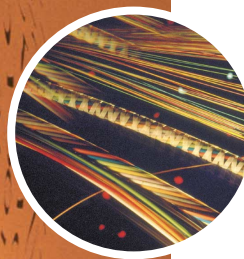


Annual Report 2004



Annual Report 2004

Role and mission

ETNO is the recognised voice of the European telecommunications network operators with over a decade of experience in shaping EU telecoms policy. The association represents 41 companies from 34 European countries. They account for an aggregate annual turnover of more than 210 billion € and employ over one million people across Europe.¹

ETNO members deliver a comprehensive and growing range of electronic communications solutions, including both traditional services, such as fixed or mobile voice, and innovative data. They provide value for customers based on high quality service, creativeness and innovation.

ETNO members heavily invest in tomorrow's technologies with a clear long-term commitment to contribute to building a more sustainable society. In 2003, ETNO member companies made investment worth 30 billion € in infrastructure and technologies, underpinning the future deployment of broadband. They devote a significant amount of their resources to research, development and innovation, paving the way for the future.

ETNO is a key interlocutor on a wide range of regulatory and technical matters related to the sector. The association also takes part actively in the debate on issues such as environmental protection and sustainability, Internet governance, network security, data protection and numbering.

¹ ETNO data.

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Message from the 2005 General Assembly Chair



It is a pleasure for Romtelecom to chair ETNO's General Assembly in 2005 and we are looking forward to welcoming ETNO members in Bucharest.

This is an important period for Europe's Information and Communications Technologies (ICT) industry. ICT are an essential tool to address Europe's public policy ambition of becoming the most competitive knowledge-based economy in the world while bringing the social and economic benefits of an information society to all. Investment in ICT is widely acknowledged to be a key driver of productivity growth and ETNO's members account for a significant part of total ICT investment in Europe. This puts ETNO in a strong position to communicate and present its positions before EU institutions, international bodies and other forums dealing with technical, economic and regulatory developments in the ICT sector. As the industry is confronted with the need for significant investments in Broadband upgrades and Next Generation Networks, it is of particular importance to advocate a regulatory approach that is friendly to inter-platform competition while safeguarding investment incentives.

ETNO supports the idea that governments should pursue a market-driven approach as the driving force for innovation and achievement of i2010's objectives. The immediate goal should be a predictable, fair and harmonised playing field for all the sector's players in order to encourage investment and further e-society's rapid development. Regulation should not impede the development of emerging markets nor mandate the provision of services for which there is no demand or for which competitive alternatives exist, since consumers ultimately would have to bear these costs.

All operators in Europe face challenges that liberalisation brings, but as the EU enlarges the diversity of market conditions also increases. The particular challenges faced in the ten new member states along with Bulgaria and Romania are no doubt faced to some extent in other markets but are in no way common across all markets. They too represent issues that require co-ordinated ETNO representation at the European level. Enlargement is bringing new challenges. To remain effective, ETNO must move forward with this task: representing the interests of its members across a broad spectrum of needs without diluting the value of that representation.

Finally, I would like to express my gratitude to the work done by the ETNO Office, its Director and Executive Board and I look forward to the execution of the impressive work program for 2005.

Harm Aben, Romtelecom
Chair of ETNO's 2005 General Assembly

Message from the Executive Board Chair

I have been particularly honoured to chair the Executive Board of ETNO in 2004. Telecoms remained a high priority for policy makers during the year, with a series of key debates in which ETNO has been pro-actively involved.

Thanks to the daily involvement of its members and to the quality of its work, based on an in-depth and balanced analysis of regulatory issues, ETNO confirmed its position as a mature and recognised association, both by European and national regulators.

2004 was the first year of implementation of the EU's New Regulatory Framework (NRF), suggesting that – in its current application by the National Regulatory Authorities (NRAs) – the framework brought neither harmonisation nor less regulation as initially intended. To provide evidence, ETNO created a specific task force to follow, on a country-by-country basis, the main issues related to the NRF's implementation. ETNO continued to reinforce contacts with European regulators, highlighting the need for a harmonised and coherent implementation across the EU. Through its workshops, position papers and participation in public hearings, ETNO ensured that the final position of the European Regulators' Group on remedies was more balanced.

The EU's enlargement in 2004 created new challenges. The NRF must be implemented in a consistent way in order to create a level playing field throughout the EU, while being flexible enough to accommodate the specificities of markets in the new member states. For the second year in a row, ETNO successfully brought together the CEOs of telecommunications operators from new member states to meet with senior Commission officials.

ETNO was also actively involved in discussions on an expanding range of issues that directly affect the telecommunications sector in Europe, such as the completion of the EU's Copyright Directive by an Intellectual Property Rights Enforcement Directive or the Council of Ministers' proposal for a data retention decision, to name but a few. ETNO was also invited to participate in focus groups created by the Commission to review the EU's Television Without Frontiers directive.

Information security is becoming an ever more important issue and ETNO took part in the setting up of the European Network and Information Security Agency (ENISA). The association supported candidates proposed by its members to represent the industry on the agency's board.

As illustrated in this report, the added-value from ETNO on these issues and many others has been its ability to provide EU policy makers with a strong common voice, thus reflecting the reality of the telecommunications markets in Europe.

ETNO promoted the strong commitment of its members to sustainability and corporate social responsibility via its new Sustainability Charter and its ongoing social dialogue with employees' unions.

But ETNO's achievements in 2004 also point to the challenges ahead.

As highlighted in the Commission's 10th Implementation Report on the telecoms sector, our industry is increasingly open to competition. A new revolution is taking place. The convergence of technologies gives consumers access to any content, anywhere, any time, through any device. New platforms are developing rapidly, be it through wireline or wireless technologies. Users can now benefit from Internet Protocol enabled services such as voice over the Internet. This is leading to innovative business models but also to more risks. Convergence significantly lowers market entry barriers, bringing new players into the telecommunications market and stimulating traditional operators to diversify and become active in other sectors.



This combination of convergence and increased competition calls for adapting the NRF and moving progressively towards a sector primarily driven by market forces. Regulators must shift their focus from facilitating market access to encouraging long term investment in new technologies and infrastructure.

As demonstrated by the EU's Dutch Presidency during the latter half of 2004, information and communications technologies have a key role to play in boosting EU growth and competitiveness, and increasing social cohesion. The Dutch Presidency pointed out the need for the EU to remove barriers to the development of an innovating European e-communications sector. This is a sine qua non condition for boosting investment in next-generation networks.

