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NOTE

from: General Secretariat of the Council
to: Delegations
Subject : European Parliament Plenary session in Brussels on 9 May 2012 :
Roaming on public mobile communications networks within the Union
(debate)

The rapporteur, Ms Niebler (EPP, DE), briefly presented the main characteristics of the Roaming III regulation, that was, in her view, positive for both citizens and competition. She highlighted the introduction of limits on prices for data transfer, access to markets for new operators and the possibility for consumers to choose the provider for roaming services while being abroad and the introduction of consumer protection beyond EU borders.

Mr Wammen, on behalf of the Council, delivered the speech set out in [Annex I](#).

Ms Kroes, on behalf of the Commission, delivered the speech set out in [Annex II](#).

Ms Gräfin von Thun und Hohenstein (EPP, PL), rapporteur for opinion in the IMCO Committee, welcomed the regulation. However, she thought that the Commission's initial proposal was not ambitious enough and she hoped that future proposals in this area would take more account of the rapidly changing technologies and fast changing needs of both citizens and entrepreneurs.

For the political groups, the following speakers took the floor:

- Ms Del Castillo (EPP, ES) highlighted price reduction, extension of transparency clauses for travelling abroad and the possibility for consumers to choose the provider for roaming services.

- Mr Goebbels (S&D, LU) considered that the telecommunications market was largely dominated by a de facto cartel of four big companies present on all domestic markets, which wanted to preserve at all costs their benefits. As a result, market intervention was necessary and the regulation was an important step towards the gradual abolition of unjustified roaming charges.
- Mr Rohde (ALDE, DK) acknowledged that price regulation for roaming charges had proved necessary. Nevertheless, even if the price caps might have resulted in a price reduction, competition was not increasing and the market was still not functioning properly. He thought that it was not sustainable to revise the regulation every two years and saw a need to break down the barriers between national telecommunication markets to create market pressure to lower the prices. In this context, he highlighted the local break-out as a big step toward this objective.
- Mr Lamberts (Greens/EFA, BE), echoing Mr Goebbels, inquired how it was possible that these big companies, that were de facto present throughout the internal market, behaved as if they were in 27 totally separate domestic markets and he criticised their margins. The text was a good step in right direction, but he agreed with Mr Rohde that genuine market competition was needed.
- Mr Kožušník (ECR, CZ) thought that price caps should be an emergency solution for a short time only because they hindered innovation. Instead, he advocated greater promotion of market mechanisms.
- Ms Tzavela (EFD, EL) pointed out that the most innovative aspect was the move from simple price cuts to giving consumers the possibility of choosing a different operator for roaming services. She said that it had to be done in the simplest and most consumer-friendly way in order to achieve the objectives of the regulation.
- Mr Ransdorf (GUE/NGL, CZ) underlined that small and medium-sized businesses obtained access to foreign networks, which would lead to increased competition. On the outstanding issues, he mentioned the introduction of uniform model contracts simplifying access to markets and a need to prevent operators from charging more for local calls to compensate for lower roaming charges.
- Mr Obermayr (NI, AT) was satisfied with the regulation, highlighting price reduction, greater competition and the possibility of choosing the provider of roaming services.

Many Members took floor in the subsequent debate and welcomed the regulation as a step in the right direction at a time of crisis and lack of trust in the EU institutions, and were pleased with the outcome that was beneficial for citizens. They highlighted lower costs for calls and text messages and easier access for new entrants to the market, welcomed the introduction of data transfers in the scope of the regulation, as well as the possibility for the consumer to choose the roaming provider while travelling abroad. Nevertheless, some of them found that it was not ambitious enough. They saw no technical reasons for high prices and called for a "Roaming 0" (roaming free area) as an ultimate goal in order to establish a genuine single market instead of the current 27 different national markets. Others thought that regulating was in general unfriendly to the market, but in this case the intervention was justified, as the telecom market was not functioning properly and the operators failed to come up with voluntary changes in price-setting (some Members echoed views on "supranational" cartels or oligopolies). On the other hand, some Members believed that price capping would generate less competition and hinder new entries and innovation, and that another solution should therefore be sought. Other issues raised were pricing transparency, the need to tackle significant differences between national and roaming prices, accidental roaming in border areas and net neutrality.

