



# ANNUAL REPORT | 2013



## INTRODUCTION TO YOUR ETNO 2013 ANNUAL REPORT

2013 has been an important and pivotal year for the telecoms industry in Brussels. The European Commission has put forward significant proposals in the area of telecoms, including a package for creating a Telecoms Single Market.

The package included a Communication “on the Telecommunications Single Market”, a Regulation “to achieve a Connected Continent” and a “Recommendation on non-discrimination obligations and costing methodologies to promote competition and enhance the broadband investments”. At the same time, the attention of both European leaders and members of the European Parliament for telcos scaled up. The European Council, which gathers heads of state and government, dedicated thematic sessions to discuss the digital economy.

In the context of such a transformative year for the EU debate on future telecom policies, ETNO, on top of its regular activities, also put forward a top level study on a European “Digital Single Market” with the leading consultancy Boston Consulting Group. In addition to this, we ensured that we remained as leaders in the debate also through our signature-events with the Financial Times and with MLex, the leading market & regulatory insights magazine.

In a nutshell, ETNO ensured that the interests and viewpoint of Europe’s leading telecom operators were put forward in the most visible, effective and fact-based way. We have a long tradition in being reliable partners of the EU Institutions and in being our Members’ trusted voice in the policy and regulatory arena.

We thank our valued Members for all their help and assistance during 2013 which has ensured that ETNO remains as the leading telecoms trade association in Europe.



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## 2013 HIGHLIGHTSPUBLIC EVENTS | INDEX

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## 2013 HIGHLIGHTSPUBLIC EVENTS

### 2013: MAIN PUBLIC EVENTS

#### ETNO MLex Regulatory Summit – 25 April

The review of the EC recommendation on the relevant markets should lead to a reduction in the number of markets to be regulated and to fundamental change in the regulation of broadband. This is the main finding of a study by Plum Consulting for ETNO presented at the ETNO-MLex Regulatory Summit, which attracted more than 120 participants.

There is the need for a reduction in the number of markets, in particular the retail market for access to the fixed telephone network. No competition issues are observed on this market, where fixed telephony is increasingly subject to cross-platform competition and consumers increasingly use online Over-the-Top services over broadband networks to keep in touch. In some EU countries, services such as WhatsApp have already taken over SMS and VoIP accounts for one third of international voice traffic.

It is fundamental a new approach to wholesale regulation of broadband networks, which takes into account all competing platforms at retail level (including cable and next-generation mobile networks), in accordance with the

principle of technological neutrality. National regulators should also be asked to analyze geographical differences within a national market, in order to focus regulation on uncompetitive areas.

On termination markets, intense regulatory intervention has resulted in very low rates. NRAs could try to ensure symmetry and reasonableness of termination rates under Article 5 of the Access Directive.



#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/205>

## 2013 HIGHLIGHTS PUBLIC EVENTS

### 2013: MAIN PUBLIC EVENTS

#### ETNO MLex Regulatory Summit – 25 April

##### Speakers:

**Giovanni Battista Amendola**, Vice President, head of Relations with International Authorities, Telecom Italia

**Eric Debroeck**, Senior Vice-President of Regulatory Affairs, France Telecom

**Erzsebet Fitori**, Director, ECTA

**Magnus Franklin**, Chief Correspondent, MLex ITM

**Luigi Gambardella**, Chair of the Executive Board, ETNO

**Malcolm Harbour**, MEP, Chair of Committee on the Internal Market and Consumer Protection

**Stephen Howard**, Global Head of Telecoms, Media & Technology Research, HSBC

**Wolfgang Kopf**, Senior Vice President Public & Regulatory Affairs, Deutsche Telekom

**Reinald Krueger**, Head of Regulatory Coordination and Markets Unit, DG CONNECT

**Matthias Kurth**, Executive Chairman, Cable Europe

**Carlos Lopez-Blanco**, Head of Public and Corporate Affairs, Telefonica

**Cecilio Madero Villarejo**, Deputy Director General of Antitrust and Cartels of DG Competition

**Daniel Pataki**, Director, ETNO

**Ivan Santos Esteras**, Co-Chair of BEREC Convergence Working Group, CMT

**Steven Tas**, Vice President Regulatory, Belgacom

**Professor Tommaso Valletti**, Imperial College of London

**Roberto Viola**, Deputy Director General of DG Connect, European Commission

**Brian Williamson**, Plum Consulting

**Ian Wishart**, Reporter, European Voice



## 2013 HIGHLIGHTSPUBLIC EVENTS

### 2013: MAIN PUBLIC EVENTS

#### ETNO / FT SUMMIT 2013 - One Single Telecom Market for Europe? - 8th October



ETNO, in collaboration with the Financial Times, brought together CEOs of major European and international industry players, and representatives of European Institutions and Member States for this annual high-level event held in Brussels. Opened by Vice-President Neelie Kroes, French Minister delegate

for SMEs, Innovation and Digital Economy Fleur Pellerin, Executive Chair for ETNO Luigi Gambardella and ETNO Director Daniel Pataki, this Summit focused on a single telecoms market for Europe and current legislative proposals to drive the digital economy. Among those speaking at the event were Timotheus Höttges, Chief Financial Officer, Deutsche Telekom; Stéphane Richard, Chairman and CEO, Orange; and Randall Stephenson, Chairman and CEO, AT&T.

ETNO highlighted the importance for the EU to encourage investment and innovation in new and enhanced high-capacity infrastructures by establishing a clear deregulatory agenda and to promote an effective level playing field between the rules that apply to Over the Top services as compared to telecoms services and to EU players vis-à-vis players from other economic regions.

“The forthcoming EU Council should provide policy guidance to carry out a broad review of the EU rules for the

e-communications market. Today’s economic challenges can be overcome by regaining investors’ confidence in the capability of EU companies to invest at a faster pace in new services and network deployment. ETNO therefore calls upon the EU Heads of State and Governments to take action, through the launch of a wide-ranging policy review, in order for the EU to regain its leadership position in the global digital economy” said Luigi Gambardella, ETNO Executive Board Chairman.

“The FT-ETNO Summit provides an excellent opportunity to discuss vision and exchange views on the regulatory approach that Europe needs to adopt. It allows all of us to assess whether the policy objectives and proposals coincide with the goal of gaining this leadership position in the global digital economy. The time has come to act in order to achieve a brighter digital future for Europe” said Daniel Pataki, ETNO Director.

ETNO highlighted the importance of establishing an open European Internet model which guarantees maximum choice for European consumers across the value chain and best-in-class levels of privacy and security. In addition, efforts must be made to build a sound policy framework to encourage entrepreneurship, including appropriate European financial measures and the participation of venture capital for the promotion of digital talent, projects and start-ups

#### More information :

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/251>



## 2013 HIGHLIGHTSPUBLIC EVENTS

### 2013: MAIN PUBLIC EVENTS

#### ETNO / FT SUMMIT 2013 - One Single Telecom Market for Europe? - 8th October

##### Speakers:

**César Alierta**, Executive Chairman and CEO, Telefónica

**Celestino Alves**, CEO, NMusic

**Markus Beyrer**, Director General Business Europe

**Robin Bienenstock**, Senior Research Analyst,  
Telecommunications & Cable, Sanford C Bernstein

**Wolfgang Bock**, Senior Partner and Managing Director,  
The Boston Consulting Group

**Anne Bouverot**, Director General and Member of the  
Board, GSMA

**Jonathan Dann**, Managing Director and Head of  
Telecommunication Services Research, Europe, Equity  
Research, Barclays Capital

**Ryan Ding**, CEO, Carrier Network Business Group,  
Huawei Technologies

**Mike Fries**, President and CEO, Liberty Global

**Luigi Gambardella**, Executive Chairman, ETNO

**Peter Golob**, Managing Director, Vice Chairman of  
Investment Banking, Chairman of EMEA TMT, Bank of  
America Merrill Lynch

**Timotheus Höttges**, Chief Financial Officer,  
Deutsche Telekom

**Stephen Howard**, Head of Global Telecoms, Media  
and Technology Research, HSBC

**Philipp Humm**, CEO, Europe, Vodafone Group

**Hakam Kanafani**, Group CEO, Türk Telekom

**Neelie Kroes**, Vice President of the European  
Commission and European Digital Agenda Commissioner

**Kati Levoranta**, Chief Legal Officer, Rovio

**Göran Marby**, Chairman 2014, BEREC

**Daniel Pataki**, Director, ETNO

**Fleur Pellerin**, Minister Delegate for SMEs, Innovation  
and the Digital Economy, France

**Stéphane Richard**, Chairman and CEO, Orange

**Randall Stephenson**, Chairman and CEO, AT&T

**Daniel Thomas**, Telecoms Editor, Financial Times

**Ben Verwaayen**, Former CEO, Alcatel-Lucent

**Hannes Wittig**, Head of Telecoms Research,  
JPMorgan Cazenove





## 2013 HIGHLIGHTS PUBLIC EVENTS

### 2013: MAIN PUBLIC EVENTS

#### Joint Association Event: “Towards Harmonised and Effective Data Protection Rules: Innovating for consumers and business”

ETNO, jointly with Cable Europe, ECTA and the GSMA, has organized an event with Commissioner Viviane Reding and MEP Seán Kelly to discuss innovation in the context of the Data Protection reform.

The event, which was attended by over 200 participants, promoted the dialogue with the institutions around 3 main topics. First, The importance of effective, clear but flexible rules to allow companies to innovate and consumers to benefit from innovative services. Second, the need of creating consistent rules for a well-functioning digital single market: relationship between the ePrivacy Directive and the General Data Protection Regulation. Third, creating legal certainty for businesses and consumers alike with a single, strong and enforceable regime.

#### Speakers included:

**Seán Kelly**, Member of the European Parliament

**Viviane Reding**, Vice-President of the European Commission

**Ronan Dunne**, CEO, Telefónica UK

**Pierre Louette**, Deputy CEO and Secretary General, Orange

**Matthias Kurth**, Executive Chairman, Cable Europe

**Martin Whitehead**, Director of GSMA Brussels Office



## 2013 HIGHLIGHTS PUBLIC EVENTS

### OPPORTUNITIES FOR TOP LEVEL NETWORKING BETWEEN MEMBERS AND INSTITUTIONS

#### Lunch Irish Presidency – 23 January ,2013

On 23rd January 2013, the ETNO Board and members had the opportunity to meet with representatives from the Irish Government (Department of Communications, Energy & Natural Resources - Dublin and Brussels offices) to discuss the priorities of the Irish EU Presidency. There was a fruitful exchange of views on the Connecting Europe Facility (CEF), network and information security and broadband roll-out in Europe / reducing the costs of roll-out.

ETNO also welcomed the Irish Presidency's objective of reinforcing the digital single market and encouraged a sense of urgency in the adoption of the European Commission's Regulation on Data Protection which will contribute towards achieving a truly harmonised framework for privacy throughout the EU and a level playing field between all actors within the ICT value chain.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/127>

#### Lunch Lithuanian Presidency – 23 September,2013

On 23rd September, a working lunch was held with the Lithuanian Permanent Representatives in Brussels to discuss the agenda for the Lithuanian EU Presidency. On this occasion, the ETNO Board and members debated Internet governance and electronic identification and trust services for electronic transactions in the internal market. This meeting was also an opportunity to discuss the newly presented Commission proposal of a draft Connected Continent Regulation.

These two working lunches have allowed ETNO members direct access to Council representatives and have helped solidify relationships with the incoming EU Presidencies.

