Body of European Regulators for Electronic Communications (BEREC) and the Office. 'Telecoms Package'

2007/0249(COD) - 17/02/2009 - Commission communication on Council's position

The Commission notes that the Council’s position departs substantially from those of the Commission and the European Parliament, notably as regards the internal market mechanisms, in particular for ensuring consistent regulatory remedies, the additional remedy of functional separation, spectrum policy, and the establishment of a regulatory body. As regards the regulatory body, the Commission has particular concerns that the Council’s position raises institutional questions that constitute a substantial barrier to a satisfactory settlement.

The Commission also notes that the Council’s position diverges from those of the Commission and European Parliament on a number of supplementary issues falling under both proposals for directives to amend the regulatory framework. Nonetheless, the Commission considers that the divergences relating to the proposed Citizens’ Rights Directive are not of the same magnitude as those relating to the proposed Better Regulation Directive and the proposed Regulation setting up a regulatory body.

Subject to its statement attached to the minutes of the Council of 27 November 2008, the Commission affirms its belief that its amended proposals can contribute to a balanced agreement between the institutions that represents an advance for citizens and businesses in the European single market. Accordingly, the Commission stands ready to facilitate an agreement between the co-legislators.