COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable

(presented by the Commission)

{SEC(2004)169}

EXPLANATORY MEMORANDUM

1.   Introduction

In the period since the inception of the *e*Content programme[1], the digital content market has seen change. The change that occurred is neither entirely coincident with, nor as extensive as, what was foreseen at the time. The information and communication technologies (ICT) markets slowed down in general, this in turn adversely impacted the information market. However technological deployment, development and innovation have continued and many sectors, among them the information market, are again seeing growth.

The rollout of high-speed, always-on, broadband connections is beginning to drive the demand for online digital content. As recognised by *e*Europe 2005[2], the successful rollout of broadband Internet access however depends critically on the availability of suitable digital content. The speed of uptake of advanced services for mobile users (3G and beyond) is similarly dependent on the availability and accessibility of a large variety of digital content. More recently, developments in knowledge and content technologies open up opportunities to improve the accessibility of digital content and to greatly simplify its aggregation and reuse in products and services.

In parallel with these developments, new legislation has been enacted in the Union, including the Directive on the re-use of Public Sector Information (PSI)[3] and the Copyright Directive[4] currently being transposed, both of which aim to facilitate an internal market for digital content products and services.

These trends are expected to deliver benefits through digital content-based applications, in the form of increased productivity and innovation, and better information products and services with a positive impact on *e*Government, *e*Health, *e*Business and *e*Learning related content, applications and services as promoted by *e*Europe 2005. These benefits are not just economic, but will spill over to society as well.

The content market encompasses media and publishing, on-line databases and other business services. Its value was estimated at 515 billion Euro in 2002[5]. Digital content is still a small part of this market, which is traditionally dominated by films, TV programmes, books, videos, music, CDs and mail order catalogues.

Media convergence and the global reach of the Internet have turned digital content into a potentially lucrative asset. However, in relation to the uptake of digital content Europe has barriers. In particular, barriers relating to the multiplicity of languages, cultures and practices of public administration and enterprises affect the establishment of cross border services in Europe based on digital content.

The current *e*Content*plus* proposal (2005-2008) addresses these barriers and identifies areas of public interest in Europe where market forces fail to support adequate investment. *e*Content *plus* aims at creating conditions for broader access to and use of digital content and where necessary for greater economic return from services based on access and (re)use of digital

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[1]   Council Decision 2001/48 EC of 22 December 2000.
[2]   COM(2002) 263.
[3]   Directive 2003/98/EC of 17 November 2003
[4]   2001/29/EC, adopted on 22 June 2001.
[5]   European Information Technology Observatory - EITO 2003.

content. The programme will therefore continue to make a significant contribution to the *e*Europe strategy in sectors such as e-learning, e-government, etc.

The proposal for a successor programme which follows gives due attention to the achievements of the current programme, the evolution of technologies, markets and the legislative environment, and further changes in course which are likely to occur.

2.   The growing importance of digital content

The growing importance of digital content today can be attributed to two major innovations: the digitisation of traditional media formats such as text, images, video, audio, and the emergence of the Internet as a platform for integration and a channel for distribution of content resources. In addition to making a wealth of information accessible to users, these innovations have transformed the business of content distribution and reinvented the way that businesses, public organisations and governments interact with each other and the public at large.

More recently businesses and governments seek to capitalise on the Internet's potential to drive efficiencies and spur growth. The creation in Europe of a legal framework to support online commerce and services across borders[6] together with massive capital investments in infrastructure financed by public and private sectors bear testimony to the importance that the online environment has been accorded in today's economy. Regulatory pressure has also been used to get citizens connected to the Internet. In the three years since the EU regulation on local loop unbundling[7], Internet penetration has grown significantly in the Union, in particular among citizens. Close to 100% of companies, government offices and educational institutions, and 50% of citizens are online. Priorities have now shifted to the rollout of *broadband* Internet access. The benefits for users are clear – speed – which in turn is expected to drive user demand for a greater variety of digital content products and services.

With the online environment assuming an ever-increasing role in diffusing knowledge and dispersing information, the demand for quality digital content becomes inescapable. The question is no longer whether information can be found, but whether it is reliable, complete and can be tailored to the user needs. The paradigm shift taking place in the information market is from quantity to quality.