#### ETNO Dinner with MEPs - 18 November, 2013

On 18th November 2013, a delegation of ETNO members and staff travelled to Strasbourg during the Plenary session, to meet with MEPs involved in the debate on the draft Connected Continent Regulation. A working dinner was hosted by MEP Malcolm Harbour, Chairman of the IMCO Committee and IMCO Rapporteur for the consumer-related provisions of the legislative package. This was an opportunity to have a solid debate on issues of importance to ETNO members and to bring ETNO positions to a wide range of MEPs.

## 2013 HIGHLIGHTS PUBLIC EVENTS

### MAIN MEETINGS WITH MEDIA

#### ETNO BCG Press briefing - 19 July

New Study by The Boston Consulting Group for ETNO Calls for Pro-Investment Agenda to Deliver Digital Single Market

With significant reform of the current patchwork system of regulations governing telecommunications in the European Union there could be up to €750 billion in GDP growth and 5.5 million jobs by 2020, according to a new study by The Boston Consulting Group (BCG) for the European Telecommunications Network Operators' Association (ETNO).

The study, *Reforming Europe's Telecoms Regulation to Enable the Digital Single Market*, details how a reformed regulatory framework can both safeguard competition as well as incentivize the investments in advanced next-generation access networks (NGA) required for the EU to reach its Digital Agenda targets and for the European Digital Single Market to become a reality.

While it has long been a leader in innovation and the technologies that comprise the backbone of the digital economy, Europe has fallen behind in ultrafast mobile and fixed Internet connectivity. Many markets in Asia and North America enjoy fibre access penetration that is up to 20 times higher and penetration of LTE that is as much as 35 times greater. The BCG study projects that by 2020 the shortfall in investment needed to meet EU Digital Agenda targets for broadband coverage and penetration could aggregate between €110 billion and €170 billion.

The result for European consumers and businesses is slower, less reliable connections, leading to less value for consumers and lower economic growth.

"The findings of this study come at the right moment, when a reform of telecom rules is being launched by the European Commission, showing how the telecom sector can help growth and jobs in Europe if given the right regulatory conditions. The sector needs a long-term policy view that goes in the direction of favouring investments and avoids measures that might destroy market value", said Luigi Gambardella, Chairman of the ETNO Executive Board.

"There has been an ongoing consensus in Europe about the challenges the European sector is facing, but this is a unique attempt to find the underlying causes and to offer a comprehensive program to get the Digital Agenda back on track and therefore European citizens could all benefit from its results. The study quantifies the impact of the required measures. This is essential to have an informed debate about the Single Market in Europe," said Daniel Pataki, ETNO Director.

"Europe's consumers may find themselves in the position of paying relatively low prices for online access but largely missing out on advanced services and experiences that next-generation access networks provide," said Wolfgang Bock, Senior Partner of BCG.

## 2013 HIGHLIGHTS PUBLIC EVENTS

### MAIN MEETINGS WITH MEDIA

#### ETNO BCG Press briefing - 19 July

European investment in telecommunications infrastructure has declined by approximately 2 percent a year over the last five years, meaning that some €3.5 billion less was invested in 2012 than in 2008. In contrast, infrastructure investment in comparable international markets has increased at about 2 percent a year over the same period. Europe's ability to invest in next generation networks may fall further as revenues in the European telecommunications sector continue to contract, by as much as 2 percent a year through 2020, according to BCG estimates.

One of the root causes of this situation is outdated and intrusive regulation that distorts market-based competition and discourages capital investment, particularly by telcos, in NGA. These trends must be turned around if Europe is to remain innovative and competitive in the global digital marketplace. Doing so requires a shift in the approach to regulation towards a new paradigm centered around:

- 1/ A harmonized and substantially reduced pan-European regulatory approach, relying mostly on established competition law
- 2/ A short- and long-term comprehensive view of all the costs and benefits for consumers which takes into full account the long-term benefits of investments for consumers
- 3/ A full view of the value chain, in a technology-agnostic

manner and with a differentiated geographic lens. The study proposes five measures that will reverse the regulatory root causes of lagging telecommunications investment and help to unlock the funding required to build the ultra-fast connectivity that is increasingly the lifeblood of the digital economy:

- 1/ Substantial deregulation of fixed-line wholesale access
- 2/ A level playing field for network operators and digital services providers
- 3/ Spectrum policy that accelerates the build-out of mobile networks
- 4/ Permitting healthy consolidation in mobile
- 5/ Harmonizing rules and procedures to unlock cross-country synergies

Taken together, BCG estimates that these five measures would increase telecom operator cash flows by a cumulative total of €105 billion to €165 billion by 2020 and asserts that a significant portion of these funds would be available for additional investment in next-generation networks. Along with the rollout cost savings that DG Connect initiatives, such as the pending "less digging = more broadband" regulation, are expected to deliver, this program would significantly close Europe's next-generation network investment gap, fuel growth and add jobs, and bring the goal of a vibrant Digital Single Market much closer to reality.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/245>

## 2013 HIGHLIGHTS PUBLIC EVENTS

### MAIN MEETINGS WITH MEDIA

#### Presentation of ETNO Annual Economic Report 2013 prepared by IDATE – 10 December

ETNO presented the Annual Economic Report 2013. The figures confirm that ETNO members are the driving force of Europe's telecommunications sector. With a 77.3% share of the total sector employment and a 61% share of the total sector investments, ETNO operators are at the forefront in the global race to empower EU citizens, businesses and public administrations with world class connectivity.

The report, which was prepared in collaboration with the leading telecoms consultancy IDATE, shows a comprehensive picture of the state of EU's telecoms industry.

The environment remains challenging, as 2012 sees a persistence of the negative growth trend that has affected the region since 2009. Overall **telecoms services revenues** were 1.8% lower in 2012 than the year before and reached 273.8 bn EUR. IDATE's estimates for 2013 are that telecom service revenue will decrease by 2.8% within the ETNO perimeter and by 3.7% in the EU-28.

The Annual economic report also confirms that Europe lags behind in **the investments** race: in the period 2011-2012 the overall CAPEX growth in the EU was negative (-0.2%), compared to strong growth in the US (+6.7%) and Japan (+7.5%). Still, despite the difficult conditions, telecom operators throughout Europe are up-

holding their investment efforts to roll out fast networks: in 2012, the overall CAPEX reached 46bn EUR, of which 26 bn EUR were channeled to fixed networks and 20bn EUR went into mobile. The guidance for CapEx in 2013[1] is a decrease of 1.3% for the whole industry.

**Luigi Gambardella**, ETNO's Chairman, said: *"2014 can be the year of the change: regulation and policies will be key in reviving investors' interest in our sector. There are initial positive signals in the markets and we have seen first important steps in the right direction from Brussels. We are confident that this trend will help EU telcos getting back on the growth track. We need high levels of investment to deliver next generation networks to EU citizens and businesses".*

*Didier Pouillot, Head of the Telecom Economics Practice at IDATE, said: "If telecoms services are 'economic oxygen', as the European Commission rightly underlined several times, the conditions must be in place for the sector to breathe properly and thrive".*

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/261>



## 2013 HIGHLIGHTS PUBLIC EVENTS

### OTHER HIGHLIGHTS

#### **EU Data Protection Reform: Major Telecoms Operators Support Push for Level-Playing Field: Vice-President Viviane Reding met Luigi Gambardella -11 FEBRUARY, 2013**

Vice-President Viviane Reding met Luigi Gambardella, chairman of ETNO to discuss the EU Data Protection rules proposed by the European Commission in January 2012.



Vice-President Reding and ETNO jointly call on the European Parliament and Council to ensure that provisions that facilitate a level playing field between all actors of the ICT industry remain a key building block of the EU Data Protection Regulation, in order to guarantee fair competition between EU companies and those based outside of the Union but which operate on Europe's single market. This will guarantee consistent and robust data protection for all consumers. Data Protection is a fundamental right enshrined in the EU Charter of Fundamental Rights. EU citizens' personal data must be granted the same level of protection, regardless of the geographical location or the economic sector of the service provider.

#### **More information:**

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/149>

## 2013 HIGHLIGHTS PUBLIC EVENTS

### OTHER HIGHLIGHTS

#### ETNO visit to the European Cybercrime Centre in The Hague - 27th March

A delegation of the ETNO Executive Board visited the recently opened European Cybercrime Centre which has been set up as part of the Commission's Cyber Security Strategy. The EU Cyber Security Strategy is a joint initiative of Vice-President Neelie Kroes, Commissioner for the Digital Agenda; Cecilia Malmström, Commissioner for Home Affairs; and, Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy.

The main topics discussed and explored were the Centre's work in child protection online, data retention, data / security breaches and cloud computing. ETNO members have previously welcomed the launch of the EU Cyber Security Strategy and have expressed their initial support for the draft Directive on Network and Information Security which extends the security requirements to all internet enablers offering key online services to citizens.

#### More information:

<http://etno.eu/home/press-corner/etno-press-releases/2013/142>

#### ETNO meets Vice-President Antonio Tajani- 09 April

Luigi Gambardella, Chairman of the Executive Board of ETNO (the European Telecommunications Network Operators' association), met Antonio Tajani, Vice-President of the European Commission and responsible for Industry and Entrepreneurship, to share views on the future evolution and challenges of the telecoms sector in Europe.

Underlining the key role played by the telecommunications sector in fostering the growth and competitiveness of the European economy, the Chairman of ETNO reiterated ETNO's satisfaction with the conclusions of the March European Council. The Council has noted the Commission's intention to report on the state of play and on the obstacles to be tackled "so as to ensure the completion of a fully functioning Digital Single Market by 2015, as well as concrete measures to establish the single market in Information and Communications Technology as early as possible". Mr. Gambardella expressed his strong support for a package of concrete measures to be proposed by the Commission on the creation of a genuine Digital Single Market, to be endorsed by the next October European Council. Such proposals should be aimed at enhancing consumers' satisfaction, improving the productivity of businesses and ensuring a globally competitive European telecoms sector.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/199>

## 2013 HIGHLIGHTS PUBLIC EVENTS

### OTHER HIGHLIGHTS

#### General Assembly – Oslo, 5 & 6 November

Gathering for their 44th General Assembly hosted by Telenor, senior representatives from ETNO members adopted ETNO's key priorities for 2014 and underlined the need to boost the competitiveness of the European electronic communications sector in order for the EU to tap the full potential of its digital economy.

On the occasion of its 44th General Assembly, held in Oslo, Norway, and hosted by Telenor, ETNO welcomes this message as a signal that the future of telecoms is high on the political agenda for Europe. To turn these objectives into concrete policy actions, ETNO now urges EU institutions to address the underlying reasons as to why Europe lags behind in the roll-out of new networks.

For the sector to fully play its role in driving jobs and growth, ETNO members call for a bold strategy for the growth of our sector to be adopted and implemented by EU institutions. It is ETNO's belief that a winning strategy, generating long-term benefits for both consumers and operators, should be built upon the following foundations:

**1/** Establish a clear and reliable deregulatory agenda for the sector in order to support the required costly investments in new high-capacity infrastructures, given the high degree of competition already achieved in the EU;

**2/** Build an open European Internet model which guarantees the maximum level of innovation and choice for European consumers including portability of content and data among platforms. This should be done by ensuring top-class levels of privacy and security and by avoiding

gatekeepers working across the value chain. For this reason, it is paramount to establish a real level playing field, especially between OTT services and telecom services, which will ensure that nobody enjoys unfair competitive advantages and that consumers can enjoy the same rights when using comparable services;

**3/** Allow operators to reap the full benefit of European scale by allowing the flexibility needed in order to achieve an efficient market structure, taking into account the medium and long term benefits for consumers in terms of innovation and investments in new and improved infrastructures;

**4/** Support EU innovation, building a sound policy framework to encourage entrepreneurship, including European financial measures and the participation of venture capital for the promotion of digital talent, projects and start-ups in the digital field.