The e-communications sector is a proven source for economic growth and employment. If we want the sector to remain in the driving seat of competitiveness, it is essential to create an investment and innovation-friendly environment in Europe.

Michel Huet, France Telecom
Chair of ETNO's Executive Board



Alfredo Acebal, Telefonica (right), takes over from Michel Huet, as Chair of ETNO's Executive Board as of 12 May 2005, following the appointment of Mr Huet as President France Telecom North America. ETNO thanks Mr Huet for his valuable contribution to ETNO's activities since January 2004.

“2004 was an important year for the telecommunications sector as well, showing clear signs of renewed growth and increasing competition on the markets.”

Director's Word

I am pleased to introduce this annual report which gives an overview of the increasing range of topics ETNO has been actively involved in throughout the year.

2004 will be remembered as an important milestone in the history of Europe. Ten new member states joined the EU. The first Parliament and Commission of the enlarged EU took office, bringing new perspectives in the policy debates.

The year was important for the telecommunications sector as well, showing clear signs of renewed growth and increasing competition on the markets. Technology continued to evolve significantly, leading to a new revolution in the telecommunications sector. The deployment of new platforms multiplies ways in which services can be delivered and packaged. With convergence of technologies and services, new players are increasingly offering e-communications services, while traditional operators diversify and enter new areas.



These developments, which are shaping the landscape in which we operate, call for a change of thinking.

ETNO and its member companies have chosen to engage in an in-depth analysis of the trends awaiting the telecoms sector and the challenges and opportunities that lie ahead for operators, regulators and users. As a result, ETNO experts have identified key priorities EU decision makers should focus on in order to allow Europe to benefit fully from a larger take up of information and communication technologies:

- create an investment and innovation friendly environment encouraging further investment in new infrastructure and services
- provide consumers with any content, any time, anywhere, through any platform or device, by stimulating the legitimate flow of attractive e-content
- adapt the regulatory environment to changing realities and move towards a sector primarily driven by market dynamics

These messages were further elaborated in a manifesto entitled "ETNO's vision for the future", published for the European Spring Council, in early 2005. They will continue to underpin our actions in the months to come.

Just as the telecoms industry has adapted to the changing environment, EU and national policy makers need to realise that the role of telecommunications operators goes far beyond the mere provision of networks and services. Through their significant investment in tomorrow's infrastructure and innovation efforts in areas such as e-health, e-learning, e-government, ETNO members contribute to the environmental, social and economic pillars of sustainable development.

ETNO members are not only network and service providers. They are essential actors in the EU strategy for jobs and growth and for the new i2010 initiative.

ETNO worked hard to convey those messages through continuous contacts with EU policy makers and other stakeholders. And this work will carry on 2005!

Michael Bartholomew
ETNO Director

Highlights of the Year

EU Competitiveness

Throughout 2004, ETNO participated in the debate on the review of the Lisbon agenda. The association supported the efforts made by the Irish and Dutch Presidencies of the EU to ensure that the vital role of ICT for society and the economy as a whole is fully recognised. ETNO member companies contributed to a survey commissioned by the Dutch Presidency aimed at comparing EU telecoms policy with the situation in other regions, namely the US, Canada, Japan and other Asian countries. The results of the study, entitled "Rethinking the ICT Agenda – Ten ICT-breakthroughs for reaching Lisbon goals", highlighted the need for a bolder strategy to boost investment in ICT and identified convergence of platforms and services as one of the major drivers for further growth of the sector (see page 13).

Implementation of the new regulatory framework

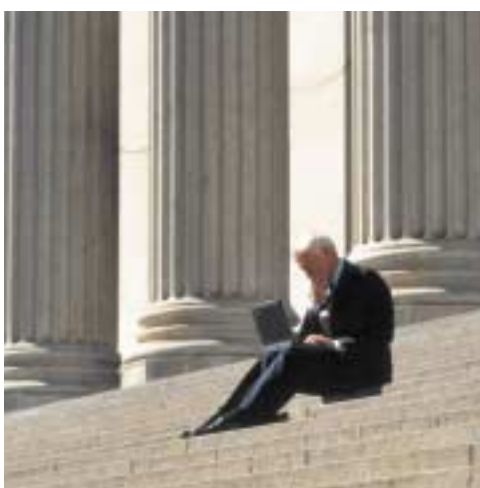
ETNO set up a special task force to monitor the implementation of the new regulatory framework throughout the EU and identify delays and inconsistencies. ETNO reinforced further its contacts with the European Regulators' Group (ERG) and the Communications Committee (CoCom). The association followed very closely how regulatory remedies are applied, given their economic impact on market players. ETNO multiplied high level contacts with key EU policy makers, to highlight the timeliness of a progressive roll back of regulation in light with the new technological revolution and the increasing inter-platform competition (see page 15).

Enlargement

Telecoms operators from accession countries have been actively involved in ETNO well before May 1. Throughout the year, ETNO continued to insist on the need for a coherent implementation of the new regulatory framework while taking into consideration the specificities of new member states' markets. The association also drew the EU decision makers' attention to the persistent digital divide between new and old member states (see page 15).

Data retention

ETNO has voiced its members' concerns on a proposal by four member states for a Council framework decision on data retention. Highlighting the already existing cooperation with the law enforcement authorities, ETNO questioned the need for extended obligations in this field. This proposal raised many economic, technical and social issues which were also shared by the other stakeholders (see page 19).



Sustainability

As in past years, ETNO remained at the forefront of the sustainability debate. On the occasion of the first European conference on Sustainability and Telecommunications, ETNO upgraded its Environmental Charter into a Sustainability Charter (see page 11). As a further illustration of its members' commitment to good governance and corporate social responsibility, ETNO signed a major agreement with social partners on working conditions in call centres (see page 23).

"The Dutch Presidency highlighted convergence as one of the major drivers for further growth."

ETNO's events of the year

13-14 MAY: ETNO's sixth Senior Executive Conference is hosted by Telekomunikacja Polska in Warsaw.

More than 80 senior representatives from 35 companies attended ETNO's 6th Senior Executive Conference in the Polish capital. The event addressed present and future electronic communications market trends and challenges, technologies and network architectures and the transition process and regulatory aspects. The conference was officially opened by Wojciech Halka, Polish Under-Secretary of State, and Marek Jozefiak, CEO of Telekomunikacja Polska.

JUNE 2: ETNO holds its 2nd Annual Accession Countries workshop on the challenges of implementing the EU's new regulatory framework in their markets.

