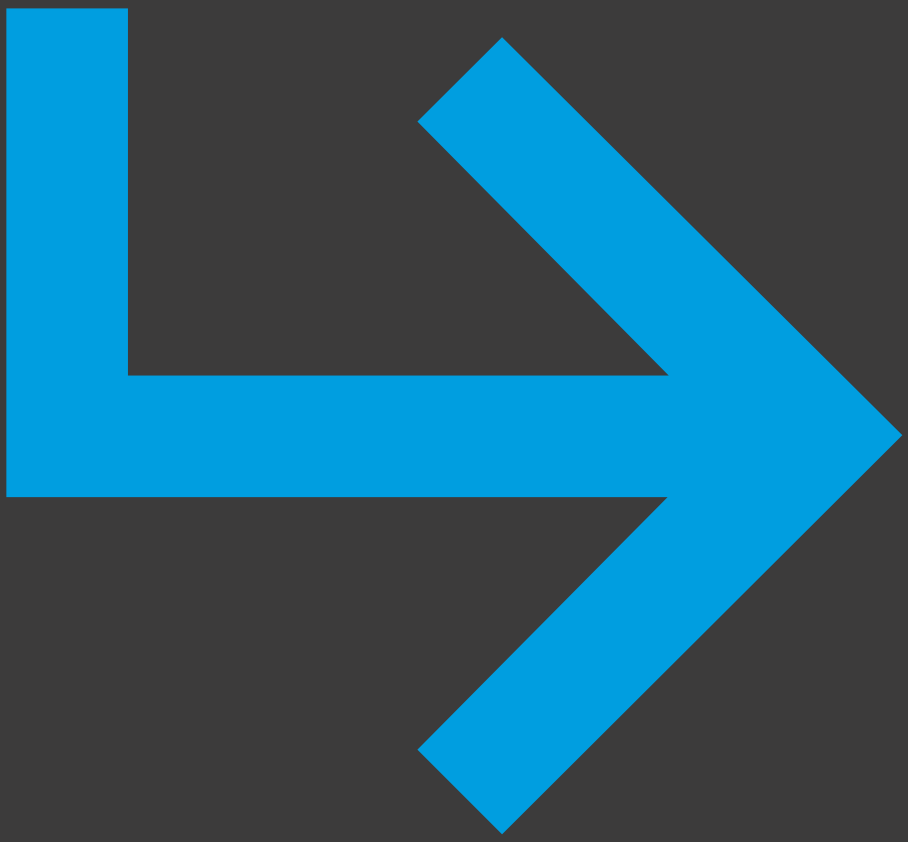
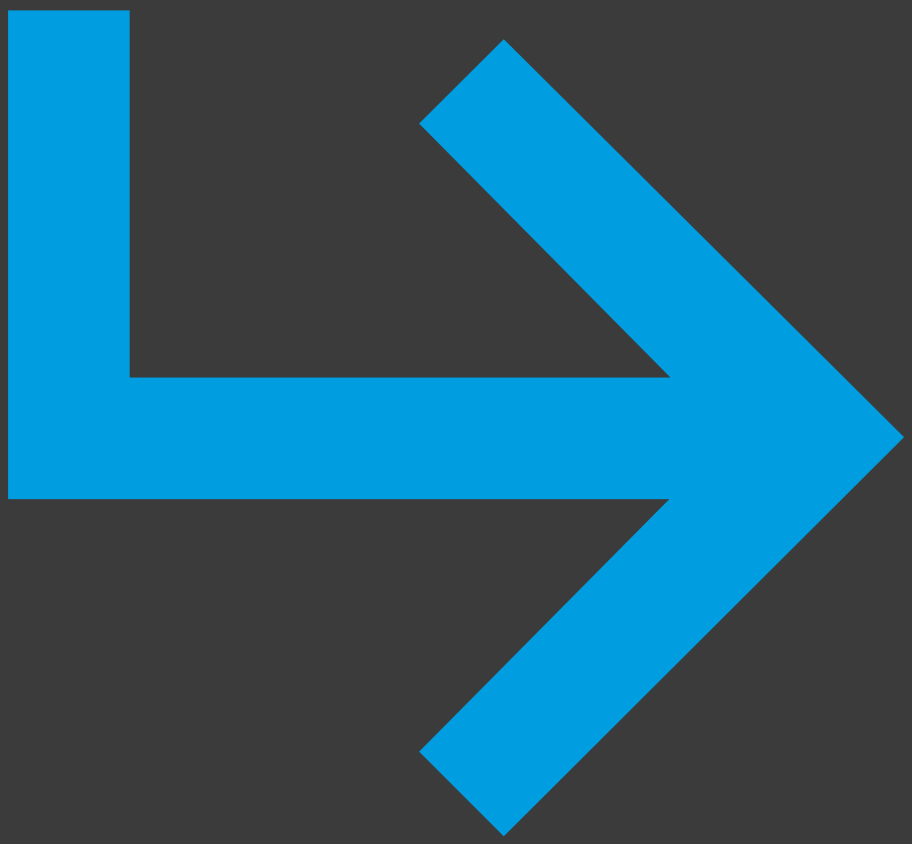
INDUSTRY PARTNERSHIP CONTRIBUTION TO THE SPANISH PRESIDENCY DIGITAL EUROPE STRATEGY

Recommendations of the European Information and Communication Technology (ICT) Industry to the Spanish Presidency of the European Union





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Recommendations of the European Information and Communication Technology (ICT) Industry to the Spanish Presidency of the European Union

Contributors

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The European trade associations contributing to this joint statement are:

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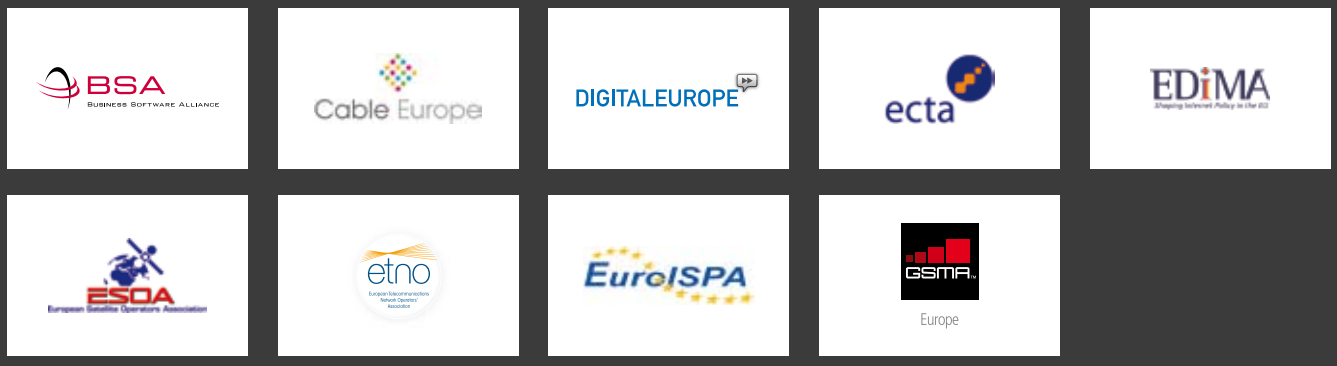

Spanish Contributors:

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Table of Contents

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Europe faces immense challenges in the coming decade – the financial crisis and slowed economic growth, climate change, an ageing population and displaced workforce among them. At the same time, this is also a moment of tremendous opportunity. The recent adoption of the Lisbon Treaty, combined with Europe's long political and cultural history, the diversity of Europe's citizenry and the innovativeness of its industries, mean that the European Union is well-placed to overcome the challenges that confront us

The ICT sector in figures:

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Europe's ICT sector accounted for a total revenue of €718 billion in 2008 (EITO). 40% of productivity growth is due to the ICT sector.

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Broadband based innovation has the potential to create up to one million additional jobs and a related growth of economic activity of €849 billion by 2015 (MICUS).

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Europe ICT sector represents more than 6 million employees (The 2009 report on R&D in ICT in the European Union).

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The ICT sector accounts for more than € 35 billion expenditure in R&D (The 2009 report on R&D in ICT in the European Union).

Information and Communications Technologies (ICTs) will play a key role in Europe's ability to move forward into the future. Deployed properly, ICTs can help to reduce carbon usage and promote sustainability, support better delivery of public services to all Europeans, create jobs and equip Europe's workforce for the 21st century economy, and enhance Europe's ability to compete in the global marketplace.

To that end, we encourage the EU to prioritise and take action in the following key areas:

Productivity and growth:

Europe's future competitiveness depends to a large extent on its ability to facilitate widespread take-up of ICT in both the public and private sectors. To achieve this objective, ICT should be made a centrepiece of Europe's 2020 Strategy. Achieving this objective will also require measures to remove barriers to the exploitation of pan-European networks and services by businesses of all sizes; to expand European eSkills and mobility; fulfil the potential of the single market for services both on-line and offline; encourage private sector R&D and ensure that public sector R&D can be efficiently leveraged; enhance the competitiveness of European SMEs; and embrace technology neutrality in standardisation so that all ICT players can contribute to producing the best possible products and services.

Sustainability:

The application and diffusion of ICT is essential to reducing CO2 emissions and achieving Europe's ambitious climate change objectives. Necessary steps to achieve this include support for projects that demonstrate ICT's role as an enabler of energy efficiency; incentives to encourage green procurement; and mechanisms to encourage ICT product and service providers to "go green".

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Creative Content in the Digital World:

In order for consumers to enjoy the benefits of the digital environment, the EU needs to develop a true Digital Single Market that would remove barriers and allow industry to develop and offer a variety of legitimate digital content business models. Accordingly, while recognizing the importance of copyrights for financing content creation, fragmented licensing systems and burdensome, outdated copyright levies regimes must be overhauled and greater transparency and accountability of collecting societies must be promoted.

Trust:

In order for e-commerce, e-government, e-health and other e-services to flourish, users must have trust in the Internet. To achieve this trust requires, among other measures, a harmonised regime that protects consumers across the EU's 27 member states under a coherent system of rules; robust data privacy protection, including a balanced and workable mandatory breach notification system and improved cooperation among government agencies, industry and privacy organizations; and strengthened security, achieved by incentivising R&D into security technologies, promoting the development of security best practices; and strengthening public-private partnerships.