#### Other main highlights from the General Assembly:

Antonio Robalo de Almeida, Portugal Telecom, Carlos Cocina, Telefonica, Philipp Wolfram, Telekom Austria and Phillip Malloch, TeliaSonera, have been re-elected as members of the Executive Board by the General Assembly.

The General Assembly of ETNO also re-elected Luigi Gambardella, Telecom Italia, as the ETNO Executive Board Chair for 2014.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/254>



## STUDIES & REPORTS

### Reforming Europe's Telecoms Regulation to Enable the Digital Single Market. (BCG)



The study, *Reforming Europe's Telecoms Regulation to Enable the Digital Single Market*, details how a reformed regulatory framework can both safeguard competition as well as incentivize the investments in advanced next-generation access networks (NGA) required for the EU to reach its Digital Agenda

targets and for the European Digital Single Market to become a reality.

While it has long been a leader in innovation and the technologies that comprise the backbone of the digital economy, Europe has fallen behind in ultrafast mobile and fixed Internet connectivity. Many markets in Asia and North America enjoy fibre access penetration that is up to 20 times higher and penetration of LTE that is as much as 35 times greater. The BCG study projects that by 2020 the shortfall in investment needed to meet EU Digital Agenda targets for broadband coverage and penetration could aggregate between €110 billion and €170 billion. The result for European consumers and businesses is slower, less reliable connections, leading to less value for consumers and lower economic growth.

The study proposes five measures that will reverse the

regulatory root causes of lagging telecommunications investment and help to unlock the funding required to build the ultra-fast connectivity that is increasingly the lifeblood of the digital economy:

- 1/ Substantial deregulation of fixed-line wholesale access
- 2/ A level playing field for network operators and digital services providers
- 3/ Spectrum policy that accelerates the build-out of mobile networks
- 4/ Permitting healthy consolidation in mobile
- 5/ Harmonizing rules and procedures to unlock cross-country synergies.

Taken together, BCG estimates that these five measures would increase telecom operator cash flows by a cumulative total of €105 billion to €165 billion by 2020 and asserts that a significant portion of these funds would be available for additional investment in next-generation networks. Along with the rollout cost savings that DG Connect initiatives, such as the pending "less digging = more broadband" regulation, are expected to deliver, this program would significantly close Europe's next-generation network investment gap, fuel growth and add jobs, and bring the goal of a vibrant Digital Single Market much closer to reality.

#### More information:

[https://www.etno.eu/datas/publications/studies/BCG\\_ETNO\\_REPORT\\_2013.pdf](https://www.etno.eu/datas/publications/studies/BCG_ETNO_REPORT_2013.pdf)

## STUDIES & REPORTS

### ETNO Annual Economic Report 2013

The ETNO Annual Economic Report shows that ETNO members are the driving force of Europe's telecommunications sector. With a 77.3% share of the total sector employment and a 61% share of the total sector investments, ETNO operators are at the forefront in the global race to empower EU citizens, businesses and public administrations with world class connectivity.

Figures from IDATE also draw a clear picture of the state of the European telecoms industry: 2012 has seen a continuation of the negative growth trend that has affected the region's telecom revenues since 2009. Europe faces challenges in the investments race too: in the period 2011-2012 the overall CAPEX growth in the EU was negative (-0.2%), compared to strong growth in the US (+6.7%) and Japan (+7.5%).

A pro-investment policy environment and a consolidated regulatory framework are needed in order to allow the European telecoms industry to contribute to growth and jobs in the EU. The telecoms industry holds centre-court and policy makers recognise that it is time to push Europe to the front of the competitive edge and regain its status as a global digital leader.

#### More information:

[https://www.etno.eu/datas//publications/economic-reports/ETNO\\_Financial\\_Report\\_2013\\_Def-Lands.pdf](https://www.etno.eu/datas//publications/economic-reports/ETNO_Financial_Report_2013_Def-Lands.pdf)



## STUDIES & REPORTS

### Relevant Markets in the Telecoms Sector: The Times they are a-Changin'

The study calls for fewer markets to be regulated ex-ante and a new regulatory approach to broadband markets.

“Since the last review of relevant markets in 2007 the market has changed fundamentally and continues to change. The list of markets and associated guidance should therefore change too consistent with the goals of promoting investment and competition in the electronic communications sector”, said Luigi Gambardella, Chairman of the ETNO Board.

The Plum study identifies areas where the market has changed since 2007 and is expected to change further by 2015 and beyond. Drawing on these findings the study proposes changes to the list of relevant markets and associated guidance, namely:

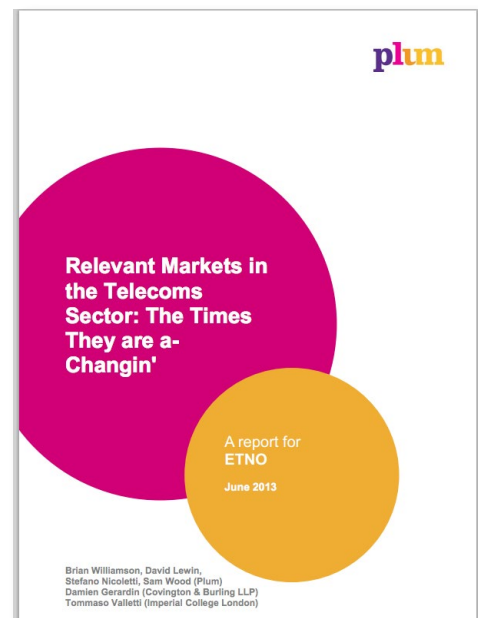
- 1/ A significant reduction in the number of regulated markets, removing inter alia the markets for retail access and fixed call origination from the list.
- 2/ A new approach to regulation of broadband access starting from retail competition and ensuring that regulation focuses on either the active or passive layer of a given network.
- 3/ The timeline below summarises key changes and anticipated changes in the market:

The above changes involve:

- 1/ A shift to broadband access as the key platform in the communications sector.
- 2/ A shift towards mobile – smart devices, mobile broadband access and use of mobile applications.
- 3/ Increased access platform competition with the deployment of cable DOCSIS 3.0 and LTE.
- 4/ Increased services competition with over-the-top internet based applications competing with legacy voice and SMS services.
- 5/ Increased platform competition at the access layer and increased competition at the services layer from over the top (OTT) applications point to scope for the withdrawal of regulation.

#### More information:

[http://www.plumconsulting.co.uk/pdfs/Plum\\_June2013\\_Relevant\\_Markets\\_in\\_the\\_Telecoms\\_Sector\\_-\\_The\\_Times\\_They\\_are\\_a-Changin'.pdf](http://www.plumconsulting.co.uk/pdfs/Plum_June2013_Relevant_Markets_in_the_Telecoms_Sector_-_The_Times_They_are_a-Changin'.pdf)



## ETNO INTERVENTIONS IN EXTERNAL CONFERENCES

### Luigi Gambardella, at “A NEW GLOBAL AGENDA FOR THE INTERNET workshop” in Dubai-08 March

Luigi Gambardella, ETNO Executive Board Chair, spoke at the at a Alleanza per Internet Workshop in Rome entitled BEYOND DUBAI. A NEW GLOBAL AGENDA FOR THE INTERNET:

“My very positive take-away from Dubai was that WCIT served to awaken the interest of many in the Internet governance landscape and the issues that arose as a result of the Treaty talks. This can only be a good thing – increased stakeholder participation, more voices, ideas and better awareness will help move this debate forward in a positive way. Addressing the outcome of Dubai, I think it is fair to say that we are all still in a process of digesting what happened and assessing the impact of the WCIT. Within Europe, much discussion is taking place, not only with the European Commission but also at national level.”

“In terms of moving forward, some of this debate will carry over to the ITU World Telecoms Policy Forum in May when Internet governance issues are clearly in scope. I would hope however that we can all come to that meeting with open minds and that every stakeholder has the opportunity to play a role in the debate – Governments, industry and civil society”, added Gambardella.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/173>

## ETNO INTERVENTIONS IN EXTERNAL CONFERENCES

### Luigi Gambardella, at “A NEW GLOBAL AGENDA FOR THE INTERNET workshop” in Dubai-08 March

Luigi Gambardella, took part in the Arab Advisors Group “10th Convergence Summit”, held in Amman, Jordan. The Summit, gathers key representatives of several ICT industries, from the Middle of Eutelsat, and Mr. Nabil Shanti, Vice-President of Arabsat. Representatives from such companies East and beyond, covering the whole digital value chain. The Summit foresees the participation of several high-level speakers, such as Mr. Ammar Aker, CEO of Paltel Group, Mr. Ahmad Hanandeh, CEO of Zain, Mr. Jean-François Thomas, CEO of Orange Jordan, Mr. Ahmed Ossama, Vice-President of Telecom Egypt, Mr. Ali Korur, Vice-President as Google, Ericsson, Cisco Systems, Sky News and Vodafone Egypt are also present.

Mr. Gambardella participated in the panel on the “state of the industry” and was asked to outline the current situation of the European telecoms market, reflecting upon the challenges and opportunities it is currently facing.

In his intervention, the Chairman of the Board underlined the role of the sector as a key to European economic recovery and job-creation, both directly – the sector contributes to 3% of EU GDP – and indirectly, as broadband penetration constitutes a major boost to efficiency and productivity for the economy as a whole.

However, he also noted that the current market structure and regulatory framework should radically change, in order for the EU to fully exploit this potential. In particular, to boost operators’ investments in future-proof network infrastructures, more stability and predictability are needed. Continuous changes in the rules of the sector risk crowding out private investments.

Furthermore, he stressed that the key problem affecting the sector is market fragmentation, and particularly the relative lack of concentration compared to other markets, such as the United States and East Asia. The current reflection on the European Single Market for electronic communications should address this problem as a priority, through concrete policy measures to be undertaken as soon as possible.

Finally, the Chairman of ETNO’s Board also proposed some reflections on the bigger picture, highlighting the need for collaboration at the global level in developing a sound policy framework for the growth and sustainability of the digital economy, with the creation of a level playing field for all actors in the digital value chain, particularly in the field of taxation and data protection.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/230>

## ETNO INTERVENTIONS IN EXTERNAL CONFERENCES

### First meeting of International Telecommunications Associations at the Regional Telecommunications Congress- 30 July

The debut Meeting of International Telecommunications Associations took place at the first Regional Telecommunications Congress held in Panama City, from 23 to 26 of July,. The initiative, promoted by the Ibero-American Association of centers for research and telecommunications companies (AHCJET), brought together participants from the Association of Telecommunications Companies from the Andean Community (ASETA), the Caribbean Association of Telecommunications, (CANTO), the European Satellite Operators Association (ESOA), The European Telecommunications Networks Association (ETNO), GSMA, the Pacific Telecommunications Council (PTC) and the South Asia Middle East North Africa Council (SAMENA). This meeting also counted on the support of the International Association of Portuguese speaking Telecommunications Companies (AICEP), and the Telecommunications Industry Association (TIA).

Together, the main associations representatives of industry and operators of telecommunications from the different world regions agreed: to define and promote common areas of interest for the development of Information Society, to put in place a contact network, and to maintain regular coordination meetings, with at least one annual face-to-face meeting.

The representatives of the Associations highlighted the importance of this event and agreed that these meetings are an opportunity to learn about the different orientations and activities of each association, and identify areas of cooperation on matters of common interest.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/247>

## ETNO INTERVENTIONS IN EXTERNAL CONFERENCES

### ETNO and Internet Society co-host workshop at the 8th Internet Governance Forum, Indonesia- 21 October

ETNO hosted its first workshop at the Internet Governance Forum [IGF] in Bali, Indonesia. This year's IGF is expected to be attended by approximately 1,500 participants from civil society, the private sector, the technical community and Government representatives. The objective of each IGF programme is to facilitate an open and inclusive dialogue and exchange of ideas on key issues relevant to the Internet governance world. The overarching theme for the 2013 IGF meeting is: "Building Bridges - Enhancing Multistakeholder Cooperation for Growth and Sustainable Development".