More than 70 representatives from the telecoms sector, European Commission and national regulatory authorities gathered in Brussels for ETNO's accession workshop, the first one after the EU's enlargement.

The event saw a lively debate on implementation of the new regulatory framework in an enlarged EU, with discussion focused on market analysis procedures and prospects for the development of broadband and the information society in the new member states. Industry experts called on the Commission and national authorities to take the specificities of new member states markets into account when implementing the new regulatory framework.

JUNE 3: Around 270 people from industry, EU institutions, national governments, policy groups, consultancies and the press attend ETNO's annual reception, held at Le Chateau de la Solitude on the outskirts of Brussels.

18-19 NOV.: ETNO's 25th General Assembly hosted in Sarajevo by BH Telekom.

Representatives from ETNO member companies traveled to Bosnia-Herzegovina for ETNO's 25th General Assembly. ETNO members received a warm welcome from member-host BH Telekom, local authorities and the press. The General Assembly was inaugurated by Branko Dokic, Minister for Transport and Communications and Hamdo Katica, General Manager of BH Telecom. Special sessions were held on implementation of the NRF, emergence of new IP-based communications services such as VoIP, and the importance of access to e-content to encourage broadband take up. Guest speakers included Richard Harris from the European Commission, Peter Kokken from the European Cable Communications Association (ECCA), Donna Lampert, US legal expert, and many specialists from ETNO member companies.



25-26 NOV.: Budapest – First European Conference on Sustainability and Telecommunications organised by ETNO and hosted by Magyar Telekom.

"Europe is a world leader in environmental and social protection. If however Europe wants to keep its position in these fields, it is key that it also reinforces its competitiveness. Telecommunications industries are best placed to help Europe to make society more sustainable", said Michel Catinat, European Commission DG Enterprise, at the opening of the first European Conference on Telecommunications and Sustainability in Budapest on November 25-26, hosted by Magyar Telekom. The conference was attended by 130 delegates from more than 20 countries. Experts from the EU, financial analysts, telecommunications operators and representatives from non-governmental organisations focused on the contribution of ICT to social inclusion, reduction of environmental impact, and on how sustainability increases the value of a company on capital markets.

The conference coincided with the upgrade of ETNO's Environmental Charter to its new Sustainability Charter, which was officially unveiled at the conference. ETNO also joined the Global Compact, a challenge to business leaders launched in 1999 by UN Secretary General Kofi Annan to support ten principles in the areas of human rights, labour, environment, anti-corruption and sustainability. ■



From the top:
ETNO General Assembly, Sarajevo, Nov. 2004.
2nd Annual Accession Countries Workshop.
Mr Elek Straub, CEO Magyar Telekom, addresses ETNO annual reception.



Europe's Competitiveness: our sector responds to the challenge

The positive impact of the telecommunications sector on EU growth and competitiveness is undeniable. As sustainable growth is more than ever a key priority for EU policymakers, ETNO delivered a consistent message throughout 2004 about the need to exploit Europe's strengths. The association called for the creation of a policy environment that encourages investment and innovation. While 2004 saw a turnaround in prospects for the telecommunications industry after several years of retrenching, this same trend was not reflected in the economy at large, which has remained flat against expectations. Europe has the skills and knowledge to compete against any other world region. But it must first adopt a bold strategy that both stimulates investments in information and communications technologies (ICT) and encourages the economy and society as a whole to embrace new technologies.

In the e-communications sector, this implies promoting investment in new infrastructure such as next-generation networks and in innovative content and services. And it means creating a level playing field for all platforms. Leading-edge sectors such as ICT must have the flexibility and speed of response to move Europe's economy to the forefront of creativity and expansion in the global marketplace. ETNO worked hard throughout the year to convey this message in regular meetings with policymakers in EU institutions, including representatives of the EU's Irish and Dutch Presidencies, explaining the necessity of adapting the regulatory approach by progressively evolving towards a sector primarily governed by competition and market-driven dynamics.

The Lisbon Agenda

As major investors in tomorrow's technologies, ETNO members conveyed to EU leaders at their summits in 2004 that Lisbon's goals, while not insurmountable, require changes in policy if they are to be achieved. The combination of increasing competition and technological convergence demands a roll back of sector-specific regulation, one no longer based only on mandating market access but on encouraging investment. E-communications technologies are inherently dynamic for their catalytic growth effect on all other industrial and service sectors. These technologies are future-oriented and lend themselves naturally to Lisbon's objectives to expand jobs and innovation.

During the second half of 2004, ETNO actively supported the EU Dutch Presidency's efforts to ensure that the vital role of ICT for society and the economy as a whole is fully recognised. In November, a high-level group chaired by Wim Kok reported on progress towards the Lisbon goals. The group acknowledged the critical impact that broadband, ICT research, e-commerce and new forms of e-content will have in stimulating growth in all sectors of the EU economy.

Broadband and eEurope

Throughout the year, ETNO continued to insist on the need for an investment and innovation friendly environment to further stimulate broadband roll-out. As its members are key contributors to the building of the European Information Society, the association stayed in close touch with EU policymakers regarding the elaboration of new policies and entities involved in eEurope promotion and governance. ETNO working groups provided expertise and input throughout the year on the EU's various efforts to support and expand e-communications services in the public domain such as e-learning, e-health and e-government. The association participated in public hearings and professional events organised by the EU and other international organisations to convey eEurope's importance in stimulating demand for broadband.

ETNO also contributed to the discussions in view of the elaboration of a new initiative to succeed eEurope. ETNO members participated in the newly created eEurope Steering Group. At the end of 2004, ETNO responded to the Commission consultation on challenges for the European Information Society beyond 2005, highlighting the need for a stronger focus on investment in infrastructure and networks underpinning the information society.



ETNO meets with Mr Mark Frequin, Director General for Post and Telecommunications, Dutch Ministry of Economic Affairs.





Innovation and R&D

As the European Commission began preparatory work for its Seventh Framework Programme for Research and Development, ETNO called on EU decision makers to ensure that information and society technologies get sufficient attention. ETNO's R&D working group insisted that more industry involvement was needed in the programme to help EU policymakers define collaborative research efforts and to take advantage of ETNO members' research facilities across the globe.

ETNO also made suggestions on how to improve the selection and evaluation of projects, in the context of the Sixth Framework Programme.