Content providers are well positioned to combine the added-value gained by using digitised media formats with the efficiency gains of online operations. The notion of adding value however extends beyond aggregating content from different sources or repurposing content to different market tastes and needs. The *quality element* that is missing in most of the content currently available comes when content is enriched with specific knowledge or information that is relevant to its intended application. A new generation of Web technology – that relies on vocabularies that computers can understand as well as process – can do just this. Knowledge-enhanced digital content offers content providers the potential to extend the interoperability and augment the quality of any content-based product or service.

Quality digital content will have to meet the needs of all Europeans: citizens in society, students, researchers, business users to augment their knowledge with ease and efficiency, as

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[6]   Directives on e-commerce (22 May 2001), electronic invoicing (20 December 2001) and directive and regulation (7 May 2002) on VAT on digital supplies.
[7]   Regulation 2887/2000/EC, adopted on 18 December 2000.

well as content providers and other 'reusers' to exploit digital content resources to create quality value-added products and services – irrespective of location or language.

3. A changing environment

Since the launching of *e*Content in early 2001, the technological landscape, the legislative environment and the marketplace have seen significant developments.

3.1. Evolving technological landscape

Internet access is in the process of being commoditised. Lower costs of hardware for data processing, transmission and storage have meant that the more cost-sensitive residential markets now account for a growing share of the initially professional and enterprise-oriented PC and Internet Service Provider markets. Online public information services for example from government agencies and health organisations are joining the ranks of specialised enterprise services.

Now that third generation mobile services are seeing deployment in Europe, mobile services based on location–sensitive content are expected to gain impetus. A range of technologies are deployed in Europe offering broadband access – the most widespread being digital subscriber line (DSL) and cable modem.

The developments which have brought widespread Internet access and an abundance of digital content, also set the challenges for the future. Possibly the most important are those related to sharing, accessing and using digital content.

Fundamental to attaining the full potential of distributed systems such as the World Wide Web is the ability to combine information and functionality from different systems across different organisations, applications or platforms - interoperability. But it does not come for free: content must be enriched with metadata[8] that is semantically well-defined.

Content enhancement refers to making content (and service descriptions) understandable and processable by machines, by binding it to some formal and meaningful description of itself. Relevant standards, covering for instance descriptive terminology, vocabularies, ontologies[9] and the formats required to make these machine-processable, are about to emerge. Content enhancement requires automated or semi-automated tools, supporting the cost-effective production and maintenance of metadata and ontologies. Such tools are also about to emerge.

Metadata can cover many categories of knowledge or information, such as background, context, content type, format, language, user rights and copyright. Content enhancement can thus contribute to interoperability and quality by providing solutions to issues such as reusability, multilinguality, searchability, composability, authentication, and digital rights across distributed collections of digital content.

The systematic enhancement of content sources is one of the answers that technology provides to the users' need for *quality* content.

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[8] Metadata is information added to a document describing its content, format, language, etc.
[9] Ontologies serve to make metadata 'understandable' by computers: they define the way descriptive terms are interrelated and used in a given domain of interest.

3.2. A new legislative context

Three pieces of Community legislation constitute important progress towards providing the appropriate legal framework for the exploitation of digital content resources:

The Public Sector Information Directive[10] aims at stimulating cross-border re-use of public sector information by establishing the same basic market conditions for all players in the European information market in relation to its reuse. It is expected to stimulate development of Community-wide information products and services based on public sector information both by organisations with private interests and by those with public service functions.

The Commission has taken an integrated approach to the problem of public sector information. The legislative action is complemented by actions in the current *e*Content programme and awareness raising measures among stakeholders in the Member States via the recently established Group to Promote Digital Public Data. One of the first activities of this group has been to encourage Member States inventories of asset lists with a view to establishing European-wide inventories of public sector data.

Directive 2001/29 of 22 May 2001 on copyright and related rights in the Information Society updates the legal framework of copyright and related rights to meet the challenge of new technology and is the means by which the Community and its Member States will ratify the 1996 WIPO (World Intellectual Property Organisation) Treaties. It harmonises certain aspects of copyright law across the Union and provides for certain public interest exceptions for the benefit of users including consumers, the libraries, educational establishments, the disabled. Directive 2001/29 will facilitate cross-border trade in goods and services protected by copyright and related rights in particular, electronic products and services.

