Regulatory framework for electronic communications. Implementation report

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The European Parliament adopted a resolution on the implementation report on the regulatory framework for electronic communications.

Parliament underlined the fact that while the framework has made substantial progress towards achieving its aims, the EU telecoms market remains fragmented along national borders, making it difficult for businesses and citizens to fully benefit from a single market. It considered that only by having a competitive European market in high speed broadband services can innovation, economic growth and job creation be stimulated and competitive prices offered to end users.

According to the resolution, the revision of the regulatory framework should follow these objectives:

- ensure that consumers have access to comprehensive and comprehensible information on internet connection speeds to enable them to compare the services offered by different operators;
- ensure that fully substitutable services are subject to the same rules;
- further promote effective and sustainable competition, which is the main driver of efficient investment over time;
- increase competition on the European high-speed broadband market;
- provide a stable and sustainable framework for investment;
- ensure harmonised, consistent and effective application;
- facilitate the development of pan-European providers and the provision of crossborder business services;
- ensure that the framework is fit for the digital age and delivers an internet ecosystem that support the entire economy;
- increase user confidence in the internal market in communications, including through measures to implement the future regulatory framework for the protection of personal data and measures to increase the security of electronic communications on the internal market.

Parliament insisted in particular for the following aspects to be considered:

- the overdue review of the universal service obligation, including the obligation to offer broadband internet access at a fair price in response to the urgent need to reduce the digital divide;
- the competence of NRAs for all issues, including spectrum, that are addressed by the framework;
- cooperation between the NRAs and national competition authorities;
- the symmetric obligations relating to network access (Article 12 FD);
- the impact of services that are fully substitutable to those provided by traditional providers;
- identification of transnational markets, as a first step at least with respect to business services;
- BEREC and its functioning as well as the extension of the scope of its competences;
- freedom of access to content for all and net neutrality building;
- the regulation of equipment, including bundling of equipment and operating systems;
- recent global developments in cybersecurity and cyberespionage.

Consistency, regulatory certainty and competition: Members considered that all the provisions proposed by the Commission, including a single European authorisation, consumer aspects and technical arrangements for spectrum auctions, could play an important role with a view to creating a single market for communications, but that they need to be assessed in the light of that objective to maintain consistency and provide regulatory certainty so as to ensure fair and balanced competition in which European players stand every chance.

Spectrum coordination: Members are convinced that increased spectrum coordination combined with the application of common principles for spectrum use rights across the Union would constitute a key remedy for tackling the problem of lack of predictability regarding spectrum availability, thus encouraging investment and economies of scale. They emphasised that a pan-European auctioning of 4G and 5G wireless services, with a limited number of licensees collectively serving the whole territory of the EU, would enable pan-European wireless services, eroding the bases upon which roaming is built.

Stimulating innovation: Members called for a mix of different measures and all available technologies should be explored and offered to consumers, so as to prevent the deterioration of service, the blocking of access and the slowing of traffic over networks.

Consumer protection: Member States are invited to give the consumer aspects of electronic communications a much higher priority. In this regard, Members stressed the importance of:

- enhanced consumer information requirements regarding service restrictions, device subsidies and traffic management;
- ensure consistent enforcement of the ban on misleading advertising;
- switching, ease of number portability in a dynamic market, contract transparency and provision of information to consumers regarding contract changes;
- implementing reinforced requirements for equivalent access for disabled users.

As regards the 112 common emergency telephone number, Members called for improvements regarding caller location response time. They welcomed the Commissions work on the practical implementation of the 116 numbers, especially the missing child hotline (116000) and also called for better promotion of these numbers by the Commission.