International trade

ETNO carefully followed the renewal of discussions regarding the WTO round of negotiations, in particular those related to GATS. ETNO reiterated its support for further liberalisation of telecommunications markets throughout the world, as a precondition for continued growth of trade in telecommunications. ETNO emphasised the need for all current members to fully implement the existing commitments. ETNO also paid considerable attention to ongoing discussions related to the classification of telecoms services between basic and added-value services.

In its response to a consultation exercise organised by the Commission on the economic partnership between the European Union and the United States, ETNO drew attention to barriers that European telecommunications companies continue to encounter when trying to make acquisitions in the US market. ETNO also participated in public consultations concerning the US Federal Communications Commission's (FCC) intervention on foreign mobile termination rates. ETNO supports the opinion of the majority of stakeholders, that the FCC must rely on existing regulatory frameworks abroad, which are best suited to ensure sustainable competition in the mobile markets of the countries concerned. ■

“ETNO reiterated its support for further liberalisation of telecommunications markets throughout the world, as a precondition for continued growth of trade in telecommunications.”

EU Regulatory Framework: implementation in new and old EU member states

After delays in the implementation process, the pace of national implementation of the EU's package of telecommunications laws finally picked up in 2004. ETNO set up a task force specifically dedicated to the monitoring of the implementation process and to the identification of inconsistencies and delays. ETNO insisted throughout the year on the importance of a harmonised and consistent implementation of the new regulatory framework across the EU 25.

Transposing the EU's telecom directives into national laws is only one aspect, however. The package's success largely depends on how national regulatory authorities (NRAs) interpret and apply the package to industry. The risk of misinterpretation or diverging interpretations of the package between different NRAs is a real one, which ETNO reiterated at every occasion to EU and national policymakers. Time and again ETNO called for regulatory predictability, insisting that such divergences must not lead to uncertainty in the EU's marketplace nor enlarge the scope of regulation to include new networks and services. One way to help minimise this risk is for regulators to keep industry informed of its regulatory interpretations.

The Commission's 10th Implementation Report on e-communications services regulation, adopted in December 2004, gave clear signs of renewed growth and increased openness of the sector. ETNO pointed out, however, that the report did not give enough recognition to the significant investments made by its members in tomorrow's infrastructure and networks. The association proposed to the Commission to involve stakeholders more actively in the preparation of future editions of the report.

Enlargement: the digital divide is still a reality

Throughout the enlargement negotiations, ETNO provided a forum for its members in accession countries, to raise issues pertaining to the specificities of their markets. The association stayed in close touch with its members in the EU's 10 new member states where market profiles and regulatory structures diverge from those of the 15 old member states. The challenge of implementing the package in an enlarged EU was the focus of ETNO's second annual accession-countries workshop, held in Brussels in June 2004.

ETNO has drawn the attention of the Commission, the European Regulators' Group (ERG) and the professional community to the challenges of implementing the New Regulatory Framework due to specific market realities that prevail in new member states. ETNO also underlined that, despite impressive growth rates, the digital divide between old and new EU member states was still a reality. The use of the EU's Structural Funds via national development plans could play an important role in this context, particularly in remote or under-developed areas where there is no infrastructure yet and where private investment may not be sufficient.

Market remedies: keep them proportional and limited in duration

Remedies and the way they are applied to the telecoms sector have a direct commercial bearing on market players. Thus it is of the utmost importance that their application is fair, proportionate to the cause and of limited duration. As a follow-up to the study ETNO commissioned in 2003, remedies continued to be a major priority through-



out 2004. In early 2004 ETNO participated in public consultations launched by the European Commission and the ERG on the Commission's draft paper on regulatory remedies. ETNO voiced serious concerns about the document, namely that it was too theoretical and lacked clarity and consistency.

The ERG's non-binding common position adopted in April 2004 offered some improvements in areas identified by ETNO such as the ladder of investment concept, general objectives and the stimulation of investments. Despite these cosmetic improvements, the ERG's approach remained too theoretical, not taking into account the realities of Europe's e-communications sector.





ERG-Industry dialogue: transparency is key

Transparency in policymaking bodies is vital for inducing legal certainty and for a harmonised interpretation of the EU's new regulatory framework. It also allows for a dialogue between NRAs and market players who are directly affected by the regulators' decisions.

ETNO consistently advocated for clarity in the roles of the ERG and the Independent Regulators' Group (IRG), and for clear communications channels between the two groups and industry. ETNO also continued to actively participate in the meetings of the Communications Committee (Cocom) and to regularly report on developments to its members.

The leased line market: as it opens, how to implement, how to benchmark

ETNO stayed in close touch with regulatory officials regarding the issue of rental prices for operators' leased lines. As all leased lines are regulated under the new regulatory framework and cost orientations are imposed, the Commission's benchmark recommendations become obsolete. Simplistic or commercially unfeasible regulatory solutions should not be thrust on the sector in the name of "competition", particularly in sub-sectors as technically complex as leased lines and the "local loop" or last mile of operators' networks.

The association provided detailed data to EU authorities to illustrate that the Commission's assumptions about the technical and pricing complexities of partial leased line circuits in various member states were flawed due to the lack of comparability among member states.

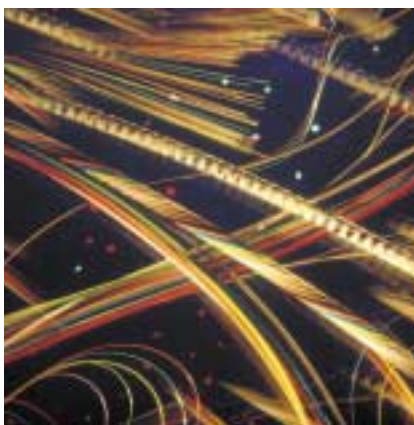
ETNO also successfully collected data on national local loop records to rebut public assertions from other quarters of the telecom industry that its member companies were not in compliance with EU rules for liberalising leased lines.

Other regulatory issues

Throughout the year, ETNO followed a range of other regulatory issues of direct interest to telecom operators, such as the cross-border reporting requirements and the use by authorities of public money such as Structural Funds for broadband infrastructure. ■

"Remedies and the way they are applied to the telecoms sector have a direct commercial bearing on market players."

The e-revolution



In few other industrial sectors does one technological revolution succeed another as quickly as in e-communications. As Europe's most established and experienced operators in e-communications, ETNO member companies play a leading role in the development, testing and commercialisation of innovative goods and services that bring the benefits of digital communications to Europe's consumers, businesses and society at large. From investment in first-generation digital switching operations in the early 1980s to mobile telephony and email in the 1990s to the widespread roll-out of broadband-based Internet services and content now unfolding in the new century, the e-revolutionary impact of ETNO's 41 member companies is central.