Participation for all:

ICT has brought innumerable social and economic benefits to people across Europe. To ensure that all Europeans can participate meaningfully in a Digital Europe, measures must be taken to enhance eAccessibility; enable access to the information society for all - through widespread commercial deployment of broadband using different yet complimentary technologies to achieve maximum coverage and consumer benefits, where necessary financed by public resources rather than a sectoral levy and always subject to full observance of Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks; and promote the availability of e-government, e-health and e-education services throughout the EU-27; and to improve digital literacy.

Trade/Market access:

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To remain competitive, European digital technology industry must have full and fair access to the global marketplace. ICT/CE and telecoms goods and services should remain a priority in EU trade negotiations at WTO and bilateral level; the Basic Telecom Agreement should be further implemented and also updated; markets worldwide must be required to comply with their WTO obligations, including those imposed under TRIPS (Trade-Related Aspects of Intellectual Property Rights). Where possible, the ITA (Information Technology Agreement) should be improved; and national measures that favour domestic innovators should be resisted.

Reduction in administrative burdens:

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In order for e-services to flourish, inefficient and unnecessary administrative barriers to the provision of e-services and national differences that obstruct EU-wide deployment of these services must be eliminated. This includes removing excessive red tape on broadband network deployment; avoiding sector-specific fees and levies that impede consumer uptake of e-services; and eliminating duplicative tax obligations on e-service providers.

Working in partnership, industry and the EU can leverage ICTs to promote European growth and competitiveness, and in the process building an inclusive knowledge-based society with access for all and a true European Digital Single Market.

In addition to the issues explored above, the ICT industry unanimously agrees that competition and investment in high speed broadband networks and services provide the foundation on which a Digital Europe can flourish and it is essential for European policy-makers to address this issue. However, the broad range of interests represented in this group complicates the provision of specific recommendations on the appropriate policy mix in this area. We have therefore, despite its importance, not covered this issue in this report.

Europa se enfrenta a inmensos retos en la próxima década: crisis financiera, desaceleración del crecimiento económico, cambio climático, población envejecida y desempleo, entre otros. Al mismo tiempo, éste es asimismo un momento de enormes oportunidades. La reciente adopción del Tratado de Lisboa, combinada con la larga historia política y cultural de Europa, la diversidad de la ciudadanía europea y la capacidad de innovación de su industria, hacen que la Unión Europea esté bien situada para superar los retos a los que nos enfrentamos.

El sector de la Tecnologías de la Información y las Comunicaciones (TIC) en cifras:

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El sector TIC europeo obtuvo unos ingresos totales de 718.000 millones de euros en 2008 (EITO). Un 40% del crecimiento de la productividad se debe al sector TIC.

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La innovación basada en la banda ancha tiene potencial para crear hasta un millón de empleos adicionales e incrementar la actividad económica en 849.000 millones de euros para 2015 (MICUS).

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El sector TIC en Europa representa más de 6 millones de empleados (Informe 2009 sobre I+D en TIC en la Unión Europea).

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El sector TIC en Europa gasta más de 35.000 millones de euros en I+D (Informe 2009 sobre I+D en TIC en la Unión Europea).

Las TIC desempeñarán un papel clave en la capacidad de Europa para adentrarse en el futuro. Desplegadas adecuadamente, las TIC pueden ayudar a reducir el uso del carbono y promover la sostenibilidad, pueden llevar a cabo una prestación mejor de los servicios públicos a todos los europeos, pueden crear empleo y preparar a la mano de obra europea para la economía del siglo XXI, y pueden mejorar la capacidad de Europa para competir en el mercado mundial.

Para este fin, instamos a la UE a priorizar y tomar medidas en las siguientes áreas claves:

Productividad y crecimiento:

La competitividad futura de Europa depende en gran medida de su capacidad para facilitar una amplia adopción de las TIC en los sectores público y privado. Para alcanzar este objetivo, las TIC deberían ser un aspecto fundamental de la Estrategia 2020 de Europa. Conseguir este objetivo requerirá asimismo medidas para eliminar barreras a la explotación de las redes y servicios paneuropeos por parte de las empresas -de todos los tamaños-, expandir los conocimientos digitales europeos y la movilidad de sus ciudadanos, aprovechar el potencial del mercado único tanto para los servicios digitales como para el resto, estimular la I+D privada y garantizar un aprovechamiento eficaz de la I+D pública, mejorar la competitividad de las PYME europeas y adoptar la neutralidad tecnológica en la estandarización, de forma que todos los agentes de las TIC puedan contribuir a producir los mejores productos y servicios posibles.

Sostenibilidad:

La aplicación y difusión de las TIC son esenciales para reducir las emisiones de CO2 y alcanzar los ambiciosos objetivos de cambio climático de Europa. Entre los pasos necesarios para conseguirlo se encuentran el apoyo a proyectos que demuestren el papel de las TIC como generadoras de eficacia energética, estímulos para fomentar las “compras ecológicas” y mecanismos para incentivar a los proveedores de productos y servicios TIC a ser «ecológicos».

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Contenido creativo en el mundo digital:

Para que los consumidores disfruten de las ventajas del entorno digital, la UE tiene que desarrollar un verdadero Mercado Único Digital que elimine las barreras y permita a la industria desarrollar y ofrecer una variedad de modelos de negocio de contenidos digitales legales. Consecuentemente, aun reconociendo la importancia de los derechos de autor para financiar la creación de contenidos, es indispensable revisar los diferentes sistemas de licencias y los gravosos y desfasados regímenes de canon por copia privada, así como promover una mayor transparencia y responsabilidad de las sociedades de gestión colectiva de derechos.

Confianza:

Para que el comercio electrónico, la administración electrónica, la sanidad en línea y otros servicios digitales prosperen, los usuarios deben tener confianza en Internet. Para lograrlo, es necesario, entre otras medidas, un régimen armonizado que proteja a los consumidores de los Estados miembro de la UE con un sistema coherente de normas, una protección segura de la confidencialidad de los datos- incluido un sistema obligatorio de notificación de incumplimiento equilibrado y viable-, así como una mejor cooperación entre las agencias gubernamentales, la industria y las organizaciones de privacidad, y una seguridad fortalecida, lograda mediante la incentivación de la I+D en tecnologías de seguridad, promoviendo el desarrollo de las mejores prácticas en seguridad y el fortalecimiento de la cooperación pública-privada.

Participación para todos:

Las TIC han traído innumerables beneficios sociales y económicos a los europeos. Para garantizar que todos ellos puedan participar significativamente en una Europa Digital, se han de tomar medidas para mejorar la accesibilidad digital, facilitar el acceso a la sociedad de la información a todos mediante un despliegue comercial amplio de la banda ancha usando las diferentes tecnologías para lograr las máximas cobertura y ventajas para los consumidores -cuando sea necesario financiado mediante recursos públicos en vez de gravámenes sectoriales, y siempre supeditado a la total observancia de las Directrices comunitarias para la aplicación de las normas sobre ayudas estatales al despliegue rápido de redes de banda ancha- y promover la disponibilidad de los servicios electrónicos de la administración pública, la sanidad y la educación en la UE-27, así como mejorar la alfabetización digital.

Acceso al mercado:

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Para mantenerse competitivos, la industria tecnológica digital europea deberá tener un acceso pleno y equitativo al mercado global. Los bienes y servicios de la electrónica y las TIC deberán continuar siendo una prioridad de la UE en las negociaciones comerciales en la OMC y a nivel bilateral -posteriormente, los BTA (Basic Telecom Agreement) deberán ser puestos en práctica y también actualizados-; hay que exigir a los mercados de todo el mundo que cumplan con las obligaciones de la OMC, incluidas las impuestas en virtud del TRIPS (Trade-Related aspects of Intellectual Property Rights); y donde sea posible, se debe mejorar el acuerdo ITA (Information Technology Agreement); por último, se deberían evitar medidas nacionales que favorecieran a los innovadores locales.

Reducción de cargas administrativas:

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Con el fin de que prosperen los servicios electrónicos, hay que eliminar las barreras administrativas ineficaces e innecesarias para su prestación, así como las diferencias nacionales que obstruyen su despliegue en la UE. Esto incluye eliminar la excesiva carga administrativa existente para el despliegue de redes de banda ancha, evitar las tasas y gravámenes específicos del sector que impiden al consumidor hacer uso de los servicios y eliminar las obligaciones fiscales duplicadas que recaen sobre los proveedores de los mismos.

Trabajando en cooperación, la industria y la UE pueden aprovechar las TIC para promover el crecimiento y la competitividad europeos en el proceso de formar una sociedad integradora basada en el conocimiento con acceso para todos y un auténtico Mercado Digital Europeo Único.

Además de las cuestiones expuestas, el sector TIC considera unánimemente que la competencia e inversión en redes y servicios de banda ancha de alta velocidad proporcionan los cimientos para que prospere una Europa Digital, siendo esencial que los políticos europeos aborden este asunto. No obstante, la amplia gama de intereses representados en este grupo complica la provisión de recomendaciones más específicas sobre las políticas apropiadas a aplicar en este área. Por tanto, y a pesar de su importancia, no hemos abordado tal asunto en este informe.

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Europa wird in der kommenden Dekade mit enormen Herausforderungen konfrontiert: unter anderem Finanzkrise und verlangsamtes Wirtschaftswachstum, Klimawandel, alternde Gesellschaft und Arbeitslosigkeit. Gleichzeitig könnte man diese Zeiten als eine enorme Chance betrachten. Der zuletzt unterschriebene Lissaboner Vertrag in Verbindung mit der langen politischen und kulturellen Vorgeschichte Europas, die Vielfältigkeit der Menschen in Europa und deren industrielle Innovationkraft, bedeutet, dass die Europäische Union gut gerüstet ist, um diese Herausforderungen zu meistern.

ICT Sektor in Zahlen:

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Gesamtumsatz der Europäischen ICT Branche 2008 beträgt 718 Mrd € (EITO). 40% des Wachstums kommt aus dem ICT Sektor

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Breitbandinnovationen haben das Potenzial über 1 Mio neuen Arbeitsplätze zu schaffen und damit verbundenen Wachstum der Wirtschaftsaktivitäten bis 2015 (MICUS) in Höhe von 849 Mrd € zu ermöglichen.

