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*Committee on the Environment, Public Health and Food Safety*

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**2011/0299(COD)**

19.3.2012

# **AMENDMENTS**

## **15 - 39**

**Draft opinion**  
**Oreste Rossi**  
(PE480.682v01-00)

on guidelines for trans European telecommunications networks and repealing  
Decision No 1336/97/EC

Proposal for a regulation  
(COM(2011)0657 – C7-0373/2011 – 2011/0299(COD))

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PE483.836v01-00

**EN**

*United in diversity*

**EN**

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**Amendment 15**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions -European Broadband: investing in digitally driven growth<sup>9</sup> concludes that the critical role of the internet means that the benefits for society as a whole appear to be much greater than the private incentives to invest in faster networks. Public support for this area is therefore necessary, but should not unduly distort competition.

*Amendment*

(4) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions -European Broadband: investing in digitally driven growth<sup>9</sup> concludes that the critical role of the internet means that the benefits for society as a whole appear to be much greater than the private incentives to invest in faster networks. Public support for this area is therefore necessary, but should not unduly distort competition. ***In its resolution of 6 July 2011 on European Broadband: investing in digitally driven growth, the European Parliament emphasises that broadband services are key to the competitiveness of EU industry and greatly contribute to EU economic growth, social cohesion and the creation of quality employment, as well as to the participation of all regional and social groups in digital life in the EU; recommends promoting a competitive market for investment in, and utilisation of, fixed and wireless broadband infrastructure; notes that a competitive market is a catalyst for additional investment and innovation by communications, applications and content providers, as well as a vital platform for the digital economy.***

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<sup>1</sup> P7\_TA-(2011)0322

Or. ro

**Amendment 16**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Recital 10**

*Text proposed by the Commission*

(10) Substantial economic and social benefits, which cannot be captured nor monetised by investors, are associated with higher broadband speeds. Fast and ultra-fast broadband is the key enabling infrastructure for the development and deployment of digital services, which rely on the availability, speed, reliability and resilience of the physical networks. The deployment and take-up of faster networks opens the way for innovative services exploiting higher speeds. Action at Union level is necessary to maximise the synergies and interactions between those two components of digital telecommunications networks.

*Amendment*

(10) Substantial economic and social benefits, which cannot be captured nor monetised by investors, are associated with higher broadband speeds. Fast and ultra-fast broadband is the key enabling infrastructure for the development and deployment of digital services, which rely on the availability, speed, reliability and resilience of the physical networks. The deployment and take-up of faster networks opens the way for innovative services exploiting higher speeds. Action at Union level is necessary to maximise the synergies and interactions between those two components of digital telecommunications networks. ***Universal access to broadband networks is essential for the growth of modern economies and for individual wellbeing and digital inclusion. Extension of broadband networks in rural and economically and socially less-favoured areas will facilitate better communications, particularly for persons with reduced mobility or living in isolated conditions, as well as improving access to services and encouraging the development of SMEs in rural areas, thereby helping to create new jobs and develop new services in these localities;***

Or. ro

**Amendment 17**  
**Elena Oana Antonescu**

## Proposal for a regulation

### Recital 13

*Text proposed by the Commission*

(13) The development of broadband networks and digital service infrastructures will contribute to the Union's objective to reduce greenhouse gas emission by enabling energy-efficient solutions in many sectors of Europe's economy. This positive effect will be limited, but only to some extent, by the growing energy and resource demand related mainly to the construction of broadband networks and the operation of digital service infrastructures.

*Amendment*

(13) ***The use of information technology and communications facilitates a structural adjustment towards goods and services which consume less resources, energy savings in buildings and electricity networks and the development of more efficient and lower-energy intelligent transport systems.*** The development of broadband networks and digital service infrastructures will contribute to the Union's objective to reduce greenhouse gas emission by enabling energy-efficient solutions in many sectors of Europe's economy. This positive effect will be limited, but only to some extent, by the growing energy and resource demand related mainly to the construction of broadband networks and the operation of digital service infrastructures.

Or. ro

## Amendment 18

Elena Oana Antonescu

## Proposal for a regulation

### Recital 24 a (new)

*Text proposed by the Commission*

*Amendment*

***(24a) In the implementation of this Regulation, any processing of personal data should be carried out in accordance with Union law, as set out, in particular, in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and Directive 2002/58/EC of the European Parliament***

*and of the Council of 12 July 2002  
concerning the processing of personal  
data and the protection of privacy in the  
electronic communications sector  
(Directive on privacy and electronic  
communications) .*

Or. ro

**Amendment 19**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Article 2 – point 1**

*Text proposed by the Commission*

(1) contribute to economic growth and support the development of the Single Market resulting in the improvement of the competitiveness of the European economy, **including** small and medium sized enterprises (SMEs).

