

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 361 final

Brussels, 14 June 1982

Agreement between the EEC and Finland
regarding the inter-connection of the Community data transmission
network (Euronet) and the Finnish national data network

(Communication from the Commission to the Council)

COM(82) 361 final

By a letter sent to the Commission on 23 February 1981, Finland expressed the wish to have the Community Telecommunications network (Euronet) connected to the Finnish national data network.

On 9 October 1978, by its decision(1) on the second plan of action in the field of scientific and technical information and documentation, the Council provided that the Community might conclude cooperation agreements with non-member countries taking part in the European Conference of Postal and Telecommunications Administrations (ECPT); these agreements were to be limited in principle to the extension of Euronet and were to determine the conditions for the connection of the terminals and host computers and also the related technical arrangements. The same Council decision authorized the Commission to negotiate cooperation agreements after having sought the opinion of the Committee for Information and Documentation on Science and Technology (CIDST).

The Scientific and Technical Research Committee (CREST) also requested that once the network was set up, priority should be given to scientific and technical information and documentation traffic over any other type of traffic.

On 16 August 1979(2), the Council approved a first agreement on the extension of the Community's data transmission network (Euronet) to Switzerland and on 14 December 1981, the Council approved another agreement on the connection of the Community's data transmission network (Euronet) to the Swedish network for information retrieval purposes(3).

(1) 78/887/EEC O.J. L 311 of 4.11.1978, page 1

(2) 79/721/EEC O.J. L 214 of 22.8.1979, page 18

(3) O.J. L 385 of 31.12.1981, page 28

Results of the negotiations

The provisions of Article 3 of the Council decision of 9 October 1978 were respected.

The agreement (Annex 3) specifies that the principle of reciprocity between the Community and Finland is to be applied in a non-discriminatory fashion to the host computers and terminals in Finland.

The provisions of a "joint declaration of intent" appended to the agreement, which constitutes a code of conduct designed to safeguard users' interests, apply also to Finland (Annex 4).

The agreement also allows Finnish experts to participate in work on the development of additional technical specifications, the drawing up of new general provisions for the network and user training.

The agreement includes provision for Finland's interests (rights and duties) to be safeguarded, should other third countries participate in Euronet.

The agreement and the "joint declaration of intent" annexed to it are linked with an implementation arrangement between the Community and the General Directorate of Posts and Telecommunications in Finland (Annex 5).

Finland will make a backdated contribution to the Community investment by paying 200.000 French francs in cash under the terms of the arrangement between the Community and the Finnish PTT and 257.155 French francs in kind in the form of technical services.

CIDST was consulted and gave an opinion unanimously in favour of connecting Euronet to the Finnish national data network (Annex 6).

A quadripartite protocol to be signed by the Community, Switzerland, Sweden and Finland (Annex 7) had to be drawn up in order to establish a framework of relations within the Euronet context between the three third countries (Switzerland, Sweden and Finland) which have now joined the Community network.

Conclusions

The Commission requests that the Council adopt the draft decision appended for the conclusion of an agreement for the connection of the Community data transmission network (Euronet) to the Finnish national data network (Annex 2).

Enclosures

PROPOSAL FOR A COUNCIL DECISION CONCERNING
THE CONCLUSION OF AN AGREEMENT IN THE FORM OF AN
EXCHANGE OF LETTERS BETWEEN THE EUROPEAN ECONOMIC COMMUNITY
AND THE REPUBLIC OF FINLAND ON THE INTERCONNECTION OF
THE COMMUNITY NETWORK FOR DATA TRANSMISSION (EURONET)
AND THE FINNISH NATIONAL DATA NETWORK

AND

CONCERNING THE CONCLUSION OF A QUADRI PARTITE PROTOCOL ON
THE PURPORT OF THE AGREEMENTS FOR DATA NETWORK COOPERATION
CONCLUDED BETWEEN THE EUROPEAN ECONOMIC COMMUNITY, THE SWISS
CONFEDERATION, THE KINGDOM OF SWEDEN AND THE REPUBLIC OF FINLAND

The Council of the European Communities,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 81/599/EEC of 27 July 1981 adopting a third plan of action in the field of information and documentation (1981 to 1983) (1), and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has negotiated an Agreement with the Republic of Finland to interconnect that country's national data network and Euronet,