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Die Europäische ICT Industrie beschäftigt über 6 Mio Menschen (lt „The 2009 report on R&D in ICT in the European Union")

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Das Investitionsvolumen in der ICT Branche beläuft sich auf 35 Mrd €.(lt „The 2009 report on R&D in ICT in the European Union)

Informations- und Kommunikationstechnologien (ICT) spielen eine zentrale Rolle in der zukünftigen Entwicklung Europas. Richtig eingesetzt, kann die ICT Branche dazu beitragen den CO2 Ausstoß zu reduzieren und Nachhaltigkeit zu fördern, kann einen besseren Zugang zu öffentlichen Leistungen für alle Europäer ermöglichen, sowie neue Jobs generieren und Europas Arbeitskräfte auf das 21 Jahrhundert vorbereiten und verbessert dadurch die weltweite Wettbewerbsfähigkeit Europas.

Daher empfehlen wir der EU die folgenden Schlüsselgebiete zu priorisieren und geeignete Maßnahmen zu ergreifen:

Produktivität und Wachstum:

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Die zukünftige Wettbewerbsfähigkeit Europas hängt größtenteils von der Fähigkeit ab, ICT sowohl im privaten als auch staatlichen Sektor zu etablieren. Um dieses Ziel zu erreichen, sollte ICT zum zentralen Punkt der Europäischen Strategie 2020 werden. Zudem wird es nötig sein, den Zugang zu Pan-Europäischen Netzen und Diensten für Firmen jeder Größe zu erleichtern; eSkills und Mobilität in Europa zu fördern, um die Potentiale im Dienstleistungsmarkt sowohl On- als auch Offline zu nutzen; um R&D im Privatsektor zu fördern und sicherzustellen, dass Entwicklungen aus den öffentlichen Bereichen wirksam eingesetzt werden; die Wettbewerbsfähigkeit Europäischer KMUs zu steigern; und der Neutralität in Bezug auf Technologien zur Standardisierung gerecht zu werden, sodass alle ICT Anbieter Ihren Beitrag leisten können, um die bestmöglichen Produkte und Dienste anzubieten.

Nachhaltigkeit:

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die Anwendung und Ausbreitung von ICT ist essenziell im Prozess der CO2 Reduktion und zur Erreichung der anspruchsvollen Europäischen Ziele. Auf dem Weg dahin helfen Projekte, welche die Bedeutung der ICT als treibende Kraft für Energie-Effizienz nachweist; Anreize, um den „grünen“ Einkauf zu fördern; und Mechanismen welche die ICT Produkt- und Dienstleistungsanbieter motiviert, Ihre „go green“ Strategie umzusetzen.

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Kreativer Inhalt für die Digitale Welt

Damit die Kunden die Vorteile der digitalen Welt genießen können ist es notwendig, dass die EU einen realen /echten digitalen Binnenmarkt entwickelt, welcher Hürden beseitigt und es der Industrie erlaubt eine Vielzahl von seriösen Geschäftsmodellen für digitale Inhalte zu entwickeln und anzubieten. Während die Wichtigkeit von Urheberrechten für die Finanzierung zur Entwicklung von Inhalten anerkannt ist, müssen verteilte Lizenzsysteme und belastende und veraltete Copyright Abgaben überkommen werden. Eine bessere Transparenz und Haftung der Verwertungsgesellschaft muss gefördert werden.

Vertrauen.

Das Vertrauen der Benutzer ins Internet ist der Schlüssel zum Erfolg für sämtliche e-commerce, e-government, e-health und andere e-service Anwendungen. Hierfür ist es notwendig, ein harmonisiertes und schlüssiges Gesetzgebungssystem unter Einbeziehung aller 27 EU Staaten zum Schutz der Kunden zu schaffen; robuster Datenschutz, inklusive eines ausgewogenen und anwendbaren aber verpflichtenden Benachrichtigungssystems bei Rechtsverletzungen sowie eine verbesserte Zusammenarbeit der Regierungsbehörden, Industrie und Privatorganisationen; verstärkte Sicherheit, welche durch Anreize zur Forschung&Entwicklung von Sicherheitstechnologien erreicht wird; Förderung von Entwicklungen für „Best-Practices“ im Bereich Sicherheit und Stärkung von Privat-Öffentlichen Partnerschaften.

Teilnahme für Jedermann:

Die ICT Branche hat allen Europäern zahllose soziale- und wirtschaftliche Vorteile gebracht. Um sicherzustellen, dass alle Europäer sinnvoll am „Digitalen Europa“ partizipieren, muss für eine erweiterte eAccessibility (eZugang) gesorgt werden; Zugang zur Informationsgesellschaft für Alle, durch weitreichende, kommerzielle Verwendung von Breitband mit unterschiedlichen, jedoch sich ergänzenden Technologien um eine optimale Netzwerkabdeckung und Kundennutzen zu erreichen. Falls notwendig, sollte dies durch staatlichen Quellen finanziert werden, jedoch nicht durch eine branchenspezifische Steuer; immer vorbehaltlich der vollen Kontrolle der Europäischen Gesetzgebung bzgl. der Staatshilfe im Bereich Breitband-Netzwerkinfrastrukturentwicklung; die Verfügbarkeit von e-government, e-health und e-education Leistungen innerhalb EU-27 fördern; und die Verbesserung digitaler Alphabetisierung.

Handel-/Marktzugang:

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Um die Wettbewerbsfähigkeit abzusichern, müssen die Europäischen, digitalen Technologieunternehmen einen vollständigen und fairen Zugang zum globalen Markt haben. ICT/ CE und Telecom-Produkte und Dienstleistungen müssen weiterhin mit Priorität bei WTO- und bilateralen Verhandlungen behandelt werden; Ein Telecom Grundvertrag („the Basic Telecom Agreement") sollte weiter implementiert und ständig erneuert werden; Märkte weltweit müssen verpflichtet werden Ihre Verpflichtungen gegenüber der WTO einzuhalten; inklusiv der unter TRIPS auferlegten. Wo möglich, sollte das ITA Abkommen verbessert und nationale Maßnahmen zum Schutz lokaler Innovatoren widerstanden werden.

Reduzierung administrativer Auflagen:

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Um e-services zum Durchbruch zu verhelfen, müssen ineffiziente und unnötige administrative Barrieren zur Bereitstellung von e-services sowie nationale Differenzen, welche eine EU-weite Verbreitung dieser Leistungen behindern eliminiert werden. Dies beinhaltet den Abbau von Bürokratie um die Entfaltung von Breitband zu gewährleisten; vermeiden von Sektor spezifischen Gebühren und Abgaben, welche die Akzeptanz von e-Services verhindern; und doppelte Steuer Auflagen für die Anbieter von e-Services eliminieren.

In der Partnerschaft können Industrie und EU ICTs wirksam nutzen, um Europäisches Wachstum und Wettbewerbsfähigkeit zu fördern und einen Prozess zur Bildung einer wissen-basierten Gesellschaft mit Zugang für Jedermann zu einem gemeinsamen Digitalen Markt zu starten.

Zusätzlich zu den oben untersuchten Themen, ist sich die ICT Industrie einig, dass Wettbewerb und Investitionen in Hochgeschwindigkeits-Breitband-Netzwerke und Leistungen die Basis für den Erfolg von Digital Europe sind und dass es essenziell ist, dass politische Entscheidungsträger sich dieser Themen annehmen. Trotzallen komplizieren die vielfältigen Interessen innerhalb dieser Gruppe eine Festlegung auf spezifische Vorschläge für einen angemessenen Rahmenvertrag in diesem Bereich. Wir haben daher, trotz der Wichtigkeit, diese Angelegenheit in diesem Bericht nicht abgedeckt.

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L'Europe est confrontée à d'énormes défis pour cette prochaine décennie - la crise financière et le ralentissement de la croissance économique, le changement climatique, le vieillissement de la population et le chômage, entre autres. En même temps, c'est aussi un moment d'immenses opportunités. La récente adoption du traité de Lisbonne, combinée à la longue histoire politique et culturelle de l'Europe, la diversité de ses citoyens et l'aspect novateur de ses industries signifie que l'Union européenne est bien placée pour surmonter les défis auxquels nous sommes confrontés.

Le secteur européen des Technologies de l'Information et de la Communication (TIC) en chiffres:

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Le secteur européen des TIC a généré en 2008 un revenu global de 718 milliards d'euros (EITO). 40% de la croissance de productivité est due au secteur des TIC.

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L'innovation liée à l'internet haut-débit a le potentiel de créer jusqu'à un million de nouveaux emplois et jusqu'à 849 milliards d'euros de croissance économique d'ici à 2015 (MICUS).

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Le secteur des TIC en Europe représente plus de 6 millions d'employés (The 2009 report on R&D in ICT in the European Union).

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Les investissements en R&D du secteur des TIC s'élèvent à 35 milliards d'euros. (The 2009 report on R&D in ICT in the European Union).

Les TIC joueront un rôle clé dans la capacité de l'Europe d'avancer vers l'avenir. Déployées correctement, les TIC peuvent aider à réduire les émissions de CO2 et promouvoir la durabilité, soutenir un meilleur accès aux services publics pour tous les Européens, créer des emplois et équiper la main d'œuvre européenne pour l'économie du 21e siècle, ainsi que renforcer la compétitivité de l'Europe dans le marché mondial.

À cette fin, nous encourageons l'Union européenne à établir des priorités et prendre des mesures dans les domaines clés suivants:

Productivité et croissance:

La compétitivité future de l'Europe dépend dans une large mesure de sa capacité à faciliter l'adoption généralisée des TIC dans les secteurs public et privé. Pour atteindre cet objectif, les TIC devraient être une pièce maîtresse de la Stratégie 2020 de l'Europe. Atteindre cet objectif nécessitera également des mesures visant à éliminer les obstacles à l'exploitation des réseaux et des services pan-européens par les entreprises de toutes tailles, à développer les compétences numériques et la mobilité européennes; à réaliser le potentiel du marché unique pour les services aussi bien en ligne que hors ligne, à encourager la R & D privée et de s'assurer que les dépenses de R & D du secteur public puissent être efficacement mobilisées; à renforcer la compétitivité des PME européennes, et promouvoir la neutralité technologique en matière de normalisation afin que tous les acteurs TIC puissent contribuer à produire les meilleurs produits et services possibles.