The ETNO/ISOC workshop is entitled 'Removing Barriers to Connectivity: Connecting the Unconnected'. Recognising that an appropriate enabling environment must be put in place to ensure that broadband connections are developed and maintained to sustain the rise in Internet traffic and to help encourage connectivity, workshop participants will aim to identify best practices that will help transform the digital divide into the digital opportunity, and will look at what can be done to promote the efficient deployment of broadband infrastructure at the local level, as well as how best to address access and demand issues.

Speakers include representatives from Telefónica, Facebook, World Bank, Google, Hurricane Electric and civil society, and the workshop takes place on Wednesday 23rd October.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/252>

## PRESS RELEASES, STATEMENTS & POSITIONS

### ETNO and Internet Society co-host workshop at the 8th Internet Governance Forum, Indonesia- 21 October

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#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/252>



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## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

15 MARCH, 2013

#### ETNO welcomes European Council conclusions on the single market for telecoms

**ETNO members, who represent the main investors in today's and tomorrow's high-speed networks, welcome the conclusions of the European Council, which echo the industry call for a single market for telecoms. A broad reform is needed in order to boost the sector's competitiveness and unlock its potential to drive growth and jobs in Europe.**

ETNO members are confident that the European Commission will work at delivering a sound project on the creation of an investment and innovation friendly single European Telecoms Market, following the indications given by the European Council and the intentions already expressed by the Commission itself, and with the participation of all stakeholders.

*"One of the main reasons behind the sector's current revenue decline is the fragmentation of the European market hampering the development by operators of new innovative services throughout the EU. Changes in the market structure are necessary. ETNO therefore welcomes the reference made by the European Council conclusions on the intention of the European Commission to identify remaining obstacles and concrete measures to allow the European operators to build the single market for electronic communications",* says Luigi Gambardella, ETNO Executive Board Chair.

In order to overcome the current crisis and regain competitiveness on the global stage, Europe should consider its telecommunications sector as a key asset, and a

well-functioning European single market for electronic communications as a driving force. The unification of the market would not only benefit a sector which employs 1.2 million people, but would also positively impact on the economy as a whole. It would also be in the interest of consumers and lead to positive spillover effects for other European businesses.

The recent announcement by the Commission to reform regulation to allow operators to design new business models and stimulate investments in new networks, is an encouraging signal. Indeed, an important reform will be necessary to increase the competitiveness of Europe's telecoms sector, allowing it to compete on the global stage.

*"In line with Vice-President Kroes's announcement on a new broadband regulatory approach, ETNO now calls upon the Commission for a bold reform of the policy framework for the sector. It should involve further deregulation to reflect changing market realities and improve incentives for investment, while at the same time allowing for more consolidation to achieve the necessary scale for a sustainable and competitive EU industry",* added Gambardella.

Given the strategic importance of the telecoms sector, it is important that the right measures are in place so that industry may deploy its benefits to the European economy and society as a whole. This issue must now be put on top of the EU political agenda.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/179>



## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

29 MARCH, 2013

#### **Civil enforcement of intellectual property rights: public consultation on the efficiency of proceedings and accessibility of measures - ETNO considerations**

ETNO is pleased to provide input to the European Commission on the civil enforcement of intellectual property rights (public consultation on the efficiency proceedings and accessibility measures).

ETNO has actively taken part in all phases of the discussion on the need to review the IPR Enforcement Directive (IPRED), by responding to the previous consultation documents as well taking part in the public hearings organized by the European Commission. We very much welcomed the Commission's Report on the application of the IPRED published last December 2010 and the Report adopted further the public hearing held in June 2012. In particular, the Report and the Staff Working Document recognized that "*the information available on the impact of the Directive is too limited to allow for a full assessment of its effectiveness at this stage*". In the Staff Working Document, the Commission brought many examples demonstrating the good functioning of the Directive throughout Europe. For example, the Commission stated that Member States and Stakeholders agreed that Article 8 of the IPRED has improved the ability to trace infringers considerably and has facilitated a better knowledge of the infringers. This leads us to consider that it was premature, at that stage, to propose any revision of the current Directive.

Against this background, we welcome the current public consultation as a valuable tool for the Commission to collect further information concerning the efficiency and accessibility of the enforcement measures in place. However, to our knowledge, no significant changes or controversial cases have occurred recently in the Member States. Therefore, while we understand the Commission's intention to better understand the overall situation, we believe that the previous considerations about the soundness of the Directive's provisions – and the implementation measures - are still valid.

More generally on the need to improve the legal framework – since that seems to be the objective of this new round of discussion - ETNO would like to stress that ISPs' role and activities in the digital content market are subject to several EU Directives: the e-Commerce Directive, the Personal Data Protection Directive, the e-Privacy Directive and of course the IPRED. At international level, electronic communications operators also face other obligations such as those imposed by bilateral free trade agreements. Moreover, we highlight that the Staff Working Document reported that the current IPRED goes, in many aspects, beyond the TRIPs agreement.

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

29 MARCH, 2013

#### **Civil enforcement of intellectual property rights: public consultation on the efficiency of proceedings and accessibility of measures - ETNO considerations**

Therefore, ETNO strongly believes that the current legal framework already provides for clear and efficient rules and that the relationship between the different set of rules is clear-cut: for instance, as the Commission mentions within its questionnaire, the respective scope of the IPRED and the e-Commerce Directive cannot be seen as ambiguous. Indeed, the e-Commerce Directive clearly defines and limits the liability of ISPs while the IPRED grants rights-holders the procedural tools to enforce their rights.

We also believe that the debate over the past months relating to the ACTA proposal should be duly taken into account when assessing the need to improve the legal framework, as stated in the public consultation, and in particular those concerns expressed by many stakeholders in relation to the risks regarding the innovation capacity that would be (negatively) impacted by the application

of a stringent regulatory approach towards innovative industry players, such as the platform providers.

Fair regulation would imply also taking into account the differentiation between the various forms of counterfeiting. Applying the same enforcement measures to criminal organizations infringing copyright for profit and individual consumers downloading music for personal use is not a proportionate response. As stressed many times, ETNO believes that creative artists should receive a fair return for their work and creativity, and ISPs are able, in certain circumstances and upon request from the competent authority, to provide useful information to the competent judicial authorities. However, citizens' rights must be guaranteed at the same time.

Therefore, ETNO considers that the Commission should promote a more coherent and global approach aimed at harmonizing the existing regulation. This would help towards increased innovation and the protection of IPR.

#### **More information:**

<https://www.etno.eu/home/positions-papers/2013/270>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

12 APRIL, 2013

#### JOINT REPLY TO THE COMMISSION'S CONSULTATION ON THE CIVIL ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

The pan-European organisations, Cable Europe, ECTA, ETNO and EuroISPA, welcome the opportunity to provide comments in relation to the Commission's Consultation on the Civil Enforcement of Intellectual Property Rights and to underline the essential role played by Internet intermediaries in building consumers' trust in the digital environment and in developing the Information Society services of the future.

First and foremost, we consider that the IPRED as it stands offers a well-balanced and functioning framework to address digital piracy.

Harmonisation is key to an effective enforcement in the single market. The EU is facing the challenge of adapting the Single Market to the digital age. This can only be achieved if a single framework is efficiently implemented across the EU.

Technical measures will not be effective in fighting digital

piracy and are disproportionate. The implementation of technical filters in ISPs' networks and servers for communications generated by users, irrespective of whether they are alleged infringers or not, is contrary to the principles of the E- Commerce Directive, providing that a general monitoring obligation cannot be imposed on ISPs in relation to the content transmitted over their operated networks.

We firmly believe that a sustainable solution to IPR infringement lies in a better public awareness on the value and use of IPR as an economic and cultural asset.

A new reality for business models requires that European policy makers work with the Internet establishment to promote, rather than restrict, new developments, especially given the delicate balance it takes to best nurture both the creative industry and those who help to disseminate their work.

#### More information:

<https://www.etno.eu/home/positions-papers/2013/271>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

29 MAY, 2013

#### **ETNO calls for a full revision of the Telecoms Regulatory Framework to be an integral part of the Digital Single Market initiative**

- ➔ **Investments in new networks are in the interest of European citizens and companies**
- ➔ **Action plan for a framework review is needed to simplify rules and meet investors' expectations**

During a meeting held on Tuesday 28th May in Milan, the Executive Board of ETNO discussed the Digital Single Market initiative.

European telecommunications service and infrastructure providers recognise the importance of the ongoing discussion on the need for a single European market for digital services. ETNO believes that the objective should be to encourage growth, innovation and employment in the European economy and guarantee that Europeans will continue to enjoy the benefits of technological progress. This can only be achieved if investment in the European ICT sector increases. Only investment in new networks will drive innovation.

ETNO strongly believes that the Single Market should not be imposed through additional regulatory obligations. The Single Market should be driven by market forces, enabled by an investment friendly and supportive regulatory framework.

Investment in Europe is lagging behind other developed economies. This is partly due to fragmented markets and partly due to an unpredictable and non-harmonised regulatory environment, which still favours access seekers

over investors, focuses mainly on the number of players in the market as an indicator for competition and places too little attention to a sustainable market structure. This negatively influences investments in networks.

Europe needs to have a leading telecommunications industry to meet EU growth objectives. The push towards a Digital Single Market must therefore go hand in hand with a bold revision of the regulatory framework in Europe.

The telecoms market has become highly dynamic due to the rise of global players and from technology (e.g. smartphones) which increasingly blurs the boundaries between fixed and mobile networks. As most markets have an abundance of network and service providers, the regulatory revision will, in the opinion of ETNO, show that these markets require a much less intrusive and a simplified regulatory framework which will facilitate new investments and pave the way towards a Digital Single Market. Together, these initiatives will enable European web, app and digital service developers to get the necessary scale for their products. This will drive European employment throughout the digital service and digital manufacturing industry and will enhance consumer welfare by offering new connectivity, services and products. On top of these new initiatives, Europe can expand growth to other areas, such as health, transport, education, culture, energy and entertainment.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/229>



## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

11 SEPTEMBER, 2013

#### Digital single market proposals need to promote investment, innovation and growth

**Today the European Commission announced a set of proposals to speed up the creation of a European digital single market. Alongside a Regulation aimed at achieving a Connected Continent, the Commission has also adopted a Costing and Non-Discrimination Recommendation and a Communication on the Telecommunications Single Market. ETNO welcomes the Recommendation in particular and believes that it will provide the much needed price stability for copper lines and will support NGA investments through the lifting of price regulation.**

In its draft Regulation, the European Commission has rightly recognised that Europe is losing out on a major potential source of growth stemming from the telecoms sector. A change of course is needed as European investments in telecommunications infrastructure have declined by approximately 2% a year over the last 5 years. ETNO welcomes Vice-President Kroes' efforts to raise awareness on the importance of the telecoms sector for the wider economy and agrees with the overall long-term vision reflected in the accompanying Communication. ETNO still believes, however, that the proposals would not overall create the momentum required to achieve the Digital Agenda targets and to contribute to Europe's economic growth.

While some of the proposals may deliver benefits for the sector in the long term, for example, the proposed stronger harmonisation in the field of spectrum releases and auctions, the proposals fall short in other respects. We encourage the Commission not to pursue with provisions diverting investment resources from the sector but instead to address the missing elements already outlined in the Communication, in particular the need to allow market restructuring, a move towards a light-touch regulatory approach and addressing the level playing field between the rules that apply to "over-the-top" online services compared to telecom services.