These future-oriented technologies and their regulatory implications were at the centre of ETNO's meetings with EU and national regulators and decision makers throughout the year.

VoIP and VDSL: keep up the light regulatory approach

Voice over the Internet Protocol (VoIP) is a classic example of convergence that blurs once-separate technologies, renders historical regulatory precepts obsolete and is leading to a restructuring of today's telecommunications networks. As the European Commission and the ERG began reflecting on the issue, ETNO promptly organised meetings with EU officials to reiterate the underlying premises of the telecom package, namely that a light regulatory touch is the EU's committed *modus operandi* and that new telecom services should not be regulated. The association also pointed to regulatory developments across the Atlantic where US telecom authorities declared they would lean in the direction of light regulation. In this context, ETNO hosted a lunch debate on the subject with a senior official from the US Federal Communications Commission.

Throughout the year, the association participated in public consultations organised by the Commission and provided extensive input on the regulatory and technical aspects of VoIP. ETNO reiterated its positions during a high-level conference organised by the EU's Dutch Presidency on innovation in ICT and infrastructure, and via public statements issued during meetings of EU leaders and telecom ministers. Finally, at their annual general assembly in November, ETNO member companies called for a consistent definition of VoIP services across the Union and publicly urged EU and national authorities not to hinder the roll-out of innovative IP-based services by imposing unnecessary regulatory obligations.

In a similar vein, ETNO followed closely the Commission's deliberations on high-speed VDSL and how this new technology is deployed over fibre and cable networks. As with VoIP, the association consistently argued against regulation, noting that premature intervention would hamper the major investments that many ETNO members had already made for the start-up of VDSL services.

At the end of the year, encouraging signals emerged from the Commission and the ERG that a light regulatory touch for VoIP and other services was the likely path ahead. The issue of the regulatory status of VoIP, and of the obligations it would trigger, was however not solved.

Any content, any time, anywhere, through any device

In an increasingly convergent environment, high-quality digital content is driving a further take up of new services, such as broadband and 3G mobile phones. Converging technologies are giving consumers access to content via a large diversity of platforms. More than ever, the combination of broadband and new distribution channels requires new business models to exploit the array of innovative digital products and services.

ETNO drew EU policy makers' attention to the importance of access to content as a key driver for further growth of new information society services. ETNO outlined the key conditions that must be put in place to facilitate the legitimate flow of content over the new media:

- create a level playing field for all content distribution platforms, including new media;
- encourage the use of open and interoperable platforms and digital rights management systems;
- foster a favourable regulatory environment for online content.

ETNO expanded its contacts with various content providers' trade associations in sectors such as film and music, gaming and television with the aim of launching in 2005 a cross-industry dialogue on content issues. ■



Information Society: keeping policy developments on track

As the industry's leading voice in EU affairs, ETNO follows an immense range of regulatory, technical and policy developments that directly affect the creation of Europe's Information Society. Consumer confidence is essential for the further take up of ICT and ETNO thus paid careful attention, for example, to policy debates at both EU and national levels on issues such as data retention, network security and spam.

Data Retention

Following the European Council's March 2004 Declaration on combating terrorism, four member states tabled a draft framework decision on data retention in April to promote harmonised judicial co-operation among the 25 EU nations.

ETNO voiced its concerns throughout the year to EU decision makers, particularly regarding the proposal's wide scope and the lack of industry consultation. The association also underlined the proposal's unpredictable technical, financial and confidentiality implications for industry and individual users. ETNO's experts provided detailed analysis of technical challenges arising from longer retention periods and extended categories of information to be retained, and of the resource demands on operators to retain, manage and retrieve the data. ETNO reiterated that e-communications operators were already successfully co-operating with law enforcement and police authorities in a clear legal framework on a case-by-case basis. The effectiveness of existing cooperation should be assessed before adding new obligations. Alliances were built with other telecommunications associations. As 2004 drew to a close, Member States were still debating many aspects of the proposal, including the scope of data concerned by the retention obligation.

Spam

ETNO paid close attention to the general debate on spam, including its international aspects. It issued a position paper outlining the concrete measures developed by telecom operators and Internet service providers to combat spam. These initiatives include defining new codes of conduct and "black lists" of spammers, and launching consumer-awareness campaigns to instruct the public how to minimise spam's intrusion.

Following its communication adopted in early 2004, the European Commission together with the Dutch Presidency assessed the progress made in the EU toward combating spam, with the aim of deciding whether additional measures would be needed. To this end, two questionnaires were issued: one for industry and one for the member states. The Commission also organised an open workshop.

ETNO used both opportunities to highlight the actions taken by its member companies throughout the EU25 to fight spam. The nuisance of unsolicited commercial communications was also at the centre of debate at an OECD workshop in February 2004, hosted by the Commission, in which ETNO actively participated.

Cyber-crime, Fraud Control and Network Security

Since its founding in 1992 ETNO has led the way on measures to fight telecoms fraud, cyber-crime and other illicit activity on Europe's e-communications networks. Reliable and secure networks are key to consumer confidence and to the development of Europe's Information Society. As in previous years, experts from ETNO members met continuously throughout the year to review best-practices in fighting telecoms fraud and cyber-crime.

ETNO lent firm support for the creation of the European Network and Information Security Agency (ENISA). Early in the year ETNO created a joint task force between its working groups to address Europe's evolving network security agenda, identify best practices and provide information as needed to ENISA. It also ensured that the telecommunications industry was adequately represented on the board of ENISA.

Information and network security is the shared responsibility of governments, industries and users. The adequate involvement of all players, within the ENISA Management Board and through the permanent stakeholders group, is therefore essential to the good functioning of the agency.





Frequency management

A fair and equitable allocation of radio spectrum is crucial for Europe's telecom operators. ETNO took care to establish solid working relations with the EU's newly-created entities responsible for policy developments in this field, namely the Radio Spectrum Committee and the Radio Spectrum Policy Group (RSPG). ETNO met Commission officials early in the year to discuss and refine the RSPG's work programme for 2004 and later provided technical expertise to help the EU coordinate its position for a forthcoming meeting of the World Radiocommunications Conference.

