensuring IPR enforcement

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

The Council discussed on 5 October specific questions relating to the proposed Directive on criminal measures aimed at ensuring the enforcement of Intellectual Property Rights (IPR).

The debate focused on the need for criminal measures in the field of IPR, on whether and to what extent the Community has competences to adopt criminal law measures in this field (*Article 95 of the EC Treaty*), and on the scope of the Directive, in particular the list of rights which should be included - only those harmonised at Community level and also national rights.

The Council agreed that further scrutiny is

needed regarding the need for criminal measures at EU level in order to protect IPR. The current evaluation of Directive 2004/48/EC should provide information on the efficacy of EU provisions on civil and administrative measures to protect IPR. They also agreed on continuing discussions on the substantive provisions of the proposed instrument at Working Party level. Substantive provisions of the proposed instrument should be discussed on the basis of a limitation of its scope to IPR harmonised in Community legislation.

The EP's JURI Committee is to deliver its opinion (first reading) on 20 December; vote in plenary is scheduled for February 2007.

Culture

Action in the field of culture: Culture 2007 programme (2007-2013)

<http://www.europarl.europa.eu/ocil/file.jsp?id=5190192>

P6_TA-PROV (2006)0433 of 24 October 2006

On 24 October, the European Parliament adopted, with three amendments, the recommendation by MEP GRAÇA MOURA (A6-0343/2006) approving the Council's common position on the Culture 2007 programme.

When it comes to deciding on the amounts, duration, distribution and beneficiaries of financial support provided by the Community, the Comitology procedure should be used only for multi-annual cooperation projects (*Article 4(1)(a), first indent*) and not, as stipulated by the Council, for any measure proposed under *Article 4(1)* with a total Community contribution over € 200 000.

The second strand should be open to the bodies supported under Part 2 of Annex I to Decision 792/2004/EC (other bodies pursuing an aim of general European interest in the field of culture or an objective forming part of the EU's policy in this area) as well as any other body active at European level in the field of culture, provided that they meet the programme's objectives.

The overall financial amount allocated to the programme is € 354 million at 2004 prices (€ 400 million at current prices).

The Decision shall enter into force on the day following that of its publication in the OJ instead of the twentieth day, as proposed by Council.

*Co decision Procedure
Second Reading*

'Citizens for Europe' Programme adopted by European Parliament

<http://www.europarl.europa.eu/ocil/file.jsp?id=5243942>

P6_TA-PROV (2006)0443 of 25 October 2006

On 25 October, the European Parliament adopted, with four amendments, the recommendation by MEP TAKKULA (A6-

0342/2006) approving the Council's common position on the Citizens for Europe programme.

...continues in Page 7

'Citizens for Europe' Programme adopted by European Parliament

<http://www.europarl.europa.eu/ocil/file.jsp?id=5243942>

...continues from Page 6

*Co decision Procedure
Second Reading*

The general objectives of the programme should include enhancing tolerance. The share in the overall budget for projects under 'Active citizens for Europe' (*Action 1*) should be reduced from 47% to 45% and that under 'Active civil society in Europe' (*Action 2*) should be increased from 29% to 31%.

The Council in its common position introduced a phasing-out of funding for the nine organisations which so far are entitled to receive permanent structural support. After three years these organisations will have to compete via calls for proposals with

other candidates which request funding for their organisations and projects.

Conclusion of the procedure in second reading will enable the Commission to start implementing the programme on time. The total budget of the programme was fixed at € 190 million (at 2004 prices and subject to adjustment to take account of inflation).

The Decision shall enter into force on the day following that of its publication in the OJ instead of the twentieth day (as proposed by Council).

Education

Lifelong Learning programme reaches the final step in the legislative process

http://ec.europa.eu/education/programmes/newprog/index_en.html

P6_TA-PROV (2006)0442 of 25 October 2006

*Co decision Procedure
Second Reading*

On 25 October, MEPs adopted, without amendment, the Council's common position on the Lifelong Learning programme, which will cover learning opportunities from childhood to old age. The successor to the

current Socrates, Leonardo da Vinci and eLearning programmes will support, with a budget of € 7bn, projects and activities that foster interchange, cooperation and mobility between education and training systems within the EU from 1 January 2007 to 31 December 2013.

Adult learning, implementation of the future Grundtvig programme

http://ec.europa.eu/education/policies/ll/adultcom_en.html

COM/2006/0614 of 23 October 2006

This Communication highlights the essential contribution of adult learning, through the acquisition of key competences by all, to employability and mobility in a modern labour market and to social inclusion. It recalls that the Structural Funds, and in particular the European Social Fund (ESF), have the potential to support the development of infrastructures and strategies. It underlines the importance of certain specific issues: the gender dimension, in particular regarding data collection, differences in access to lifelong learning and in preferred forms of learning.