The Boston Consulting Group Report recently commissioned by ETNO ['Reforming Europe's Telecom Regulation'] provides a clear assessment of what is needed. A strategic review of the sector's rules should be centered on a harmonized—and substantially reduced—regulatory framework.

The end goal is clear to all – a fully functioning and effective digital single market that will deliver on consumer choice, competition, growth and investment. ETNO is committed to working with all parties to achieve a regulatory scenario to unleash the industry's investment capabilities and calls on the Commission to set out a roadmap for the vision contained within the Communication.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/249>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

25 SEPTEMBER, 2013

#### **ETNO Response to European Commission Green Paper: Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values**

**ETNO welcomes the European Commission's Green Paper 'Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values' as a timely initiative aimed at better understanding the current developments in the audio-visual sector and the likely trends.**

ETNO notes that the current Green Paper seems particularly focused on the changes and challenges that Internet-based services are bringing to the traditional broadcasting sector and devotes less attention to the impact that the dramatic increase in traffic growth is registering on broadband networks.

ETNO believes that the Commission should seize any occasion to re-balance the strength of the EU industry and to re-establish its competitiveness. Different regulatory regimes have put European companies at a disadvantage, leading to unhealthy asymmetries in the EU-US relationship. In particular, this situation has led to the dominance of OTTs in the digital economy value chain, leading to imbalances that need to be addressed.

In conclusion, we believe that the EU Commission should take a holistic view when addressing the digital single market issue, starting from a full understanding of the market dynamics and looking at all relevant aspects of convergence.

#### **More information:**

<https://www.etno.eu/home/positions-papers/2013/276>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

01 OCTOBER, 2013

#### Preparing for a Fully Converged Audiovisual World

**ETNO welcomes the European Commission's ambitious Green Paper 'Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values' as a timely initiative aimed at better understanding the current developments in the audio-visual sector and the likely trends ahead.**

Technological progress brings with it dramatic changes in consumer behaviour and consumption patterns and new players, often coming from outside the EU region and from unregulated sectors, are emerging in the Internet value chain. These new entrants desire to have a share of the business but are not necessarily directly contributing to the financing of the sector and the needed infrastructures. If the European Digital Agenda goals are to be met, a holistic approach should be adopted and the needs of those European players that contribute the most to EU growth should be heeded with efforts made to level the playing field in the global marketplace.

In its response, ETNO addresses a number of barriers which it believes are hampering the creation of a competitive EU audiovisual market. The availability of premium content is crucial to ensure the take-up in audio-visual media services, which in turn will facilitate the development of the digital market. However, new and convergent platforms are facing difficulties in accessing premium content at affordable and reasonable conditions and without undue delay, and ultimately the consumer loses out. The unharmonized EU tax system is also proving to

be an obstacle to the competitive development of the EU media services industry.

Regarding access to platforms by content providers, ETNO acknowledges that this has been not regulated at EU level and that there is no objective justification for any additional regulatory intervention. ETNO is also of the opinion that the Audiovisual Media Services Directive (AVMSD) remains valid regarding its main provisions and should not be revised. Any eventual review should be carried out by assessing the impact of different audio-visual services on society and the risk they may pose to the main objectives of the Directive (freedom of information, media pluralism, protection of minors, consumer protection), taking into account the users' ability to exercise control over these services.

Other considerations addressed in the ETNO response include the importance of a sound spectrum allocation policy and the need for Europe to promote (but not mandate) open and interoperable standards for the convergence business. ETNO also underlines that self and co-regulation can generally be an effective regulatory option for a variety of areas addressed in the Green Paper (e.g. marketing obligations, protection of minors).

ETNO members will continue to contribute to this important and interesting debate, which will help set the foundations of a fully converged audiovisual landscape that can provide benefits for all.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/250>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

25 OCTOBER, 2013

#### **ETNO welcomes the European Council's conclusions - Europe needs more ambition in boosting its digital economy**

**ETNO welcomes the recognition by the European Council that a strong digital economy is vital for growth and European competitiveness in a globalised world. We fully share the view expressed by the Council that Europe needs the right regulatory framework to accelerate the investments in broadband networks and tap the full potential of the digital economy.**

Luigi Gambardella, ETNO Executive Board Chairman, said: *"Today, EU's heads of State and Government acknowledged that a strong European digital economy is a fundamental step towards re-launching competitiveness and growth. ETNO underlines three main priorities: supporting the costly investments in new broadband infrastructures through less regulation; building an open European Internet model to ensure innovation and choice for European consumers; and reap the full benefit of European scale by allowing the flexibility needed in order to achieve an efficient market structure".*

We fully share the sense of urgency conveyed by the Council's call not to spare any effort to accelerate important initiatives that are part of the Digital Agenda, such as

those on reducing the cost of broadband roll-out, digital payment services, data protection, cyber-security, and e-Government. We further commend the Council for its vision in calling for a European strategy on Cloud computing and Big Data to the benefit of European productivity, businesses and citizens.

ETNO also supports the timely adoption of the 'Connected Continent' package and notes the Council's call on the legislators to have an intensive examination. ETNO believes these proposals are important, and that further examination will give the opportunity to provide them with an adequate focus to ensure that the right framework is in place to deliver innovation to customers.

Luigi Gambardella, ETNO Executive Board Chairman, said: *"We are ready to collaborate with the European institutions and all other stakeholders to achieve more ambitious goals and will spare no effort in doing so."*

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/253>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

9 NOVEMBER, 2013

#### **ETNO welcomes the European Council's conclusions - Europe needs more ambition in boosting its digital economy**

ETNO Position on Completing the Telecoms Single Market and Response to the ITRE Stakeholders Consultation  
**The European Telecommunication Networks Operators association publishes today its position on completing the telecoms single market.**

**ETNO agrees with Commission Vice-President Kroes' diagnosis of the situation** of the telecoms sector in Europe: decreasing revenues and profitability, lower investments, and lack of adequate scale and scope for European firms to compete on the global marketplace.

In addition, **ETNO shares the overarching objectives of the presented proposals :**

(i) to secure simplified, predictable and convergent regulatory conditions; ii) encourage the global competitiveness of the Union and promote sustainable competition within the Single Market; iii) favour investment and innovation in new and enhanced high-capacity infrastructures and facilitate innovative and high-quality service provision; iv) ensure the availability and highly efficient use of spectrum; and v) serve the interests of citizens and end-users by fostering investments conditions. ETNO believes, however, that different and additional measures to the ones proposed would be required to achieve these objectives.

#### **More information:**

<https://www.etno.eu/home/positions-papers/2013/279>

## PRESS RELEASES, STATEMENTS & POSITIONS

### DIGITAL SINGLE MARKET/ ONLINE CONTENT

05 DECEMBER, 2013

#### EU Telecoms Ministers discuss key files for the future of the telecoms industry

**Telecoms Ministers met today in Brussels for the TTE Council to discuss key legislative files, including measures on cyber security and reduction of broadband roll-out costs. Ministers also held an orientation debate on the Connected Continent Regulation.**

**At a time in which the digital economy is developing at a fast pace and telecoms markets are transforming, these legislative initiatives provide a unique opportunity to adapt EU's policy framework to the digital age. Below you find a summary of ETNO's public positions on these files.**

#### Connected Continent Regulation

For this reason, ETNO is committed to cooperate with the co-legislators to make sure that the Connected Continent Regulation effectively tackles the current problems of the sector. The improvements that we suggest are aimed at achieving four main objectives: a regulatory environment that fosters investments in Next Generation Networks,

measures resulting in a positive impact on the sector's investment capacity, the acceleration of the deployment of mobile networks and the adoption of Open internet rules supporting service differentiation and quality.

#### NIS Directive

ETNO believes that cross-sector regulation should replace sector-specific frameworks, especially at a time in which technological developments are revolutionizing the traditional value chain.

#### Reduction of broadband roll-out cost

ETNO members welcome the ongoing work to advance crucial proposals aimed at lowering the cost of rolling-out NGA networks and the move towards more symmetric regulation. We also welcome improvements that would further support high speed broadband deployment and avoid imposing unnecessary burdens on the companies that invest.

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/259>

## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → BEREC

28 OCTOBER, 2013

#### **ETNO Reflection Document on BEREC's 2014 Work Program consultation**

**ETNO welcomes the present consultation on BEREC's 2014 Work Programme. This contribution will also cover selected aspects of BEREC's views on the draft TSM regulation proposal.**

**The document BoR (13) 142 covers important areas of BEREC's work for 2014 and takes firm positions on subjects which have not been previously discussed with the sector. While this is clearly not the sole responsibility of BEREC, a more in-depth analysis of the provisions of the draft regulation and discussions with stakeholders could have clarified some of the assumptions underlying BEREC's position, for example that the provisions "conflict with the fundamental purposes of the current regulatory framework to promote competition" or "trigger market consolidation". It is doubtful whether any of the provisions of the draft regulation could have such effect.**

**1/** ETNO welcomes the opportunity to share its view on BEREC's Work Program for 2014. In our consultation response we decided to also cover elements of BEREC's opinion on the Commission proposal for a regulation on a Telecoms Single Market (BEREC document BoR (13) 142) as BEREC can be expected to continue to work and to share its views on the draft regulation in 2014.

**2/** ETNO encourages BEREC to focus its work in 2014 on incentivising increased investment in high-speed fixed and mobile broadband infrastructure while ensuring sustainable competition in electronic communications markets. We are concerned that despite the priority of the draft 2014 WP to "boost the roll out of Next Generation Networks" the approach on key regulatory topics outlined in the consultation document and in BEREC's views on the Single Market regulation is, on balance, not favouring investment in high-speed networks in Europe.

**3/** ETNO urges BEREC to revise its broadband Common Positions on remedies in markets 4 and 5 in the light of the recently adopted Commission Recommendation on non-discrimination and costing methodologies in order to reflect the option to lift price regulation for NGA wholesale products in the presence of effective non-discrimination and infrastructure competition.

**4/** We are concerned that BEREC in its draft WP plans to adopt public documents ("reports") on complex economic matters such as oligopolies and an ex-ante margin squeeze test without foreseeing a public consultation. ETNO had voiced similar concerns over the adoption of BEREC policy papers without sector involvement its comments on BEREC WPs in the past.

**5/** ETNO welcomes BEREC's intention to publish a draft CP on geographic market definition and suggests that the topic becomes a central element of BEREC's input to the revision process on the Commission recommendation on relevant markets.

**More information:** <https://www.etno.eu/home/positions-papers/2013/277>

## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → Relevant markets

08 JANUARY, 2013

#### **RD392 - CMA ETNO response to Relevant markets review consultation**

The revision of the Commission Recommendation on Relevant Markets presents a unique opportunity to adapt ex-ante regulation to the needs of electronic communications markets in the EU in the coming 6 – 8 years.

Two main market trends are profoundly changing the structure and functioning of ecommunications markets in the EU and impact on the need for future ex-ante regulation.

Electronic communications markets are undergoing profound changes. The revision of the Commission Recommendation on Relevant Markets (the Recommendation) presents a unique opportunity to adapt ex-ante regulation to the needs of electronic communications markets in the EU in the coming 6 – 8 years.

Two main market trends are profoundly changing the structure and functioning of ecommunications markets in the EU and impact on the need for future ex-ante regulation:

- 1/** Increasing platform competition in a converging NGA environment
- 2/** Disappearing entry barriers for service provision on the IP service layer: As the underlying platform become less relevant for providing IP-based services, entry barriers for competition on services markets are rapidly decreasing.

