Opinion of the European Economic and Social Committee on the ‘Proposal for a decision of the European Parliament and of the Council on the selection and authorisation of systems providing mobile satellite services (MSS)’


(2008/C 44/13)

On 7 September 2007 the Council decided to consult the European Economic and Social Committee, under Article 95 of the Treaty establishing the European Community, on the abovementioned proposal.

On 25 September 2007 the Committee Bureau instructed the Section for Transport, Energy, Infrastructure and the Information Society to prepare the Committee’s work on the subject.

Given the urgent nature of the work, the European Economic and Social Committee appointed Mr Opran as rapporteur-general at its 439th plenary session, held on 24 and 25 October 2007 (meeting of 25 October), and adopted the following opinion by 119 votes with 3 abstentions.

1. Conclusions

1.1 The EESC endorses the proposal for a decision of the European Parliament and of the Council on the selection and authorisation of systems providing mobile satellite services and recommends that it be immediately adopted and brought into effect.

1.2 The EESC strongly supports the main objective of the proposal, as set down in Title 1, Article 1(1), to create a single, Community-coordinated procedure for the selection and authorisation by Member States of mobile satellite communications systems.

1.3 The EESC considers that this decision must be immediately adopted, owing to:

a. the natural capability of satellite communications systems to cover large parts of Europe and several EU Member States at the same time;

b. the relatively limited amount of radio spectrum made available for such communications;

c. the diverging selection and authorisation solutions in effect at national level in the Member States;

d. the current reduced effective use of the available radio spectrum.

1.4 The EESC stresses that the creation and use of satellite communication systems constitute, due to the nature of the area that they cover, major initiatives for the expansion of the European space industry and development of specific applications in the field of communications, and are fully in line with the Lisbon Strategy to promote sustainable development, including by directly helping to create new jobs in the context of enhanced competitiveness.

1.5 The EESC is pleased to note, beneficially for this proposal, the EU possesses significant technical resources in this area: three of the world’s biggest satellite systems operators are European, and satellite communications account for 40% of current revenues in the European space sector.

1.6 The EESC welcomes the consensus obtained by the Commission in promoting this proposal, which gained the support of all the interested parties consulted, even during the drafting phase: the satellite industry, telecommunications network operators, the European Space Agency and Member States’ national regulatory bodies.

1.7 In parallel, the EESC notes that the decision — in its current, final form — fairly resolves the diverging opinions expressed during the consultation phase, concerning: selection methods and criteria, the need for greater national flexibility with regard to the length of time needed to obtain authorisation and the validity period thereof, and closer coordination of national authorisation procedures.

1.8 The EESC recommends that the decision be adopted in its proposed form, bearing in mind that with regard to the methodology for implementing the provisions on selection and authorisation, regulations must be set down to protect the individual interests of citizens and ensure the privacy of users of terminal equipment for satellite systems.

2. Introduction

2.1 The creation and implementation of a pan-European communications system based on satellite technologies constitute an innovative alternative platform for various types of telecommunications and broadcasting/multicasting services, regardless of the location of end users, such as high-speed...
Internet/intranet access, mobile multimedia, public protection and non-military crisis management (natural or humanitarian disasters), law and order and security, fleet management applications, remote medical assistance, etc.

2.2 The system is designed in such a way as to help develop the internal market, boost competitiveness by increasing the availability of pan-European services, encourage effective investment, particularly by introducing innovative services to provide communication capabilities to outlying terrestrial areas and maritime space.

2.3 In the case of pan-European systems, in particular, it is necessary to set up Community procedures for selecting operators of mobile satellite communications systems, and to establish certain provisions regarding nationally coordinated authorisation of the selected operators. By harmonising selection criteria for mobile satellite communication systems, a uniform policy can be applied at EU level in this field. The selection by different Member States of different operators of mobile communications systems using different satellites could lead to complex fields of interference or even endanger the smooth running of the system overall, if an operator were allocated different radio frequencies in different Member States. Owing to these potential dangers, and with a view to ensuring a consistent authorisation approach in the different Member States, the provisions on synchronised assignment of radio spectrum and on harmonised authorisation conditions should be established at Community level, without prejudice to specific national conditions compatible with Community law.