Durabilité:

L'application et la diffusion des TIC est essentielle pour réduire les émissions de CO2 et atteindre les ambitieux objectifs de l'Europe en matière de changement climatique. Les mesures nécessaires pour y parvenir incluent un soutien aux projets qui démontrent le rôle des TIC comme catalyseur de l'efficacité énergétique; des incitations pour encourager les achats « verts »; et des mécanismes pour stimuler les fournisseurs de produits et de services TIC à adopter une stratégie « verte ».

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Contenu créatif dans le monde numérique:

Afin que les consommateurs puissent profiter des avantages du monde numérique, l'UE a besoin de développer un véritable marché unique numérique supprimant les obstacles et permettant à l'industrie de développer et d'offrir une variété de modèles commerciaux pour le contenu légal en ligne. Par conséquent, tout en reconnaissant l'importance des droits d'auteur pour le financement de la création de contenu, les systèmes fragmentés et lourds d'octroi de licences, les régimes obsolètes de redevance pour copie privée doivent être revus et une plus grande transparence et responsabilisation des sociétés de gestion collective doit être encouragée.

Confiance :

Pour que des services tels que le commerce et l'administration électroniques, la santé en ligne, etc. puissent se développer, il est essentiel que les utilisateurs aient confiance en l'Internet. Pour établir cette confiance, il faut, entre autres, un régime harmonisé qui protège les consommateurs dans les 27 Etats Membres grâce à un système cohérent de règles: une bonne protection de la confidentialité des données, incluant un système de notification des infractions équilibré et facilement applicable ainsi qu'une meilleure coopération entre les agences gouvernementales, les organisations industrielles et privées; et une sécurité renforcée en encourageant la R&D dans les technologies de sécurité, tout en promouvant le développement des meilleures pratiques en matière de sécurité et le renforcement des partenariats public-privé.

Accès pour tous

Les TIC ont généré de nombreux bénéfices sociaux et économiques pour les citoyens de l'Europe. Afin d'assurer la participation de tous les Européens dans l'Europe Numérique, des mesures doivent être prises pour renforcer l'accessibilité en ligne; rendre possible l'accès à la société de l'information à tous – grâce au vaste déploiement commercial de la large bande en utilisant différentes technologies complémentaires afin d'obtenir une couverture et des bénéfices maximaux pour le consommateur, financé par des ressources publiques lorsque c'est nécessaire plutôt que par des taxes sectorielles, et toujours soumis au respect des lignes directrices communautaires en ce qui concerne l'application des aides d'Etat pour le déploiement rapide des réseaux à large bande; et la promotion de la disponibilité en ligne des services administratifs, éducatifs et de santé dans les 27 pays de l'Union; et finalement l'amélioration des compétences numériques.

Le commerce et l'accès au marché :

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Afin de rester compétitive, l'industrie technologique numérique européenne doit disposer d'un accès complet et équitable au marché mondial. Les TIC/EC et les biens et services télécom doivent rester une priorité dans les négociations de l'UE tant au niveau de l'OMC que bilatéral; le BTA (Basic Telecom Agreement) devrait être davantage mis en œuvre et également mis à jour; les marchés mondiaux doivent se conformer à leurs obligations OMC, y compris celles imposées sous les ADPIC (aspects des droits de propriété intellectuelle qui touchent au commerce). Lorsque c'est faisable, l'ITA (Information Technology Agreement) doit être amélioré; et les mesures nationales favorisant les innovateurs nationaux devraient être évitées.

Réduction des charges administratives:

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Afin que les services en ligne puissent prospérer, les barrières administratives inefficaces et inutiles à la fourniture de services électroniques et les différences nationales qui entravent le déploiement de ces services à l'échelle européenne doivent être éliminées. Ceci inclut la suppression de l'excès de bureaucratie concernant le déploiement des réseaux à large bande évitant ainsi les frais et charges spécifiques au secteur qui empêchent le consommateur d'utiliser les services en ligne; et l'élimination des obligations fiscales dupliquées qui pèsent sur les fournisseurs de services en ligne.

En travaillant en partenariat, l'industrie et l'UE peuvent tirer parti des TIC pour promouvoir la croissance et la compétitivité européennes, et dans la foulée, construire une société basée sur la connaissance avec un accès pour tous dans un véritable Marché Unique Numérique Européen.

En plus des enjeux étudiés ci-dessus, l'industrie des TIC pense à l'unanimité que la concurrence et l'investissement dans les réseaux et les services large bande à haut débit constituent le fondement sur lequel une Europe numérique peut se développer avec succès et il est essentiel que les décideurs politiques européens abordent cette question. Toutefois, le large éventail d'intérêts représentés dans ce groupe complique la présentation de recommandations spécifiques sur la politique appropriée dans ce domaine. C'est pourquoi, malgré son importance, nous n'avons pas soulevé cette question dans ce rapport.

Introduction/
Foreword

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We, the industry representatives of the European Digital Economy welcome the opportunity provided by the Spanish Presidency of the EU to deliver an "Industry Declaration on Europe's Future Digital Agenda". Our Declaration provides informed and constructive proposals for the elaboration of the European Union Digital Agenda. In particular, our contributions can be relevant to the Spanish Presidency calendar of policy initiatives and events including the Granada Action Plan as well as the "World ICT Congress 2010" [1].

The substantial contribution of ICT to Europe's economy and society is widely recognised and growing with the sector accounting for total revenues of €718 billion in 2008 (EITO) and providing more than six million jobs across the EU (MICUS). It is estimated that broadband based innovation has the potential to create up to one million additional jobs and a related growth of economic activity of €849 billion by 2015 (MICUS). Put simply ICT underpins economic activity across the European Union and has a significant impact on our society, making a major contribution to growth, productivity, and job and wealth creation. It also has a key role to play in reducing carbon emissions and improving energy efficiency across all sectors of the economy.

The overarching theme of our Declaration is the importance to Europe of leveraging the potential benefits of ICT to a maximum, so that European industries, consumers, and the region as a whole can reap the full benefits. Realising this potential will help Europe stay at the forefront of the global economy. A key component to this success will be a commercial and public policy environment that ensures vibrant competition and encourages investment and innovation in networks and services.

Widespread broadband connectivity will play a critical role in the success of Europe's post i2010 strategy. As representatives of the ICT industry we unanimously agree that competition and investment in high speed networks and services will provide the foundation on which the new Digital Agenda is built. However the broad range of interests represented in this group challenges the provision of specific recommendations on the appropriate policy mix in this area. Our Declaration focuses instead on seven key strategic themes for which we agree both the ends, and the means.

These are:

Productivity and growth: Europe's future competitiveness depends to a large extent on its ability to facilitate widespread take-up of ICT in both the public and private sectors. To achieve this objective, ICT should be made a centrepiece of Europe's 2020 Strategy; achieving this objective will also require measures to remove barriers to the exploitation of pan-European networks and services by businesses of all sizes; to expand European eSkills and mobility; to fulfil the potential of the single market for services both on-line and offline; to encourage private sector R&D and ensure that public sector R&D can be efficiently leveraged; to enhance the competitiveness of European SMEs; and to embrace technology neutrality in standardisation so that all ICT players can contribute to producing the best possible products and services.

[1] During the Spanish presidency the World Congress on IT (WCIT 2010) will take place in Amsterdam 25-27th May, 2010. WCIT 2010, titled «Challenges of Change», brings together over 2,000 captains of industry, government leaders and academics from more than 80 countries. During this three day summit delegates address global impact issues, regarding economic and social development. They exchange policies and ideas how ICT can enable change and innovation (see also www.wcit2010.org). WCIT2010 is supported by the European Commission and the Spanish Presidency, and is organized in close cooperation with the ICT industry, ICT user organizations and governments.

Sustainability: The application and diffusion of ICT is essential to reducing CO2 emissions and achieving Europe's ambitious climate change objectives. Necessary steps to achieve this include support for projects that demonstrate ICT's role as an enabler of energy efficiency; incentives to encourage green procurement; and mechanisms to encourage ICT product and service providers to "go green".

Creative Content in the Digital World - In order for consumers to enjoy the benefits of the digital environment, the EU needs to develop a true Digital Single Market that would remove barriers and allow industry to develop and offer a variety of legitimate digital content business models. Accordingly, while recognizing the importance of copyrights for financing content creation, fragmented licensing systems and burdensome, outdated copyright levies regimes must be overhauled and greater transparency and accountability of collecting societies must be promoted.

Trust: In order for e-commerce, e-government, e-health and other e-services to flourish, users must have trust in the Internet. To achieve this trust requires, among other measures, a harmonised regime that protects consumers across the EU's 27 member states under a coherent system of rules; robust data privacy protection, including a balanced and workable mandatory breach notification system and improved cooperation among government agencies, industry and privacy organizations; and strengthened security, achieved by incentivising R&D into security technologies, promoting the development of security best practices; and strengthening public-private partnerships.

Participation for all: ICT has brought innumerable social and economic benefits to people across Europe. To ensure that all Europeans can participate meaningfully in a Digital Europe, measures must be taken to enhance eAccessibility; enable access to the information society for all - through widespread commercial deployment of broadband using different yet complimentary technologies to achieve maximum coverage and consumer benefits, where necessary financed by public resources rather than a sectoral levy and always subject to full observance of Community Guidelines for the application of State Aid rules in relation to rapid deployment of broadband networks; and promote the availability of e-government, e-health and e-education services throughout the EU-27; and to improve digital literacy.

Trade/Market access: To remain competitive, European digital technology industry must have full and fair access to the global marketplace. ICT/CE and telecoms goods and services should remain a priority in EU trade negotiations at WTO and bilateral level; the Basic Telecom Agreement should be further implemented and also updated; markets worldwide must be required to comply with their WTO obligations, including those imposed under TRIPS; where possible, the ITA agreement should be improved; and national measures that favour domestic innovators should be resisted.

Reduction in administrative burdens: In order for e-services to flourish, inefficient and unnecessary administrative barriers to the provision of e-services and national differences that obstruct EU-wide deployment of these services must be eliminated. This includes removing excessive red tape on broadband network deployment; avoiding sector-specific fees and levies that impede consumer uptake of e-services; and eliminating duplicative tax obligations on e-service providers.