ETNO issued position papers on a wide range of radio-spectrum issues, from defending the interests of terrestrial services against radio interference from satellite operations outside Europe to providing advice to the Commission as it tightens cooperation with CEPT, the European Conference of Postal and Telecommunications administrations. As 2004 drew to a close ETNO promoted operators' views regarding future rules on the auctioning, use and administrative cost of spectrum allocation.

The association also participated in a high-level conference in October on e-security issues organised by the EU's Dutch Presidency.

ETNO subsequently met with Dutch Presidency officials to convey operators' strong support for EU initiatives that ensure network and information security such as the Safer Internet action plan. But it also insisted on the importance of industry-led standards in the field of network security, stressing that ENISA's role should be primarily one of co-ordination and consultation.

E-commerce: Copyright issues and IPR

The EU's draft directive to enforce intellectual property rights (IPR) was a major focus of the EU's policy agenda in 2004. ETNO consulted frequently with its member companies to elaborate an industry position, while working closely with EU institutions to ensure that the liability provisions of the EU's existing e-commerce directive were not supplanted to industry's disadvantage, once the new directive takes effect. ETNO's efforts paid off, with EU officials making substantial improvements to the text.

ETNO was also vigilant about communicating its members views about digital rights management (DRM). A Commission paper on collecting societies suggested a number of areas where legislative action was needed to create a level playing field. The association issued a position paper on this complex subject as part of its contribution in June to the Commission's call for DRM consultations. ETNO called on policymakers to define the right policy support by:

- creating a level playing field for all distribution platforms;
- promoting use of interoperable DRM systems for content distributed over broadband platforms;
- installing a clear legal framework for on-line content to promote its production and thus boosting the roll-out of broadband;
- encouraging the establishment of one-stop shops and freedom of choice for users and for IPR rights-holders.

Taxation issues

As traditional telecoms operators diversify their activities and become increasingly involved in new areas, tax issues related to e-commerce are key to the further development of new markets. Through its task force on tax issues, ETNO conferred with Commission services on topics such as pre-paid cards. ETNO made it clear that the tax should be determined as a function of consumption.

ETNO continued to closely follow discussion of the Commission's proposed revision of the Sixth VAT Directive on business-to-business supply of services. ETNO supported the Commission's proposal to change the current rule and have supplies taxed in the country where the customer has its business, versus the supplier's country. The Commission proposal is still under discussion at the Council. Elsewhere, ETNO raised the issue of double taxation of cross-border transactions with the OECD, which announced the launch of a project to study and propose solutions.

Following ETNO's tax working group proposals in 2002, several ETNO members in Austria, Britain, Germany and the Netherlands initiated legal actions that same year against their governments to recuperate VAT included in the fees paid for the acquisition of UMTS licenses.

A British judge decided to forward the case to the European Court of Justice in 2004, following a similar decision in Austria in 2003. The ruling of the Court is awaited in 2006.

Numbering, Internet Naming and Addressing

With a growing demand for Internet Protocol (IP) addresses, management of IP addressing is of key importance for the further development of the European Information Society. Through its Naming, Addressing and Numbering working group, ETNO actively voiced its members' views and concerns with the EU, ITU (International Telecommunication Union), RIPE (*Réseaux IP européens*) and ICANN (Internet Corporation for Assigned Names and Numbers).

Throughout 2004, ETNO experts were particularly involved in these issues. ETNO also expressed its reservations to ICANN concerning the new proposed sponsored top level domain names ".tel" and ".Tel". ETNO insisted that procedures need to be created to

ensure that current international and national rules on numbering management are respected and consumers' rights safeguarded.

ETNO also multiplied contacts with European officials on freephone number issues and on the proposed designation of the 116 number range for possible harmonised European short numbers. ETNO strongly recommended a Europe-wide industry consultation on 116 number range, as the proposal entails a series of technical issues. Moreover, these pan-European services should be clearly defined to bring real added value for end-users, especially when compared to services already provided at national level. ■



“Reliable and secure networks are key to consumer confidence and to the development of Europe’s Information Society.”



Sustainability and corporate social responsibility: a caring industry

ETNO Sustainability Charter

European telecommunications operators, through ETNO's Environmental Charter, were one of the first industry sectors to publicly commit to environmental protection and sustainability, and to regularly report on their collective achievements. The Charter, which gained worldwide recognition, enabled its signatories to make considerable progress, by exchanging experiences and best practices, and to add value to their business. Specific activities carried out in this framework are the assessment of the positive contribution of ICT in combating climate change and of energy efficient solutions to reduce emissions and the consumption of fossil fuels by operating networks.

As one of the founding members of the Global e-Sustainability Initiative, ETNO actively contributes to the debate on Climate Change and the Digital Divide, where the ICT sector can play a leading role in providing effective solutions. In 2004, ETNO upgraded its Environmental Charter into a Sustainability Charter, demonstrating the leading role the sector is playing with respect to the three pillars of sustainability: environmental protection, social progress and economic growth. ETNO's Sustainability Charter was officially unveiled at the first European Conference on Telecommunications and Sustainability, hosted by Hungarian operator Magyar Telekom in Budapest on 18-19 November.



Budapest, Nov. 2004 – ETNO Sustainability Charter signatories receive certificate.

Social Dialogue

As in years past, ETNO maintained regular contacts in 2004 with EU officials and the pan-European labour organisation, Union Network International (UNI), via the Social Dialogue Committee for the telecoms sector, to coordinate policy initiatives affecting social issues and working conditions in the sector.

A major achievement for ETNO during the year was its agreement with UNI in June to support fair and professional working conditions for customer contact centres. The two sides endorsed a set of jointly defined principles to apply to the customer service centres of ETNO members wherever they are located around the world. The principles cover a broad range of activities related to training standards, fair working conditions and respect for family-versus-work obligations. The agreement will help standardise practices between industrialised and developing economies and is yet another example, similar to the Sustainability Charter, of ETNO's commitment to good governance and social policy.

Health and mobile phones

Consumers' concerns about the safety of electromagnetic fields (EMF) is taken seriously by European telecommunications operators. It is important that the public has access to scientific-based facts regarding human health and mobile telephony. Consumer confidence in the safety of wireless technologies is a key condition for the further roll out of 3G technologies and the wide take up of ICT technologies in Europe, and ultimately for the creation of the Information Society in Europe.