Ms Kroes said that the example of roaming regulation showed why Europe counted and was important, as citizens needed examples of EU action and delivery. She considered that the regulation was only one step on a long road to fulfilling a Digital Agenda, with a single digital market without borders benefiting all citizens.

Mr Wammen thanked the Parliament and the Commission for the excellent cooperation on this file and expressed his satisfaction with the outcome. He underlined that the regulation would lead to a better single market, increased competition and consumer protection. He thought that the regulation was necessary as telecommunication companies had not been able to set reasonable prices themselves for customers. He considered that it constituted a good example of the EU's response at a time of crisis and that it would also contribute to increasing the EU's competitiveness on the global markets.

Ms Niebler underlined that it was time to establish a single communications area, with a roaming free area as an ultimate objective. She hoped that this proposal would resolve the situation on the market and that no further revision would be needed.

The resolution on roaming on public mobile communications networks within the Union was adopted on 10 May 2012 with 578 votes in favour, 10 against and 10 abstentions.

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Speech by Mr Wammen on roaming on public mobile communications networks within the Union, Plenary session of the European Parliament, 9 May 2012

Mr President, I very much welcome the opportunity to take part in this debate which precedes your vote tomorrow. It goes without saying that I also welcome the fact that this dossier has been brought to a successful conclusion, and I would also like to take this opportunity to pay tribute to Ms Niebler as rapporteur.

Further work on completing the single market is a top priority at a time when the EU needs to stimulate growth and create opportunities for employment. That is why the Danish Presidency is investing so much time and energy in the single market and the digital single market, including in key areas such as telecoms and the information society. Services provided by modern electronic means of communication such as mobile devices are now straggling the boundaries between telecommunication and the information society. Web access, mobile applications and the transfer of data and images are increasingly concerns. They are the drivers of those rapid advances in technology which are changing the very way we think about information transfer.

At a time when markets and jobs are increasingly global in scale, it is vital for businesses and consumers to be able to use a full range of services accessible via mobile phones, tablets and other devices, irrespective of their location. They need to be able to access these services when travelling and wherever they are conducting business. It is therefore essential for Europe's competitiveness that we create as seamless a market as possible for such services. That means improving the conditions for roaming and bringing prices closer to those of the domestic markets.

This is a process that has been under way now for several years. Significant advances have been made through a series of important steps. Today we have reached the third step, with the Roaming III Regulation. On behalf of the Council I would like to welcome the agreement reached with Parliament on this important issue. It will help ensure lower prices for roaming customers by introducing greater competition in the roaming market. This is something which is particularly welcome to those in Europe who depend on cross-border information transfer for their businesses and for individual use. It is important that, with close cooperation between the Commission, the Council and Parliament, we have managed to cover all the key elements in the original proposal, including price caps on all the services that are available through roaming.

In our view, the agreement before us respects a set of essential principles, including the need to have an agreed text in place by 1 July of this year: the requirement for the new regulation to be technology-neutral rather than to make technology choices which could soon be out of date; the commitment to ensure that the structural solutions of the new regulations lead to more competition and thus – hopefully – even lower prices for EU citizens in the medium to longer term; the need to continue with a price cap mechanism as a temporary safety mechanism for as long as is necessary for the structural solutions to take effect; and the need to fully involve the body of European regulation for electronic communication in the technical implementation of the regulation and maintain consistency with other relevant legislative or political contexts such as the regulatory framework for electronic communications or the Digital Agenda for Europe.

Europe's citizens will be able to take advantage of this new regulation very shortly. It will save them money and increase their access to a wider market. That has to be a positive development. It is a sign that the institutions of the European Union are working for the direct benefit of our citizens.

By way of conclusion I would like to thank both Parliament and the Commission for the excellent cooperation during negotiations. I would like to express our gratitude to the Chair of the Committee on Industry, Research and Energy; the rapporteur, Ms Niebler; and the shadow rapporteurs for the excellent way in which they have handled these important negotiations.