*Amendment*

(1) contribute to economic growth and support the development of the Single Market resulting in the improvement of the competitiveness of the European economy, **particularly through increasing market access for** small and medium sized enterprises (SMEs).

Or. en

**Amendment 20**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Article 2 – point 2**

*Text proposed by the Commission*

(2) contribute to improvements in daily life for citizens, businesses and governments through the promotion of the interconnection and interoperability of national telecommunication networks as well as access to such networks.

*Amendment*

(2) contribute to improvements in **social cohesion and** daily life for citizens, businesses and governments through the promotion of the interconnection and interoperability of national telecommunication networks as well as

access to such networks.

Or. en

**Amendment 21**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Article 2 – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*(2a) contribute to the protection and defence of information and information systems by ensuring their availability, integrity, authentication, and confidentiality. Such measures should include protection, detection, and reaction capabilities of information systems, especially from cyber attacks.*

Or. en

**Amendment 22**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Article 2 – point 4**

*Text proposed by the Commission*

*Amendment*

(4) facilitate sustainable deployment of trans-European digital service infrastructures, their interoperability and coordination at European level, their operation, maintenance and **upgrading**.

(4) facilitate sustainable deployment of **open, accessible and non-discriminatory** trans-European digital service infrastructures, their interoperability and coordination at European level, their operation, maintenance, **upgrading** and **security**.

Or. en

**Amendment 23**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Article 4 – point b**

*Text proposed by the Commission*

(b) the deployment of broadband networks to link island, landlocked and peripheral regions with the central regions of the Union ensuring in those regions that speeds of data transmission are sufficient to permit broadband connectivity of 30 Mbps and above;

*Amendment*

(b) the deployment of broadband networks to link island, landlocked and peripheral regions, **rural areas and economically and socially less-favoured regions** with the central regions of the Union ensuring in those regions that speeds of data transmission are sufficient to permit broadband connectivity of 30 Mbps and above;

Or. ro

**Amendment 24**  
**Rovana Plumb**

**Proposal for a regulation**  
**Article 4 – point d**

*Text proposed by the Commission*

(d) actions allowing to achieve synergies and interoperability between different projects of common interest in the field of Telecommunications, between projects of common interest concerning different types of infrastructures, **including transport and energy**, between projects of common interest in the field of Telecommunications and projects supported by the Structural and Cohesion funds, as well as relevant research infrastructures.

*Amendment*

(d) actions allowing to achieve synergies and interoperability between different projects of common interest in the field of Telecommunications, between projects of common interest concerning different types of infrastructures between projects of common interest in the field of Telecommunications and projects supported by the Structural and Cohesion funds, as well as relevant research infrastructures



*Justification*

*This provision should apply to all types of infrastructure without making specific reference to any in particular.*

**Amendment 25**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

2. A project of common interest may encompass its entire cycle, including feasibility studies, implementation, continuous operation, coordination and evaluation.

*Amendment*

2. A project of common interest may encompass its entire cycle, including feasibility studies, implementation, continuous operation, coordination and evaluation.

***Projects of common interest should respect the principle of technology neutrality, which forms the basis of the EU electronic communications structure.***

**Amendment 26**  
**Rovana Plumb**

**Proposal for a regulation**  
**Article 5 – paragraph 7 – point c**

*Text proposed by the Commission*

(c) new opportunities for exploiting synergies between different ***infrastructures, including those in the***

*Amendment*

(c) new opportunities for exploiting synergies between different **types of infrastructure.**

*field of transport and energy.*

Or. ro

*Justification*

*For the sake of consistency*

**Amendment 27**

**Elena Oana Antonescu**

**Proposal for a regulation**

**Article 5 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) demonstrates European added value.

*Amendment*

(c) demonstrates European added value  
*following a feasibility study and cost-benefit analysis.*

Or. ro

**Amendment 28**

**Elena Oana Antonescu**

**Proposal for a regulation**

**Article 7 – paragraph 2**

*Text proposed by the Commission*

2. The Commission shall be assisted by an Expert Group, composed of a representative of each Member State, for monitoring of the implementation of these guidelines, assisting in the planning through the national strategies for high speed internet and mapping of infrastructures, and exchanging information. The Expert Group may also consider any other issue relating to the development of the trans-European

*Amendment*

2. The Commission shall be assisted by an Expert Group, composed of a representative of each Member State, for monitoring of the implementation of these guidelines, assisting in the planning through the national strategies for high speed internet and mapping of infrastructures, and exchanging information. *The Commission, together with the Expert Group, shall evaluate whether the scope of projects of common*

telecommunication networks.