It provides the necessary policy underpinning for the implementation of the future "Grundtvig" programme, which will form part of the overall Lifelong Learning Programme. Moreover, it presents five key messages for adult learning stakeholders: lifting the barriers to participation; ensuring the quality of adult learning; recognition and validation of learning outcomes; investing in the ageing population and migrants and indicators and benchmarks.

Reflection based on these key messages will lead to the formulation of an action plan in 2007.

2008 will see the launch of the European Institute of Technology

http://ec.europa.eu/education/policies/educ/eit/index_en.html

Following two Communications [*COM (2006)0276 of 8 June 2006 and COM (2006)0077 of 22 February 2006*] and based on the outcome of a consultation, the

Commission adopted on 18 October a proposal to establish the European Institute of Technology (EIT). *...continues in Page 8*

Education

2008 will see the launch of the European Institute of Technology

http://ec.europa.eu/education/policies/educ/eit/index_en.html

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The Commission is proposing an integrated, two-level structure for the EIT that combines both a top-down and a bottom-up approach: the EIT itself, overseen by a Governing Board and a network of Knowledge and Innovation Communities (KICs). The EIT will combine the worlds of academia, research and business. The issue of whether it will issue its own degrees will be decided by Parliament and the Council, with the Nordic countries opposed to such a scheme.

Subject to approval by Parliament and the Council, the EIT could begin operations in 2008, with an estimated budget of up to € 2.4 billion (2008-2013), to be financed by public and private sources. The total

Community contribution will however be more than this, since it will include funding attracted by the KICs directly through the Structural Funds, the Lifelong Learning Programme, the CIP and FP7.

According to the Commission's proposal, around six KICs should be created by 2013; the first two being set up in 2010. Each KIC will have the autonomy to define its own legal status as well as its internal organisation in the light of its specific objectives, the nature of the partner organisations and the planned activities.

See *IP/06/1416* and *MEMO/06/382 (FAQs) of 18 October 2006* at <http://europa.eu.int/rapid/>.

Erasmus Mundus, list of Masters Courses selected

The list of Masters Courses selected under *Action 1* of the Erasmus Mundus programme is now available at http://ec.europa.eu/education/programmes/mundus/projects/index_en.html.

Interested students are invited to contact the coordinators of the courses concerned for further information on admission conditions, application forms and scholarships.

Enlargement

Council conclusions on Bulgaria and Romania

On 17 October, the Council adopted conclusions on enlargement, welcoming the Commission's report which concludes that - based on the progress made - Bulgaria and Romania will be ready to take on the rights and obligations of membership on 1 January 2007.

The Council underlined the importance of continued political commitment of both countries to address outstanding issues and invited both countries to complete their final preparations. Moreover, it supported the mechanism to be set up for cooperation and verification of the progress in the area of judicial reform and the fight against organised crime and corruption as well as the

other measures identified by the Commission to accompany Bulgaria's and Romania's accession. These will aim to ensure the proper functioning of EU policies and institutions after accession.

In addition, the President of the European Commission, José Manuel Barroso, presented on 30 October the member designate of the European Commission proposed by the Romanian Government, in agreement with him. The nominee is Mr Leonard ORBAN, currently Secretary of State coordinating Romania's preparation for accession to the European Union. Mr ORBAN will be responsible for multilingualism.

EU Information Policy

Council annual report on public access to documents

The Council adopted on 17 October its annual report on the implementation of *Regulation 1049/2001* regarding public access to documents in 2005. The report indicates that 68, 6% of the Council documents produced in 2005 were made directly accessible to the public via the register upon circulation. As far as the Council is concerned, the report concludes that the aims set by the Treaties and by *Regulation 1049/2001* were achieved in 2005.

The report highlights the key developments and reviews complaints submitted to the European Ombudsman, rulings given by the

Community Courts in 2005 as well as cases brought before the Court of First Instance regarding access to Council documents. As of 19 January 2006, the Council's register referred to 697 111 documents (all language versions taken together), 65, 8% of those registered were public documents. 259 106 individual users logged on to the Council's public register via the Internet in 2005. The number of visits rose by nearly 16 % (the third successive annual increase). The Council received 2 100 requests for access from the public concerning a total of 9 457 documents and gave access to 7 788 (80, 6 %) of the requested documents.

