European electronic communications regulation and markets, 2004

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The committee adopted the own-initiative report drawn up by Patrizia TOIA (ALDE, IT) in response to the Commission paper on European electronic communications regulation and markets (2004). It shared the concerns raised in the policy paper and expressed full support for the Commission "in its role as a driving force for regulation".

As far as the institutional framework was concerned, MEPs stressed the need for an institutional debate to strengthen and clarify both the European institutional model in the electronic communications sector and the relevant regulatory framework, and to identify the best ways of achieving this. They called for the Commission to play a central role as the guardian of Community legislation, whereas the European Regulators Group (ERG) should continue to act as a consultative and advisory body. To avoid overlapping, agreement should also be reached on the gradual merging of the ERG and the Independent Regulators Group (IRG). To ensure that Parliament was properly involved in the monitoring process, the committee called for it to receive the relevant Commission reports as promptly as possible.

MEPs regretted that some Member States had not yet fully transposed the regulatory framework or had not applied it properly. They called on the Member States to comply with the principles of transparency and proportionality and to justify the administrative charges imposed on operators for authorisation of services, while respecting public interest concerns. They also stressed the importance of open, transparent and non-discriminatory procedures for the allocation of radio frequencies and the granting of licences.

The report called for consumers to be fully and clearly informed of the services offered and the prices charged. The Commission and the Member States were urged inter alia to analyse which structural changes were needed in order to ensure adequate and transparent roaming charges. Service providers, for their part, were urged to reduce roaming charges. The report added that the Commission should develop new initiatives in order to reduce the high costs of cross-border mobile phone traffic, "so that a real internal market for consumers with payable roaming charges of mobile telephony can soon be realised".

Further progress was also needed with regard to number portability for fixed and mobile telephony and charges for call termination on networks. The charges for transferring numbers should be set at a low level or at zero, and the time required for transferring numbers should be shortened in some Member States.

Lastly, the report stressed the importance of data privacy in relation to the growing number of requests for data retention, and said that mandatory data-retention obligations would be detrimental to civil liberties and give rise to significant costs for operators. It concluded that the introduction of any data-retention rules should be by way of codecision with Parliament.