#### **More information:**

<https://www.etno.eu/home/positions-papers/2013/268>



## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → Costing

08 JANUARY, 2013

#### Revision of the Recommendation on the Relevant Markets:

##### **Rapidly changing market and technology realities call for more targeted regulation**

**As the new recommendation on relevant markets will identify the markets susceptible to regulation by national regulators up to 2020, the review should be forward looking and not only reflect today's market changes but also anticipate rapidly evolving technologies and consumer habits, says ETNO in its response to the EC open consultation closing today.**

BRUSSELS – As the new recommendation on relevant markets will identify the markets susceptible to regulation by national regulators up to 2020, the review should be forward looking and not only reflect today's market changes but also anticipate rapidly evolving technologies and consumer habits, says ETNO in its response to the EC open consultation closing today.

*"This review offers an opportunity to make another bold step towards the deregulation of the sector which is essential to unlock investments that are indispensable for meeting the policy goals of the Digital Agenda. The new recommendation should reflect the new regulatory paradigm for broadband investment announced by Vice President Kroes and take into account new market developments that should determine the scope of regulation*

*for the years to come",* says Luigi Gambardella, ETNO Executive Board Chair.

"In line with increased competition on the markets and rapid technological evolutions, the revision of the recommendation on relevant markets should not only lead to a reduction of the number of regulated markets. It should also imply a fundamental change in the way regulation applies to wholesale broadband markets", says Daniel Pataki, ETNO Director.

For ETNO, the main changes to the recommendation should include:

**1/** A reduction of the number of markets, in particular the retail market for access to the fixed telephone network (market1): no competition issues are observed on this market where fixed telephony is increasingly subject to competition from mobile networks and consumers increasingly use online Over the Top services over broadband networks to keep in touch.

**2/** A new approach to wholesale regulation of broadband networks which takes into account all competing platforms at retail level (including cable and next generation mobile networks), in accordance with the principle of technological neutrality. National regulators should also be asked to analyse geographical differences within a national market, in order to focus regulation on uncompetitive areas.

**3/** ETNO sees no need for adding new markets (such as IP transit or SMS termination) to the list of relevant markets.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/115>

## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → Costing

26 MARCH, 2013

#### **ETNO welcomes EC proposal for coordinated measures throughout the EU to bring down cost of high speed broadband roll out**

**Brussels – ETNO, who represents the leading investors in high speed broadband networks, welcomes the draft EC Regulation to cut the cost of rolling out high-speed broadband, as an important step for supporting investment in the EU and accelerating the achievement of the DAE targets.**

*“ETNO welcomes the proposed Regulation and hopes it will be quickly adopted by the European Parliament and the Council of the EU. Civil engineering, such as the digging up of roads to lay fibre, accounts for up to 80% of the cost of deploying high-speed networks. The proposed Regulation which aims at lowering the costs linked to civil works, through a better coordination of planned works and the opening of passive infrastructures of all utility sectors, can significantly lower high speed broadband roll-out costs. To equip all new buildings with ‘high speed broadband-ready’ infrastructure can moreover help fostering demand for high-speed services”, says Luigi Gambardella, ETNO Executive Board Chair.*

ETNO supports the move towards more symmetric regulation. The Regulation would indeed cover the shared use of different types of passive infrastructures of all network and utility sectors as well as electronic communication

services, thus making it possible to take full advantage of all existing infrastructure suitable to support high speed broadband roll-out.

ETNO also welcomes the obligation for homeowners to equip new buildings and old buildings which undergo a major renovation with high speed broadband-ready, in-building physical infrastructure which has the potential to significantly lower high speed broadband roll-out costs. Finally, ETNO also welcomes the requirement to inform about planned civil engineering works in all sectors and the right for telecoms operators to seize this opportunity to lay down fibre.

ETNO also insists that the clear underpinning philosophy of the Regulation should be to support high speed broadband investments and avoid imposing un-necessary burdens on the companies that invest which would hamper, rather than promote, fast high speed broadband roll-out. *“The draft Regulation is one element of the overall strategy of the European Commission to improve incentives for investment. This welcome step needs to be complemented by further reforms of the overall regulatory landscape aiming at targeting regulation to uncompetitive areas and real bottlenecks and giving operators more flexibility to develop new business models”,* says Daniel Pataki, ETNO Director.

ETNO calls now on the Member States and the Parliament for a swift adoption of this draft Regulation and looks forward to a constructive debate.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/188>

## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → Next Generation Access Networks

11 FEBRUARY, 2013

#### **ETNO disappointed by reduction of the Connecting Europe Facility [Telecoms] budget**

**The CEF budget for telecoms has been reduced from EUR 9.2 billion to EUR 1 billion under the new budget deal agreed by the European Council.**

*"ETNO is disappointed that budget cuts have been made which affect forward-looking initiatives such as the Connecting Europe Facility, and in particular the fund devoted to NGA networks, which have a real role to play in driving Europe out of the current crisis", says Luigi Gambardella, Chair of ETNO Executive Board.*

*"Given the key importance of high speed broadband networks and the potential leverage effect on private network investments of the CEF, this budget cut is a missed opportunity for Europe's economic recovery.", added Gambardella. "Investments in wireline networks in Europe in 2011 amounted to € 24.8 billion, with ETNO members accounting for 67% of this expenditure. Industry is finding it increasingly difficult to sustain this level of investment in order to meet the goals of the Digital Agenda."*

#### **More information:**

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/148>

## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → Next Generation Access Networks

04 JUNE, 2013

**ETNO supports a more dynamic approach to competition that benefits the end-user with more investment and choice**

***“To serve our consumers and to meet these demands, it is essential that the broadband industry has the flexibility to offer differentiated products and services.”***

BRUSSELS, 4 June 2013 – ETNO was pleased to take part in today’s discussion on net neutrality at the European Parliament where Commissioner Neelie Kroes (DG CONNECT) spoke about a full and open Internet.

In order to achieve this neutral landscape, Commissioner Kroes has requested that network providers and operators be transparent in their offers.

The European Telecommunications and Network Operators Association Executive Board Chair, Luigi Gambardella was invited to the event “Guaranteeing Open Competition and the Open Internet in Europe” and spoke on a panel which explored the pros and cons of regulating net neutrality at the European level.

Speaking on behalf of ETNO, Luigi Gambardella voiced

support for protecting end users, whom he noted are also valuable customers of operators. He said, *“What we see as providers is that consumers are demanding differentiated products and services, at differing price points. To serve our consumers and to meet these demands, it is essential that the broadband industry has the flexibility to offer differentiated products and services. At the same time, we recognize that unrestricted access to content and services is important and we support the availability of offers without restriction of access to specific content and services.”*

In order to provide such services, ETNO believes that investment is a key driver for innovation and strength of the European market which in turn will stimulate economic growth and re-position the EU market on a global level. Currently, the EU telecoms market is lagging behind the US and Asian markets due to too much regulation and a fragmented playing field.

Luigi Gambardella says, *“ETNO supports a more dynamic approach to competition that benefits the end-user with more investment and quality. An approach that is capable of adapting to market and technological trends and helps to make Europe competitive again.”*

#### More information:

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/231>

## PRESS RELEASES, STATEMENTS & POSITIONS

### REGULATORY ENVIRONMENT

#### → Next Generation Access Networks

19 SEPTEMBER, 2013

#### ETNO Contribution to European Commission Consultation on the Draft “General Block Exemption Regulation” (GBER II)

**ETNO welcomes the opportunity to comment on the draft “General Block Exemption Regulation” (GBER II) and recognises the importance of setting appropriate rules in this regard. Please note that ETNO’s wider position regarding the use of public funding in the rollout of broadband infrastructure can be found in the submission which was made in response to the consultation on the EU’s Broadband Guidelines in 2012.**

#### General comments:

While ETNO recognises the value of streamlining the process for state investment in broadband, it urges the Commission to exercise caution with regards to the risk of duplicating investment in broadband networks. In this context, ETNO would like to reiterate its long held

view that the deployment of broadband networks in the EU should be done primarily by the private sector and that public funding should be limited to those areas where there is no business case for the private companies to invest. In ETNO’s view, public funding should remain complementary and should not substitute the investment of market players. Moreover, we believe that any state aid measures for broadband should be selected on a technology neutral basis, supporting the market’s choice of the most appropriate and efficient technologies and services to reach the Digital Agenda targets.

The principle of “non-crowd-out”, well defined in the Broadband Guidelines, should therefore remain valid in all networks deployment projects. The General Block Exemption Regulation should therefore explicitly include, in art. 3 “Aid for broadband infrastructures” the key principle of “non-crowd-out”.

*approach to competition that benefits the end-user with more investment and quality. An approach that is capable of adapting to market and technological trends and helps to make Europe competitive again.”*

#### More information:

<https://www.etno.eu/home/positions-papers/2013/275>

## PRESS RELEASES, STATEMENTS & POSITIONS

### PRIVACY, CYBER-CRIME AND NETWORK SECURITY

#### → Data Protection

29 JANUARY, 2013

#### ETNO and GSMA Reiterate Commitment to High Standards of Protection of Personal Data

**29 January 2013, Brussels – ETNO and the GSMA call on the European Parliament and Council to work towards the timely adoption of the EU Data Protection Regulation and to ensure that the final text reaches the proper balance between protecting consumers and driving economic growth.**

On the occasion of European Data Protection Day, the GSMA and ETNO held a joint interactive workshop on the General Data Protection proposal with members of the Council's Working Party on Information Exchange and Data Protection (DAPIX) and representatives of the Member States' Permanent Representations. Following this workshop, the organisations then jointly hosted a dinner for representatives of the Irish EU presidency, including MEP Sean Kelly and representatives from the Irish Department of Justice and Equality and the European Commission.

*"ETNO believes that the EC draft Regulation would be a major step towards better harmonisation of data protection throughout the EU, leading to increased consumer trust and enhancing the Digital Single Market. ETNO welcomes the introduction of the same obligations for all players offering services to EU citizens, independently of their location, ensuring that EU consumers enjoy a consistent level of protection of their data",* said Daniel

Pataki, ETNO Director.

*"Policy makers now have an unprecedented opportunity to create a harmonised and consistent set of rules providing legal certainty for individuals and business,"* said Martin Whitehead, Director, GSMA Europe. *"This can make it easier for individuals to understand and manage their privacy, irrespective of the technology they use, where a service is provided from, or where their data is processed. However, to achieve this, we believe it is necessary to ensure consistency between the proposed data protection regulation and the ePrivacy Directive, and perhaps consider whether two sets of rules are required."* Sean Kelly, Member of the European Parliament, noted that *"it is imperative that we streamline and simplify rules to stimulate innovation, reduce the administrative burden and create an environment where new ideas, new companies and new jobs can flourish. Trust is an important part of innovation - new products and services need to retain the trust of citizens. Therefore a flexible, clear data protection regulation will serve as a framework for trust, innovation and creativity."*

ETNO and GSMA members are committed to ensuring consumer confidence and trust in a world of new innovative services and data use. The organisations call for flexibility in the regulation, and suggest many of its key objectives can be achieved by privacy by design, privacy assurance schemes and effective accountability measures. In addition, sanctions should be proportionate and applied according to objective criteria, including the harm caused to individuals. A balanced approach can help realise the benefits of the digital economy for consumers, citizens and business.

**More information:** <https://www.etno.eu/home/press-corner/etno-press-releases/2013/133>

## PRESS RELEASES, STATEMENTS & POSITIONS

### PRIVACY, CYBER-CRIME AND NETWORK SECURITY

#### → Data Protection

11 FEBRUARY, 2013 | ETNO

#### EU Data Protection Reform: Major Telecoms Operators Support Push for Level-Playing Field

Today, Vice-President Viviane Reding is meeting Luigi Gambardella, chairman of ETNO, who represents the leading telecommunications network operators in Europe to discuss the EU Data Protection rules proposed by the European Commission in January 2012 (see IP/12/46 and IP/13/57).

