



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

From:	Presidency
To:	Delegations
No. Cion com.:	13874/10 TELECOM 92 COMPET 246
No. prev. doc.:	14728/10 TELECOM 103 COMPET 283
Subject:	Draft Council Conclusions on European Broadband: investing in digitally driven growth

Delegations will find annexed the Draft Council Conclusions on European Broadband: investing in digitally driven growth. This draft takes into account the comments of delegations following the WP on 13 October 2010.

**DRAFT COUNCIL CONCLUSIONS ON
EUROPEAN BROADBAND: INVESTING IN DIGITALLY DRIVEN GROWTH**

THE COUNCIL OF THE EUROPEAN UNION

1. WELCOMES

The Commission Communication on European Broadband of 20 September 2010, proposing a number of possible actions in view of meeting the ambitious [target] of the Europe 2020 Strategy that, by 2020, all Europeans should have access to Internet of above 30 Megabits per second (Mbps) and 50% or more of European households have subscriptions to internet connections above 100 Mbps;¹

2. TAKES NOTE OF

- a) The proposal from the Commission of 20 September 2010 for a Decision of the European Parliament and of the Council establishing a Radio Spectrum Policy Programme;²
- b) The Commission Recommendation of 20 September 2010 on regulated access to Next Generation Access Networks (NGA).³

¹ doc. 13874/10

² doc. 13872/10

³ C(2010) 6223

3. RECALLS

- a) The Presidency conclusions of the Brussels European Council of 11-12 December 2008;⁴
- b) The European Council conclusions of 19-20 March 2009;⁵
- c) The Council conclusions of 18 December 2009 on "Post-i2010 Strategy - towards an open, green and competitive knowledge society";⁶
- d) The Commission Communication of 3 March 2010 on "Europe 2020 - A strategy for smart, sustainable and inclusive growth";⁷
- e) The Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks;⁸
- f) The various Commission decisions on State aid to broadband (2003-2010);⁹
- g) Council Regulation of 25 May 2009 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and on the financing of the common agricultural policy;¹⁰

⁴ doc. 17271/1/08 REV 1

⁵ doc. 7880/1/09

⁶ doc. 17107/09

⁷ doc. 7110/10

⁸ Communication from the Commission on Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks 2009/C 235/04, OJ C 235, 30.9.2009, p.7

⁹ http://ec.europa.eu/competition/sectors/telecommunications/broadband_decisions.pdf

¹⁰ Council Regulation (EC) No 473/2009 of 25 May 2009 amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and Regulation (EC) No 1290/2005 on the financing of the common agricultural policy, OJ L144/3, 9.6.2009

- h) The Granada Ministerial Declaration of 19 April 2010 on the "European Digital Agenda";¹¹
- i) "Europe's Digital Competitiveness Report 2010";¹²
- j) The Commission Communication on "A Digital Agenda for Europe";¹³
- k) The Council conclusions of 31 May 2010 on the Digital Agenda for Europe;¹⁴
- l) The European Council conclusions of 17 June 2010.¹⁵

4. ACKNOWLEDGES

- a) That all stakeholders in the European Union should work together to ensure that the necessary resources are put in to the development of a digital single market based on high speed internet [**broadband**] and interoperable applications in order to use its full potential to raise productivity and generate economic growth and attract investments, create jobs and reinforce its influence at a global level;
- b) That Europe should achieve a competitive market for broadband infrastructure and services that will facilitate the building of an extensive and ~~lasting~~ **sustainable** high speed infrastructure which is operated ~~in an open way~~ **transparently and on an open access basis** enabling a diversity of new and innovative services for consumers and businesses across the single market;

¹¹ http://www.eu2010.es/export/sites/presidencia/comun/descargas/Ministerios/en_declaracion_granada.pdf

¹² doc. 9857/10

¹³ doc. 9981/1/10

¹⁴ doc. 10130/10

¹⁵ doc. EUCO 13/10

- c) That mobile, fixed and satellite broadband networks should be facilitated and developed to expand the reach of broadband to the remotest areas and offer an option for ubiquitous access;
- d) That differences exist between Member States in the development of the information society, in particular with regard to broadband networks, as indicated in "Europe's Digital Competitiveness Report 2010";¹⁶
- e) That efficient investment and competition in next generation broadband networks and services will be important for innovation, consumer choice and for the competitiveness of the European Union;
- f) That the roll-out of high speed broadband infrastructure, where possible, should be based on a market driven and technology neutral approach ;
- g) That Member States together with the European institutions should take concrete steps and actions to raise awareness and thus stimulate broadband. ~~take up in order to meet the 2013 and 2020 goals.~~

¹⁶ doc. 9857/10

5. INVITES THE COMMISSION TO

- a) By 2011, make a proposal, in cooperation with the EIB and in collaboration with the Member States, to support broadband financing ~~within~~ **without prejudice to** the current **multiannual** financial framework; ~~to~~ issue guidance for public authorities on use of ~~Community~~ **EU** funds for open broadband access project design and preparation ; adopt investment guidelines on broadband for public authorities to facilitate full absorption of ~~Community~~ **EU** funds;
- b) By 2011, help Member States to progress in meeting the national broadband targets embedded in the national plans;
- c) By 2012, complete a review of cost reduction practices **adopted at national and local level in order to encourage efficient private investments, such as the** ; ~~by helping Member States to facilitate appropriate~~ coordination of planning and **the to setting up of** physical infrastructure sharing rules ~~and streamlining laws and regulations in order to encourage efficient private investments~~;
- d) By 2013, reinforce and rationalize the use of funding of high-speed broadband through EU instruments ~~under~~ **without prejudice to** the current financial framework (e.g. ERDF, ERDP, EAFRD, TEN, CIP).

6. INVITES THE MEMBER STATES IN CLOSE COOPERATION WITH THE STAKEHOLDERS TO

- a) Take **utmost** ~~rapidly and fully into~~ account **of** the NGA Recommendation and **urgently/rapidly** implement the European Radio Spectrum Policy Programme as soon as it is adopted;
- b) Rapidly implement and enforce effectively the regulatory framework in a consistent and thorough way in order to achieve in Europe a vibrant competition in broadband markets;
- c) Set national broadband targets and adopt operational plans that take account of the Europe 2020 broadband [targets] proposed by the Commission, accompanied by concrete implementation measures;
- d) Set up an appropriate coordination of planning and physical infrastructure sharing practises in order to encourage efficient private investments;
- e) Reduce broadband investment costs by taking appropriate measures at national and regional level to ensure the competitive provision of broadband services, which includes **making publicly available to all market participants** ~~that Member States should draw up an inventory of and communicate~~ relevant information **on** available passive infrastructures ~~where appropriate~~ **and the drawing up of an inventory**.
