

Radio spectrum policy programme

2010/0252(COD) - 13/12/2011 - Council position

The Council adopted its position at first reading with a view to the adoption of a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme.

The European Parliament expressed broad support for the Commission proposal and adopted 87 amendments to it. The Council could broadly agree with the spirit of these amendments and has taken extensive account of them when drawing up its position at first reading.

The proposal was subject to five informal trialogues with the European Parliament.

During the trialogues, the co-legislators focussed their discussions on the legislative provisions dealing with:

- **The availability of spectrum for wireless data traffic:** the Council met the Parliament's request for a quantitative target to be identified by 2015. In general, however, it was agreed that the radio spectrum policy programme should not refer to specific frequency bands or specific amounts of frequencies possibly needed for one or the other application, as this would pre-empt the outcome of the investigations to be carried out in the context of the spectrum inventory.
- **The question whether the scope of the competition article should go beyond electronic communications services and also cover other EU policy areas depending on radio spectrum:** as no concrete examples were available, which could clarify where potential competition problems could arise between electronic communications services and other EU policies relying on radio spectrum, such as research, technological development and space, transport, energy and audio-visual, the Council limited the scope of the competition article to electronic communications services.
- **How best to establish an inventory of spectrum use:** as neither the Commission's original proposal on the spectrum inventory nor Parliament's amendments to it were considered by the Council as appropriate proposals, the Council re-drafted the relevant legislative provisions.
- **The issue of spectrum in international and bilateral negotiations:** rather than supporting the new elements proposed by the Commission and the Parliament in this regard, the Council preferred to recall in the radio spectrum policy programme the already established principles, which apply to international spectrum negotiations.