*interest continues to reflect political priorities, technological development or the situation on the relevant markets, as well as new opportunities to exploit synergies between the different types of infrastructure.* The Expert Group may also consider any other issue relating to the development of the trans-European telecommunication networks.

Or. ro

**Amendment 29**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Article 7 – paragraph 4**

*Text proposed by the Commission*

4. *In these reports the Commission shall also evaluate whether the scope of the projects of common interest continues to reflect political priorities, technological developments or the situation in the relevant markets.* For major projects, *these reports shall include* an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience. Such a review may also be carried out at any other time when it is deemed appropriate.

*Amendment*

4. For major projects, *the Commission shall make* an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience. Such a review may also be carried out at any other time when it is deemed appropriate.

Or. ro

**Amendment 30**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Article 7 – paragraph 4**

*Text proposed by the Commission*

4. In these reports the Commission shall also evaluate whether the scope of the projects of common interest continues to reflect **political** priorities, technological developments or the situation in the relevant markets. For major projects, these reports shall include an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience. Such a review may also be carried out at any other time when it is deemed appropriate.

*Amendment*

4. In these reports the Commission shall also evaluate whether the scope of the projects of common interest continues to reflect **social, environmental and economic** priorities, technological developments or the situation in the relevant markets. For major projects, these reports shall include an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience. Such a review may also be carried out at any other time when it is deemed appropriate **in order to avoid investment in infrastructures which become obsolete in the short term.**

Or. en

**Amendment 31**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Article 8 – paragraph 2**

*Text proposed by the Commission*

2. The delegation of power referred to in the Articles 5(6) shall be conferred on the Commission for **an indeterminate** period of time from the date of the entry into force of this Regulation.

*Amendment*

2. The delegation of power referred to in the Articles 5(6) shall be conferred on the Commission for **a period of five years** from the date of the entry into force of this Regulation. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period.**

Or. ro

**Amendment 32**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Annex – introductory part – paragraph 1**

*Text proposed by the Commission*

The projects of common interest shall aim for the removal of bottlenecks which hinder the completion of the Single Market i.e. providing connectivity to the network and access, including across borders, to digital service infrastructures.

*Amendment*

The projects of common interest shall aim for the removal of bottlenecks which hinder the completion of the Single Market i.e. providing connectivity to the network and access, including across borders, to digital service infrastructures. ***Projects shall be prioritised according to the objectives outlined in Article 2, with particular emphasis being placed upon those that disseminate knowledge on climate change mitigation and adaptation best practices, and the deployment of smart grids.***

Or. en

**Amendment 33**  
**Rovana Plumb**

**Proposal for a regulation**  
**Annex – introductory part – paragraph 2**

*Text proposed by the Commission*

The deployment and enhancement of trans-European telecommunication networks (broadband networks and digital service infrastructures) shall contribute to fostering economic growth, creating jobs and achieving a vibrant digital single market. In particular, their deployment will grant faster access to the internet, bring about information technology-enabled improvements in daily life for citizens, ***including children and young persons***, businesses and governments, increase interoperability and facilitate the alignment or convergence to commonly agreed

*Amendment*

The deployment and enhancement of trans-European telecommunication networks (broadband networks and digital service infrastructures) shall contribute to fostering economic growth, creating jobs and achieving a vibrant digital single market. In particular, their deployment will grant faster access to the internet, bring about information technology-enabled improvements in daily life for citizens, businesses and governments, increase interoperability and facilitate the alignment or convergence to commonly agreed standards.

standards.

Or. ro

*Justification*

*The benefits are for all citizens*

**Amendment 34**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Annex – section 2 – paragraph 1**

*Text proposed by the Commission*

All broadband investments within the territory of the Union expand the network capacity and bring about benefits to all the potential users, including those in Member States other than the country of the investment. Investment in these networks will bring about more competition and more innovation in the economy, will deliver more efficient and effective public services, contribute to the EU goals on a low carbon economy and to the overall EU competitiveness and productivity.

*Amendment*

All broadband investments within the territory of the Union expand the network capacity and bring about benefits to all the potential users, including those in Member States other than the country of the investment. Investment in these networks will bring about more competition, **social cohesion** and more innovation in the economy, will deliver more efficient and effective public services, contribute to the EU goals on a low carbon economy and to the overall EU competitiveness and productivity.