Directive 96/9 of 11 March 1996 on the legal protection of databases is an earlier measure which harmonises the law in relation to databases including in particular electronic and on-line databases. Directive 96/9 is the principal instrument which governs the use that may be made of electronic and on-line databases. Databases which are original within the meaning of the Directive are accorded copyright protection and other databases in which there has been substantial investment may qualify for sui generis protection. As with Directive 2001/29, there are also public interest exceptions for the benefit of certain users.

3.3 Market developments and barriers

To date, the Internet has succeeded commercially as a distribution medium where it has been able to offer a clear added-value over existing media. The Internet's computing environment can be utilised for aggregating, customising and archiving content, for generating statistics and creating interactive content and services. Business data, corporate e-learning and online games exploit these capabilities. Though niche areas in themselves, they are relatively successful in terms of generating direct revenues. As commercial markets with vested interests from content and service providers, their development should for the most part be left to market forces.

However, commercial markets do not necessarily take care of public interests. Furthermore, the accumulation of barriers may be a disincentive for companies to invest in certain markets.

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[10]   Directive 2003/98/EC of 17 November 2003

While media convergence and the global reach of the Internet have turned digital content into a potentially lucrative asset, concerns over piracy and rights management as well as uncertainty over which business models will succeed have acted as a disincentive to investment in service creation. Most affected is the entertainment sector, where these concerns between content owners, the consumer electronics industry, consumer organisations, the software industry and network operators have yet to be resolved. Until these concerns are lifted, audiovisual works would not be widely distributed over the Internet[11].

In the information resources sector, such concerns are less marked. They are however replaced by a different set of problems, in particular in Europe where the conditions for their exploitation in Community-wide services fall short of being ideal. Disparities in legislation and in technical, administrative and cultural practices between Member States are compounded by the multiplicity of Community languages, all of which have a bearing on the accessibility and usability of content resources. Enlargement will pose additional challenges, increasing the number of languages and administrative cultures to be covered by content services.

The problems in establishing Community-wide products and services affect not just the producers of these services, but also negatively impact the users – organisations and individual citizens.

The availability of reliable services based on information held by public sector bodies, covering for example administrative procedures, company profiles, environmental data or meteorological information are valuable tools for companies operating in the internal market as well as for citizens. Legal uncertainty, arising from differences between Member States in the conditions for reuse of public sector information, has restricted its cross-border exploitation in products and services by private sector organisations. Added to this, the disparate practices within and between Member States in the gathering, storage, inventorying and description of public sector data imposes limitations on its interoperability across borders. And interoperability is a prerequisite for the establishment of services.

Spatial data, i.e., information that combines geographical location with other data and information are embedded in up to 80% of all the data held in public sector institutions. It can be exploited to support applications in such areas as transportation, community development, agriculture, emergency response and environmental management. It is furthermore destined to play an important role in mobile communications services. Being derived from, among others, remote sensing, mapping, and surveying technologies, spatial data is particularly vulnerable to 'technical fragmentation'. Fragmentation holds back the growth prospects in Europe of some 6000 organisations - both public and private - that deal with spatial information.

As translation and localisation technologies have progressed, the multilingual and multicultural nature of the European market has become less of an impediment to companies who can afford the technical solutions and have a vested interest in reaching the broader market. Thus the corporate e-learning market is growing (96% per year in Europe according to IDC in 2002). It is clear however that a significant fraction of European users are missing out on developments - schoolchildren, students, researchers and private citizens - because they do not constitute a mass-market. For them, access to quality course material produced by

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[11]   It has been argued that this is also due to the lack of widespread availability of broadband access. However the counter argument, that broadband access will not take off without sufficient bandwidth-hungry applications such as video, might also apply.

schools and universities and access to comprehensive digital collections held by research and cultural institutions is essential.

The barriers are not only technical in nature. Legislation in one territory may allow for the free use of content for educational purposes but use of that same content, in similar contexts in other Member States may constitute copyright infringement. There is also a lack of knowledge and experience concerning the use of digital rights management systems for rights clearance; this is most pronounced in the educational sector.