New civil society initiatives to promote dialogue and debate on EU issues

In the framework of its Plan D for "Democracy, Dialogue and Debate", the Commission has decided to assign € 4.5 million in support of pan-European projects by non-profit civil society organisations aiming at encouraging and promoting dialogue and debate among citizens on EU issues. These projects will run during the second half of 2006 and 2007.

Out of the six selected projects, three will be implemented in all EU-25; each one of the remaining three will cover at least 5 countries. They are "*Tomorrow's Europe*", Notre Europe Foundation (<http://www.notre-europe.eu/>); "*Speak up Europe*", European Movement Int. (<http://www.europeanmovement.org/>);

"*European Citizens Consultations*", King Baudouin Foundation (<http://www.european-citizens-consultations.eu>); "*Our message to Europe*", Deutsche Gesellschaft (<http://www.deutsche-gesellschaft-ev.de/>); "*Radio Web Europe*", CENASCA (<http://www.cenasca.cisl.it/entra.htm>); and "*Our Europe-Our Debate-Our Contributions*", European House (<http://www.europeanhouse.hu/e/>).

Moreover, the foreseen communication as a first report on the Plan D has been postponed until late November, when Commissioner Wallström will take the floor before EP's Constitutional Affairs Committee (AFCO).

EU Research and Development

Council adopts Competitiveness and Innovation Programme (2007-2013)

On 12 October, the Council adopted, without discussion, a decision establishing a Competitiveness and Innovation framework Programme (CIP) for 2007-2013 accepting all amendments voted by Parliament in first reading (*co decision procedure*).

The programme, with a budget of € 3.2 billion (in 2004 prices; € 3.6 billion at current prices), is aimed at fostering the competitiveness of enterprises; promoting all

forms of innovation; and accelerating the development of a sustainable, competitive and innovative information society.

The CIP, which has not yet entered into force, will be operational as of January 2007.

Further information on CIP (pending publication in the OJ) can be found at http://ec.europa.eu/enterprise/enterprise-policy/cip/index_en.htm.

EU Forum unveils strategic roadmap for European Research infrastructures

<http://cordis.europa.eu/esfri/home.html>

On 19 October, the European Strategy Forum on Research Infrastructures (ESFRI) presented a European Roadmap for Research infrastructures, which identifies 35 large-scale research infrastructure projects at different stages of development and in seven key research fields: environmental sciences; energy; materials sciences; astrophysics, astronomy, particle and nuclear physics; biomedical and life sciences; social sciences and humanities; computation and data

treatment. Brief details of the projects are given in *MEMO/06/384* (<http://europa.eu.int/rapid/>).

The roadmap, developed after an intensive two-year consultation and peer review process, will allow a common European approach to the development of research infrastructures, define priorities and aid the pooling of the significant financial resources needed for their development.

Information Society

Commitments by music publishers and collecting societies are legally binding

The Commission has accepted an agreement with the music industry for rights management across the EU. The commitments made by five major music publishers (BMG, EMI, Sony, Universal and Warner) and 13 European collecting societies (AEPI, AustroMechana, GEMA, MCPS, MCPSI, NCB, SABAM, SDRM, SGAE, SIAE, SPA, STEMRA, SUISA), the signatories of the Cannes Extension Agreement regarding Central Licensing Agreements, have been made legally binding under EC Treaty competition rules.

They ensure that record producers can continue to receive rebates from collecting societies on royalties paid in the context of Central Licensing Agreements. These rebates

are currently the only form of price competition among collecting societies. They also ensure that potential entry by collecting societies in the music publishing or record production markets is not impeded. The Commission had been concerned that two clauses of the Cannes Extension Agreement may have violated the EC Treaty's ban on cartels and restrictive business practices (*Article 81*).

The contracting parties must now uphold the agreement. Should it be violated, the Commission is entitled to impose fines upto 10% of the contracting parties' total revenue, even if no specific violation of EU competition law is proven.

Public Consultation on Radio Frequency Identification Devices (RFID)

The EU RFID Conference 2006 'Heading for the Future', held in Brussels on 16 October, closed the series of radio frequency identification (RFID) consultations launched on 3 July. 2,190 respondents (many consumer protection organisations) submitted the questionnaire. All consultation documents can be accessed at <http://www.rfidconsultation.eu/>.

The key issues addressed in the debate so far have included: the migration from today's RFID tags to the vision of creating an 'Internet of Things' via networked RFID systems and services; emerging trends and opportunities in RFID application domains; RFID security, data protection and privacy,

health and safety issues; interoperability, standardisation, governance, and intellectual property rights; and radio frequency requirements for RFID. Besides technical issues, the debate has highlighted the need to address key societal concerns such as privacy risks of collecting and using personally-identifiable information e.g. data mismanagement, data misuse, lack of transparency, loss of freedom and the biological effects of radio frequency waves.