Progress in all these areas is needed if we are to achieve a truly sustainable European knowledge-based economy and society. This Declaration highlights each area's importance, sets out the corresponding challenges and obstacles, and recommends what tasks governments can undertake to help meet the challenges and overcome the obstacles.

Working in partnership with government we can boost European productivity; leverage ICTs to promote sustainable growth; build a true European Digital Single Market for content; inspire trust in the online environment; deliver an inclusive knowledge society based on participation for all; boost the roll out and take up of key eServices; and secure a fair deal for European ICT in the global market.

The combined effects of progress in each of these areas will be to leverage and embrace the digital opportunity and to put ICT at the service of Europe's citizens, economy, society and environment.

Productivity And Growth - ICT Supporting European Industry

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Leverage broadband connectivity amongst Europe’s businesses and industry / fulfil the potential of the single market/ boost R&D

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Leverage broadband connectivity amongst Europe's businesses and industry / fulfil the potential of the single market/ boost R&D

Importance and Challenges

Europe's future competitiveness and its ability to recover from the current economic crisis depend to a large extent on its capacity to facilitate widespread and effective deployment of ICT in businesses. A key challenge is how to translate the take up of broadband, online technologies and ICT into increased productivity, real economic growth. Businesses, large and small, need to better exploit the value-added that can be unlocked from broadband connectivity, when combined with appropriate services and applications. In principle, the knowledge-based services which account for the largest part of the value of most manufactured products can be easily provided remotely using e-communications networks. Business process restructuring within pan-EU firms and outsourcing to specialist SMEs therefore offers large scope for further consolidation of the Single Market and realisation of associated efficiency gains.

Against this background, for ICT deployment in businesses, priority areas are: facilitating use of interconnected IP networks as a platform for secure, reliable communications within companies and between companies with a view to improving supply-chains and boosting efficiency; ensuring workers have the skills and mobility needed by employers in a high-tech, globalised environment; facilitating companies to expand and streamline their business through achieving a Digital Single Market which would allow consumers to enjoy the full benefits of the Internal Market; boosting R&D; and streamlining the approach to adopting pan-European ICT standards.

The EU electronic communications framework has provided a framework to support the internal market for telecommunications services. However, in other areas, incoherent implementation of EU legislation at the national level has led to fragmented European markets for ICT-based services, with companies often prevented from developing pan-European strategies and consumers suffering as a result. For businesses and consumers this is adding costs, hindering the development and slowing down the demand for new ICT solutions and services.

Efficiency standards can support market acceptance in areas such as privacy and accessibility but Member States are often still reluctant to accept such standards harmonization. Pan-European recognition of professional qualifications remains a problem, whilst different VAT/tax regimes and varying consumer protection frameworks further hinder multi-national sales channels and market integration. European companies need to be able to fully exploit the possibilities offered by ICT to effectively and efficiently serve customers across the Single Market if we are to match the scale advantages of the US and China.

While the European Services Directive has helped to propel cross-border delivery of many services, it has had a limited effect on the ICT sector. In practice, many services and solutions are accessed or delivered remotely with the service provider not necessarily based in the same country as the customer. As the "country of origin principle" was excluded as a main provision from the Services Directive, ICT service providers are faced with the challenge of dealing with varying legislative frameworks when delivering cross-border services. Whilst more and more economic, cultural and political activity is moving online, we are confronted with the irony that while the Internet is borderless, online activity too frequently stops at national borders.

Alongside consistent and cost-effective deployment of ICT, it is essential to reinforce the importance of the right investment in R&D and innovation for Europe's future growth. The EU should aim to be the most attractive location globally for R&D. Achieving this will require a coordinated and ambitious approach to public R&D funding, an improvement of the R&D project proposal process in the form of a reduction of proposal preparation overhead and improvement of the proposal review, fiscal measures to promote R&D and innovation activity, and access to skills at the highest level. It is crucial to attract the brightest heads in research. R&D and innovation activity should be done with a minimum administrative overhead to enable maximum evolvement of creativity.

Furthermore, much of the new value creation comes from the ability of different sectors to take a cross-sector view and acknowledge requirements and capabilities across such sector borders. This is an area where such tools i.e ETP and PPPs can provide such enabling cross sector bridges, e.g. linking the requirements of healthcare with the capabilities of ICT and thereby facilitating e-health in a way both convenient and productive. Also the role of startups and SMEs in the context of innovation is essential. One main obstacle for EU innovators is the difficulties with growing in scale where the institutional support needs reform and improvement in order to match the US in this respect.

Furthermore much of the new value creation comes from the ability of different sectors to take a cross sector view and acknowledge requirements and capabilities across such sector borders. This is an area where such tools (ETP and PPPs) can provide such enabling cross sector bridges, e.g. linking the requirements of healthcare with the capabilities of ICT and thereby facilitating e-health in a way both convenient and productive. Also the role of startups and SMEs in the context of innovation is essential. One main obstacle for EU innovators is the difficulties with growing in scale where the institutional support needs reform and improvement in order to match the US in this respect.

The ICT sector also invests in social capital, both directly as an employer and indirectly as an enabler of productivity and job creation in all sectors. Development of next-generation networks, systems, devices, software and services will allow our companies to further create jobs and spur economic activity. Investing in human capital is equally critical; nearly 70% of senior ICT executives recently surveyed indicated that recruiting talent will be a key challenge in the coming years.

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Leverage broadband connectivity amongst Europe's businesses and industry / fulfil the potential of the single market/ boost R&D

Asks:

Post-Lisbon strategy

1 Position ICT as a key item on the policy agenda –and, therefore, as a fundamental element in the wording of the document replacing the current 2010 Lisbon Strategy– as a basic factor in European competitiveness and as the primary means of overcoming the current economic crisis. This is the case both in terms of the use of ICTs and in the consolidation of an advanced industrial base able to supply the equipment, tools, systems and know-how related to ICT.

Leveraging broadband take-up by businesses and organisations

2 Monitor broadband take-up and online commerce by businesses of all sizes and analyse their use of virtual private networks and integrated software systems both nationally and cross-border.

3 Assess and ultimately remove the barriers preventing businesses from effectively using advanced technologies internally and externally (including their ability to utilise secure connections, integrated systems, online interfaces with suppliers as well as customers) to improve productivity. Analyse the extent to which administrative differences across the EU27 may hamper the management and use of pan European networks and systems and examine how far these are justified in view of national circumstances. Promote ICT applications take up to enhance European businesses and organizations' efficiency and competitiveness. Create fiscal and grants stimulus for SMEs to ensure they become the most ICT productivity enablers in the world.

4 Focus on productivity and efficiency applications implementation (ERP, SCM, EAM, IAM, HRM, PLM, Web Services, e-commerce, e-billing, etc.).

eSkills and worker mobility

5 Promote e-skills training and lifelong digital learning so that Europe's current and future workforce are prepared to compete in the 21st century; prioritising ICT in teacher training; promoting exchange of best practice.

6 Remove hurdles to the movement of workers, goods, services and capital to ensure the most efficient and socially optimal deployment of human resources;

Digital single market for cross-border services

7 Prioritise the achievement of a European Digital Single Market A single market for digital content and services will not only provide tremendous benefits for consumers, it will also ensure that innovative European businesses can grow to the necessary scale to compete in the emerging global market – there is therefore a need to reassess obstacles to delivering ICT based services across the EU. While the European Services Directive has helped to propel cross-border delivery of many services, it has had a limited effect on ICT-based services as set out above. A further assessment is needed.

8 Build a trusted and level playing field for cross-border eCommerce for the benefit of both consumers and sellers by setting fully harmonised consumer protection standards.

Research and Development

9 Internationalise EU Framework research programmes to a greater extent so that Europe can benefit from the best skills wherever in the world they are based, while taking a balanced approach to the flows of intellectual property arising from FP research projects.

10 Ensure output of publicly-funded research can be effectively leveraged, while at the same time encouraging private sector R&D through R&D subsidies, tax credits and similar incentives.

11 Promote research in areas of connectivity, software and system capabilities to achieve more efficient processes that impact directly on all sectors –health, transport, energy, security, the automotive industry, and the environment.

ICT standardization and procurement

12 Support innovation, competition and efficiency in ICT procurement and standardization policies. Avoid mandating preferences for particular technologies, business models or licensing regimes in the context of standardisation, and focus instead on setting out functional requirements and ensuring decisions are technology neutral and made on the basis of “value for money”.

13 Encourage standards bodies to continue to work towards timely and successful standardization, thus fostering a healthy ecosystem of network and service providers.

14 Promote better recognition, protection, licensing (on objective, commercially reasonable terms) and technology transfer mechanisms for intellectual property in government funded academic research, in order to ensure the private sector is able to build on and commercialise publicly-funded R&D outcomes.

15 Encourage universities and other recipients of public research funding to collaborate with industry better by identifying and protecting IP developed through publicly funded research, and in appropriate cases licensing or transferring such research to the private sector for further development and commercialization on objective, commercially reasonable terms.

16 The technical evolution of Radio,from analogue to digital, is experiencing a very low development in Europe.To clarify the selection of a technology or combination of technologies, amongst the European standards, which be most beneficial both for public and private radio broadcasters and the European citizens, a common analysis by the European countries Telecommunications’ Administrations with public and private broadcasters, and even the European carriers, during the Spanish Presidency of the EU, would be a positive step in this direction.

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Promote the role of ICTs as a green enablers/ incentivise ICT sector’s efforts to reduce its carbon footprint

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Promote the role of ICTs as a green enablers/ incentivise ICT sector's efforts to reduce its carbon footprint.

Importance and Challenges

The application and diffusion of ICT in other business sectors can reduce total global CO2 emissions by 15% [2].These savings are five times larger than the total expected emissions from the entire ICT industry. In addition to these reductions, potential energy savings can be achieved from the capacity of ICT to enable dematerialisation – replacing high carbon physical products and services with virtual low carbon equivalents.

There are in particular four major opportunities where ICT can act as a key enabler and make further radical cuts to global CO2 emissions. These are basically smart building design and use, smart logistics, smart electricity grids and smart industrial motor systems. The challenge is to turn this enabling potential into reality by promoting the necessary policies and measures to encourage its deployment.