Whereas this Agreement should be concluded,

Whereas, moreover, a quadripartite Protocol on the purport of the Agreements for data network co-operation should be concluded between the European Economic Community, the Swiss Confederation, the Kingdom of Sweden and the Republic of Finland,

HAS DECIDED AS FOLLOWS:

(1) O.J. n° L 220 of 6.8.1981, page 29

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Finland on the interconnection of the Community network for data transmission (Euronet) and the Finnish national data network is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The Agreement in the form of a quadripartite Protocol on the purport of the Agreements for data network co-operation concluded between the European Economic Community, the Swiss Confederation, the Kingdom of Sweden and the Republic of Finland is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 3

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement and the Protocol in order to bind the Community.

Done at

on

For the Council

The President,

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Brussels

Sir,

Over the past few years, considerable efforts have been made in Europe, especially by the European Communities, both in the field of data transmission by packet-switching and in the field of scientific and technical information and documentation, notably:

- The Resolution of the Council of the European Communities of 14 January 1974 concerning an initial outline programme of the European Economic Community (hereinafter called "the Community") in the field of science and technology in which the Council stressed that third countries, especially European countries, should be given the opportunity of taking part in the project concerned whenever it was found necessary or desirable;

**Mr. K.H. Narjes,
Member of the Commission
of the European Communities,
rue de la Loi, 200,
1049 Brussels**

- The Decisions of the Council of the European Communities of 18 March 1975, 9 October 1978 and 27 July 1981 adopting three-year action plans on scientific and technical information and documentation and providing for the setting up of a telecommunications network (hereinafter called "EURONET") to provide Community users with reliable, rapid and economic access to the scientific, technical, economic and social documentation and data available, by means of the Direct Information Access Network for Europe (DIANE);

- The decision of the telecommunications administrations of the Member States of the Community, through a multilateral convention hereinafter called "the Convention") signed on 11 December 1975, to set up and run EURONET and to instruct France to conclude a contract to this effect with the Community (hereinafter called "the Contract"), which was signed on 15 December 1975;

- The Decision of the Council of the European Communities of 27 July 1981 adopting a third three-year plan of action in the field of scientific and technical information and documentation and providing the possibility for the Community to conclude cooperation agreements with third countries participating in the European Conference of Postal and Telecommunications Administrations (ECPT);

- The conclusion, in the form of an exchange of letters dated 28 September 1979 between the Community and the Swiss Confederation of an agreement for the extension of EURONET to the territory of the Confederation, of an Agreement for Cooperation, signed on 18 December 1981, between the Community and the Kingdom of Sweden on the interconnection of EURONET and the Swedish data network for information retrieval purposes, and the signature on 18 December 1981 of a trilateral protocol by the Community, the Swiss Confederation and the Kingdom of Sweden.

Taking account of the above and of the participation of Finland in the ECPT, representatives of the Government of Finland and of the Commission met on several occasions after 20 March 1981 to study the interconnection between EURONET and the Finnish national data network so as to give Finnish users access to information services available through EURONET-DIANE and to give EURONET-DIANE users access to information services in Finland. A further aim of the meetings was to carry out a joint analysis of the arrangements which would provide the information services in Finland, in the Community, in the Swiss Confederation and in the Kingdom of Sweden, with access, on a reciprocal basis, to the information markets in the countries involved.

For the purpose of this cooperation, I have the honour to make the following proposals:

1. EURONET will be interconnected with the Finnish national data network under an agreement between the General Directorate of Posts and Telecommunications in Finland (Posti-ja Telehallitus), hereinafter called "the Finnish PTT Administration" and the telecommunications administrations, parties to the Convention. This interconnection shall take place under the conditions laid down for the entire network, taking into account the Convention, the Contract, the addenda thereto and the new addendum to the Contract which will be concluded between the Community and France with a view to Finnish participation.
2. The Finnish PTT administration and the telecommunications administrations in the Community shall settle jointly the technical questions relating to the connection of the terminals and hosts, and the financial problems arising from the interconnection between EURONET and the Finnish national data network.