Community-wide services must also take into account the multilingual and multicultural specificity of European users. The use of localisation technologies which enable cross-border aggregation and distribution of multilingual digital content is an added cost for producers. There are standards to meet the needs of users in respect of multilinguality covering learning objects, indexing and search, metadata and ontologies. Their sheer diversity however serves to act as a technical barrier. And sometimes national markets are simply too small.

So barriers not only persist, they abound.

The proposed Community intervention is therefore intended to create the conditions to overcome these barriers by focusing on methods, tools, processes and services related to the design, development, access and distribution of high quality digital content, while leaving the actual production of digital content to the market forces and, where appropriate, to other specific Community initiatives.

4.   *e*Content: what challenges remain?

The current proposal constitutes a follow-on from the eContent Programme which runs for a 4 year period from January 2001. The Communication from the Commission[12] to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions concerning the mid-term evaluation of the *e*Content programme has been quite positive and has recommended a follow-up programme characterised by a somewhat narrower scope and tighter focus in order to optimise the impact. The main recommendations, which were also highlighted in the findings of a number of specific consultations held with relevant stakeholders (namely those related to definition of the *e*Content workprogramme as well as meetings of the *e*Content programme management Committee, the Digital Public Data Group and other specific meetings organised by Commission Services) are summarised below :

First, tackling the problem of cross border information supply based on the use of public sector information is an area where the EU can add substantial value. The attention given to the use of metadata should be reinforced. The effective use of technology in optimising economic viability over the longer term is an issue that organisations in this still young market will have to confront.

Second, the problem of localisation of content – dealt with by *e*Content as a separate issue – should be embedded in all services that claim a European dimension. Localisation technologies and the use of appropriate open standards, now wider spread in commercial markets, should be deployed for societal benefit in areas such as educational, cultural and scholarly content. However, although localisation technologies are of key importance, the programme emphasises that in order to design and deliver quality multilingual and

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[12]   COM(2003) 591, adopted on 10 October 2003.

multicultural content, these aspects need to be taken into account from the very start of the process, keeping in mind the requirements of the different target groups and markets.

Third, *e*Content has catalysed the collaboration of a high number of market players to realise a number of projects that would not have been realised otherwise with the same depth or breadth[13].

The main shortcoming of *e*Content was to address a too large constituency, thereby lacking focus. Hence, dropping some areas of support, e.g. bridging the financing gap for content firms, and focussing on a limited number of types of content becomes a necessity. The Commission has already started to redress this problem when establishing the 2003-2004 workprogramme for *e*Content.

What follows aims at creating conditions for broader access to and use of digital content and where necessary for greater economic return from new content-based services. The intention is to leverage investment in development and to broaden the offering of quality content-based services, facilitating the diffusion of knowledge and dissemination of information.

5. The follow-up programme - proposed priorities

5.1. Objectives and focus

In order to address the challenges posed, it is proposed to adopt a financial support programme with the overall objective: *to make digital content in Europe more accessible, usable and exploitable, facilitating the creation and diffusion of information and knowledge– in areas of public interest – at the Union level.* The programme will contribute to the Lisbon strategy and strengthen European competitiveness in the knowledge economy. The programme focuses on the end-user – be it the citizen in society, the student, the researcher, business user wishing to augment their knowledge, or the 'reuser' wishing to enhance and exploit digital content resources for economic return. It should broaden user choice and help stakeholders to reap the benefits that knowledge-enhanced digital content can offer.

Its overall emphasis is on *quality* content that serves to disperse information and diffuse knowledge, and not just *more* content. The use of metadata to *enhance* the content itself is considered as essential element to guarantee interactivity, re-usability and interoperability of content. Knowledge enhancement will facilitate the creation of dynamic content, tailored to specific contexts (learning, culture, etc).

The social context targets domains where market forces are not sufficient to ensure that citizens and user organisations in the Union can benefit from content offerings made accessible by the latest technologies. The aim is to facilitate broader availability of reusable and interoperable quality content for service creation. It covers areas of public interest such as public sector information, learning content, scientific and scholarly content, and content from cultural institutions.