Vice-President Reding and ETNO (the European Telecommunications Network Operators' Association) jointly call on the European Parliament and Council to ensure that provisions that facilitate a level playing field between all actors of the ICT industry remain a key building block of the EU Data Protection Regulation, in order to guarantee fair competition between EU companies and those based outside of the Union but which operate on Europe's single market. This will guarantee consistent and robust data protection for all consumers. Data Protection is a fundamental right enshrined in the EU Charter of Fundamental Rights. EU citizens' personal data must be granted the same level of protection, regardless of the geographical location or the economic sector of the service provider.

"We are creating a 'one-stop-shop' for data protection in the EU. Data protection compliance will be simpler than ever before. The Commission has calculated that the revamped rules can save companies up to EUR 2.3 billion per year," said Vice-President Viviane Reding, EU's Jus-

tice Commissioner. "Our proposed rules are creating a level-playing field: non-EU companies, when offering services to EU consumers, will have to apply the same rules and adhere to the same levels of protection of personal data. The reasoning is simple: if companies outside the EU want to operate on the European market then they have to play by the European rules. We also need a level-playing field across different sectors. For example, on data breach notification it makes sense to apply the same rules for operators regulated under the ePrivacy Directive as operators regulated under the data protection rules."

"The Data Protection Regulation is a major move towards establishing a truly level-playing field, allowing all players in the EU to compete on equal footing. The challenges operators are facing today in the field of data protection are important and we need to put an end to regulatory fragmentation and inconsistent application of the rules to help accelerate the Digital Single Market. The consistency mechanism in the proposed Data Protection Regulation is crucial to ensure the Commission is there as a backstop when regulators can't agree a common line," said Luigi Gambardella, ETNO Executive Board Chair. "Consumers must be able to benefit from new innovative services based on an intelligent and effective data use. The new rules help realising the potential of the internal market for digital content and services and will enhance European industry's competitiveness while at the same time, encouraging more consumers to embrace broadband, in line with the Digital Agenda goals."

## PRESS RELEASES, STATEMENTS & POSITIONS

### PRIVACY, CYBER-CRIME AND NETWORK SECURITY

#### → Data Protection

11 FEBRUARY, 2013 | ETNO

#### EU Data Protection Reform: Major Telecoms Operators Support Push for Level-Playing Field

The proposed data protection rules strike the right balance between data protection and innovation. EU e-communications providers, while continuing to invest in consumer trust and confidence, should be in a position to meet consumer demand for new innovative services. The future EU legal framework will allow responsible companies to unlock the potential of personal data through the new digital services that consumers are demanding. In turn, these services will help generate growth and jobs throughout the EU.

This balanced approach can help unleash the benefits of the digital economy for consumers, citizens and business within the Internal Market. Data Protection rules should not penalise but enhance competitiveness, innovation and the development of new technologies.

The European Commission will work closely with ETNO and the telecoms industry to continue creating the right legal framework for a competitive telecoms sector that can take advantage of the EU's Digital Market.

*"The proposed data protection reform follows the same logic as the EU's telecoms reform which I proposed in 2007 and which was adopted in 2009. The aim is to*

*overcome inconsistent data protection rules which are damaging for companies and damaging for Europe's economy, especially in a growth sector such as digital services", said Vice-President Reding and added: "But there is more to be done. The Single Telecoms Market needs a new push. We need to create the right legal framework to stimulate cross-border investments in the telecoms sector encouraging network operators to cooperate across borders"*

(see SPEECH/07/86, SPEECH/08/400, SPEECH/08/561, SPEECH/09/336).

#### More information :

##### The EU Data Protection reform explained:

[http://europa.eu/rapid/press-release\\_MEMO-13-39\\_en.htm](http://europa.eu/rapid/press-release_MEMO-13-39_en.htm)

##### Press pack: data protection reform:

[http://ec.europa.eu/justice/newsroom/data-protection/news/120125\\_en.htm](http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm)

##### Homepage of Vice-President Viviane Reding, EU Justice Commissioner:

<http://ec.europa.eu/reding>

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/149>



## PRESS RELEASES, STATEMENTS & POSITIONS

### PRIVACY, CYBER-CRIME AND NETWORK SECURITY

#### → Data Protection

14 MAY, 2013

#### **EU e-communications industry calls for harmonised and effective data protection for the benefit of innovation and consumers**

**Brussels, 14 May 2013 – The new EU data protection rules should be effective and clear but also flexible enough to allow companies to innovate and consumers to benefit from new services, underlined ETNO, ECTA, GSMA and Cable Europe today on the occasion of a joint industry event hosted by MEP Seán Kelly, and with the participation of European Commission Vice-President Viviane Reding.**

It is essential that the new EU Data Protection Regulation strikes the right balance between data protection and creating economic and social opportunities and benefits from technology and data according to key trade associations representing Europe's e-communications industry.

Europe's e-communications industry is well-positioned to meet demands for new ever-innovative services based on a responsible use of data for the benefit of business and consumers alike. The future EU legal framework should allow responsible companies to unlock the potential of personal data to drive new digital services that consumers are demanding, and in turn generate growth and jobs throughout the EU.

Seeking to put an end to the fragmentation of data protection regimes throughout the 27 EU member states, the Regulation has the potential to accelerate the digital single market for telecoms services thereby improving the online experience for European citizens. By offering a consistent data protection level to consumers throughout the EU and beyond, the new Regulation will also reinforce consumer trust and confidence while ensuring that consumers benefit from a clear and strong protection of their personal data.

Consumer confidence will be substantially reinforced by ensuring that EU citizens' personal data shall be granted the same level of protection, regardless of the geographical location or the economic sector of the service provider ("same services, same rules").

As certainty for businesses is vital in today's economic environment, it is also essential to address the inconsistencies between the new Regulation and the ePrivacy Directive, avoiding the introduction of a dual regime for the e-communications industry.

#### **More information :**

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/218>

## PRESS RELEASES, STATEMENTS & POSITIONS

### PRIVACY, CYBER-CRIME AND NETWORK SECURITY

#### → Network security

07 FEBRUARY, 2013

#### **EC proposal for a Directive on Network and Information Security: An important step towards a truly level playing field between all players**

**ETNO welcomes the proposal for an EU Directive on Network and Information Security adopted today as a major contribution to enhanced consumer trust and confidence in the digital era. The proposed Directive is part of a comprehensive EU Cybersecurity Strategy launched jointly by Neelie Kroes, Commissioner for the Digital Agenda; Cecilia Malmström, Commissioner for Home Affairs; and, Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy.**

*“Security is a key priority for ETNO members and is an important factor for consumers to embrace the Internet. ETNO welcomes this new Directive which recognises the importance of security throughout the entire value chain. ETNO strongly believes that the extension of security requirements to all Internet enablers is essential to create a level playing field and to ensure that all players offering services to EU citizens are subject to the same requirements”,* says Luigi Gambardella, ETNO Executive Board Chairman.

ETNO members have always been committed to high levels of security and resilience which are essential for the delivery of quality services. As e-communications services and network providers are increasingly competing with new players from outside the telecoms sector and often outside the EU, it is important that all actors of the ICT value chain, independently of their geographical location, offering the same services are subject to the same requirements, to avoid a competitive disadvantage for EU players and to guarantee a consistent consumer experience.

ETNO therefore welcomes the extension of the scope of the Directive to “Internet enablers”, e.g., e-commerce platforms, Internet payments gateways, social networks or search engines. ETNO also supports the establishment of requirements applicable to actors in public and private sectors, by extending beyond the e-communications sector the obligations of the Directive, including minimum security requirements and reporting of security incidents.

ETNO looks forward to taking an active part in the forthcoming legislative debate on the proposed Directive with all relevant stakeholders.

#### **More information :**

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/142>

## PRESS RELEASES, STATEMENTS & POSITIONS

### PRIVACY, CYBER-CRIME AND NETWORK SECURITY

#### → Network security

30 AUGUST, 2013

#### **ETNO Reflection Document on the EC Proposal for a Directive on Network and Information Security (NIS Directive)**

**ETNO supports the European Commission's global approach to cyber-security and welcomes the proposed NIS Directive which recognizes the importance of security throughout the entire value chain.**

As eCommunication providers are already submitted to such obligations under the telecoms regulatory framework, we welcome their explicit exemption from the scope of the draft NIS Directive. However, we would welcome further clarification on the relationship between the various existing risk management and incident reporting frameworks (telecoms package, draft Regulation on e-identification). Indeed, the "exempted" market operators may also provide bundled services falling in scope of this proposed Directive. This calls for further legal certainty as to which measures apply to different services and more importantly to avoid unnecessary cumulative or inconsistent and burdensome obligations. Indeed, market providers should not be subject to different flavours of requirements depending on the service they provide.

The European Commission [EC] should ensure that eventual further revisions of Framework Art. 13 remain consistent with the NIS Directive.

ETNO believes that cross-sector regulation should replace sector-specific frameworks. In the long term, a cross-sector approach based on reasonable notification processes would benefit both business and customers and would avoid the need to keep aligned the obligations stemming from different Directives.

The NIS Directive's end-to-end approach should be more explicit in establishing that non-EU based "market operators" are covered. Due to the global nature of the Internet, this is a key aspect with respect to customers' security and having a level playing field to allow all businesses to compete on an equal footing in the EU.

ETNO welcomes the launch of the NIS platform as a way to consult all stakeholders of the global ICT value chain and exchange best practices. We welcome the DG Connect representative's statement that this Platform intends to guarantee a balanced cooperation between the public and private sector. ETNO would like to propose a NIS platform working group dedicated to the international enforcement of NIS obligations.

#### **More information :**

<https://www.etno.eu/home/positions-papers/2013/274>

## PRESS RELEASES, STATEMENTS & POSITIONS

### FAIR MANAGEMENT OF RESOURCES

#### → Spectrum

07 MAY, 2013

#### **ETNO calls for harmonized approach for spectrum**

**BRUSSELS – The use of frequency bands for wireless broadband applications should be harmonized at European and preferably worldwide levels, says ETNO in its response to the Radio Spectrum Policy Group (RSPG) consultation on Strategic Challenges facing Europe in addressing the Growing Spectrum Demand for Wireless Broadband.**

*“The growing spectrum demand is a key issue and solutions identified will affect the uptake of mobile wireless broadband services for the decades to come. Streamlining the allocation of spectrum for wireless services will contribute to more harmonization in network and consumer equipment such as dongles, tablets, handset, etc, compatible across markets. This will create more scale for producers and operators and will help advance the digital single market”, says Daniel Pataki, ETNO Director.*

As general guiding principles ETNO believes that the identified frequency bands for wireless broadband should be globally harmonized and national deviations should be minimized.