Tomorrow this Parliament will vote on the regulation. If endorsed, it will bring direct benefits to Europeans. It is an important step which will ensure that consumers will enjoy even lower roaming prices, while at the same time it will stimulate much needed competition in the area and thus increase Europe's competitiveness and encourage growth. This is what Europe needs: concrete results for the benefit of our citizens, creating growth and jobs.

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Speech by Ms Kroes on roaming on public mobile communications networks within the Union, Plenary session of the European Parliament, 9 May 2012

Mr President, Mr Schuman would be proud of this institution, together with the Council and the Commission, delivering results that can be recognised by the citizens.

I want to start by paying tribute to Angelika Niebler, who has done an extremely good job with her team-mates. The Danish Presidency took everything into account to fulfil what we had in mind, delivering results before the conclusion of their very fruitful Presidency.

It is perhaps one of those examples in which we can prove that together, and in a European context, in a digital single market we can make it easier for citizens to travel and also take into account everything connected with travelling. With this new Roaming Regulation – and hopefully the voting tomorrow will be positive, but I am sure that will be the case – the basis of the Commission's proposal is recognisable in this regulation.

Let me remind you what is at stake. These days – as Angelika has already said – mobiles are everywhere. People expect to use their phones wherever they go, especially across internal borders, which are supposed to have disappeared. We are talking about a borderless Europe. A Europe of smartphones, data tablets and data online content means a tremendous boom in mobile data. In that context high roaming charges are an irritant for a citizen and also an obstacle to a single market.

People are fed up with nasty surprises when they open their bill. Today we can put an end to them once and for all, for voice, text and data. We can show how the EU protects citizens' interests. That is what Mr Schuman had in mind. The agreement we have in front of us will do this in three ways.

Firstly, we now have a future-proof solution. Injecting competition into the roaming markets will mean, for the first time ever, a structural and sustainable way to protect consumers because competition is the best guarantee of long-term low prices. Under the new rules mobile users are empowered to pick the roaming provider right for their travel needs, separately from their domestic provider. So this is a big step forward. Companies will be able to compete through innovative services, which is also a big step forward.

Secondly, also for the first time ever, we are tackling data roaming. People who want to browse abroad should not be held back by a fear of high charges. Angelika mentioned that this should be a signal for us, and what is at stake with this proposal, which will be much more acceptable. High charges are a constraint on citizens, on businesses and on economic growth. This agreement removes that constraint on all of three, by capping data charges and by letting people choose their data roaming provider, perhaps just as easily as they choose a wi-fi network.

Thirdly, also for the first time ever, we are extending protection beyond the EU, with better on-the-spot information and warnings about roaming charges, to avoid nasty bill surprises when you get home. We can deliver this with this agreement too.

Of course you should not see this agreement in isolation. Roaming is just one piece in a much bigger story. We are promoting competition and lower consumer prices – as we have done with mobile termination rates and continue to do in telecoms markets. We are putting Europe at the forefront of the data revolution, through access to cheap data, as we could also do with our

proposals to open up public sector data – a great challenge in front of us. We are building a digital single market with consistent rules so that Europeans can easily enjoy great content, wherever they are and whatever device they are using – as we will be doing through our proposals on the cloud, data protection, e-ID and many more.

I hope with all those we can enjoy a success like the one we are celebrating today. This is a stimulus to do a lot more for the consumer. What does this mean for a family for example? A family will save over EUR 200 on their summer holiday compared with 2007 prices. This summer holiday a business person will save more than EUR 1000 per year. Data prices are kept for the first time so that you can use your maps, Facebook and videos at a fair price. Overall there is a saving of 75% compared with 2007. Yes, you heard that right – a 75% saving. Price caps will be in place until 2017 and there will be full competition from 2014, when choosing a roaming plan will be like choosing a wi-fi network.

This is the proof that the EU is good for citizens. We are putting money back in your pocket and making markets work fairly. This is also good for businesses because it lowers costs. For the mobile operators the better prices will attract new customers and grow the market. We have ended the rip-off once and for all.

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