

Opinion of the European Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council repealing Council Directive 90/544/EEC on the frequency bands designated for the coordinated introduction of pan-European land-based public radio paging in the Community'

(COM(2005) 361 final — 2005/0147 (COD))

(2006/C 28/19)

On 15 September 2005, 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 27 September 2005, the Committee Bureau instructed the Section for Transport, Energy, Infrastructure and the Information Society to prepare the Committee's work on the subject.

In view of the urgency of the matter, at its 421st plenary session, held on 26 and 27 October 2005 (meeting of 27 October) the European Economic and Social Committee appointed Mr Retureau as rapporteur-general and adopted the following opinion by 66 votes with 2 abstentions.

1. Commission proposal

1.1 The proposed directive ⁽¹⁾ aims to repeal the ERMES Directive of 1990 ⁽²⁾ which reserved the 169.4 to 169.8 MHz radio spectrum band for the European radio paging service. A directive is necessary to repeal a previous directive (principle of congruent forms).

1.2 Legal basis: Article 95 EC Treaty (Internal market, application of Article 14 EC Treaty); coordination procedure (Article 251 EC Treaty).

1.3 Grounds: use of this frequency band for radio paging is falling into disuse, and the band spectrum is used less and less. It is already being used for other applications (SMS by GSM). Within the framework of the 'radio spectrum decision' of the European Parliament and of the Council of 2002 ⁽³⁾, the Commission wants to introduce other services through a harmonised plan of use, drawn up in conjunction with the CEPT ⁽⁴⁾, which will be the subject of a later Commission Decision.

1.4 The main Community uses of the 169.4 to 169.8 MHz frequency band will include increased social inclusion and mobility for hearing impaired and elderly people in the Community ⁽⁵⁾, enhanced protection against theft, safety through

more efficient monitoring capabilities by utilities companies and appropriate electronic communications tools; a positive impact is stressed for the radio communication services sector.

1.5 Member States will be able to allocate to the national level any frequencies in sectors of the above band that are not allocated at Community level by the Commission and the CEPT.

2. Committee comments

2.1 Radio spectrum requirements in order to develop new services are constantly increasing, and the proposal to repeal the Radio Paging Directive aims to open up a currently under-used sector of the spectrum to new applications, in particular for disabled persons, elderly people, increasing safety, mobile services, etc.

2.2 The Committee therefore endorses the proposal, in the particular hope that services relating to social inclusion will be developed as a priority, and that it will lead to the creation of companies and jobs in activities that are essential for European citizens. It also calls on the Member States to give priority to social inclusion and employment in the information society when allocating frequencies to new radio services.

Brussels, 27 October 2005

The President
of the European Economic and Social Committee
Anne-Marie SIGMUND

⁽¹⁾ COM(2005) 361 final.

⁽²⁾ Council Directive 90/544/EEC of 9.10.1990 on the frequency bands designated for the coordinated introduction of pan-European land-based public radio paging in the Community (ERMES Directive).

⁽³⁾ Decision No 676/2002/EC of the European Parliament and the Council of 7.3.2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision).

⁽⁴⁾ European Conference of Postal and Telecommunications Administrations (CEPT). V. 'final report from CEPT, Radio Spectrum Committee, review of the frequency band 169.4-169.8 MHz, RSCOM04-69, Brussels, 24.11.2004.

⁽⁵⁾ Framework Directive 2002/21/EC, which requires the needs of special social groups, especially disabled people, to be addressed; Conclusions of the Vitoria Informal Council of Telecoms ministers, requiring all electronic services to be accessible to disabled and elderly people; and the eEurope action plan adopted by the Council on 21 and 22 June 2002 in Seville.