ETNO joined the advisory board of stakeholders for EMF-NET, a new four-year project funded from the EU's Sixth Framework Programme budget which draws together representatives from industry, academia, research institutes and the European Commission. ETNO agreed to provide expertise for the project's work packages on risk communications, the monitoring of emerging 3G technologies and the evaluation of scientific information from East and Central European countries. One of the project's key goals is to communicate the facts about exposure to EMF emissions fully and quickly to the public – a goal ETNO firmly supports. ■

“The ETNO Charter, which gained worldwide recognition, enabled its signatories to make considerable progress and to add value to their business.”

Communications and public profile

Communications is a key pillar of ETNO's activities. Throughout the year, ETNO actively voiced its positions via policy statements, press releases and bilateral interviews on key issues for the sector such as intellectual property rights enforcement, data retention, spam and security issues. ETNO's views on these topics were regularly reported in EU, national and international media.

Media also echoed ETNO's appeal to EU and national regulators to focus on the creation of an investment and innovation-friendly environment and not to hinder the development of new services and infrastructures. ETNO took active part in the debate to relaunch the Lisbon strategy, initiated by the Dutch Presidency. On many occasions, ETNO reiterated its conviction that boosting EU growth and competitiveness could not be achieved without a strong involvement of the telecommunications sector.



ETNO press conference, Sarajevo, November 2004.

At the occasion of the adoption in December of the Commission's 10th implementation report on telecommunications, the media reported ETNO's concern that the success of the new regulatory framework is judged only on the redistribution of market shares. *"The Commission report highlights a renewed confidence in the markets, reflected by an increase in competition and investment in infrastructure, both by major players and new entrants. We now need to build upon this success to further encourage investment by starting to roll back sector specific regulation, in line with the initial objectives of the New Regulatory Framework"*, said Michael Bartholomew, ETNO Director. The media also paid attention to major events illustrating ETNO's commitment to sustainability, such as the signature of an agreement with unions on working conditions in call centres and the upgrade of ETNO's environmental charter to a sustainability charter.

During the year, ETNO's Director also contributed to raising ETNO's public profile by participating in high-level conferences and seminars such as:

- **London, 8-9 March 2004** – "EU Regulatory Package for e-Communications: Best Practice Solutions for Effective Competition"
- **Brussels, 25-26 May 2004** – Fiber to the Home Council Europe "Why Fibre, Why Now?"
- **Brussels, 23 June 2004** – Seminar of the European Society of Association Executives (ESAE) "EU Enlargement: challenges and opportunities for associations"
- **Prague, 13-14 September 2004** – "Next Generation Telecom Central and Eastern Europe"
- **London, 14-16 September 2004** – Carriers World 2004
- **London, 9-10 December 2004** – The fixed-mobile convergence forum

"We now need to build upon this success to further encourage investment by starting to roll back sector-specific regulation..."

During the year ETNO also organised a number of lunch debates with high-level EU and national officials. These included Peter Scott, Head of Policy Development Unit in DG Information Society; Fabio Colasanti, Director General DG Information Society and Media DG and Mark Frequin, Director General for Telecommunications and Post at the Dutch Ministry of Economic Affairs. ETNO also held a lunch in the European Parliament with its newly elected members. These events were the occasion for representatives of ETNO member companies to keep abreast of the latest policy developments and to raise specific issues.

Together with experts from member companies, ETNO embarked on a major internal communications exer-

cise in 2004, aimed at identifying major trends and challenges in the telecommunications sector. The objective was to prepare a set of recommendations for EU heads of state and government on how to enable Europe to fully reap the benefits of ICT in terms of growth and jobs.

Towards the end of the year, ETNO also began revamping its internal and external communications instruments. A new web site and e-zine will be unveiled in the course of 2005. ETNO's Executive Board also decided to create an ETNO communications managers working group, whose major focus will be the collection of facts and figures for the sector. ■



ETNO Position Papers

Common Positions

- CP 074** on the sponsored Top Level Domain applications for .tel. [29/4/2004]
- CP 073** commenting on the Work Programme of the Radio Spectrum Policy Group (RSPG). [9/1/2004]

Reflection Documents

- RD 206** Response to DG External Relations' Consultation "Strengthening the EU-US Economic Partnership". [24/12/2004]
- RD 205** on the "Draft ECC Decision on harmonised utilisation of spectrum for IMT-2000/UMTS systems operating within the band 2500-2690 MHz" (ECC/DEC/(05)XX). [23/12/2004]
- RD 204** on the "First annual report on radio spectrum policy in the European Union" (COM(2004) 507). [14/12/2004]
- RD 203** on Auctions and Beauty Contests. [14/12/2004]
- RD 202** on Content-related issues. [14/12/2004]
- RD 201** on Copyright Review. [2/11/2004]
- RD 200** on COM(2004)353 "Science and technology, the key to Europe's future – Guidelines for the future European Union policy to support research". [18/10/2004]
- RD 199** on ECC Recommendation (04)07 on designation of 116 number range for possible future harmonised European short numbers. [16/9/2004]
- RD 198** on Traffic Data Retention. [14/9/2004]
- RD 197** on the Commission's Consultation Document on VoIP. [31/8/2004]
- RD 196** in response to the Questionnaire for industry prepared by IDATE, AEGIS and BIRD & BIRD on behalf of the European Commission on availability of information on radio spectrum in the European Union. [29/7/2004]
- RD 195** on the European Commission Consultation Paper on the application of the E-money Directive to mobile operators. [20/7/2004]
- RD 194** on IST Work Programme 2005/2006. [28/6/2004]
- RD 193** on the European Commission Communication on the Management of Copyright and Related Rights in the Internal Market. [22/6/2004]

- RD 192** in response to the ECC WG FM Questionnaire on the use of the former TFFS bands in Europe. [18/6/2004]
- RD 191** on a draft ERG Opinion on proposed changes to the Commission Recommendation on Accounting separation and cost accounting. [14/6/2004]
- RD 190** on Market Analysis Procedures in Accession Countries. [7/6/2004]
- RD 189** on Unsolicited Commercial Communications (SPAM). [20/4/2004]
- RD 188** in response to RSPG's public consultation on secondary trading of rights to use radio spectrum. [31/3/2004]
- RD 187** commenting on possible revision of the Commission Recommendation on the provision of leased lines in the European Union, Part II – Pricing of wholesale leased line part circuits. [30/3/2004]
- RD 186** commenting on the possible revision of the Commission Decision on the minimum set of leased lines. [30/3/2004]
- RD 185** on Consultation Document: Draft Joint ERG/EC Approach to Appropriate Remedies in the New Regulatory Framework. [19/1/2004]
- ## Expert Contributions
- EC 065** on Draft ECC/DEC/(04)LL. [28/9/2004]
- EC 064** on AD ratio for IPv4 addresses allocation. [15/9/2004]
- EC 063** on the "Study on conditions and options in introducing secondary trading of radio spectrum in the European Community". [15/9/2004]
- EC 062** in response to the Consultation to develop an RSPG Opinion on World Radiocommunications Conference 2007. [24/5/2004]
- EC 061** on radio spectrum designation for Ultra Wide Band applications. [20/5/2004]
- EC 060** on 24 GHz Short Range Radars penetration rate and cut-off date. [22/4/2004]
- EC 059** on ECC draft Decision on ETNS Conventions. [8/3/2004]
- EC 058** on the Commission Mandate to CEPT on 5 GHz RLANS. [30/1/2004]

ETNO Working Groups

ETNO's Working Groups – a key strength of the association – cover a broad range of topics directly relevant to the business of telecoms operators.