2.4 Satellite communications are an important aspect of the internal market; they cross national borders and are thus susceptible to international regulation, taking into consideration their important contribution to achieving European Union objectives to expand geographical coverage of broadband.


3.1 The decision, proposed on the legal basis of Article 95 TEC, sets down the necessary legal framework for the selection and authorisation of mobile satellite communications services. Such selection would have to be made in line with the general objectives and pursuant to a competitive selection procedure described in the proposal and would involve the Commission, assisted by the Communications Committee. The authorisation (rights to use radio spectrum) of selected operators would be granted at national level subject to a minimum set of harmonised conditions laid down in the proposal.

4. General comments

4.1 The Commission proposes that the decision be implemented based on the evaluation of the following points:

— operators of mobile satellite systems should be selected through a Community procedure;

— the selected operators of mobile satellite systems should be authorised by Member States;

— the selected operators of complementary ground components of mobile satellite systems should be authorised by Member States.

4.2 The EESC understands that the selection and authorisation of the first 2-3 mobile satellite system operators that will provide pan-European services using the 2 GHz radio spectrum will be completed by the end of 2008 or early 2009.

4.3 The EESC considers that the deadline for rolling out pan-European mobile satellite services for private and commercial clients, including high-speed Internet access, mobile multimedia, public protection, internal security and defence, should not exceed the first quarter of 2011.

4.4 The EESC believes that the implementation and rollout of European global positioning systems should be dealt with as an absolute priority by the Commission.

4.4.1 With regard to this important subject, the Committee regrets that the European satellite navigation programmes GALILEO and EGNOS are running five years behind their original schedule and are facing many problems, and urges the Commission to find solutions to overcome the current situation.

4.4.2 An increasing number of modern economic activities rely on positioning data linked to the use of a high-precision time base.

4.4.3 The EESC stresses that the completion of the GALILEO satellite system will make a clear contribution to the implementation of a high number of Community policies in various fields, including transport management, transport of hazardous goods, emergency services, maritime and inland navigation, air transport, civil protection and humanitarian missions, farming, fisheries and environmental monitoring, defence and internal security problems, financial-banking services with the protection of transaction security.
5. Specific comments

5.1 The proposal for a decision of the European Parliament and of the Council on the selection and authorisation of systems providing mobile satellite services (MSS) puts forward, in Titles I (‘Objective, scope and definitions’), II (‘Selection procedure’) and III (‘Authorisation’), various procedures and initiatives with a view to meeting the objectives of the project.

5.2 The EESC recommends that the decision be adopted in its proposed form, bearing in mind that at the same time, procedures should be established regarding the primary assignment of the radio spectrum used by mobile satellite services in geographical areas where different communications systems coexist which can generate harmful interference.

5.3 The EESC considers that Commission Decision 2007/98/EC of 14 February 2007 on the harmonised use of radio spectrum in the 2 GHz frequency bands for the implementation of systems providing mobile satellite services will contribute significantly to the achievement of the objectives of the proposal. In this context, in addition to the requirement that ‘Member States […] make these frequency bands available to systems providing mobile satellite services in the Community as of 1 July 2007’, procedures should be specified for monitoring and assessing the transposition of these measures.


The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS

Opinion of the European Economic and Social Committee on the ‘Adaptation to the regulatory procedure with scrutiny Proposal for a directive of the European Parliament and of the Council amending Directive 95/50/EC as regards the implementing powers conferred on the Commission’

On 25 September 2007 the Council decided to consult the European Economic and Social Committee, under Article 95 of the Treaty establishing the European Community, on the abovementioned proposal.
Since the Committee unreservedly endorses the proposal and feels that it requires no comment on its part, it decided, at its 439th plenary session of 24 and 25 October 2007 (meeting of 24 October) by 153 votes in favour and 7 abstentions, to issue an opinion endorsing the proposed text.


The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS