

WRITTEN QUESTION P-1024/07
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to the Commission

Subject: Theoretical, legal, financial and technological grounds for international roaming

Having regard to Articles 14 and 95 of the Treaty, Directive 2002/21/EC¹ and proposal for a regulation COM(2006)0382 on roaming on public mobile networks, the Commission is asked to provide the following information:

– What are the principles of Community and commercial law, financial principles applying to networks or technological reasons which can justify the rule which applies to mobile telephony, and which has gone totally unchallenged, whereby the person calling and the person receiving the call are always charged, whether the call is between a landline and mobile phone or between two mobile phones under international roaming arrangements?

No such commercial rule applies in any other data, image or other transmission system, whether in fixed telephony, calls between landlines (except where specifically provided for and accepted, as in the case of reverse charge calls), the internet, goods transport or postal services. In all such operations, the recipient is under no circumstances required to pay anything, unless he has explicitly agreed to do so.

– Why does this basic financial, legal and technical principle not apply in the field of mobile telephony?

– Why is the person receiving the call required to cover part of the costs in cross-border mobile telephony?

The fact that the caller does not know where the person he is calling is actually located is not sufficient to justify the high international roaming costs?

– Why does the same reasoning not apply to the internet?

The abnormally high and unjustified cost of international roaming is therefore nothing less than a customs barrier to the completion of the internal market and free competition in the mobile telephony market itself.

A partial reduction such as that provided for in the proposal for a regulation on international roaming with a view to lowering costs would not alter the actual segmentation and 'balkanisation' of markets, would not in any way increase competition, and hence would not allow the completion of the single market.

– Does the Commission not consider that the aim should be to reduce international roaming costs drastically with a view to eventually abolishing them, possibly at the end of the established two-year transition period, so as to promote the European market and competition?

¹ OJ L 108, 24.4.2002, p. 33.