The economic context aims to help establish conditions for greater economic return from content-based services. A special emphasis will be on spatial data addressing interoperability

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[13] *e*Content partial additionality is relatively high. 42% would also have gone ahead without EU funding, but would have undertaken their projects with reduced objectives and finances, with fewer partners and over longer time-scales. Almost 20% of the organisations which would have gone ahead with their projects, would have done so without international collaboration.

issues – a particularly acute problem because the collection of spatial data is technology dependent (eg: via sensors) and done at a regional level. This will extend to location-based (mobile) services using spatial data, as well as services based on a combination of spatial data with other information.

5.2. Implementation

The programme envisages three operational goals:

- *Facilitating access to European Digital Content*

- *Improving quality by facilitating best practice related to digital content*

- *Reinforcing co-operation and awareness between digital content stakeholders*

The programme will finance projects designed to improve tools, processes and services related to the production, access, use and distribution of digital content. Where digital content involves personal data, Directives 95/46/EC and 2002/58/EC should be adhered to. The programme will facilitate the transfer of knowledge, experiences and good practices; co-ordination activities; cross-fertilisation between content sectors, content providers and users. To this end, the programme encompasses the use of best practice actions normally conducted in thematic clusters as well as thematic networks bringing together a variety of stakeholders around a given technological and organisational objective.

The overriding principle of the programme is to maximise the impact on a group of actors beyond the participants of the programme. A tighter focus in terms of participants as well as objectives should help achieve this.

The financial envelope for the implementation of the programme is proposed to be EUR 163 million covering a period of 4 years (2005-2008).

Specifically, the activities of the programme will support the emergence of pan-European frameworks (services, information infrastructures, etc.) facilitating discovery of and access to digital content in Europe, the creation of new content—based services and their organisational underpinnings. A series of experiments will showcase how semantically well-defined metadata can improve usability and reusability, searchability and interoperability of digital content in multilingual and multicultural environments. Where digital content involves personal data, the technologies used should be privacy-compliant and, where possible, privacy-enhancing. Target areas will be public sector information, spatial data, learning and cultural content.

Fostering the organisational frameworks to ease access to digital resources and showcasing the best use of technologies for their exploitation will lower the perceived risk for organisations and thus create a better environment for investment and innovation in digital content.

New generations of technologies are designed to deliver greater functionality, greater economy or both to those who use them. Effective use of the latest technologies in their products and service offerings can give companies a decisive competitive edge over those who rely on older generations, particularly in today's global economy.

5.3.   Links with other Community programmes

There are links with Community Research and Technological Development (RTD) programmes, notably in the field of semantic knowledge technologies, technology-enhanced learning and access to cultural heritage, as well as links to a number of non-research programmes. The latter include the Interchange of Data between Administrations Programme (IDA), encouraging interoperability in terms of the content of the information which is exchanged within and across administrative sectors and with the private sector. To achieve these aims several initiatives have been carried out in the areas of the metadata and content interoperability, including a Commission staff working paper on interoperability[14], and the development of the European Interoperability Framework.

Other relevant non-research programmes include certain Community programmes for culture and education (MEDIA, Socrates-Minerva and Leonardo da Vinci programmes and the proposed *e*Learning programme) as well as other initiatives for the development of interoperable metadata standards.

The proposed activities build, partly, upon results achieved in RTD programmes, and will take into account actions launched under other programmes and initiatives, such as those on quality in e-learning, to avoid duplication and maximising impact. They complement, in parts, activities in IDA. IDA is addressing interoperability of government services whilst *e*Content*plus* draws on public sector information in order to enable commercial reuse.

6.   Conclusion

The stage has now been set in Europe to exploit vigorously the untapped potential of digital content.

It is these elements combined – making the best use of technology in providing access to information and knowledge for all, and generating better conditions for European-wide investment by companies – that will assure Europe a place at the head of the knowledge economy.

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[14]   Commission staff working paper 'Linking-up Europe: the importance of interoperability', Brussels 3.7.2003 SEC (2003) 801.

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 157(3) thereof,

Having regard to the proposal from the Commission[15],

Having regard to the opinion of the European Economic and Social Committee[16],

Having regard to the opinion of the Committee of the Regions[17],

Acting in accordance with the procedure laid down in Article 251 of the Treaty[18],

Whereas:

(1)   The evolution of the Information Society and the emergence of broadband will influence the life of every citizen in the European Union by, inter alia, stimulating access to knowledge and new ways of acquiring knowledge thus increasing the demand for new content, applications and services.