3. The terminals installed in Finland or in the Community shall be guaranteed, in a non-discriminatory manner and on a reciprocal basis, connection and access to EURONET-DIANE and to the Finnish national data network respectively within the framework of the international and national regulations in force.
4. The hosts located in Finland or in the Community shall be guaranteed, in a non-discriminatory manner and on a reciprocal basis, the possibility of connection to EURONET-DIANE and to the Finnish national data network respectively within the framework of the international and national regulations in force.
5. Each Party shall endeavour, in a spirit of healthy and fair competition and with the aim of safeguarding the interests of the users and ensuring efficient and economic operation, to enforce the observance by the hosts connected to EURONET-DIANE and to the Finnish national data network respectively of a code of conduct as closely as possible in line with the joint declaration of intent given in the Annex.
6. The Community shall use its best endeavours to facilitate the participation of Finnish host computer operators in the meetings of the European Host Operators Group as well as the participation of Finnish users in the EURONET-DIANE User Forum.
7. The right of the Finnish PTT administration to use the Finnish national data network for traffic independent of EURONET is not affected.

8. Finnish experts may participate as equal partners in work to develop additional technical specifications, establish new general provisions for EURONET-DIANE and train users.
9. The Parties shall take all appropriate measures to arrive at a joint solution to the problems relating to the setting up, management and possible development of EURONET not covered by 1 and 2. The Parties shall hold consultations through diplomatic channels for this purpose.
10. Any extension of EURONET to States not members of the Community shall be subject to prior consultation between the Parties in particular as regards the consequences of such extension both for the relations between Finland and the Community and for those that the two Parties will have with the States in question.
11. Each Party is free to connect to its network other networks, host computers and users situated outside Finland and the Community. Further connection of such extensions to the network of the other Party requires prior agreement between the Parties and, where appropriate, consent by the telecommunications administrations involved.
12. The Parties shall inform each other regularly on the progress of the cooperation. In particular, they shall exchange, as far in advance as possible, all relevant information relating to projects to connect hosts and data bases or banks. Such exchanges of information shall be made through diplomatic channels.
13. The cooperation provided for shall lapse on 31 December 1983, but may be terminated before that date by either Party subject to one year's notice.

14. This exchange of letters shall apply, on the one hand, to the territories to which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Finland.

If you are able to confirm in writing your agreement to the aforesaid, the two Parties will consider this exchange of letters as a statement of their aims and of the forms of their cooperation concerning EURONET-DIANE. This exchange of letters will enter into force on the date on which your reply is signed.

Please accept, Sir, the assurance of my highest consideration.

The Finnish Ambassador
to the European Communities

Joint declaration of intent concerning the operation
of host computers to be connected to EURONET-DIANE,
referred to in point 5 of this letter

1. The host alone shall be responsible for the operation of its services via the network.
2. The host shall not make distinctions based on nationality between the users of EURONET-DIANE. If existing contracts or international agreements contain discriminatory provisions, the host shall notify the competent authorities in its country and endeavour to have the provisions amended.
3. The host shall abstain from all unfair competition. If necessary, it may be invited, by the competent authorities in its country and within the framework of the national provisions in force, to provide explanations on this subject.
4. The host shall observe the principle of maintaining at the lowest possible level the fees relating to scientific and technical information (IST) services. It shall apply this principle as far as possible in its tariff policy.

5. The host shall endeavour to contribute towards a gradual harmonization of services, in particular by means of
 - the application, to its information retrieval system, of the standardized instructions given in the "EURONET Guidelines: standard commands for retrieval systems";
 - the gradual harmonization of the general conditions of sale, which will be undertaken jointly;
 - the gradual rationalisation of instruction manuals;
 - the simplification of access methods for users and of invoicing.
6. The host shall examine the possibility of cooperating in the preparation of measures to market its services efficiently at EURONET-DIANE level and to train the users of these services.
7. In order to achieve the appropriate level of cooperation within EURONET-DIANE, the host may take part in the work of a committee which will meet at regular intervals, express its opinion on all questions relating to the network and assist in the preparation of appropriate recommendations to the competent authorities. Each host shall bear the costs of its representation at such meetings.
8. The host shall designate to the competent authorities in its country its representative on this committee within three months following the conclusion of the agreement required for its connection to EURONET-DIANE. Within the same period, it may also designate a person responsible for all other questions relating to EURONET-DIANE and specify his powers.