This will also require new levels of cross sector partnership and collaboration. Isolated action by single players will not lead to the desired results. Strong political leadership is needed in particular with regard to raising awareness, fostering transparency and leading through concrete action, i.e. green procurement.

Modern high speed broadband networks are a crucial enabler for almost all industries, essential for leading the way to a low carbon society.

Sustainability is fundamental for long term economic growth and competitiveness. Consequently the ICT sector is systematically examining its internal processes and has embraced and committed to the principles of sustainability.

[2] GeSI SMART 2020 study

Asks:

The ICT industry proposes therefore the following measures which will enable other industry sectors, support the EU Commission reduction targets, and reinforce the sector's efforts to reduce its carbon footprint:

1 Support showcase projects that demonstrate ICT's role as an enabler in achieving energy efficiencies across the economy;

2 Promote knowledge exchange between sectors such as telecoms and transport to ensure the practical development and application of ICT solutions;

3 Encourage standards bodies to include energy consumption criteria in standards development;

4 Develop sector-specific energy consumption/GHG emission measurement and accounting methodologies preferably through international standardisation;

5 Encourage ICT-enabled, energy-efficient procurement policy, in particular in the public sector;

6 Consider fiscal incentives to encourage green procurement;

7 Encourage Member States to incorporate ICT into utility and infrastructure policies, in particular with regards to smart grids and traffic management;

8 Commission studies to measure the carbon impact of different ICT solutions;

9 Incentivise ICT product and service providers to demonstrate their green credentials when bidding for public contracts;

10 Encourage ICT sector to lead by example in reporting its own Green House Gas emissions;

11 Reduce transaction costs and speed up the learning curve of companies willing to introduce green ICT solutions by promoting knowledge transfers and best practice examples in order to lower implementation costs and favour green ICT investments;

12 Establish a true single European market to allow the development of pan European "green" applications and enable seamless movement across borders. National island-like solutions will inhibit technological development by reducing potential economies of scale and will be a severe barrier to exporting European standards and technologies worldwide.

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Promote the role of ICTs as a green enablers/ incentivise ICT sector's efforts to reduce its carbon footprint.

Asks:

In order to drive the above measures, the ICT industry, other sectors and the EU Commission, should be continue to engage and expand its programmes within the next couple of years focusing on the following aspects:

1 Energy efficiency of ICT processes: "manage the measurement"

('Processes' to be defined as global 'corporate operations' focusing on office estate, network operations, data centres & manufacturing.)

2 Enabling energy efficient and low carbon ICT solutions in other sectors: buildings & construction, transport & logistics and energy supply (power production, transmission & distribution) – "be the enabler":

- Buildings & construction - identify areas for ICT solutions to be maximised in buildings and construction,
- Transport & logistics: support the deployment of intelligent transport systems in Europe (roads, highways, rail and public transport),
- Energy supply: support the shift to advanced metering infrastructure and transformational initiatives,
- In all 3 abovementioned sectors: assess the energy savings incurred as a result of ICT applications.

3 Working with the public sector – "putting policy into practice":

- Support the dematerialisation of goods and services and encourage societal change;
- Support the implementation of innovative ICT enabled solutions across Europe;
- Support the development of appropriate incentives to encourage the uptake of energy efficient technologies and sustainable procurement practices.

4 Customers – encouraging more energy effcient behaviour

Creative Content In The Digital World

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Promote innovation and the emergence of a European Digital Single Market through effective intellectual property regimes, and support for legitimate digital content business models by facilitating, inter alia, cross border licensing and ensuring proportionate deterrents for copyright infringement

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Importance and Challenges

Europe's content industries stand to play a key role in boosting the region's knowledge economy with the online content market forecast to grow to € 8.3 billion in 2009 from € 1.8 billion in 2005 [3]. This potential takes on even greater importance as the EU has the necessary size, scalability and online activity to leverage its creativity on a global basis. The innovative inventions and creative content, vital to Digital Europe are underpinned in large part by intellectual property protection. The latter provides incentives, rewards, and mechanisms for the ICT industry to develop and disseminate technologies, products and services for the information society, as well as for this industry and many others to develop and distribute digital content.

Yet, the currently disjointed state of Europe's content market is hindering not just distribution but every facet of the industry from business development to content creation. Providers of content are confronted with overly complex and nationally based licensing systems, which make it more difficult for digital businesses to provide compelling legal content offers.

The licensing process should facilitate and accelerate the emergence of a European Digital Single Market and the introduction of new business models that attract consumers, reduce copyright infringement, and reward business investment and innovation. It should be made easier and more consumer-friendly to license, distribute and access digital content across the EU.

Facilitating existing rights clearance processes for content online would be a major step in the development of a European Digital Single Market. Many stakeholders, for example, would take advantage of a multi-territory licensing regime featuring the possibility to acquire global or multi-territory repertoire licenses on a one-stop/blanket license-basis provided by collecting societies. In order to facilitate the widest variety of online services and business models, however, licensing models must reflect the diversity of distribution and revenue models for digital content and ease the difficulties arising from the fragmentation of management of repertoire, while taking account of the importance of copyrights to support the financing of creation. Licenses which cover the whole of the European Union and European Economic Area, or one country or a specific group of countries, must be available in order to facilitate rollout and service availability. As suggested by President Barroso's European Digital Agenda and EU 2020 Strategy, a well-functioning, transparent, harmonised and flexible market-based licensing regime is therefore a critical element in the development of a dynamic and successful new media and content sector and to achieve a vibrant European Digital Single Market.

[3] These figures exclude computer and related services which generated over 150 Bio of value added and employment for 2,5 Mio persons in 2001. 446,499 entreprises in this sector generated a turnover of EUR 296 Bio in 2003.

The technology sector and the artistic community are fully aligned in their mutual interest to ensure the European collective digital rights management systems (DRMs) are subject to high standards of transparency and accountability. If individual creators obtain fairer and more accurate collection and distribution of digital revenues from their national collecting societies, it will benefit artists, technology companies and European consumers alike.

Effective Intellectual Property Rights (IPR) enforcement is necessary, but it is equally important that policies to combat IPR infringement should not penalise those involved in the legitimate distribution, creation or consumption of content and are not implemented in a way that it is detrimental to general public support for copyright. The protection of IPR could already be enhanced if the existing legal framework is applied properly by Member States, stakeholders and the respective authorities. The European IPR Enforcement Directive needs to be fully evaluated before any additional enforcements initiatives are considered.

Key to counteracting piracy is to further increase the offer of broadly, easily available, secure, and price-worthy legitimate content meeting today's' consumer demand. Likewise, relevant industry stakeholders should continue to work cooperatively on reasonable efforts to reduce illegal distribution of online content. Advertising campaigns or sponsoring events provide additional tools to promote the distribution of legal content online. Awareness campaigns could highlight the importance of intellectual property as an economic good and object of cultural value.

Another important element for increasing legal offers of content in the European Union and facilitating the emergence of a true Digital Single Market would be to develop EU-wide mechanisms to streamline and make more consistent the various schemes for private-copy levies within the context of the private copying exemption and cross-border content licensing.

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Promote innovation and the emergence of a European Digital Single Market through effective intellectual property regimes, and support for legitimate digital content business models by facilitating, inter alia, cross border licensing and ensuring proportionate deterrents for copyright infringement.

Asks:

Eased access to content to develop new offers

Copyright clearance

1 Develop a more efficient and holistic copyright clearance system to reduce transaction and management costs and enable one-stop clearance of all content exploitation forms (fixed, mobile, online, cable, DTT, etc) both on the horizontal (i.e. multi-territory) and vertical (i.e. one negotiation partner only in the value chain) level.

2 Encourage a policy whereby all repertoires may be offered in a licence and the licence authorises all uses permitted by the digital services they license.

3 Ensure that the practices of national and multi-national content licensing bodies enable multi-territory licensing and promote, rather than hinder, competition.

Collective rights

4 Develop EU-wide mechanisms to promote greater transparency, equity, coherence, and ultimately legal clarity in the imposition, collection and distribution of all copyright fees, levies and other digital revenues by collecting societies, to ensure that creators are fairly compensated and that digital innovators and consumers are equitably treated.

5 Deploy technology to enable more transparent, timely, and accurate collection and distribution of digital revenues to artists and copyright holders.

IPR and enforcement

6 Work towards the creation of a simplified, cost effective and high quality patent protection and litigation regime to promote innovation by small and large European firms.

7 Continue EU-sponsored stakeholder dialogues which facilitate good practice exchange on solutions to address infringement of IPR.

8 Consolidate the numerous fragmented initiatives within the EU looking at various intellectual-property issues.

9 Oppose the termination of ISP services and any sanctions or penalties imposed on alleged infringers. Nonetheless, should such measures be imposed at national level, they have to respect the fundamental rights of citizens in line with the newly adopted Telecoms Framework Directive.

10 Promote innovation and competition in ICT products and services by avoiding anti-piracy content identification and filtering/blocking technological requirements (whether imposed by legislation, administrative fiat or adjudication) that would apply to Internet users or to all computers and software used to access the Internet.

Other

11 Facilitate and secure online payment methods (especially micro-payments) in order to promote legal access to content and to increase consumers' and rights holders' confidence.

12 Digital content distribution requires considerable technical flexibility and while complex in design, should be simple for consumers to make informed decisions based on easily available information. Where DRMs are in use, transparency with regard to the applicable restrictions and usage rules for consumers should be provided.

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Address security and privacy to drive confidence and build trust

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Address security and privacy to drive confidence and build trust.

Importance and Challenges

Trust is an essential element if the European Union is to fully benefit from the economic, societal and environmental potential of broadband internet; the two key pillars of which are privacy and security. These need to be addressed in order to build trust and drive confidence in new technologies, services and applications.

Europe's consumers and businesses need to trust network and information security and be confident that best efforts are in place to ensure that third parties will not be able to get user information through hacking or other unauthorized access. Users must be assured that any personal data used to provide services is collected and processed legitimately, stored securely and not used in unexpected or unanticipated ways.

