

Radio spectrum policy programme

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In a public session, the Council discussed, on the basis of questions prepared by the Presidency a proposal for a decision establishing the first radio spectrum policy programme (RSPP).

The Presidency presented a **progress report** to ministers, with the aim of informing them on the work done so far and of identifying political issues in this proposal on which future work under the Hungarian Presidency should focus.

Ministers generally welcomed the Commission proposal acknowledging that radio spectrum could make an important contribution to the digital society, fast wireless services, economic recovery, growth, high-quality jobs and long-term EU competitiveness.

Provisions on **wireless broadband** were identified as the main and most urgent elements of the proposal, although deadlines for making spectrum available were considered by some delegations as being too ambitious.

Some reservations were expressed regarding proposed actions in the area of **spectrum management** such as imposing coverage obligations or other rights-of-use conditions, which should be subject to national specific circumstances.

The **proposed inventory** of spectrum use received broad support. At the same time, ministers warned about the duplication of efforts, costs, the confidentiality of information and called on the Commission to build on existing initiatives in this area. In particular ministers from Member States with borders with non-EU countries called for EU support to coordinate spectrum usage.

At this stage in the negotiations on the RSPP proposal in the Working Party on Telecommunications and Information Society, the main fundamental questions that require a common view from the Council include the following:

- **Objectives of the RSPP proposal:** what are the main objectives of the RSPP proposal. Is it to facilitate the timely roll-out of wireless broadband or is it also to urge the Member States to manage their spectrum more efficiently, supplemented by further actions and increased coordination at EU level?
- **Legal basis and scope of the proposal:** the regulatory framework for ECS is based on Article 114 TFEU but is this also appropriate for other sectors using spectrum, such as R&D and transport? Is there a need to also co-ordinate spectrum availability for other internal market services, as is currently being done for ECS services? Should and could there be a role for the EU in respect of spectrum harmonisation for public security purposes?
- **Spectrum for wireless broadband:** taking into account that certain Member States face difficulties in opening up the 800 MHz band for wireless broadband because of national (security or defence) situations or because of cross-border frequency co-ordination problems with third countries, would it be feasible to agree on a common EU date for implementation?
- **Spectrum management issues:** is there a justified need for further changes to the current spectrum management practices at this stage pending the transposition of the new regulatory framework for ECS by May 2011?