Towards a European policy on radio spectrum

2006/2212(INI) - 14/02/2007 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Fiona **HALL** (ALDE, UK) on the Commission Communication entitled 'A market-based approach to spectrum management in the European Union'. It felt that the efficient use of spectrum was critical in ensuring access to spectrum for the various interested parties who want to offer services, and was therefore a key factor in the growth, productivity and development of European industry in accordance with the Lisbon Strategy. Spectrum shortage had been an obstacle to the deployment of new services.

Bearing this in mind, Parliament felt that the EU needed to adopt a sustainable approach to spectrum which would promote competition and the development of innovative technologies, inhibit the hoarding of frequency rights and the aggregation of monopolies and benefit consumers. This approach should take into consideration technological change as well as the needs of market players and of citizens. An unlicensed model, tradable rights and standards regarding service and technology neutrality, within a very clear framework, are the key principals for a future European policy on radio spectrum.

Part of the current problem is that the regimes for assigning spectrum to interested parties differ from Member State to Member State. This divergence can cause additional delays and costs. The EU will require efficient guidelines for common decision-making mechanisms and, furthermore, a European register will be needed with the completion, expansion and accessibility of the EFIS database. Member States are called upon to support enhanced cooperation measures between spectrum management authorities.

Parliament rejected a one-sided market model of spectrum management. It urged the Commission to reform the system of spectrum management in such a way as to facilitate the coexistence of different types of licensing models, i.e. traditional administration, use without numerical restrictions and new, market-based approaches. The aim must be to boost economic and technical efficiency as well as the usefulness to society of this valuable resource. Parliament stressed the general principles of technological neutrality together with service neutrality in order to promote competition and innovation, within the context of the Lisbon Strategy. Spectrum management should not be based only on a market-driven approach but also needed to take into account wider social, cultural and political considerations. However, audiovisual policy, the promotion of cultural and linguistic diversity and the pluralism of the media may justify exceptions from the principle of service neutrality.

Members welcomed the Commission's proposal to adopt differentiated spectrum management models including the unlicensed model which provided additional flexibility by allowing for free access within some technical limitations. Developing the right mix between the different types of licensing model will be important in achieving EU policy objectives. However, the freeing up of spectrum raises a number of issues for existing users and therefore needs to take place within a very clear legal framework.

Given the scarcity of the resource, adequate amounts of spectrum should be allocated to meet the needs of consumers and of services of public and general interest, including broadcasting services. Member States were urged to take a decision on the priority to be given to the protection of the public interest and of frequencies of strategic importance as a key principle in developing spectrum management policies.

Parliament recognised spectrum efficiency as a common duty of Member States, national regulators and industry. It insisted on the necessity of securing the stability and continuity of the media services provided

by broadcasters, but emphasised the importance of a level playing field for new entrants and for new technologies. Room for innovation must be guaranteed, in the interest of consumers, enterprises and employment generally.

It considered that the introduction of a market-based approach to spectrum would be most effective if based on a consensual agreement backed by regulators, operators and other actors. Besides the market-based approach, attention should also be given to ensuring access to the spectrum market for everyone. In order to guarantee such access, information, knowledge and technological infrastructure should be provided via education or alternative training opportunities.

The freeing-up of spectrum raised a number of issues for existing users. Parliament called, therefore, for a clear legal framework providing for competition-based solutions and defining, inter alia, conditions for entry and exit, the maintenance of spectrum rights, responsibilities with regard to interference and dispute resolution mechanisms.