Linked to one another by an Intranet for rapid consultation, each group draws on specialists from ETNO companies who examine a particular subject and reach a convergence of views. In most cases, the outcome is a Common Position or a Reflection Document, which is presented to decision-makers and the public to help shape debate on telecoms policy, rules, standards and regulations.

Working Groups and Task Forces in 2005

- **Regulatory Policy** – WG
Chair: R. Nigge (Deutsche Telekom)
 - Regulatory Economics – TF
Chair: P. Richards (BT)
 - Implementation – TF
Chair: M. Bolhuis (KPN)
- **Market and Technology Trends** – WG
Chair: JP. Simon (France Telecom)
- **Long-term review of Regulatory Framework** – TF
Chair: A. Bartroff (TDC)
- **European Information Society** – WG
Chair: P. Pfost (Telefonica)
 - Access to Content – TF
Chair: A. Grillo (Telecom Italia)
 - e-Inclusion and Digital Divide – TF
Chair: R. Erzin (Telekom Slovenije)
- **Content Liability in the Information Society** – WG
Chair: N. Gibbs (BT)
- **External Trade Issues** – WG
Chair: T. Kupfer (BT)
- **Tax Issues Related to Telecom Services** – WG
Chair: D. Taylor (BT)
- **Employment, Health & Safety** – WG
Chair: J. Murray (BT)
- **Sustainability** – WG
Chair: D. Riva (Telecom Italia)
- **Data Protection & Information Security** – WG
Chair: C. Vela (Telefonica)
- **Fraud Control & Network Security** – WG
Chair: L. Sousa Cardoso (Portugal Telecom)
 - Joint Task Force on Security issues
Chairpersons: C. Vela & L. Sousa Cardoso
- **Frequency Management** – WG
Chair: T. Rosowski (Deutsche Telekom)
- **Benchmarking** – WG
Chair: J. Tamisier (France Telecom)
- **Naming, Addressing and Numbering Issues** – WG
Chair: C. Kelaidi (OTE)
- **Research & Development** – WG
Chair: Y. Ruggeri (France Telecom)
- **ITU** – WG
Chair: D. Würges (France Telecom)

“ETNO – a key interlocutor on a wide range of telecoms-related regulatory and technical topics.”

ETNO Organisation

General Assembly

Chair: Harm ABEN, Romtelecom
Vice-chair: Pavol KUKURA, Slovak Telecom

Executive Board

Chair: Michel HUET, France Telecom (until 12 May 2005) ⑪

Alfredo ACEBAL, Telefonica (Chair as of 12 May 2005) ⑧
Allan BARTROFF, TDC ⑨
Stephen CRISP, BT ①
Francisco da SILVA, Portugal Telecom ③
Francesco DI GREGORIO, alternate for Luigi GAMBARDELLA, Telecom Italia ⑦
Patrick GALVIN, Eircom ④
Kaisu KARVALA, alternate for Gunnar FORSGREN, TeliaSonera ②
Thomas MÜLLER, Swisscom ⑥
Grazyna PIOTROWSKA-OLIWA, Telekomunikacja Polska ⑤
Andreas TEGGE, Deutsche Telekom (until 12 May 2005) ⑩



Administrative Committee

Chair: Thomas MÜLLER, Swisscom
Members: Stephen CRISP, BT – Dietmar SCHULZ, Deutsche Telekom
Observer: Alfredo ACEBAL, Telefonica

Working Groups, Task Forces and Special Rapporteurs

ETNO office



Michael BARTHOLOMEW
Director



Leo DEBECKER
Executive Manager, Operations



Fiona TAYLOR
Senior Adviser, Public Affairs



Eirini ZAFEIRATOU
Legal & Public Affairs Adviser



Thierry DIEU
Communications Manager



Anne VALLÈS
HR & Financial Officer
























Isabelle CLAEYS
Assistant to the Director



Maria RODRIGUEZ-DHÉNIN
Secretary

ETNO Members

	Auna Telecomunicaciones (Spain)
	Belgacom (Belgium)
	BH Telecom (Bosnia and Herzegovina)
	BT (British Telecom)
	BTC (Bulgarian Telecommunications Company)
	Cesky Telecom (Czech Republic)
	Community of Yugoslav PTT (Serbia and Montenegro)
	Croatian Telecom (Croatia)
	Cyprus Telecommunications Authority (Cyprus)
	Deutsche Telekom (Germany)
	Entreprise des Postes et Télécommunications Luxembourg
	Eircom (Ireland)
	Elisa Corporation (Finland)
	Elion Enterprises Ltd (Estonia)
	Finnet Group (Finland)
	France Telecom (France)
	Invitel (Hungary)
	Koninklijke KPN (The Netherlands)
	Lattelekom (Latvia)
	AD Makedonski Telekomunikacii (F.Y.R. of Macedonia)
	Maltacom (Malta)

	Magyar Telekom (Hungary)
	Netia Holdings (Poland)
	OTE (Greece)
	Portugal Telecom (Portugal)
	Romtelecom (Romania)
	Síminn (Iceland Telecom Ltd.)
	Slovak Telecom (Slovakia)
	Societatea Nationala de Radiocomunicatii (SNR) (Romania)
	Swisscom (Switzerland)
	TDC (Denmark)
	TDF (France)
	Telecom Italia (Italy)
	Telefónica (Spain)
	Telekom Austria (Austria)
	Telekom Slovenije (Slovenia)
	Telekomunikacja Polska (Poland)
	Telenor (Norway)
	TeliaSonera (Sweden-Finland)
	Türk Telekomünikasyon (Turkey)
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