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(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

Universal service and '112' emergency number

P7_TA(2011)0306

European Parliament resolution of 5 July 2011 on universal service and the 112 emergency number (2010/2274(INI))

(2013/C 33 E/01)

The European Parliament,

- having regard to Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) ⁽¹⁾,
- having regard to Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws ⁽²⁾,
- having regard to Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws ⁽³⁾,
- having regard to Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) ⁽⁴⁾,
- having regard to Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and services (Access Directive) ⁽⁵⁾,
- having regard to Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services ⁽⁶⁾,

⁽¹⁾ OJ L 108, 24.4.2002, p. 51⁽²⁾ OJ L 364, 9.12.2004, p. 1⁽³⁾ OJ L 337, 18.12.2009, p. 11⁽⁴⁾ OJ L 108, 24.4.2002, p. 33⁽⁵⁾ OJ L 108, 24.4.2002, p. 7⁽⁶⁾ OJ L 108, 24.4.2002, p. 21

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- having regard to Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009 amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services ⁽¹⁾,
- having regard to Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office ⁽²⁾,
- having regard to Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ⁽³⁾,
- having regard to the public consultation launched on 2 March 2010 by the Commission on future universal service principles in the area of electronic communications networks and services,
- having regard to the Commission Communication of 20 September 2010 entitled 'European Broadband: investing in digitally driven growth' (COM(2010)0472),
- having regard to the Commission Proposal for a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme (COM(2010)0471),
- having regard to the Commission Recommendation of 20 September 2010 on regulated access to Next Generation Access Networks (NGA),
- having regard to the Working Document of the Commission's Communications Committee on 'Broadband access in the EU: situation at 1 July 2010',
- having regard to the Commission Communication of 25 August 2010 entitled 'Progress report on the Single European Electronic Communications Market 2009 (15th Report) SEC(2010)0630' (COM(2010)0253),
- having regard to the 4th edition of the 'Consumer Markets Scoreboard - Making markets work for consumers' published in October 2010,
- having regard to Council Decision 91/396/EEC of 29 July 1991 on the introduction of a single European emergency call number ⁽⁴⁾,
- having regard to the Commission Recommendation on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services,
- having regard to Regulation (EC) No 717/2007 of the European Parliament and of the Council of 27 June 2007 on roaming on public mobile telephone networks within the Community and amending Directive 2002/21/EC ⁽⁵⁾,

⁽¹⁾ OJ L 337, 18.12.2009, p. 37

⁽²⁾ OJ L 337, 18.12.2009, p. 1.

⁽³⁾ OJ L 201, 31.7.2002, p. 37.

⁽⁴⁾ OJ L 217, 6.8.1991, p. 31.

⁽⁵⁾ OJ L 171, 29.6.2007, p. 32.

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- having regard to the United Nations Convention on the Rights of Persons with Disabilities ratified by the EU on 23 December 2010,
 - having regard to the Charter of Fundamental Rights of the European Union and especially Articles 2 (Right to life), 3 (Right to the integrity of the person), 6 (Right to liberty and security), 26 (Integration of persons with disabilities) and 35 (Health care),
 - having regard to the survey entitled 'The European Emergency Number 112' (Flash Eurobarometer 314),
 - having regard to the Working Document of the Commission's Communications Committee on 'Implementation of the European emergency number 112 – Results of the fourth data-gathering round' (10 February 2011),
 - having regard to its Declaration of 25 September 2007 on the European emergency call number 112 ⁽¹⁾,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinion of the Committee on the Environment, Public Health and Food Safety (A7-0220/2011),
- A. whereas the Universal Service Directive (USD) prevents social exclusion by ensuring that citizens in rural and remote areas or low-income households have affordable access to basic and essential telecoms services,
- B. whereas particular attention must be paid to ensure that vulnerable groups are not left behind and special effective measures should always be implemented to guarantee their social inclusion and access to services on an equal footing with all other citizens,
- C. whereas evolving technology, especially affordable mobile telephony, contributes to providing the majority of citizens with access to basic telecom services,
- D. whereas the universal service is defined as the 'minimum set of services of specified quality to which all end-users have access, at an affordable price in the light of specific national conditions, without distorting competition',
- E. whereas universal service should provide all citizens with access to services essential for their participation in society, in the event that market forces alone are not able to do this,
- F. whereas basic broadband coverage for 100% of EU citizens by 2013 is one of the Digital Agenda's key performance targets; considering nevertheless that where broadband connections are already available the average take-up approximates to 50% of households,
- G. whereas it is not yet possible to assess implementation of the revised Universal Services and Users' Rights Directive given that the transposition deadline is 25 May 2011 and the three-year period required before an evaluation of the correct and comprehensive implementation of all provisions in the Directive has only just begun,
- H. whereas although existing legislation delivers positive results for citizens this is not an end in itself and it is also necessary to maximise the benefits derived from new measures through continuous monitoring by Member States and efforts to improve the quality, completeness and visibility of information,

