Europe must deliver on Free Flows of Data and 5G

Press Release for Informal Telecoms Council

Brussels, 18 July 2017

BRUSSELS (18 July 2017) - Today, telecoms ministers from across Europe are gathering in Tallinn on the next steps for the Digital Single Market, regarding building a digital infrastructure and on tearing down barriers regarding data flows. DIGITALEUROPE welcomes the enthusiasm from the Estonian Presidency on these important topics.

High-speed connectivity and implementation of big data are essential to foster digitisation in public and private sector, such as e-government and healthcare. DIGITALEUROPE supports the Commission's proposals regarding spectrum and co-investment in Very High Capacity Networks in the European Electronic Communications Code to foster 5G and the Gigabit Society. We also fully back the Commission's intention for a legislative proposal regarding the free flow of data in the EU.

"We are calling the Member States to address these critical points on data flows and 5G which urgently need to be addressed, to prevent increased fragmentations in the Digital Single Market and risk having Europe fall behind on the global scene," said DIGITALEUROPE Director General Cecilia Bonefeld-Dahl.

DIGITALEUROPE strongly recommends to avoid any forced data localisation requirements on a national, European or global scale. These requirements in most cases find no valid justification, as under a true DSM there is little justification to deem data safer or better accessible by default if stored in a specific Member State.

Any forced data localisation requirements should be subject to EU scrutiny and should only be kept if proportionate and in line with EU legislation and single market principles. The EU must introduce a legal instrument that removes existing national data localisation requirements and prevents the creation of new ones.

The exceptional introduction of data localisation requirements by Member States should be pre-determined by a narrow range of acceptable justifications and subject to prior notification to allow for verification of their compatibility with EU law, including in the area of national public procurement.

Regarding the digital infrastructure, action is needed to meet the challenges facing 5G in Europe, and to create the framework for growth, services and jobs across many industry sectors relying on the Gigabit Society. DIGITALEUROPE therefore calls on Member States to free up spectrum on time, in a harmonized manner across the EU to reduce fragmentation and prevent delays of products and services.

"We faced a gap between the first and last movers on the 800 MHz band of over half a decade, with consequent delays in product and services availability due to this fragmentation. 5G already looks to face similar obstacles in 700 MHz. These delays benefit no one, especially not the industries and vertical sectors planning to deliver cross-border digital services in healthcare, utilities and automotive," said Ms Bonefeld-Dahl.

DIGITALEUROPE consequently a strengthened EU approach for spectrum policy, with increased sharing of best practices between Member States, peer review and stakeholder workshops. Initiatives such as those in the EECC, are needed, together with more transparency and certainty regarding license conditions and durations, as well as renewal timing and terms.

DIGITALEUROPE also highlights again the support and need to solve free flows of data within the EU. "We expect the Commission proposal on free flows of data this autumn", ended Ms Bonefeld-Dahl.

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ABOUT DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies.

DIGITALEUROPE's members include in total 25,000 ICT Companies in Europe represented by 61 corporate members and 37 national trade associations from across Europe. Our website provides further information on our recent news and activities: http://www.digitaleurope.org

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