The results will feed into a Communication that the Commission intends to adopt at the end of 2006, which will outline, if necessary,

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Public Consultation on Radio Frequency Identification Devices (RFID)

...continues from Page 10

where further legislative intervention or clarifications of the existing legal framework could be necessary. This could lead to formal proposals in 2007.

In addition, the European Commission held several workshops (http://europa.eu.int/information_society/

[policy/rfid/workshops/index_en.htm](http://europa.eu.int/policies/infocus/policy/rfid/workshops/index_en.htm)).

Further consultations and negotiations between all stakeholders on the privacy protection issue are foreseen, taking into account the ongoing work carried out by the *Article 29 Data Protection Working Party*.

See also *MEMO/06/378* and *SPEECH/06/597 of 16 October 2006* at <http://europa.eu.int/rapid/>.

Highlights of the WIPO meeting held from 25 September to 3 October 2006

The General Assembly agreed to convene a diplomatic conference from 19 November to 7 December 2007 to update the rights of broadcasting organizations to conclude a treaty on the **protection of broadcasting organizations**, including cable casting organizations. The decision includes the holding of two special sessions of the Standing Committee on Copyright and Related Rights (SCCR) to be held in January and June 2007. Member states noted the status of consultations on the protection of audiovisual performances and agreed to keep the issue on the agenda of the General Assembly in September 2007. See http://www.wipo.int/edocs/prdocs/en/2006/wipo_pr_2006_460.html.

Furthermore, the General Assembly agreed

to renew the mandate of the Provisional Committee on proposals related to a **WIPO Development Agenda (PCDA)** for a further year and agreed that the PCDA will hold two 5-day sessions to allow for structured in-depth discussions on all 111 proposals made so far. The lists of proposals to be discussed in the first and second sessions were identified (http://www.wipo.int/edocs/prdocs/en/2006/wipo_pr_2006_461.html).

In addition, the General Assembly reviewed WIPO activities in relation to the **protection of intellectual property in the Internet Domain Name System (DNS)**. DNS of the names and acronyms of international intergovernmental organizations (IGOs) are now under consideration by ICANN.

Internal Market

Commission acts to ensure implementation of Directive on IPR enforcement

The European Commission has decided to formally ask Belgium, France, Germany, Greece, Latvia, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia and Sweden to implement *Directive 2004/48/EC* on **enforcement of intellectual and industrial property**. These requests take the form of "reasoned opinions"; if there is no satisfactory reply within two months, the Commission may refer the matter to the European Court of Justice.

In addition, the Commission has asked France for full information on its execution

of a European Court judgement of 8 June 2006 (*Case C-164/05*) concerning implementation of *Directive 2001/19/EC* on the mutual recognition of **professional qualifications for several regulated professions**. The deadline for its transposition expired on 1 January 2003. If complete measures are not adopted, France could face the imposition of a penalty payment by the Court.

Information on infringement proceedings concerning all Member States is available at http://ec.europa.eu/community_law/eulaw/index_en.htm.

Internal Market

Follow-up to the Report on Competition in Professional Services

P6_TA-PROV (2006)0418 of 12 October 2006

On 12 October, Parliament adopted a resolution based on the own-initiative report by MEP EHLER (A6-0272/2006) in reaction to the Commission's latest communication on competition in professional services (*COM (2004)0083 of 9 February 2004*).

Parliament felt that the Commission had failed to address the consequences of a systematic pro-competitive reform of the sector as regards job creation and additional

growth. MEPs emphasised that rules should be chosen which restrict competition as little as possible. The mandatory nature of fixed or minimum rates and the ban on negotiating fees based on the result achieved might be detrimental to the quality of service to the public and to competition. Member States must overcome these constraints with measures which are less restrictive and more likely to comply with the principles of non-discrimination, necessity and proportionality.

The resolution is awaiting publication in the Official Journal.

Internet

First Internet Governance Forum held in Athens

http://europa.eu.int/information_society/policy/internet_gov/index_en.htm

The first meeting of the Internet Governance Forum (IGF) was held from 30 October to 2 November in Athens. The IGF is an important milestone agreed last November at the World Summit on the Information Society in Tunis (WSIS) as part of the drive to internationalise Internet governance, to safeguard freedom online and to bridge the global digital divide.

The Forum aims at transparently discussing a broad range of governance topics with all stakeholders. The overall theme was

“Internet Governance for Development”, with the debate focusing on openness (freedom of expression, free flow of information ideas and knowledge); security (creating trust and confidence through collaboration); diversity (promoting multilingualism and local content) and access (Internet connectivity, policy and cost).