⁽¹⁾ OJ C 219 E, 28.8.2008, p.92.

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- I. whereas the Single Market can never be truly considered as complete and should continually be reassessed to reflect social protection guarantees, societal needs, technological progress and the emergence of innovative solutions; whereas, furthermore, measures to promote growth and jobs are key to ensuring that the Single Market and the Single Digital Market are enabled and realised without delay, for the benefit of European citizens, consumers and businesses,
- J. whereas striving for progress constitutes the driving force and the delivery vehicle for the vision and objectives set by the European legislators; whereas proposals for new or amending legislation must take into account actual experiences and implementation capabilities; whereas legislative adaptations must benefit from clear political support underpinned, furthermore, by an objective cost-benefit and socio-economic evaluation as the decisive factor,
- K. whereas the European emergency number 112, created in 1991 by a Council decision to enable citizens to access all emergency services (such as fire, police and medical services), is the only emergency number that can be accessed in all the Member States of the European Union and whereas a large majority of Europeans are still unaware of it, with no progresses observed since 2000,
- L. whereas its Declaration of 11 March 2008 on early warning for citizens in major emergencies ⁽¹⁾ was signed by 432 MEPs,
- M. whereas efforts are still needed to assess and ensure the quality of service when dialling 112, both as regards the telecommunications and emergency services' performance and the coordination aspects which depend on multiple factors, and whereas a comprehensive and detailed assessment of the real state of implementation of the 112 service in the EU as experienced by citizens, notably evaluating accessibility, interoperability and intervention times, has not been carried out,
- N. whereas several recent disasters have shown that alerting citizens and giving them early warning in the event of imminent or developing major emergencies and disasters is necessary if suffering and the loss of life are to be reduced,

Universal service and the context of new developments

1. Underlines the importance of Universal Service Obligations (USOs) as a safety net for social inclusiveness where market forces alone have failed to provide citizens and businesses with basic services;
2. Supports the regular re-evaluation, as part of the Universal Services and Users' Rights Directive, of how appropriate existing EU legislative provisions are for universal service in the light of social, economic and technological developments, in order to identify and introduce appropriate definitions which reflect evolving real needs and citizens' demands and improve the quality of services;
3. Calls on the Commission to provide guidelines on how best to implement and enforce the revised USD, avoiding market distortions and, at the same time, allowing Member States to adopt the provisions that best suit their national circumstances;

⁽¹⁾ OJ C 66 E, 20.3.2009, p. 6.

