

Radio spectrum policy programme

2010/0252(COD) - 12/01/2012 - Commission communication on Council's position

The position of the Council at first reading is the result of a compromise reached after informal negotiations between the Council, the European Parliament and the Commission which culminated at the informal trilogue meeting of 24 October 2011, and which was confirmed by an exchange of letters between co-legislators.

This compromise includes:

- a clear commitment to complete the authorisation process for already harmonised spectrum, including the 800 MHz band, by 1/1/2013;
- a strong inventory mechanism based on Commission implementing measures as well as clear deadlines for adopting those measures;
- an explicit target to identify at least 1200 MHz of spectrum by 2015 based on the inventory, for wireless broadband communications;
- a commitment to examine the need for further spectrum for wireless broadband based on capacity requirements;
- the means to guarantee competition in the use of spectrum in particular for electronic communications services;
- the development of policy initiatives on collective and shared use of spectrum;
- a provision to enhance EU coordination in international spectrum negotiations;
- a commitment to develop policy initiatives on the spectrum requirements of other internal market sectors and EU policies, including energy saving, Earth observation and monitoring, public safety and protection, wireless microphones and the Internet of Things.

Therefore, **the Commission can accept the Council's position as it reflects the compromise reached** and calls for similar adoption **without amendment** by Parliament in the shortest time possible considering the importance of the matter, the close deadlines set in the draft decision and the need for swift implementation thereof.

The Commission also made **three statements** for the minutes of the Council meeting of 13 December 2011 which explain the Commission's view on certain specific provisions:

- the Commission notes that Article 9.2 requires the Commission to take utmost account of the views of the Radio Spectrum Policy Group (RSPG) before adopting implementing acts in relation to the inventory.
- on Article 10.1 regarding international negotiations;
- on the procedure of adoption of implementing acts for Art. 13.2.