European electronic communications regulation and markets, 2004

2005/2052(INI) - 01/12/2005 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Patrizia **TOIA** (ALDE, IT) in response to the Commission paper on European electronic communications regulation and markets, fully supporting the Commission in its role as a driving force for regulation, both as regards the correct interpretation of the new rules and the need to ensure their uniform application in a manner consistent with the objectives of electronic communications regulation, by means of timely and constant monitoring; (Please see the summary of 11/10/2005.)

The institutional framework: Parliament stressed the need to open an institutional debate aimed at strengthening and clarifying both the European institutional model in the electronic communications sector and the relevant regulatory framework, and at identifying the best ways of achieving this goal.

Commission: Parliamentcalled 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. 4. Fully supports the Commission's activities both in bringing proceedings against Member States failing to comply and in analysing the notifications from NRAs pursuant to Article 7 of the Framework Directive; calls on the Commission to remain vigilant so as to ensure that measures relating to national markets do not jeopardise the completion of the single market in electronic communications;

ERG: To avoid overlapping, agreement should also be reached on the gradual merging of the ERG and the Independent Regulators Group (IRG). The ERG must confine itself to consultative activities, involving all parties concerned as fully and as transparently as possible, and pursue activities specifically entrusted to it under the regulatory framework.

Parliament: To ensure that Parliament was properly involved in the monitoring process, it called for the Commission reports as promptly as possible.

Member States and NRAs: Parliament regretted the fact that some Member States have not yet fully transposed the regulatory framework or have not applied it properly, and called on these Member States to comply immediately with Community law on electronic communications. They must provide adequate support for the activities of NRAs, whose limited resources do not enable them to complete the tasks assigned to them quickly. Member States were urged to guarantee the total independence of NRAs. They were also asked to comply with the principles of transparency and proportionality and justify the administrative charges imposed on operators for authorisation of services, while respecting public interest concerns. Parliament stressed the importance of adequate frequency allocation for public-interest services, transparent and non-discriminatory procedures, and the need for sufficient flexibility when allocating radio frequencies and granting licences.

Parliament also called on the Member States to ensure that the sites for installations intended to support the mobile telephony network are selected with due regard for health and the environment and in accordance with transparent urban planning procedures. The Commission is asked to monitor these activities and report on them regularly to the European Parliament. Furthermore, information on radiation values should be made public. Parliament emphasised also the importance of data privacy in relation to the growing number of requests for data retention.

Industry and consumers: The information and communications technology (ICT) sector serves as an engine for the European economy, contributing significantly to growth and job creation. European legislation on electronic communications seeks to promote competition among firms, while at the same time ensuring a high level of protection for consumers. The Commission needed to carry out studies where the following parameters were analysed: transparency of invoicing, contract guarantees and trends in prices and markets, for broadband and fixed and mobile telephony.

Parliament felt that it was vital for operators to adopt transparent pricing practices and for consumers to be clearly informed about the services offered and the prices charged, particularly as regards costs. It called on the Commission and the Member States to analyse which structural changes are needed in order to ensure adequate and transparent roaming charges. The Commission should draw up an action plan and timetable that will enable consumers to benefit from international roaming at the best possible cost and as soon as possible, throughout European territory, with continuity of service.

Parliament went on to ask the Commission to take action to lower the charges for termination of mobile-phone contracts, which remain high in many Member States and should be linked to the costs incurred.

Lastly, Parliament pointed out that all European citizens must have access to the services of the information society, and that this means using consumer-friendly regulation to reduce the digital gap, particularly for disabled and older people. Supporting an open European standard to establish interoperability in services, transmission platforms and terminals will make a vital contribution to achieving that aim.