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4. Supports the Digital Agenda's 'Broadband for all' objectives and is convinced that universal access to broadband helps citizens and businesses to reap the full benefits of the Digital Single Market, in particular by improving social inclusion, creating new opportunities for socially and environmentally innovative businesses driving jobs, growth and more opportunities for cross-border trade; supports, to this end, the promotion of digital literacy;
5. Calls on the Commission to give more financial support to local projects which provide digital access and to all communities which help disadvantaged groups to access technological devices by providing connections in public buildings offering free Internet access;
6. Underlines that a combination of policies and technologies (such as wired, cable, fibre, mobile, and satellite networks) can foster the development by businesses and public bodies of new online services and applications, such as e-governance, e-health and e-education, driving demand for faster Internet connections, making investments in open broadband networks more profitable, thereby encouraging public-private partnerships and developing the digital single market while improving the inclusion of marginalised citizens;
7. Emphasises the importance of the EU public procurement rules and considers it of utmost importance, in the context of the broad review of these rules, that both local and regional authorities benefit from measures to encourage their participation in communication technology investments, and in pre-commercial procurement (as a tool to bring the benefits of research to market), and that e-procurement is widely rolled out;
8. Calls for effective transposition of the telecoms framework, in particular its net neutrality provisions, in such a way that end-users can access the services and content, and run the applications of their choice on the Internet;
9. Stresses that universal service is not the only nor the key driver for achieving the 'broadband for all' objective, given the high investment costs required without necessarily being able to provide significantly improved services to consumers; notes, however, that Article 15 of the USD states that there shall be a periodical review of the scope of universal service and stresses that this review should take into account the evaluation of the implementation of the Directive's provisions and the findings of the ongoing impact assessment, in particular as regards the extent to which broadband networks are deployed and the actual take-up by households;
10. Considers that making broadband availability obligatory will not automatically result in higher take-up; calls therefore on the Commission and the Member States to reinforce measures to drive demand and stimulate take-up, rather than just ensuring a connection; considers furthermore that universal service obligations might eventually, possibly as a medium-term target, become an additional incentive in the development of broadband, but that properly designed national programmes should achieve universal broadband objectives;
11. Considers that efficient radio spectrum policy, which enables harmonised use of the 'digital dividend', and investment-friendly regulation are also important instruments in increasing broadband coverage;
12. Calls on the Commission to complete the ongoing impact assessment and provide legislators with sound data on the existing take-up, the expected demand for and improvement of USOs through broadband, and finally, an analysis of the most effective financing mechanism for Member States, consumers and undertakings for rolling out USOs while avoiding inefficient costs and excessive burdens;

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13. Calls on the Commission, in parallel and in collaboration with the National Regulatory Authorities (NRAs), to monitor markets carefully to ensure that those Member States which are already able to, or wish to, provide USOs across the range of broadband technologies and speeds, are able to do so in cases of market failure without actually causing distortions in the market;

14. Welcomes the Commission's decision to carry out an in-depth study on Internet service provision following publication of the 4th Consumer Markets Scoreboard;

15. Calls on the Commission and the Member States, with the contribution of the NRAs, to examine the options for an even application of USOs and users' rights provisions which would assure accessibility for vulnerable groups, and especially for people with disabilities, not only through the introduction of special terminal equipment and affordable tariffs, but also through the availability of adequate information and a real choice for consumers of available services and after-sales services;

16. Considers nevertheless that the basic provision for funding universal service, ensuring it is handled in a non-discriminatory and transparent manner, should remain in EU legislation and should be extended to cover data as well as voice obligations;

The 112 European Emergency Number

17. Stresses that the European 112 emergency number can be a life saving number and increases EU citizens' protection by serving as a major support system for citizens and consumers living within the Single Market; underlines the importance of ensuring the smooth operation of the 112 number throughout the Union; considers that the Commission should ensure that every segment of society has access to this service, including persons with disabilities (hearing impairments, speech impediments, etc.) and other vulnerable groups;

18. Regrets however that the European 112 emergency number is far from having reached its full potential; considers accordingly that basic steps still need to be taken with regard to its recognition by citizens, along with other issues relevant to technology and better coordination;

19. Points out that, according to the Eurobarometer survey published in February 2011, only 26% of EU citizens can spontaneously identify 112 as the number to call for emergency services in the EU and 58% of EU citizens still disagree with the statement that people in their country are adequately informed about the existence of the 112 emergency number ⁽¹⁾;