9. Within the same period, the host shall provide the competent authorities in its country with a provisional description of the data bases and related services which it intends to offer. This description should follow as closely as possible the example shown in the "EURONET Guidelines for cooperation between data base suppliers and host organizations". In particular, the description shall cover in detail the data bases, the services which they offer and the tariffs applicable. The competent authorities should be provided with a definitive description of these services no later than three months before the commencement of operation.
10. The host shall do everything in its power to announce three months in advance any major changes to the services described and to inform the competent authorities in its country of such changes.
11. The host shall inform the competent authorities in Finland if it intends to use its EURONET-DIANE link for purposes other than scientific and technical information.
12. In order to permit the competent authorities to adapt the network to requirements, the host shall provide the competent authorities at least once a year with statistics on the use of EURONET-DIANE via its services, including traffic statistics, number of subscribers, etc.

ARRANGEMENT

between

THE EUROPEAN ECONOMIC COMMUNITY

and

THE GENERAL DIRECTORATE OF POSTS AND TELECOMMUNICATIONS IN FINLAND

The European Economic Community, hereinafter referred to as "the Community", represented by the Commission of the European Communities, which, for the purpose of signing the present Arrangement is in turn represented by Mr. R.K. Appleyard, Director General for Information Market and Innovation, and

the General Directorate of Posts and Telecommunications in Finland, hereinafter referred to as "the Finnish PTT", represented for the purpose of signing the present Arrangement by Mr P. Tarjanne, Director General,

Having regard to the value of European cooperation in the field of information services,

In accordance with the provisions of the Agreement for cooperation between the Community and Finland on the interconnection of the Community data transmission network (Euronet) and the Finnish national data network signed on 1982

HAVE AGREED AS FOLLOWS:

Article 1 - Aim of the cooperation

The Community and the Finnish PTT shall cooperate in order to exchange all information available about the services offered on Euronet and the Finnish Data Network respectively. Furthermore, the Parties shall cooperate by consulting each other in questions concerning the development and possible harmonisation of services offered on the two networks mentioned above.

Concerning cooperation on the development of the services, special regard shall be paid to investigations about user needs and the marketing of services.

Article 2 - Performance of the cooperation

Each Party undertakes to keep the other Party informed about steps which are planned or taken in order to develop or modify information services directly or indirectly connected to Euronet.

In all cases where a Party considers a question falling within the scope of this Arrangement to be of major importance, due regard shall be given to contacts with the other Party in the handling of the question.

At the request of one Party, the other Party shall use its best endeavours in order to be available for such contacts.

Article 3 - Contributions in finance and in kind

3.1. The Parties undertake to contribute to the cooperation in finance or in kind in a reasonably balanced ratio as described hereinafter.

3.2. The Community shall provide the Finnish PTT with the following contributions:

a) all final reports and pertinent information obtained under studies and contracts executed by or on behalf of the Community before the entry into force of this Arrangement relating to:

- i) network options, cost, technical specifications for implementation of Euronet, management studies,
- ii) host interface developments, including black box and available front-end software,
- iii) user support (equipment, referral, enquiry service and participation in the User Forum), economic aspects including studies of marketing, market research and pricing, common command language, including its further development (e.g. for data banks) and multilingual tools,
- iv) Higher Level Protocols (HLP):
 - DEVT (Data Entry Virtual Terminal) Protocol in the final version which is implemented,
 - FTP (File Transfer Protocol) with RPP (Remote Printing Protocol) as a subset, as it will be implemented,
 - usage of the RTC (Reference and Test Centre) for HLP at the Ispra establishment of the Community's Joint Research Centre,

v) X 25 devices:

- intelligent terminal (X 25, DEVT)
- X 25 multiplexer
- X 25 printer station (RPP)
- X 25 RJE (Remote Job Entry) converters (IBM, Siemens, CII-HB),

b) marketing material on DIANE of interest for Finnish users and hosts.

3.3. In compensation of the above Community contribution, the Finnish PTT shall provide:

- a) a financial compensation of 200.000 French Francs for the reports and all other pertinent information transmitted by the Community under the provisions of paragraph 3.2 heretofore,
- b) all final reports and pertinent information obtained under studies and contracts executed by or on behalf of the Finnish PTT before the entry into force of this Arrangement relating to:
 - i) descriptions of possible hosts and data bases in accordance with the DIANE GUIDE,
 - ii) existing information intermediary centres and libraries,
 - iii) experience of users, e.g. of Scannet,
 - iv) reports on New Information Technologies such as interface developments with videotex and data networks,

- c) marketing material on Finnish data bases of interest for Community users and hosts
- d) all reports and pertinent information (in the English language) resulting from studies or work entrusted to the Finnish PTT by the Community and carried out at the Finnish PTT's expense up to an amount of 257.155 French Francs.