(2)   Internet penetration in the Community is still growing considerably. The opportunities offered by the Internet should be exploited to bring every individual and organisation in the Community the social and economic benefits of sharing information and knowledge. The stage has now been set in Europe to exploit the untapped potential of digital content.

(3)   The conclusions of the European Council held in Lisbon on 23 and 24 March 2000 stressed that the shift to a digital, knowledge-based economy, prompted by new goods and services, will be a powerful engine for growth, competitiveness and jobs. On that occasion the role of the content industries in creating added value by exploiting and networking European cultural diversity was specifically recognised.

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15   OJ C , , p. .
16   OJ C , , p. .
17   OJ C , , p. .
18   OJ C , , p. .

(4)   The eEurope 2005 Action Plan19, developing the Lisbon strategy, calls for actions to stimulate the emergence of secure services, applications and content over broadband network and thus to stimulate a favourable environment for private investment, for the creation of new jobs, to boost productivity, to modernise public services, and to give everyone the opportunity to participate in the global information society.

(5)   The demand for quality digital content in Europe, with balanced access and user rights, by a broad community, be they citizens in society, students, researchers, business users wishing to augment their knowledge, or 'reusers' wishing to exploit digital content resources to create services, is increasingly apparent.

(6)   The eContent Programme20 (2001-2004) favoured the development and use of European digital content on the Internet and the linguistic diversity of European web-sites in the Information Society. The Communication of the Commission21 concerning the mid term evaluation the eContent programme reaffirms the importance to act in this field.

(7)   Technological advances offer the potential to add value to content in the form of embedded knowledge and to improve interoperability at the service level, which is fundamental to access and use and distribute digital content. This is particularly relevant for areas of public interest such as learning and culture and more generally for public sector information.

(8)   A legislative framework is being defined to deal with the challenges of digital content in the Information Society22 23 24.

(9)   Different practices among Member States continue to pose technical obstacles impeding wide access, use, reuse and exploitation of public sector information in the Community.

(10)   Where the digital content involves personal data, Directives 95/46/EC and 2002/58/EC should be respected and the technologies used should be privacy-compliant and, where possible, privacy–enhancing.

(11)   Community actions undertaken concerning the content of information should promote the Community's multilingual and multicultural specificity.

(12)   The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission 25.

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[19]   COM(2002) 263.
[20]   OJ L 14, 18.1.2001, p. 32.
[21]   COM(2003) 591.
[22]   COM(2002) 207, proposal for a Directive on the re-use of public sector information adopted by the Commission on 5 June 2002.
[23]   Directive 2001/29/EC EC on copyright and related rights in the Information Society, adopted on 22 June 2001.
[24]   Directive 96/9 of 11 March 1996 on the legal protection of databases.
[25]   OJ L 184, 17.7.1999, p. 23.

(13)   Complementarity and synergy with related Community initiatives and programmes should be ensured by the Commission, in particular those related to education and culture and to the European Interoperability Framework.

(14)   This act establishes a financial framework for the entire duration of the programme which is to be the principal point of reference for the budgetary authority, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure.

(15)   Since the objectives of the proposed actions cannot be sufficiently achieved by the Member States due to the transnational character of the issues at stake and can, therefore, by reason of the European scope and effects of the actions be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives.

HAVE DECIDED AS FOLLOWS:

Article 1

[Objective of the Programme]

1.   This Decision establishes a Community programme to make digital content in the Community more accessible, usable and exploitable, facilitating the creation and diffusion of information and knowledge – in areas of public interest – at Community level.

The programme shall be known as the *"e*Content*plus"* programme (hereinafter "the Programme")

2.   In order to attain the overall aim of the Programme referred to in paragraph 1, the following lines of action shall be addressed:

– *facilitating access to, and use and exploitation of digital content*

– *improving quality and facilitating best practice related to digital content*

– *reinforcing co-operation and awareness*

The activities to be carried out under those lines of action are set out in Annex I. The Programme shall be implemented in accordance with Annex II.