20. Urges the European Commission and the Member States to jointly intensify their efforts to increase public awareness of the existence and use of the 112 number, namely through the development of a targeted and far-reaching communication strategy which addresses the preoccupations and queries that citizens have with regard to the mechanics of the system;

21. Calls on the Commission and the Member States to further step up their information work so that the emergency number 112 reaches all EU citizens and travellers through the media, particularly the print and audiovisual media, by means of information campaigns such as the 'EU-wide' emergency number, and to organise and support promotional activities to raise public awareness and events held each year on 11 February, which has been established as 'European 112 Day'; points out that special attention should be paid

⁽¹⁾ The European Emergency Number 112, Survey Flash Eurobarometer, European Commission 2011, http://ec.europa.eu/information_society/activities/112/docs/report_2011.pdf

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to practical information, such as stressing that 112 is the European emergency number, reachable from fixed and mobile phones free of charge everywhere in the EU;

22. Notes considerable disparities among the Member States as regards knowledge of the European emergency number 112 and calls on the Member States to share their experiences and exchange best practices in order to achieve by 2020 at least 80% spontaneous identification by EU citizens of the 112 emergency number as the number to use to call emergency services anywhere in the European Union;

23. Calls on Member States to make use of the best points for disseminating information on the 112 emergency number through which a great number of households can be easily informed, in particular doctors surgeries and pharmacies, hospitals and clinics, educational establishments such as schools and universities, and airports, ports and train stations, given that the 112 number is particularly useful to travellers, as well as the information portals of the national emergency services;

24. Calls on the Commission and the Member States also to promote 112 as the EU-wide emergency number online and on radio, two of the most common media for young people and people who travel often; highlights that only 16% of people aware of the 112 number heard of it via radio and only 11% via the Internet;

25. Calls on all Member States to ensure that the 112 number is displayed prominently on all emergency vehicles including police cars, ambulances, fire engines and vehicles belonging to other services;

26. Notes however that Member States have existing and longstanding emergency numbers and emphasises that, where they intend to maintain those national numbers, it is important not to compromise awareness or cause confusion over which number to dial;

27. Regrets that Member States do not yet ensure that timely, accurate and reliable location information is provided to the 112 services; calls accordingly on the Commission, in close cooperation with the Member States, to improve significantly and as soon as possible the accuracy and reliability of caller location information under the new EU telecoms rules and to upgrade technology with the ultimate goal of mandatory automatic localisation for all 112 calls, including those from roaming customers, within a few seconds in order to provide dispatchers and first responders with this crucial information, thereby proving invaluable to citizens; calls on the Commission to envisage taking action against Member States that do not fulfil their obligations in this respect;

28. Requests that the Member States and the Commission roll out measures improving access to finance to support research projects so as to ensure that the best possible technologies for identifying caller location, including via VOIP, are developed and supports accordingly the development of next generation standards and regulations; asks for the ICT-PSP funds indicated in the EU Budget 2009, 2010 and 2011 to be allocated to support the testing and implementation of innovative services (based on VoIP and IP-access to 112) that could be initiated through network-independent applications in anticipation of the establishment of a Next Generation 112 system in the EU; calls on the Commission to examine also the implementation of Next Generation 112 applications such as texting, video and social networks and how such applications, which are currently available to citizens, can be implemented in emergency communications to improve access to 112 as well as to enhance citizen-initiated emergency response;