Or. en

**Amendment 35**  
**Elena Oana Antonescu**

**Proposal for a regulation**  
**Annex – section 2 – paragraph 2**

*Text proposed by the Commission*

Investment in broadband infrastructure has been undertaken predominantly by private

*Amendment*

Investment in broadband infrastructure has been undertaken predominantly by private

investors and it is expected that this will remain the case. **However, the** achievement of the Digital Agenda targets will require investment in areas for which there is not a clear business case or where a business case may need to be enhanced within the time frame of the targets. The following types of areas can be characterized on the basis of the likely investment:

investors and it is expected that this will remain the case. **In many regions, however, investment in broadband infrastructure is insufficient because of the lack of competition and the high market risk, while public services are rudimentary and are not interoperable because of the fragmentary nature of the technical solutions.** The achievement of the Digital Agenda targets will require investment in areas for which there is not a clear business case or where a business case may need to be enhanced within the time frame of the targets. The following types of areas can be characterized on the basis of the likely investment:

Or. ro

**Amendment 36**  
**Vittorio Prodi**

**Proposal for a regulation**  
**Annex – section 2 – paragraph 4**

*Text proposed by the Commission*

Rural and low density areas are typically served with low speed connections and in some cases even not served at all. The business case for investment is unlikely to be viable and the European targets are unlikely to be reached by 2020. Investment in these areas needs higher financial support, provided by grants, possibly in combination with financial instruments. Such areas will include remote and sparsely populated regions where investment costs are either very high or where income is low. The support from the Connecting Europe Facility in these areas is likely to complement available cohesion funds or rural development and other direct public support.

*Amendment*

Rural and low density areas are typically served with low speed connections and in some cases even not served at all. **This is a priority area where broadband access can be supplied with satellite connectivity.** The business case for investment is unlikely to be viable and the European targets are unlikely to be reached by 2020. Investment in these areas needs higher financial support, provided by grants, possibly in combination with financial instruments. Such areas will include remote and sparsely populated regions where investment costs are either very high or where income is low. The support from the Connecting Europe Facility in these areas is likely to complement available cohesion funds or rural development and other direct public support.

**Amendment 37****Marina Yannakoudakis****Proposal for a regulation****Annex – section 3 – paragraph 2 – subparagraph 1***Text proposed by the Commission*

eGovernment refers to the digital interaction between public authorities and citizens, public authorities and businesses and organisations, and among public authorities of different countries. **Standardised, cross-border**, and user-friendly interaction platforms will generate efficiency gains both throughout the economy and in the public sector and will contribute to the Single Market.

*Amendment*

eGovernment refers to the digital interaction between public authorities and citizens, public authorities and businesses and organisations, and among public authorities of different countries. **Cross-border** and user-friendly interaction platforms will generate efficiency gains both throughout the economy and in the public sector and will contribute to the Single Market.

Or. en

**Amendment 38****Marina Yannakoudakis****Proposal for a regulation****Annex – section 3 – paragraph 2 – subparagraph 3 – point d – paragraph 1***Text proposed by the Commission*

(d) Interoperable cross border eHealth services: These services will enable the interaction between citizens/patients and health care providers, institution-to-institution and organization-to-organization transmission of data, or peer-to-peer communication between citizens/patients and/or health professionals and institutions. The infrastructure to be deployed will comply with the principles of data protection as set out, in particular, in Directives 95/46/EC and 2002/58/EC, as well as with international and national

*Amendment*

(d) Interoperable cross border eHealth services: ***These services will support and facilitate cooperation and the exchange of information between Member States, working within a voluntary network to support Member States in developing common identification and authentication measures in order to facilitate the transferability of data between the national authorities responsible for eHealth designated by Member States.*** These services will enable the interaction between citizens/patients and health care



ethical rules related to the use of patient health records and other personal data.

providers, institution-to-institution and organization-to-organization transmission of data, or peer-to-peer communication between citizens/patients and/or health professionals and institutions. The infrastructure to be deployed will comply with the principles of data protection as set out, in particular, in Directives 95/46/EC and 2002/58/EC, as well as with international and national ethical rules related to the use of patient health records and other personal data.

Or. en

**Amendment 39**  
**Marina Yannakoudakis**

**Proposal for a regulation**  
**Annex – section 3 – paragraph 2 – subparagraph 3 – point d – paragraph 2**

*Text proposed by the Commission*

The services will comprise cross border access to electronic health records and electronic prescription services as well as remote health/assisted living tele-services, cross border multi lingual semantic services linked to the multilingual core platform, ***access to social security information building on the EESSI (Electronic Exchange of Social Security Information) infrastructure, etc.***

*Amendment*

The services will comprise cross border access to electronic health records and electronic prescription services as well as remote health/assisted living tele-services ***and*** cross border multi lingual semantic services linked to the multilingual core platform.

Or. en