*“It is very important to define a channel plan for the 700 MHz band compatible with the plan identified in Asia and already adopted by many Central and South American countries, and so to be able to harmonise it with possible extensions downwards. The development of a long-term strategic policy on the future convergence shall not delay the preparatory work regarding the allocation of the 700 MHz band for the mobile service in the context of WRC-15 agenda”, says Massimiliano Simoni, Chair of ETNO Spectrum Issues Working Group.*

*“Furthermore ETNO has already expressed the view that some very bandwidth-hungry services like UHD TV and 3DTV are better suited for different distribution means like cable, or satellite instead of UHF aerial distribution and therefore agrees with the RSPG that sometimes wireless and wireline technologies compete with each other, but, in other cases like this one, they are complementary”, added Simoni.*

#### **More information :**

<https://www.etno.eu/home/press-corner/etno-press-releases/2013/211>

## PRESS RELEASES, STATEMENTS & POSITIONS

### FAIR MANAGEMENT OF RESOURCES

#### → Spectrum

07 MAY, 2013

#### **ETNO comments on the Draft RSPG Opinion on Strategic Challenges facing Europe in addressing the Growing Spectrum Demand for Wireless Broadband**

**ETNO welcomes the opportunity to comment the draft RSPG opinion on Wireless Broadband as we believe that frequencies for WBB need forward looking strategy in Europe.**

**As general guiding principles ETNO believes that the identified frequency bands for WBB should be globally harmonised and national deviations should be minimised.**

**As the economy of scale is another import aspect to be considered, the industry should commit itself to ensure a complete ecosystem.**

**ETNO believes that licensed and un-licensed spectrum should be considered complementary and not as substitutes. In the short and mid-term, the Public cellular mobile networks primarily need further exclusive licensed spectrum access in order to offer reliable communication services with a high quality of service nationwide. In the long term ETNO agrees that the identification of further spectrum to destine to unlicensed uses, such as WiFi, will be needed also. However, any consideration of allocation of unlicensed spectrum should take into careful consideration the overall balance of spectrum's alternative uses within WBB allocations.**

**Concerning the UHF band, ETNO believes that it is very important to define a channel plan for the 700 MHz band compatible with APT plan and so to be able to harmonise it with possible extensions downwards.**

**The development of a long-term strategic policy on the future convergence shall, however, not delay the preparatory work regarding the allocation of the 700 MHz band for the mobile service at the WRC-15. ETNO believes that, in the long-term, terrestrial spectrum in the lower frequencies band should be predominantly destined to WBB applications.**

## PRESS RELEASES, STATEMENTS & POSITIONS

### FAIR MANAGEMENT OF RESOURCES

#### → Spectrum

07 MAY, 2013

#### **ETNO comments on the Draft RSPG Opinion on Strategic Challenges facing Europe in addressing the Growing Spectrum Demand for Wireless Broadband**

ETNO agrees that a forward looking strategy for frequencies in Europe should address the 2020 target and not only the 2015, considered as a first step of the RSPP. Therefore, ETNO agrees with the requests done to the RSPG by the European Commission.

In considering the identification of frequency bands for Wireless Broadband (WBB) services ETNO emphasizes that the following guiding principles should be applied:

- 1/ The use of frequency bands for WBB applications should be harmonized – at least on a European level, but preferably worldwide.
- 2/ National deviations in the allocation of spectrum for WBB should be minimized.
- 3/ In allocating and harmonizing new spectrum for WBB there should be a clear commitment from the industry side, ensuring the availability of a complete WBB ecosystem on short term (network equipment, M2M equipment, devices like tablets, dongles, handsets in general, etc.).
- 4/ In the draft opinion spectrum for public cellular mobile and for WiFi are summed up as spectrum for WBB. However, spectrum for these applications should clearly be separated. Public cellular mobile networks primarily need exclusive licensed spectrum access in order to offer reliable communication services with a high quality of service nationwide. Exclusive access has proven to be capable to enable an effective interference management which is essential for an operator for offering an appropriate quality-of-service to its customers.

#### **More information:**

<https://www.etno.eu/home/positions-papers/2013/272>

## PRESS RELEASES, STATEMENTS & POSITIONS

### FAIR MANAGEMENT OF RESOURCES

#### → Spectrum

26 AUGUST, 2013

#### ETNO Reply to the Draft RSPG Opinion on Licensed Shared Access

**ETNO believes that exclusive licensing is the appropriate regulatory approach for efficient use of spectrum by public cellular mobile networks. ETNO considers that the LSA concept is a good instrument to improve the efficiency of spectrum use in underutilised bands.**

**The LSA concept should be applied to make underutilised spectrum resources available to telecommunications services that are currently assigned to non-commercial “incumbents” (Defence, public administrations, civil aviation, etc.) and also allocated to mobile service and/or identified for IMT. ETNO is of the opinion that the LSA concept should not be applied to bands for which mobile network operators have acquired exclusive spectrum usage rights. Therefore the main approach for future spectrum assignments for mobile network operators must remain exclusive use.**

**1/** ETNO believes that exclusive licences have shown to be the appropriate regulatory approach for public cellular mobile networks. Such exclusive access licensing has well known advantages such as good interference management, high degree of certainty for market players necessary to create an adequate investment and innovation environment, improved standardisation and thus

economies of scale necessary for business development. Last but not least it has created positive effects on investments, job creation and social welfare and has encouraged competition through the development of innovative services.

**2/** ETNO considers that the LSA concept is a good instrument to improve the efficiency of spectrum use in underutilised bands.

**3/** ETNO believes that the frequencies awarded to mobile network operators (individual rights of use) are already very well efficiently used, as operators have to maximise the return on associated investments. As a consequence the mobile industry is a clear example of high technical and economic efficient use of spectrum.

**4/** In ETNO's view the LSA concept should be applied to make underutilised spectrum resources available to telecommunications services that are currently assigned to non-commercial “incumbents” (Defence, public administrations, civil aviation, etc.) and also allocated to mobile service and/or identified for IMT.

**5/** The LSA concept could therefore increase the amount of overall spectrum resources for telecommunication services through frequency sharing of bands that are allocated to mobile service and/or identified for IMT but are not exploited for commercial purposes yet.

**6/** Consequently in ETNO's view the LSA concept should not be applicable to bands for which mobile network operators have acquired exclusive spectrum usage rights.

**7/** The main approach for future spectrum assignments for mobile network operators must remain exclusive use.

#### More information :

<https://www.etno.eu/home/positions-papers/2013/273>

## PRESS RELEASES, STATEMENTS & POSITIONS

### INTERNET GOVERNANCE

18 NOVEMBER, 2013

#### **ETNO responds to European Commission's consultation on Internet Governance**

ETNO welcomes the opportunity to respond to the European Commission's consultation on Internet Governance, entitled Europe and the Internet in a global context – What future, what challenges ahead?

ETNO recognises that a hands-off approach to the Internet, both in terms of hard-coded regulation and a general global principles-based framework, has enabled the Internet to flourish up to this point.

The roles and responsibilities of each participating Internet governance organisation and process, be it ICANN, the IGF or other, should be made clear and, to the greatest extent possible, not be over-lapping. No one governance body should be seen as competing with another and all parts can be equal in contributing to the global Internet governance debate.

ETNO believes that at this stage, efforts by policy makers and all involved stakeholders to restore the trust and confidence of Internet users are needed. A transparent, multi-stakeholder governance model is central to the Internet's management and on-going evolution.

What realistically can be achieved could be a global set of principles which while setting out agreed norms, would still allow for flexibility and innovation, two notable features of Internet growth to date.

#### **More information :**

<https://www.etno.eu/home/positions-papers/2013/278>



## ETNO WORKING GROUPS

### WG Chairs

- 1/ Competitive Markets - Ralf Nigge (Deutsche Telekom)
- 2/ Data Protection, Trust & Security - Cristina Vela (Telefónica)
- 3/ Spectrum Policies - Massimiliano Simoni (Telecom Italia)
- 4/ Digital Single Market - Caterina Bortolini (Telecom Italia)
- 5/ Internet Governance - Christoph Steck (Telefonica)
- 6/ Employment, Health & Safety - Nathalie Delacotte (Orange)
- 7/ Research & Innovation - Ms Brigitte Cardinaël (Orange)
- 8/ Corporate Responsibility - Danilo Riva (Telecom Italia)
- 9/ Naming, Addressing and Numbering - Yusuf Kirac (Turk Telekom)
- 10/ ITU matters - Dominique Würges (Orange)
- 11/ Network and Services Security, Fraud and Cybercrime- Samir Albadine (Orange)
- 12/ Digital Society - Michele Bellavite (Telecom Italia)
- 13/ Benchmarking - Thierry Denant (Orange)
- 14/ Tax issues related to Telecoms Services - Costanzo Perona (Telecom Italia)
- 15/ Communications Managers- Chair tbd (dormant)

Special Rapporteur on “External trade, international developments and international relations”  
Mr. David Frautschy Heredia (Telefonica)

## ETNO ORGANISATION

### Membership composition,

#### Board :

- 1/ Chairman: Luigi Gambardella (Telecom Italia)
- 2/ Steven Tas (Belgacom)
- 3/ Roland Doll (Deutsche Telekom)
- 4/ Jos Huigen (KPN)
- 5/ Vianney Hennes (Orange)
- 6/ Antonio Robalo de Almeida (Portugal Telecom)
- 7/ Carlos Cocina (Telefonica)
- 8/ Lotte Abildgaard (Telenor)
- 9/ Philipp Wolfram (Telekom Austria)
- 10/ Phillip Malloch (TeliaSonera)
- 11/ Mustafa Aykut (Turk Telekom)



### AC

Chairman: Thomas Müller (Swisscom)

Members: A. Acebal (Telefonica), R. Doll (Deutsche Telekom), V. Hennes (Orange)

Permanent Observer: L. Gambardella (Telecom Italia)

### General Assembly

Chair: Harald Krohg (Telenor)

Vice-Chairman : Phillip Malloch (TeliaSonera)

## ETNO MEMBERS & OBSERVERS

### Full members

- |   |  |
|---|--|
| <b>1/</b> Altelecom                           | <b>20/</b> Radiocom - Societatea Nationala de Radiocomunicatii (Romania) |
| <b>2/</b> Belgacom                            | <b>21/</b> Romtelecom  |
| <b>3/</b> BH Telecom                          | <b>22/</b> Síminn  |
| <b>4/</b> Croatian Telecom                    | <b>23/</b> Slovak Telekom  |
| <b>5/</b> Cyprus Telecommunications Authority | <b>24/</b> Swisscom  |
| <b>6/</b> Deutsche Telekom                    | <b>25/</b> TDC   |
| <b>7/</b> Eircom                              | <b>26/</b> TDF   |
| <b>8/</b> Elisa Communications Corporation    | <b>27/</b> Telecom Italia  |
| <b>9/</b> Elion Enterprises Ltd               | <b>28/</b> Telecom Liechtenstein   |
| <b>10/</b> GO (Malta)                         | <b>29/</b> Telefonica  |
| <b>11/</b> Koninklijke KPN                    | <b>30/</b> Telefonica O2 Czech Republic                                  |
| <b>12/</b> Lattelecom                         | <b>31/</b> Telekom Austria   |
| <b>13/</b> Magyar Telekom                     | <b>32/</b> Telekom Slovenije   |
| <b>14/</b> Makedonski Telekom                 | <b>33/</b> Telenor   |
| <b>15/</b> Orange                             | <b>34/</b> TeliaSonera   |
| <b>16/</b> Orange Polska                      | <b>35/</b> Teo   |
| <b>17/</b> OTE                                | <b>36/</b> urk Telekom   |
| <b>18/</b> Portugal Telecom                   | <b>37/</b> Vivacom   |

### ETNO Observers

- |                                  |                                       |
|----------------------------------|---------------------------------------|
| <b>1/</b> Alcatel Lucent         | <b>7/</b> NTT Docomo                  |
| <b>2/</b> AT&T                   | <b>8/</b> Saudi Telecom Company (STC) |
| <b>3/</b> CISCO                  | <b>9/</b> Syniverse                   |
| <b>4/</b> Ericsson               | <b>10/</b> RIM                        |
| <b>5/</b> Etisalat               | <b>11/</b> Verizon                    |
| <b>6/</b> Nokia Siemens Networks | <b>12/</b> Huawei                     |

## ETNO STAFF

Director: **Daniel Pataki**

Regulatory and Public Affairs Manager: **Caroline Greer**

Regulatory and Economic Affairs Manager: **Serafino Abate**

Communications and media: **Thierry Dieu** (until May 2013), **Ralph Lloyd**  
and **Alessandro Gropelli** (as from December 2013)

HR & Corporate Events: **Anne Vallès**

Events & Operations: **Isabelle Claeys**