In addition, consumers also need to be confident that their rights can be maintained across borders in an online environment. The current fragmented nature of consumer rules across the EU does not help build confidence and complicates the roll out of cross-border online commerce. This restricts consumer access to online services which then prevents an Internal Market for such services from developing to its full potential.

The ICT industry needs to establish a participatory privacy and security framework by establishing common standards and business practices, and provide consumers with real, meaningful choice and control over their data through technical tools, education, and information. Building trust requires cooperation and partnership between industry, government, users, and law enforcement.

Asks:

Consumer protection

1 Facilitate cross-border B2C transactions by promoting a harmonized consumer rights regime throughout the EU either through full harmonization or, at a minimum, strict implementation guidelines.

2 Encourage continued industry self-regulation to ensure a framework of consumer rights appropriate for digital goods and the online environment.

Privacy

3 Support efforts to enact a balanced and workable mandatory data breach notification system for all sectors, public and private, which electronically process and store individual personal data.

4 Simplify data protection rule compliance and streamline administrative procedures, thereby enabling companies to redirect costs currently spent on administrative procedures toward more robust data protection measures. This should include simplification and harmonisation of the notification procedure, mandatory exemptions from notification for organisations with a Data Protection Officer, and simplified rules on international data transfer. Companies should be able to certify their handling of data on a worldwide basis, as long as adequate safeguards are in place for the fair processing of the data.

5 Risk-based approach to the implementation of the Data Protection Framework, as piloted by Sweden's revision of the Personal Data Act in 2007.

6 Promote co-operation on an international level to create a favourable global environment for the European digital technology industry.

7 Consumers must be secure that their personal data will only be processed for lawful purposes. To ensure this, it is essential that governmental access and the access of third parties to customer data are strictly limited to necessary proportionate and justified business purposes.

8 The access to consumers' personal data by third parties should only be possible on a decision of a court or similar legal body, in the event of alleged civil or criminal violations, serious crime. This is essential to ensure consumers trust in technologies like the internet. If they fear that their personal data, and especially traffic data, can be easily made accessible to third parties.

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Address security and privacy to drive confidence and build trust.

Asks:

9 Improve co-operation between government agencies, industry and organizations that provide privacy and trust services to establish good practices in the area of both privacy and security.

10 Clarify data retention rules, in particular the scope of information to be retained, cost reimbursement obligations, and proportionate retention periods and limited to serious crimes.

11 Among other things, promote the development and uptake of online identity management and authentication technologies, which allow users to manage personal data more directly, thereby protecting privacy and fostering security.

12 Redefine a sustainable relationship between users and suppliers of digital services so that users assume more responsibility for the privacy and security of their data online and suppliers provide tools to help them manage this.

13 Building trust and confidence in ICTs through "privacy certificates". This would increase market transparency for "privacy enhancing" products. It also enlarges the market for Privacy Enhancing Technologies.

14 Consolidate the numerous fragmented programmes within the EU looking at the issues of privacy, identity, trust and security.

Security

15 Support the strengthening and harmonization of criminal penalties and civil damages, including for botnets, for computer crimes at EU-level in the context of the revision of the forthcoming directives on attacks against information systems.

16 Promote the provision of resources and creation of incentives for enhanced basic research and development on security technologies.

17 Encourage the training of skilled professionals in the computer security field through security education curricula, among other initiatives.

18 Promote the development of industry security best practices and information sharing between both the public and private sectors.

19 Strengthen cooperation with law enforcement by encouraging public private partnerships and expanding the framework for judicial cooperation.

20 Work alongside industry and users to develop more secure ICT products and services and to foster consumer confidence in those technologies, including via efforts that promote the security and reliability of new Internet-based digital delivery models.

21 Work to ensure that the most abhorrent illegal online content is comprehensively addressed through international cooperation, in order to ensure maximum efficacy, thereby avoiding costly and less effective interventions in the functioning of Internet access provision.

22 Increase the security of critical infrastructures within the EU territory, in the transport, energy, finance and health sectors.

23 Ensure EU-wide back-up facilities for existing communications services, especially for times of crisis and disaster.

24 Increase security of citizens and of the EU borders (sea and land).

25 Increase security of the European, National, Regional and Local Civil Protection Systems.

Participation For All

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eAccessibility; broadband for all; and the promotion of eLearning, eHealth and eGovernment.

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eAccessibility; broadband for all; and the promotion of eLearning, eHealth and eGovernment.

Importance and Challenges

Many facets of our society depend on technology in general, and on Information and Communications Technology in particular. The use of ICT has brought huge economic and social advances for many of Europe's citizens, and we believe that all citizens should be able to participate and enjoy these benefits.

Our vision of 'Participation for All' includes making products and services more widely available and easier to use, and enriching people lives by enabling their engagement in society at all levels, through technology. eAccessibilty is crucial for people with disabilities in Europe – for many of them ICT mass-market products and services provide the essential link to society and work. Beyond bodily constraints, illiteracy in the use of ICT and online services is a major hindrance for society in terms of taking full advantage of digitalisation. Media literacy in all age groups becomes a critical precondition for the information society. It is in the best interest of both industry and society that everyone is able to take advantage of the benefits offered by the ICT industry's products and services.

Another key element to Participation for All is bridging the Digital Divide through the widespread availability of mobile and/or fixed broadband. It is estimated that there is still 2-3% of the EU's population that does not have potential access to an Internet connection, which translates into literally millions of EU citizens. It is important that this digital divide does not become a digital chasm as next generation access networks are rolled out in more populated areas.

And last but not least, the promotion and take-up of public e-services can bring the benefits of the knowledge society to more citizens. There is tremendous potential for growth in the European economy through the expansion, in particular, of eHealth, eGovernment and eLearning. Driving take-up of these key eServices will have a knock on demand effect as users become more comfortable and confident in the online environment. Governments are in a key position to drive eService in order to make societies more accessible and broadband more attractive for larger parts of the population. The public sector should act as an innovation driver through the ICT sector. Public purchases have been identified repeatedly as key tools which already use other economic areas to promote innovation and the development of the ICT industry. The Spanish Presidency can represent an excellent opportunity not only to incorporate this issue in the new European Digital Agenda, but also to ratify, once again in the European field and in a coordinated way, the importance of this instrument for the promotion of the European ICT sector.

Asks:

eAccessibility

1 Consolidate voluntary self-declaration as an acceptable method for demonstrating conformity with accessibility standards.

2 Promote voluntary self-commitment to encourage the rapid provision of eAccessibility features.

3 Ensure any proposed legislation uses functional requirements based on globally harmonised standards whilst allowing the market to continue to develop innovative ways of providing technical solutions.

4 Design legislation and standards to enable a single design to be shipped to the largest possible market in order to encourage accessible features to be included in mainstream products at affordable prices

5 Achieve harmonisation between Europe and the other regions on technical requirements. In particular with the US, considering the co-timing of the EU [4] Mandate 376 work and the US Section 508 revision. This should be done also with regard to Environmental best practises.

6 Adopt, unmodified, version 2 of the W3C Web Content Accessibility Guidelines (WCAG2) [5] as soon as possible.

7 Include eAccessibility criteria in procurement specifications where this would help provide a constructive early impetus to help grow the market for such products.

[4] According to EU Mandate 376, accessibility will become a criterion for public procurement in Europe, according to the U.S. model. Indeed, Section 508 is aimed at eliminate barriers in information technology, to make available new opportunities for people with disabilities, and to encourage development of technologies that will help achieving these goals.

[5] Web Content Accessibility Guidelines (WCAG) 2.0 covers a wide range of recommendations for making Web content more accessible. Following these guideline s WCAG 2.0 will make content accessible to a wider range of people with disabilities, including blindness and low vision, deafness and hearing loss, learning disabilities, cognitive limitations, limited movement, speech disabilities, photosensitivity and combinations of these.

Broadband for All

8 Enable access to the information society for all - through widespread commercial deployment of broadband using different yet complementary technologies to achieve maximum coverage and consumer benefits, where necessary financed by public resources rather than a sectoral levy and always subject to full observance of Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks.

9 To facilitate accelerated roll out of broadband services by stimulating more efficient use of spectrum and making available additional spectrum where justified, whilst ensuring sufficient safeguards to avoid interference.

10 Ensure procurement processes for delivering broadband are transparent, market-based and non-discriminatory.

11 EU Institutions should invite Member states to adopt pro-active policies aimed at creating an environment friendly to the development of very high speed services and preventing a potential digital divide through the creation of NGA national forums to facilitate coordination between public institutions (local communities, ministries, regulatory authorities etc) and stakeholders.

eServices

12 Promote and set targets for getting governments, health and education services on line across Member States.

Media Literacy

13 Promote educational programmes to make more students familiar with the benefits and the safe use of ICT and online services.

Trade/ Market Access

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WTO/Market Access – a level playing field in the global ICT market

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eAccessibility; broadband for all; and the promotion of eLearning, eHealth and eGovernment.

Importance and Challenges

The next years will no doubt confirm the role of the ICT sector as a key enabler to the broader global economy. Already now, ICT is being recognised both for its contribution to economic recovery and for its positive contribution in addressing climate change. The economic weight of the global ICT digital technology sector is increasing, today comprised of 1.2 million companies, many of which are SMEs making a strong contribution to developing innovative solutions and services in the industry globally.

A level playing field is the prerequisite for the success of European ICT firms. Next to regulatory hurdles, tariffs as well as non-tariff barriers, too often uneven competition evolves due to the political will of some countries to establish global "national champions". These benefit from enormous state support for their domestic and their global business. The EU needs strong, coordinated political engagement in order to counteract this development and to enable European digital technology industry to play a leading global role.

The EU must firmly base all internal and external policies on the promotion of open markets, based on the free movement of goods, services, people and ideas, and the prevention of protectionism and de-globalisation. Further it must ensure market-driven and non-discriminatory approach by all governments worldwide, based on a global level playing field in which all countries act in accordance with international rules.