Article 2

[Participation]

1.   Participation in the Programme shall be open to legal entities established in the Member States. It shall also be open to participation of candidate countries in accordance with bilateral agreements to be concluded with those countries.

2.   Participation in the Programme may be opened to legal entities established in EFTA States which are contracting parties to the EEA Agreement, in accordance with the provision of that Agreement.

3.   Participation in the Programme may be opened, without financial support by the Community, to legal entities established in third countries and to international organisations, where such participation contributes effectively to the implementation of the Programme. The decision to allow such participation shall be adopted in accordance with the procedure referred to in Article 4(2).

Article 3

[Competences of the Commission]

1.   The Commission shall be responsible for the implementation of the Programme.

2.   The Commission shall draw up a work programme on the basis of this Decision.

3.   The Commission shall act in accordance with the procedure referred to in Article 4(2) for the purposes of the following:

      (a)   adoption and modifications of the work programme;

      (b)   determination of the criteria and content of calls for the proposals, in line with the objectives set out in Article 1;

      (c)   any departure from the rules set out in Annex II;

4.   The Commission shall inform the committee of progress with the implementation of the Programme.

Article 4

[Committee]

1.   The Commission shall be assisted by a committee.

2.   Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to Article 8 thereof. The period laid down in Article 4(3) of the Decision 1999/468/EC shall be three months.

3.   The Committee shall set its rules of procedure.

Article 5

[Monitoring and Evaluation]

1.   In order to ensure that Community aid is used efficiently, the Commission shall ensure that actions under this Decision are subject to prior appraisal, follow-up and subsequent evaluation.

2.   The Commission shall monitor the implementation of projects under the Programme. On completion of a project, the Commission shall evaluate the manner in which they have been carried out and the impact of their implementation in order to assess whether the original objectives have been achieved.

3.   The Commission shall submit an evaluation report on the implementation of the lines of action referred to Article 1(2) to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions by January 2007 at the latest. The Commission shall submit a final evaluation report at the end of the Programme.

Article 6

[Financial provisions]

1.   The Programme shall cover a period of four years from the 1st of January 2005.

2.   The financial reference amount for the implementation of the Programme for the period referred in paragraph 1 shall be EUR 163 million. The annual appropriation shall be authorised by the budgetary authority within the limits of the financial perspective. An indicative breakdown of expenditure is given in Annex III.

Done at Brussels,

For the European Parliament   *For the Council*
The President   *The President*

ACTIONS

1. INTRODUCTION

*e*Content*plus* has the overall aim to make digital content in Europe more accessible, usable and exploitable, facilitating the creation and diffusion of information and knowledge – in areas of public interest – at the Union level.

It will create better conditions for accessing and managing digital content and services in multilingual and multicultural environments. It will broaden users' choice and support new ways of interacting with knowledge-enhanced digital content, a feature which is becoming essential to make content more dynamic and tailored to specific contexts (learning, cultural, etc.).

The programme will pave the way for a structured framework for quality digital content in Europe – The European Digital Content Area – by facilitating transfer of experiences, best practice and cross-fertilisation between content sectors, content providers and users.

Three sets of measures are foreseen:

- Facilitating access to, use and exploitation of digital content

- Improving quality and facilitating best practice for digital content

- Reinforcing co-operation and awareness.

2. LINES OF ACTION

2.1. Facilitating access to, use and exploitation of digital content

The activities encompass the establishment of networks and alliances between stakeholders, encouraging the creation of new services.

Target areas are public sector information, spatial data, learning and cultural content.

Focus will be on:

– supporting a wider recognition of the importance of public sector information (PSI), its commercial value and associated societal implications of its use. Activities shall improve effective cross-border use and exploitation of PSI between public sector organisations and private companies for added-value information products and services.

– encouraging a wider use of spatial data by public sector bodies, private companies and citizens through co-operation mechanisms at European level. Activities should tackle both technical and organisational issues, avoiding duplications and underdeveloped territorial data sets. They should promote cross-border interoperability, supporting co-ordination between mapping agencies and fostering the emergence of new services at European level for mobile users. They should also support the use of open standards.

