

DIGITALEUROPE position on the Open Internet

Brussels, November 2014

The Internet has provided fertile ground for innovation, economic growth and social development. The ability of Internet users to access information and services of their choice without anti-competitive discrimination from any player of the Internet value chain has been key to this success and contributes to a pluralistic service and media landscape.

DIGITALEUROPE believes that the Internet's openness and its potential for further innovation must be preserved. For this to happen, DIGITALEUROPE supports the following principle-based approach:

Transparency: Internet access providers should disclose sufficient information to end-users and content and service providers to enable them to make informed choices;

Non-discrimination: The transmission of services, content and applications through Internet access service should not be anti-competitively discriminated, restricted or interfered with based on sender, recipient, type or data;

Consumer choice: consumers must be able to access any content and services of their choice, provided these do not endanger network integrity or violate any applicable laws.

Specialised Services: Internet access service providers should be allowed to offer specialised services in addition to Internet access services, provided that such offerings do not discriminate against the availability of specialised services from competitors. In addition, they should be distinct from Internet access services and not be used as a substitute. At the same time, any definition of specialised services should be technology neutral, future proof and flexible enough to not restrict the appearance of novel services.

Network traffic management: Traffic management is necessary to provide any Internet access service and specialised services, preserve the integrity and security of the network, and protect the network from overload conditions. Any traffic management practices must be non-discriminatory and transparent.

In order to enforce these principles, regulators will have a key role to monitor the quality of the Internet. The enforcement obligations of national NRAs will require guidance from BEREC to ensure harmonised application of these principles.

An open Internet, innovation and investment in all parts of the Internet ecosystem are a prerequisite for a competitive and dynamic ICT sector in Europe and the source of a wide variety of rich and innovative content and services. DIGITALEUROPE supports competition-friendly policies that guard against discrimination and promote transparency whilst allowing for commercial arrangements that benefit consumers, businesses and public administrations alike.

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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 58 corporate members and 36 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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