See also *IP/06/1491* and *SPEECH/06/650 of 30 October 2006*, “*The Internet - key to freedom, democracy and economic development*”, at <http://europa.eu.int/rapid/>.

Internet Governance, move towards full private-sector management by 2009

http://ec.europa.eu/information_society/activities/international/global_issues/ws/is/index_en.htm

The European Commission welcomed on 2 October the US government's decision to give more autonomy to ICANN (Internet Corporation for Assigned Names and Numbers). The Memorandum of Understanding (MoU) between the US Department of Commerce and ICANN expired on 30 September, and has now been replaced by lighter arrangements intended to end definitely by 2009 [<http://www.icann.org/announcements/announcement-29sep06.htm>].

The Commission cooperated in 1998 with the US in setting up ICANN and hosted, until 2006, the Secretariat of its

Governmental Advisory Committee (GAC). Completing the transition of Internet governance to the private sector also had been the explicit request by the EU and its partners at the World Summit on the Information Society in Tunis.

The first meeting of the newly created Internet Governance Forum (IGF) was convened by the UN Secretary-General from 30 October to 3 November in Athens, to transparently discuss broader Internet governance topics - development-related issues in particular - with civil society, industry and other non-government stakeholders.

Telecommunications

Picture of competition in EU telecoms now virtually complete

http://ec.europa.eu/information_society/policy/ecomm/index_en.htm

With its letter dated 19 October to the Greek telecom regulator (EETT) concerning low speed narrowband access to fixed telephone networks, the Commission has so far assessed 500 notifications from Member States reviewing competition in their e-communications markets, in time for the review of the regulatory framework.

Nearly all Member States have reviewed and notified to the Commission all of their telecom markets; some Member States have already started the second round of reviews. These will reveal whether first round regulatory remedies imposed - or withdrawn in competitive markets - have had the

desired effect and which have been the best regulatory practices.

The Commission is currently revising the markets which are susceptible to regulation [Commission Recommendation 2003/311/EC of 11 February 2003, *OJ L 114 of 8 May 2003*]. The public consultation ended on 27 October. The Commission intends to propose legislative measures to Parliament and Council early in 2007.

All notifications and Commission responses can be found at <http://forum.europa.eu.int/Public/irc/infso/ecctf/library>.

Trade Policy

New strategy to integrate trade policy into EU competitiveness launched

http://ec.europa.eu/comm/trade/index_en.htm

On 4 October, the Commission adopted "*Global Europe: competing in the world*", a new strategy for opening new markets abroad for EU companies to trade and ensuring that European companies are able to compete fairly in those markets. The strategy also commits Europe to ensuring that its own markets remain open.

From autumn 2006 and through 2007, the Commission will work to resume and conclude negotiations in the Doha Development Agenda (DDA) and propose a new generation of bilateral free trade agreements (FTAs) with key partners to build on WTO rules. On 24 October, it

agreed on an ambitious new agenda for EU-China relations, which identifies as priorities support for its transition towards a more open and plural society, trade and economic relations, bilateral cooperation on science and technology and the promotion of international security. It is accompanied by a trade policy paper setting out the challenges of trade and investment relations in more detail.

Moreover, it will launch the next stage of its global strategy for protecting IPR, with tougher benchmarks for cracking down on counterfeiting and new cooperation with key partners and renew its Market Access Strategy to focus on non-tariff barriers.

Youth Policy

New "Youth in Action" programme adopted under second reading

http://ec.europa.eu/dgs/education_culture/newprog/index_en.html

P6_TA-PROV (2006)0441 of 25 October 2006

On 25 October, Parliament adopted, without amendment, the new 'Youth in Action' programme with a budget of € 885 m.

It will be accessible to young people aged 15-28 (13-30 for some specific actions) and open to third countries (2007-2013). Its legal basis provides for a flexibility clause so that the programme can be adapted to any new priorities that may emerge.

*Co decision Procedure
Second Reading*

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Information sources used include

Bulletin Quotidien Europe
Council Press Office Newsroom,
http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=221&lang=en&mode=g
European Parliament, the Legislative Observatory,
<http://www.europarl.europa.eu/oeil/index.jsp?language=en>
RAPID - Press and Communication Service of the European Commission,
<http://europa.eu/rapid/setLanguage.do?language=en>
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/index_en.htm
PreLex, the database on inter-institutional procedures,
<http://ec.europa.eu/prelex/apcnet.cfm?CL=en>
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.

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