Asks:

EU Commission President Barroso insisted in September, before the European Parliament, that Trade is a priority of the European 2020 Agenda: "*Reaching a deal in the Doha round remains the priority. But FTAs and trade arrangements will also have to be pursued.*" It is against this background that the following recommendations are made:

1 WTO:

a Services should be maintained a priority alongside NAMA (Non-Agricultural Market Access) and Agriculture in EU trade negotiations at WTO level not only in the context of current Doha negotiations but also in any future negotiations, giving due attention to different ICT sectors.

b The Basic Telecom Agreement of the GATS should be further implemented and updated. The system of trade rules needs to continue to promote legal certainty and security for services and investment and to ensure the elimination of barriers to ICT growth so that countries can benefit from what the sector offers.

c The WTO ITA (Information Technology Agreement) should continue to be implemented and expanded in terms of product and geographic scope. A 'smart and quick' update mechanism providing for the removal and prevention of non-tariff barriers is required. This will enable all citizens to continue to have access to the best products at the lowest possible costs.

d Ensure that all markets comply with their obligations under the WTO TRIPS Agreement.

e WTO NAMA negotiations should be advanced and concluded regarding both tariff and non-tariff barriers (NTBs) in the ICT/electronics sector. Negotiators should pay careful attention to the electronic sectoral negotiations in the context of the Doha Round and also attempt to minimise administrative burdens for our sector via the establishment of a permanent platform to address NTB matters.

2 Free trade Agreements (FTA's):
When the EU negotiates any bi-lateral or regional agreements, the ICT/ CE and telecoms services sector should be prioritized as a key enabler for competition and growth in all economic areas.

3 The Commission should resist third-country ICT policies, for example standards mandating non-market terms, non-transparent subsidies and procurement preferences intended to promote domestic industry, to the extent that they prevent level playing field, effective and fair competition and market participation by European ICT providers.

4 The Information Society representation should be strengthened amongst the EU delegations across the world to promote our interests abroad. Both WTO commitments and FTAs are welcome tools in this context. The ICT industry is keen to share its know-how with the Commission delegates in the respective markets of the world, as many ICT companies have local representations that can provide first hand information about local market access conditions and regulatory issues.

5 Ensure that all markets respect the internationally agreed guidelines for export credits, avoiding unfair competition in EU and third country markets.

6 Major EU trading partners still operate restrictive public procurement practices favouring locally developed innovation products. These practices discriminate against EU suppliers and should be contested before they are turned into policies. In the absence of bilateral agreements, and while endorsing trade liberalisation policies the EU should consider tabling reciprocal targeted restrictions at the negotiating tables on access to the EU procurement markets, to encourage our partners to offer reciprocal market openings and a level playing field in this domain.

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Reduction In Administrative Burdens

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Eliminate administrative obstacles which continue to limit the potential of the ICT sector

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Eliminate administrative obstacles which continue to limit the potential of the ICT sector.

Importance and Challenges

E-communications services are subject to a range of inappropriate sector specific taxes and inefficient bureaucratic burdens.

Removing certain barriers and national differences on network deployment and cross-border services delivery is still needed. From the supply side, broadband network deployment is subject to different taxes and different administrative procedures (bureaucratic burdensome) to exercise rights of way to deploy broadband networks. Network deployment implies administrative and bureaucratic processes management in order to exercise rights of way set in Directives. Excessive red tape is a burden that poses a real challenge for effective competition in a Single Market, prevents European citizens from benefiting from quick of high speed broadband deployment, and weakens economic recovery potential coming from broadband network investment (each 10% of additional broadband penetration yields 1,3% extra growth, according to World Bank recent study).

Beyond those taxes set in the 2002/20/CE Directive, Member States levy different fiscal charges on electronic communication providers that detract financial funds from investment in NGN, risking wider coverage or improved capacity network deployment. This is specially the case for taxes levied from electronic communication sector to finance other sector, such as broadcasting.

Priority areas in this respect are removing costs and barriers to network deployment.

Asks:

1 Remove taxation beyond taxes envisaged in Electronic Communication Directives.

2 Promoting streamlining excessive red tape for broadband network deployment (i.e. using one-stop and electronic procedures).

3 Promote fiscal policies that incentivise investment and the development of new technologies, service and content. Avoid targeting the e-communications services sector as a financial resource for other public services. Sector specific levies and fees should neither distort the market nor impede consumers from connecting.

The digitization of cultural resources is essential to facilitate access and preserve European cultural heritage and reflect its multiculturalism. However, doing so effectively requires a constant investment in accessible and affordable services for all and avoiding the risk posed by licensing regimes which may hamper access to such network content

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The European trade associations contributing to this joint statement are:

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The Business Software Alliance

The Business Software Alliance (www.bsa.org) is the foremost organization dedicated to promoting a safe and legal digital world. BSA is the voice of the world's commercial software industry and its hardware partners before governments and in the international marketplace. Its members represent one of the fastest growing industries in the world. BSA programs foster technology innovation through education and policy initiatives that promote copyright protection, cyber security, trade and ecommerce.

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Cable Europe

Cable Europe (www.cable-europe.eu), the European Cable Communications Association, is based in Brussels and groups all the leading European cable TV operators and their national trade associations throughout Europe. The aim of Cable Europe is to promote and defend the industry's policies and business interests at European and international level. The European cable TV industry provides digital TV, broadband Internet and telephony services to more than 73 million customers.

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DIGITALEUROPE

DIGITALEUROPE (http://www.digitaleurope.org) is the pre-eminent advocacy group of the European digital economy acting on behalf of the information technology, consumer electronics and telecommunications sectors. We are dedicated to improving the business environment, and to promoting industry's contribution to economic growth and social progress in the European Union. DIGITALEUROPE ensures industry participationv in the development and implementation of EU policies. DIGITALEUROPE's members include more than 58 leading corporations and 40 national trade associations from all the Member States of EU; altogether 10,000 companies with 2 million employees and €1,000 billion in revenues.

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ECTA

The European Competitive Telecommunications Association (ECTA) represents more than 100 of the leading challenger telecom operators providing broadband, mobile and advanced communications to consumers and businesses across Europe. We work for a fair regulatory environment which allows all electronic communications providers to compete on level terms in order to multiply investment and innovation throughout an effective European internal market. The association represents the telecommunications industry to key government and regulatory bodies and maintains a forum for networking and business development.

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EDiMA

The European Digital Media Association (EDiMA) is an alliance of new media and Internet companies whose members include Amazon EU, Apple, eBay, Google, Microsoft, Music Choice, Nokia, RealNetworks, Yahoo! Europe, Orange and others. EDiMA's members provide new media and Internet platforms offering users a wide range of online services, including the provision of audiovisual content, media, E-commerce, communications and information/search services. EDiMA represents the interests of the new media sector in Europe in policymaking, standards development and industry cooperative activities.

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ESOA

ESOA (www.esoa.net) represents the interests of 10 European satellite operators in 8 Member States of the Union with a total turnover in excess of 3 billion euros a year – growing steadily since 2002 when the organisation was formed. The combined employment of the members is close to 4000, but satellite operators are the main customers of European manufacturers and launchers who between them, employ a further 30,000 persons across Europe and generate 5,5 billion euros in turnover. Operators own satellites and lease out capacity to a variety of users - telecommunications companies, broadcasters, Internet service providers, mobile operators and so on providing communication services from broadcasting to broadband; maritime, air, emergency & security communications; telecom and data services used by businesses, government and citizens as well as in specific applications such as transport and traffic management or telemedicine. Satellite coverage is total in the Union offering a potential broadband connection to every business and every household, no matter how remote they are from main population centres.

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ETNO

ETNO (the European Telecommunications Network Operators' Association - www.etno.eu) is the voice of the European telecommunications network operators with over a decade of experience in shaping EU telecoms policy. The association represents 41 companies located in 35 European countries. They account for an aggregate annual turnover of more than 250 billion Euros and employ over one million people across Europe.

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EuroISPA

EuroISPA (www.euroispa.org) is the world's largest association of Internet Services Providers (ISPs) representing the interests of more than 1700 ISPs across the EU and the EFTA countries. EuroISPA is a major voice of the Internet industry on information society subjects such as cybercrime, data protection, e-commerce regulation, EU telecommunications law and safe use of the Internet.

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GSMA

The GSMA represents the interests of the worldwide mobile communications industry. Spanning 219 countries, the GSMA unites nearly 800 of the world's mobile operators, as well as more than 200 companies in the broader mobile ecosystem, including handset makers, software companies, equipment providers, Internet companies, and media and entertainment organisations. The GSMA is focused on innovating, incubating and creating new opportunities for its membership, all with the end goal of driving the growth of the mobile communications industry. For more information on GSMA, please visit: Mobile World Live, the new online portal for the mobile communications industry, at www.mobileworldlive.com, GSMA corporate website at www.gsmworld.com, GSMA Europe www.gsmeurope.org.

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AETIC

AETIC (www.aetic.es) is the Spanish association of electronics, information technology and telecommunications companies and one of the most important and representative business organisations in Spain. It is composed of 300 individual companies and other associations. In all, AETIC represents more than 3,000 companies with more than 357,000 employees and over EUR 102 billion in revenues. AETIC's aim is to defend the common interests of its members, and promote the development of the Spanish electronics, information technologies and telecommunications sector through the generation of added value, fostering industrial activity and providing services.

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ASIMELEC

ASIMELEC (www.asimelec.es), the Spanish Association for the Electronics and ICT sectors, was founded in 1984 as an association of importers of electronic products. It has evolved to encompass the electronics and communications market, becoming the only association in the electronics sector comprising manufacturers, marketers, distributors and, in the case of the Telecommunications sector, installers. ASIMELEC represents over 3.000 companies that directly employ 300.000 people. Its revenues account for almost 4,5% of Spain's GDP. Its main goal is to promote and support the development of electronics and communications companies in Spain by defending the rights of its members as well as the sector's evolution.

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ASTEL

ASTEL (www.astel.es), the Association of Telecommunication Operators and Service Providers is composed by the premiere alternative electronic communication service operators that began operating in Spain when the telecommunication monopoly ended. Established in 1996 with the primary objective to promote the liberalization of the Spanish telecommunications market; and since has been the leading spokesperson for the new alternative operators entering the market.

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REDTEL

REDTEL (www.redtel.es) is the Spanish Network Telecom Operators Association aimed to promote private investment in telecommunication networks. REDTEL member companies account for more 90% of total telecom network investment in the Spanish market. REDTEL channel telecom network operators statements to all relevant stakeholders for the best telecommunication infrastructure continue to sustain Information Society services.

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