Radiocommunications, broadcasting, transport: radio spectrum, regulatory framework

2000/0187(COD) - 06/09/2005

This report briefly sets out the Commission's strategy for a coherent EU radio spectrum policy as part of the i2010 initiative, which seeks to encourage the development of the digital economy. In particular, the need for a gradual but systematic liberalisation of radio spectrum use is essential. While bearing in mind national interests in this matter, common action at EU level will give a critical contribution to the coherence and final success of this task.

The Commission intends to improve the effectiveness of the use of the radio spectrum in the EU by using a coherent toolboxof concrete actions in coordination with the Member States:

- The definition of a common set of rules for spectrum managementis needed to provide predictability for investors and borderless functionality of equipment for users.

Implementing flexibility of spectrum usage: The Commission proposes to introduce spectrum markets in the EU by 2010. A coordinated EU introduction would avoid undermining the benefits of an integrated European market in e-communications and could generate as much as € 9 bn/year net benefits.

Assisting the development of a common EU technological base by supporting the uptake of broadband, Ultra Wideband-enabled products (UWB), short range devices, such as wireless "smart tags" (RFID).

Furthermore, two areas identified by the Commission in i2010 as "flagship ICT initiatives", will be considered for integrated actions to satisfy their spectrum requirements:

- Technologies for independent living and health: many assistive and medical applications are wireless, such as social alarms for the elderly and radio telemetry between patients and monitoring equipment.
- The intelligent car shall interact with its environment by radio means, via for instance inter-vehicle communications (IVC).

Optimising the impact of EU actions - Some general issues shall also be further developed in the near future:

- **Regulatory impact assessment:** appropriate methodologies are needed to assess the economic and societal consequences of specific decisions. Efforts should be undertaken to co-opt the knowledge of industry and other stakeholders via position papers, public consultations and/or independent studies.
- **Reviewing the validity of harmonisation measures:** the continued relevance of EU measures shall be assessed periodically. Instead of across-the-board "sunset" clauses, which could bluntly pre-empt reasoned review results, each annual report should consider existing EC spectrum regulation, and propose targeted action as necessary.
- **National implementation:** the Commission will monitor and encourage the timely implementation of EC spectrum harmonisation measures at national level to remove barriers to a single market for radio technologies across the EU.

Supporting EU interests in international negotiations

The active promotion of EU policies in international spectrum negotiations is essential. Preparations for two ITU conferences are on-going:

• The **Regional Radiocommunication Conference (RRC-06)** involving some 120 countries, will develop a technical plan for digital land-based broadcasting.

• The **World Radiocommunication Conference (WRC-07)**: the Commission shall identify common EU priorities and objectives for these global radio negotiations. Main issues at stake in 2007 shall be the global identification of additional spectrum for advanced mobile communications, for aviation systems and for short-wave radio broadcasting.

Following these two conferences, the Commission shall assess results and the extent to which the current process supports EU policies, principles and laws in international negotiations.

Developing the institutional set-up of spectrum policy at EU level

The Radio Spectrum Committee (RSC) and the Radio Spectrum Policy Group (RSPG) are working well. However, spectrum policy developments in the EU rely also on close interaction between these EC mechanisms and CEPT. With EU expansion, the "actors" in these decision-making bodies have become very similar.

While experiences to date are positive, future **action needs to be more complementary**, without undue overlaps and with clear understanding of where appropriate decisions are best taken. A "sequential" approach, applied systematically and based on modalities defined in the RSD, would best use the "added value" of each mechanism. The **underlying justification** for action would be assessed and agreed using Community mechanisms (Commission with RSC and RSPG), while the necessary and often complex technical **compatibility and development** work would be undertaken by CEPT pursuant to a mandate. In the light of this work, the Commission would then adopt **technical implementing measures** with the assistance of the RSC.