– fostering the proliferation of open European knowledge pools of digital objects, for education and research communities, as well as the individual. The activities will support the creation of trans-European brokering services for digital learning content, with associated business models. The activities should also encourage the use of open standards, and the creation of large user groups analysing and testing pre-standardisation and specifications schemas with a view to convey European multilingual and multicultural aspects into the process of definition of global standards for digital learning content.

– promoting the emergence of trans-European information infrastructures for accessing and using high quality European digital cultural and scientific resources through the linking of virtual libraries, community memories, etc. Activities should encompass co-ordinated approaches to digitisation and collection building, preservation of digital objects, inventories of cultural and scientific digital resources. They should improve access to digital cultural and scientific assets through effective licensing schemas and collective pre-emptive clearing of rights.

2.2. Improving quality and facilitating best practice related to digital content

The activities intend to facilitate the identification and wide diffusion of best practice in methods, processes and operations to achieve higher quality, greater efficiency and effectiveness **on the creation, use and distribution of digital content**.

They encompass experiments that demonstrate searchability, usability, re-usability, composability and interoperability of digital content within the context of the existing legal framework while meeting from the early stage of the process the requirements of different target groups and markets in an increasingly multilingual and multicultural environment, and to this end extending beyond mere localisation technologies.

They shall exploit the benefits of *enhancing* digital content with machine-understandable data (semantically well defined metadata based on relevant descriptive terminology, vocabularies and ontologies).

The experiments shall be conducted in thematic clusters. The gathering, dissemination and cross-sector fertilisations of gained knowledge shall be integral part of the experiments.

Target application areas are public sector information, spatial data, digital learning and cultural content, as well as scientific and scholarly digital content.

2.3. Reinforcing co-operation and awareness

The activities include measures accompanying relevant legislation relating to digital content, and supporting collaboration between public sector actors, as well as awareness building among stakeholders and vis-à-vis potential users (including consumer organisations) of existing and upcoming products and services. They will support the development of benchmarking, monitoring and analysis tools, the impact assessment of the programme as well as the dissemination of results. They will identify and analyse emerging opportunities and problems (e.g. trust, quality marking, Intellectual Property Rights (IPR) in education), and propose, as appropriate, solutions.

ANNEX II

THE MEANS FOR IMPLEMENTING THE PROGRAMME

(1) The Commission will implement the programme in accordance with the technical content specified in Annex I.

(2) The programme will be executed through indirect action comprising:

(a) shared-cost actions

– Projects designed to augment knowledge to improve existing products, processes and/or services and/or to meet the needs of Community policies. The Community funding will normally not exceed 50 % of the cost of the project. Public sector bodies may be reimbursed on the basis of 100 % of additional costs

– Best practice actions to spread knowledge. They will normally be conducted in thematic clusters and linked through thematic networks The Community contribution for the measures set out under this indent will be limited to direct costs deemed necessary or appropriate for achieving the specific objectives of the action.

– Thematic networks: networks bringing together a variety of stakeholders around a given technological and organisational objective, so as to facilitate co-ordination activities and transfer of knowledge. They may be linked to best practice actions. Support will be granted towards the additional eligible costs of co-ordinating and implementing the network. The Community participation may cover the additional eligible costs of these measures.

(b) accompanying measures

– Accompanying measures will contribute to the implementation of the programme or the preparation of future activities. Measures devoted to the commercialisation of products, process or services, marketing activities and sales promotion are excluded.

• studies in support of the programme, including the preparation of future activities;

• exchange of information, conferences, seminars, workshops or other meetings and the management of clustered activities;

• dissemination, information and communication activities;

(3) The selection of shared-cost actions will be based on calls for proposals published on the Commission's Internet site in accordance with the financial provisions in force.

(4) Applications for Community support should provide, where appropriate, a financial plan listing all the components of the funding of the projects, including the financial support requested from the Community, and any other requests for or grants of support from other sources.

(5) Accompanying measures will be implemented through calls for tenders in accordance with the financial provisions in force.

ANNEX III

INDICATIVE BREAKDOWN OF EXPENDITURE

1) **Facilitating access to, and use and exploitation of digital content**   35 – 45 %

2) **Improving quality and facilitating best practice related to digital content**   50 – 60 %

3) **Reinforcing co-operation and awareness**   6 – 10 %