



DIGITAL AGENDA FOR EUROPE

Since 1995, information and communication technologies (ICTs) have driven productivity gains and growth in the EU^[1]. Over the past three decades, technological ‘convergence’ has been blurring the boundaries between telecommunications, broadcasting and IT. The Commission launched the digital single market in 2015 to deliver the main legislative proposals, such as boosting e-commerce, copyright, ePrivacy, harmonisation of digital rights, harmonised VAT rules and cybersecurity.

LEGAL BASIS

While the Treaties do not contain any special provisions for ICTs, the EU may take relevant actions within the framework of sectoral and horizontal policies, such as: industrial policy (Article 173 TFEU); competition policy (Articles 101-109 TFEU); trade policy (Articles 206 and 207 TFEU); the trans-European networks (TENs) (Articles 170-172 TFEU); research and technological development and space (Articles 179-190 TFEU); the approximation of laws for improving the establishment and the functioning of the internal market (Article 114 TFEU); the free movement of goods (Articles 28, 30 and 34-35 TFEU); the free movement of people, services and capital (Articles 45-66 TFEU); education, vocational training, youth and sport (Articles 165 and 166 TFEU); and culture (Article 167 TFEU). These are all key elements for a Digital Europe.

OBJECTIVES

Following up on the Lisbon Strategy, the [Digital Agenda for Europe](#)^[2] (DAE) was conceived as one of the seven flagship initiatives of the Europe 2020 strategy adopted by the Commission. Published in May 2010, it sets out to define the key enabling role that the use of ICTs will have to play if Europe wants to succeed in its ambitious 2020 goals. In order to ensure a fair, open and secure digital environment, the Commission has consequently built the [Digital Single Market Strategy](#) on three pillars: providing better access for consumers and businesses to digital goods and services across Europe, creating the right conditions for digital networks and services to flourish, and maximising the growth potential of the digital economy.

[1] Digital scoreboard — <http://ec.europa.eu/digital-agenda/en/scoreboard>
[2] Digital Agenda for Europe — <https://ec.europa.eu/digital-single-market/en/europe-2020-strategy>



ACHIEVEMENTS

Since the opening up of the telecommunications market to full competition on 1 January 1998 and the beginning of its implementation, the Digital Single Market Strategy has delivered the main legislative proposals set out in it as priorities.

First, to provide better access for consumers and businesses to digital goods and services across Europe, and to provide the EU with an advanced system of user rights and protection for consumers and businesses, including:

- Lower prices for [electronic communications](#) and the end of roaming charges on 14 June 2017 ('Roam Like At Home')[3];
- Better internet connectivity for all with a comprehensive basic broadband coverage, mainly owing to developments in mobile and satellite broadband to develop a gigabit connectivity for all main socio-economic drivers with the harmonised use of [the 470-790 MHz frequency band in the Union](#) and the opening-up of broadband for 5G mobile internet by 2020; a common EU calendar for [a coordinated 5G commercial launch in 2020](#); free Wi-Fi offered in hotspots to citizens and visitors in public spaces everywhere in Europe through WiFi4EU[4]; a high-quality 700 MHz band; a Connecting Europe Broadband Fund (to support digital network infrastructures);
- Better protection of consumers in telecommunications with legislation on privacy (Directive 2009/136/EC) and data protection (Directive 95/46/EC), further improved by the new regulatory framework on data protection ([Regulation \(EU\) 2016/679](#) and [Directive \(EU\) 2016/680](#)); by strengthening the mandate of the European Network and Information Security Agency (ENISA)[5] after the adoption of [Parliament's resolution](#), followed by the [Commission's proposal](#) and the Tallinn Summit; by creating an online platform for dispute resolution between consumers and online traders[6]; by creating an online giponet.org, a platform to help make internet governance implementation more democratic and user-friendly[7]; by [legislation on geo-blocking](#) preventing direct and indirect discrimination based on the consumers' nationality, place of residence or place of establishment in cross-border commercial transactions between traders and customers in the EU; by permitted uses in copyright for print-disabled persons; by the introduction of the 112 single European emergency number ([Directive 2009/136/EC](#)), the 116000 missing children helpline, the 116111 child helpline, and the 116123 emotional support helpline; and by providing the right to change fixed-line or mobile operator within

[3]Joint statement issued by the Maltese Presidency of the Council of the European Union, the European Parliament and the European Commission on 14 June 2017: http://europa.eu/rapid/press-release_STATEMENT-17-1590_en.htm

[4]Adopted by the Council on 9 October 2017: <http://www.consilium.europa.eu/en/press/press-releases/2017/10/09-free-wifi4eu-internet-hotspots/>

[5]Regulation (EU) No 526/2013: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32013R0526>

[6]The platform is accessible at: <http://ec.europa.eu/consumers/odr/> and additional information may be found at: http://ec.europa.eu/consumers/solving_consumer_disputes/non-judicial_redress/adr-odr/index_en.htm

[7]The platform was launched by the Commission, in coordination with the Global Internet Policy Observatory (GIPO), on 22 April 2015.



one working day while still retaining one's original phone number, i.e. number portability (Directive 2009/136/EC).