3.4. Reports and other information relating to studies or work carried out after the entry into force of this Arrangement, other than those referred to under 3.3 d), shall be exchanged according to what the Parties agree upon from case to case.

Article 4 - Reports and pertinent information

- 4.1. Each Party may use the reports and all pertinent information it receives from the other Party under the provisions of article 3 heretofore, for all purposes as it sees fit for the furtherance of this cooperation. Any such use shall be in accordance with national and international law. The transmission of reports and other information does not in itself imply the transfer of intellectual or industrial property rights, if any.
- 4.2. Reports and information transmitted under this Arrangement shall be accurate to the best knowledge and belief of the transmitting Party, but the latter does not warrant the suitability of the reports and information transmitted for any particular use or application by the receiving Party or by any third Party.

Article 5 - Joint projects

The Parties may agree upon joint investigations or joint projects. The terms for such cooperation shall be defined in special agreements between the Parties.

Article 6 - Duration

The present Arrangement shall come into force and expire at the same time as the Agreement between the European Economic Community and Finland on the interconnection of the Community Data Transmission Network (Euronet) and the Finnish national data network, signed on 1982.

Notwithstanding the provisions of the preceding paragraph, the Parties may agree that the present Arrangement shall govern their cooperation also after the expiration of the aforementioned Agreement. Consultation on such further application of the present Arrangement shall take place before the said expiration.

Done at Brussels, on 1982, in duplicate, in the English language.

For the European Economic Community,

For the General Directorate of Posts and Telecommunications in Finland,

Raymond K. Appleyard

P. Tarjanne

Opinion of the CIDST of 11th November 1981 on the connection of the Finnish network for scientific and technical information and documentation to the Community network EURONET-DIANE

The Committee for Information and Documentation on Science and Technology (CIDST) having examined document CIDST/520/81 prepared by the Commission, and discussed, at its 35th, 36th and 37th meetings, the connection of the Finnish scientific and technical information and documentation network to EURONET-DIANE,

Having been invited by the Commission, in accordance with Annex II, point 3 c, to the decision of the Council of 9th October 1978, to give an opinion on the conditions needed in order to conclude an agreement for the connection of the Finnish network for scientific and technical information and documentation to the Community network EURONET-DIANE,

Notes that the proposed agreement corresponds to the conditions laid down in article 3 of the Council decision of 9th October 1978,

Recommends that the Commission submit to the Council, for decision, the text of this agreement,

Wishes to be kept regularly informed of the implementation of the agreement signed with the Republic of Finland.

The CIDST Secretariat is requested to forward this opinion to the Commission and to CREST and to send a copy to the Council.

Quadripartite Protocol on the purport of the agreements
for data network cooperation concluded by the
European Economic Community with, on the one hand, the Swiss
Confederation, and the Kingdom of Sweden and, on the other hand
the Republic of Finland

Whereas the European Economic Community and the Swiss Confederation have on 28th September 1979, concluded an Agreement in the form of an exchange of letters on the extension of the Community network for data transmission (EURONET) to Switzerland;

Whereas the European Economic Community and the Kingdom of Sweden have on 18th December 1981 concluded a cooperation Agreement on the interconnection of EURONET and the Swedish data network for information retrieval purposes,

Whereas the European Economic Community and the Republic of Finland have today concluded an Agreement in the form of an exchange of letters on the interconnection of EURONET and the Finnish national data network,

Whereas the Swiss Confederation has pursuant to point 10 of its exchange of letters given its consent to the interconnection of EURONET and the Finnish national data network;

Whereas the Kingdom of Sweden has pursuant to article VII of the cooperation Agreement given its consent to the interconnection of EURONET and the Finnish national data network;

The Signatories to this Protocol have come to the understanding that the exchange of letters with Finland shall apply to EURONET as extended to Switzerland, and to the Finnish national data network and furthermore that the provisions agreed upon in this exchange of letters shall also govern, on a reciprocal basis, the relations via EURONET between the Swedish data network and the Finnish national data network.

Done at Brussels, on the day of 1982.

For the Federal Swiss Council,

For the Government of the Kingdom of Sweden,

For the Government of the Republic of Finland,

For the Council of the European Communities,