Council of the EU: Conclusions on the Open Internet and Net Neutrality in Europe

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On 13 December 2011 the 3134th Transport, Telecommunications and Energy Council meeting was held in Brussels.

The Council underlines that ICT contributes significantly to economic growth, innovation and job creation in the EU.

An important policy objective according to the Council is a competitive digital single market which offers affordable and secure high bandwidth communications and rich online content, applications and services.

The Council notes that, in spite of the crucial role ICT plays in the European economies, the creation of a well-functioning competitive digital single market by 2015 still poses challenges that need to be addressed. These challenges lie in removing barriers that hinder cross-border electronic services, including the promotion of open and interoperable standards for Quality of Service in IP-based interconnection across networks.

With the establishment of a competitive digital single market the open and neutral character of the Internet must be preserved, ensuring the maintenance of a robust best efforts Internet for all with respect to fundamental rights, such as media pluralism, linguistic diversity, freedom of expression and information, as well as freedom to conduct business.

The open character of the Internet fosters innovation by creating a level playing field for all actors involved and contributes to the fulfillment of the goals of the Digital Agenda for Europe. The Council recognises that timely implementation of the objectives of the Digital Agenda for Europe will further spur growth and innovation in Europe.

The Council considers net neutrality (consumers' unrestricted access to networks that participate in the Internet) as a policy objective. Net neutrality as a policy objective is already identified in Article 8 of Directive 2002/21/EC (Framework Directive). Examples can be found in aspects such as the promotion of the ability of end users to access and distribute information or run services and applications of their choice and the increased transparency in the characteristics and conditions of the Service Providers and the powers conferred upon the National

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Regulatory Authorities to impose minimum requirements on quality of service.

Moreover, the Council invites the European Commission to encourage its dialogue with member states and stakeholders on net neutrality, while supporting member states in ensuring the rapid development of broadband.

The Council invites member states to ensure the open and neutral character of the internet as their policy objective.

Finally, the Council invites stakeholders to develop strategies and economic choices that support an open internet platform, thus preventing the exclusion of small players and innovative models and enabling access to or transmission of online content, applications and services.

Council of the European Union conclusions on the open internet and net neutrality in Europe, 13 December 2011

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/trans/126890.pdf

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