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29. Believes that, through regulation, eCall should be deployed as a mandatory service;
30. Highlights the importance of better coordination between emergency bodies both at national and cross-border/European Union level to achieve the highest level of effectiveness and, to this end, calls on the Commission to support and coordinate with Member State administrations to explore ways of improving interoperability between their systems;
31. Calls on the Commission, in close cooperation with the Member States, to set reliability and quality requirements as soon as possible for the whole 112 service chain, and to establish performance indicators and guidelines pertaining to the quality of the 112 service as experienced by citizens, taking into account the need for accessibility, for interoperability between emergency services, for multilingualism and for timely and qualitative interventions by emergency services;
32. Recommends, with a view to improving the efficiency of the 112 emergency service in the EU, the establishment of an action programme to support experience sharing and exchange of best practices between the NRAs, emergency services and civil society organisations in the Member States, extending this exchange to organisations in EU candidate and neighbouring countries; suggests that, to this end, a network of experts could be set up; recommends specifically the exchange of best practices between Member States as regards the handling of 112 calls, in particular on operator training, the use of a single operator to handle a call and the use of online and interpretation services that could help those who do not speak the language of the country in which they are using the emergency services;
33. Calls on the Member States to take the measures needed to reduce the number of unsuccessful emergency-call attempts, shorten call set-up and response times and reduce the number of hoax/false calls; calls on the Member States to exchange best practices regarding blocking of calls from SIM-less mobile phones;
34. Emphasises the need to guarantee the accessibility of the 112 number for people with different types of disability and vulnerable groups, and urges that accessibility be standardised for 112 for these groups in particular, possibly via the provision of special terminal devices for hearing- or visually-impaired users, text relay or sign language services, or other specific equipment; calls also on the Commission and the Member States to step up their efforts to heighten awareness among these people of the 112 number through the use of means of communication specially adapted to their needs;
35. Calls on the Commission to carry out a study on the 112 emergency number services' performances to date, on cooperation between the relevant bodies aimed at improving the service, and on the individual measures taken so far by the Member States; calls furthermore on the Commission to consider the possibility of extending the 112 service from voice calls to SMS so that texting '112' triggers an emergency response;
36. Calls on the Commission to evaluate, by independent bodies and by the end of 2012 at the latest, the real state of implementation of the 112 number throughout the EU as experienced by citizens, assessing notably accessibility, interoperability and intervention times. In this respect, the Commission is also invited to provide by the same date an overview of legally binding and practically implemented intervention times in the EU and to extend the impact study prepared in the framework of eCall to the human and financial consequences of the functioning of the 112 number;

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37. Calls on the Member States and the Commission, given that the technology already exists, to promote the establishment of a 'reverse 112 system', i.e. an EU-wide, universal, multilingual, accessible, simplified and efficient interconnected system for warning and alerting citizens in case of imminent or developing natural and/or man-made major emergencies and disasters of any type; considers that such a system should be implemented without hindering privacy and in combination with appropriate information and training campaigns for citizens;

38. Calls on the Commission to examine the feasibility of a future 116 service similar to the 112 service for citizens in emotional distress, suffering from depression or other mental health problems;

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39. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

A more efficient and fairer retail market

P7_TA(2011)0307

European Parliament resolution of 5 July 2011 on a more efficient and fairer retail market (2010/2109(INI))

(2013/C 33 E/02)

The European Parliament,

- having regard to the Commission report of 5 July 2010 entitled 'Retail market monitoring report – Towards more efficient and fairer retail services in the internal market for 2020' (COM(2010)0355), and the accompanying Commission staff working document on retail services in the internal market (SEC(2010)0807),
- having regard to the responses to the Commission's public consultation on the retail market monitoring report (held from 5 July to 10 September 2010),
- having regard to the Roundtable on a more efficient and fairer retail market for business and consumers held by its Committee on the Internal Market and Consumer Protection on 25 January 2011,
- having regard to the European Economic and Social Committee's opinion of 20 January 2011 on the 'Retail market monitoring report – Towards more efficient and fairer retail services in the internal market for 2020',
- having regard to the Commission communication of 13 April 2011 entitled 'Single Market Act - Twelve levers to boost growth and strengthen confidence - "Working together to create new growth"' (COM(2011)0206),
- having regard to the Commission communication of 27 October 2010 entitled 'Towards a Single Market Act – For a highly competitive social market economy: 50 proposals for improving our work, business and exchanges with one another' (COM(2010)0608),
- having regard to Professor Mario Monti's report of 9 May 2010 entitled 'A New Strategy for the Single Market',