OUTCOME OF THE COUNCIL MEETING

3469th Council meeting

Transport, Telecommunications and Energy

Telecommunications issues

Brussels, 26 May 2016

President	**Henk Kamp** Minister for Economic Affairs of the Netherlands

P R E S S

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ITEMS DEBATED

OTHER ITEMS APPROVED

none

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[1] • Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
• Documents for which references are given in the text are available on the Council's Internet site (http://www.consilium.europa.eu).
• Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

ITEMS DEBATED

Opening the 700 MHz frequency band for mobile broadband

The Council adopted a general approach on a draft decision on the **use of the 470-790 MHz frequency band in the EU**. The proposal aims to respond to the ever greater demand for mobile internet access by making the 700 MHz band (694-790 MHz) available for wireless broadband services in Europe by 2020. The coordinated reallocation of the bandwidth will be underpinned by harmonised technical conditions.

Another objective of the proposal is to safeguard conventional television services by giving broadcasting services priority in the sub-700 MHz band (470-694 MHz).

The general approach adopted is the Council's position for negotiations with the European Parliament.

For details, see press release: Freeing up 700 MHz band for mobile: Council agrees its position

Council general approach on the use of the 470-790 MHz frequency band

Review of EU telecoms rules

The Council held a policy debate on a critical part of the **digital single market strategy**, the **revision of the EU telecoms regulatory framework**. The aim of the debate was to provide guidance for the Commission, which will present related proposals in the autumn.

Ministers expressed their support for the overarching **objective of the framework review**: to set the right conditions for reliable, high-capacity and affordable connectivity. Adequate digital infrastructure was seen as the backbone for a modern connected society and economy.

Ministers agreed that revised rules on **operators' access to networks** should provide incentives for investment in infrastructure and drive competition between operators.

Several ministers thought that the current tool for determining the need for market intervention, the notion of 'significant market power', was generally working well but that more flexibility was needed to take into account the different characteristics of different regions. Co-investment or state aid could be a solution when it comes to finding extra funding for building up infrastructure in rural areas.

Some delegations said that fast internet access should be included in the universal service obligation when those rules are revisited.

A large number of ministers called for smarter regulation. There should be regulation only where there is a clear need for it and it should not create any unnecessary financial burden.

As regards **spectrum management**, member states considered the current framework largely adequate. They want to maintain flexibility to adapt their licence conditions and auction design to national circumstances and preferences. Further coordination could be achieved by sharing information and best practice, for example.

Member states were in favour of creating a more level playing-field between traditional telecommunication services and communication services offered over the internet ('**over-the-top services**'). The idea would be to have comparable rules for comparable services.

They prefer to use horizontal rules wherever these offer sufficient safeguards, for instance to address privacy concerns. In such cases sector-specific rules can be removed. However, they were cautious about any automatic extension of rules to over-the-top players, as this could stifle innovation. Regulating these new services requires careful analysis and a case-by-case approach.

Presidency background document

Amsterdam meeting 20 April 2016 on revision of telecoms rules (presidency website)

Digital single market for Europe

EU telecoms rules

<u>Any other business</u>

– *Web accessibility*

The presidency reported on the endorsement of the deal on the first EU-wide rules on the accessibility of websites and mobile apps. The agreement with the European Parliament was confirmed by member states' ambassadors on 25 May. The presidency called on ministers to ensure a rapid and ambitious transposition of the directive.

See also: Web and app accessibility: member states approve EU-wide rules (25 May 2016 press release)

– *Network and information security*

The presidency briefed ministers on the draft directive on network and information security, on which the Council adopted its position at first reading on 17 May. The European Parliament is expected to vote in plenary in early July, in which case the directive could enter into force in August. The presidency stressed the importance of active cooperation between EU countries to improve the EU's cyber-resilience and to enhance the overall trust of citizens in the digital world.

See also: EU-wide cybersecurity rules adopted by the Council (17 May 2016 press release)

– *Developments in internet governance*

Commissioner Oettinger briefed ministers on the latest developments in internet governance and said that the next meeting of the European Dialogue on Internet Governance (EuroDIG) would be held on 9 and 10 June. He underlined the Commission's commitment to continue representing the interests of the EU and its member states.

– *Incoming presidency's work programme in the field of telecommunications*

The incoming Slovak presidency presented its telecommunications work programme for the second half of 2016. The next Telecommunications Council meeting is planned for 2 December 2016.

OTHER ITEMS APPROVED

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