Second, in order to create the right conditions for digital networks and services to flourish at the EU level, the Body of European Regulators for Electronic Communications (BEREC) ([Regulation \(EU\) 2018/1971](#)) provides for cooperation between national regulators and the Commission, promoting best practices and common approaches, while at the same time avoiding inconsistent regulation that could risk distorting competition in the single market in telecommunications. As regards spectrum management, the multiannual radio spectrum policy programme sets out policy directions and objectives for the strategic planning and harmonisation of the radio spectrum. This ensures that the internal market functions in Union policy areas involving spectrum use, such as electronic communications, research, technological development and space, transport, energy and audiovisual policies.

Third, the Digital Agenda for Europe aims at maximising the growth potential of the digital economy, by promoting digital skills and high performance computing, digitising industry and services, developing artificial intelligence and modernising public services^[8]. [New rules on the portability of digital services](#) have been adopted to allow consumers who have paid for online content services in their home country to access them when visiting another country within the EU and started to be applied from 1 April 2018.

ROLE OF THE EUROPEAN PARLIAMENT

Parliament advocates a robust and advanced ICT policy and has been very active in the adoption of legislative acts in the area. It has also continuously helped to keep the focus on ICT issues, through own-initiative reports, oral and written questions, studies^[9], workshops^[10], opinions and resolutions, as well as through calls for greater coordination of national efforts for the development of pan-European services and EU support for ICT research and development^[11].

[Parliament has recalled](#) the need to use the 'digital dividend' spectrum to achieve broadband for all EU citizens, and has stressed that further action is needed to ensure ubiquitous and high-speed access to broadband, as well as digital literacy and competences for all citizens and consumers. At the same time, Parliament strongly promotes [technological neutrality](#), 'net neutrality' and 'net freedoms' for European citizens, as well as measures regarding access to or use of services and applications through telecommunications networks, on the basis of respect for the fundamental rights and freedoms of citizens. Such measures must also ensure that internet service providers do not degrade users' ability to access content and applications and/or run services of their own choice^[12].

[8]Estonian Prime Minister Jüri Ratas on the Tallinn Digital Summit.

[9]EP Think Tank: <http://www.europarl.europa.eu/aboutparliament/en/0083c7a4db/Think-Tank.html#studies>

[10]European Parliament Committees: <http://www.europarl.europa.eu/committees/en/events.html?id=workshops#documents>

[11]Ubiquitous Development of the Digital Single Market, study prepared for the European Parliament's Committee on the Internal Market and Consumer Protection, 2013: [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/507481/IPOL-IMCO_ET\(2013\)507481_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/507481/IPOL-IMCO_ET(2013)507481_EN.pdf)

[12]OJ C 153 E, 31.5.2013, p. 128.



Parliament is systematically consolidating these guarantees through legislation. It is at the forefront in removing obstacles within the digital single market and modernising EU telecoms rules for today's digital and data products and services in order to maximise the digitalisation of the European services sectors, which lead to new jobs and opportunities. It aims at boosting cross-border commerce, harmonising digital contract rules, guaranteeing affordable cross-border parcel delivery services, supporting the free flow of non-personal data and implementing simpler VAT declaration procedures. Parliament has therefore improved data access and transfer for all by setting network neutrality standards, harmonising the use of the 470-790 MHz frequency band, supporting free Wi-Fi connections for all in towns and villages (Wifi4EU), investing in high-performance computing and in the science cloud (European Open Science Cloud) and ending roaming charges on the EU's territory. Parliament has initiated and completed important legislative work on [measures to reduce the cost of deploying high-speed electronic communications networks](#)^[13] and on the [Regulation on electronic identification and trust services for electronic transactions in the internal market in order to facilitate electronic businesses](#).

Furthermore, Parliament successfully finalised the legislative work improving data protection by reforming the [data protection framework and cybersecurity rules](#), approving the creation of a European ICT security framework, organising ICT certification in the EU, promoting investments in essential cybersecurity industrial capacities, guaranteeing an effective application of the protection of natural persons in relation to the processing of personal data as a fundamental right ([Directive \(EU\) 2016/680](#)), and protecting natural persons with regard to the processing of personal data and on the free movement of such data ([Regulation \(EU\) 2016/679](#)). This latter regulation aims to correct the following: fragmentation in the implementation of data protection across the Union, legal uncertainty and a widespread public perception that there are significant risks to the protection of natural persons (in particular with regard to online activity). Recently, Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) voted in favour of rules on the respect for private life and the protection of personal data in electronic communications with a view to facilitating businesses^[14].

Parliament is closely monitoring the implementation by the Commission of the Digital Single Market (DSM) strategy roadmap and has therefore adopted a resolution entitled '[Towards a Digital Single Market Act](#)'. Parliament is currently doing extensive legislative work on the proposals presented as a follow-up to the DSM Strategy and the above-mentioned resolution, addressing issues such as unjustified geo-blocking^[15], cross-border parcel delivery^[16], cross-border portability of online content services^[17], a revision of the Consumer Protection Cooperation Regulation^[18], audiovisual media

[13] Directive 2014/61/EU: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.155.01.0001.01.ENG, OJ L 155, 23.5.2014, p. 1.

[14] [COM\(2017\) 0010](#).

[15] [COM\(2016\) 0289](#).

[16] [COM\(2016\) 0285](#).

[17] [COM\(2015\) 0627](#).

[18] [COM\(2016\) 0283](#).



services^[19], contracts for the online and other distance sales of goods^[20], and contracts for the supply of digital content^[21].

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[19][COM\(2016\) 0287](#).

[20][COM\(2015\) 0635](#).

[21][COM\(2015\) 0634](#).

