



COMMISSION OF THE EUROPEAN COMMUNITIES

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Amended proposal for a
EUROPEAN PARLIAMENT AND COUNCIL DECISION
on a series of guidelines for trans-European telecommunications networks

(presented by the Commission pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

1. Introduction

1.1 On 31 May 1995 the Commission adopted a proposal for a European Parliament and Council Decision on a series of guidelines for trans-European telecommunications networks (COM(95)224 final). This proposal was submitted to the European Parliament and the Council on 8 June 1995.

1.2 The Economic and Social Committee endorsed the proposal on 22 November 1995.

1.3 The Council reached agreement on the proposal on 27 November 1995.

1.4 The Committee of the Regions endorsed the proposal on 18 January 1996.

1.5 The European Parliament adopted its opinion on first reading on 1 February 1996. This proposed 35 amendments to the text originally proposed by the Commission.

1.6 The Commission can accept 13 of these amendments, 5 others in part and 4 more in principle. It is unable to accept the remaining 13 amendments.

1.7 The reasons which prompted the Commission to take these positions on the amendments are explained in Section 3 below. The full text of the original proposal (left-hand column) is set out alongside the full text of the amended proposal (right-hand column) in Annex 1.

2. Objective of the proposal

The objective of this proposal is for the European Parliament and Council to adopt, following the codecision procedure, a series of guidelines (as provided for by Article 129c of the Treaty on European Union) covering the objectives, priorities and broad lines of measures envisaged and the domains for projects of common interest in the field of trans-European telecommunications networks. In the domains for projects of common interest identified in Annex 1. to the Decision, it is proposed that the Commission publish calls for proposals in order to select specific projects of common interest, with the assistance of a type IIIa committee, based on a work programme updated whenever necessary (probably every year).

The proposal gives priority to applications of collective interest where, in the context of opening up the sector to competition, public intervention, particularly in the form of encouraging partnerships between the public and private sectors, can provide citizens, businesses and administrations in the Community with a series of instruments needed for them to enter the information society.

3. Commission's position on the amendments proposed by the European Parliament on first reading

3.1 Amendments accepted

The Commission accepts amendments 1, 2 (first part), 3, 4, 7 (first part), 10, 11 (with one minor amendment), 15, 16 (first part), 20, 22 (with one minor amendment), 24, 25, 26, 27 (first part), 28, 31 (first part) and 34.

Amendment 1 clarifies the first recital and calls for particular attention to be paid to SMEs and the less developed or peripheral regions.

The first part of amendment 2 stresses the importance of the Euro-ISDN which is the network on which the trans-European applications will be deployed in the immediate future.

Amendment 3 adds a new recital rightly stressing the need for coordination with other initiatives. This need is also echoed in point 4 of Annex 1.

Amendment 4 improves the original wording to render the same idea.

The first part of amendment 7 puts the accent on real needs not covered by mere market forces; these correspond to the applications of collective interest for which priority is proposed.

Amendments 10 and 15 bring the text closer to the wording of the Treaty.

Amendment 11 is a useful addition; only the word "technical" to describe the transition towards the information society must be deleted, as it is overrestrictive.

The first part of amendment 16 is justified as it clarifies the real nature of the work programme prepared by the Commission at this stage.

Amendment 20 provides a reminder that the guidelines applicable to Euro-ISDN are adopted by the European Parliament and the Council.

The first part of amendment 22 is acceptable since the text deleted has been moved to amendment 23. The second part rightly stresses the importance of providing non-proprietary tools for development of new applications. However, it seems unrealistic to require the generic services to provide such tools. It is therefore proposed to replace "providing" by "promoting".

Amendment 24 is a useful addition to the point on "distance education and training".

Amendment 25 adds to the point on "transport telematics" the domains which Parliament gave priority when adopting the provisions on the trans-European transport network.

Amendment 26 draws attention to important social aspects of teleworking.

The first part of amendment 27 (excluding "gradual approximation of conditions and terms of employment" which appears unrealistic) is a useful addition to the point on "telematic services for the job market".

Amendment 28 is a useful addition to the point on "cultural and linguistic heritage".

The first part of amendment 31 rightly extends the media which can be used for generic services to include emerging fixed or mobile networks.

Amendment 34 is an acceptable simplification.

3.2 Amendments acceptable in principle

Amendments 6, 8, 23 and 35 (second part) are acceptable in principle. The proposal is to adopt the ideas in more appropriate form.

Amendment 6 stresses (although the wording can be improved) the need for coordination between Community programmes and that the projects of common interest are projects to produce applications (which, although well-founded, must not preclude a demonstration or validation phase before moving on to full deployment of the project to check in a limited, but representative geographical area that the application actually provides the service expected in conditions economically acceptable to users). Recital 16 therefore now reads:

*"Whereas effective coordination needs to be ensured between the **implementation** of the trans-European telecommunications networks, which must address **real-world concerns, excluding experimental projects**, and the different Community programmes, particularly the specific programmes of the fourth framework programme for research, technological development and demonstration, the programmes in favour of SMEs and with information content oriented programmes (such as INFO 2000, Media 2) and other information society activities."*

Amendment 8 mentions the need to use, on a synergetic basis, all appropriate forms of aid for TEN activities, as advocated by the Commission in the fifth paragraph of Annex 1. Since references are made elsewhere in the text to the Structural Funds, the benefits for the internal market and strengthening industrial competitiveness and economic and social cohesion, repetition of these points here only complicates the text. The proposal is therefore to amend recital 19 to read:

*"... of Community financial aid in the field of trans-European networks; **whereas, nevertheless, use should also be made, on a synergetic basis and in line with their specific rules, of the Community financial instruments which can favour implementation of the lines of action in the sphere of trans-European telecommunications networks, with a view to deriving maximum benefit from coordination of the different sources of funding; whereas, following the abovementioned Regulation, the concerned Member State shall give ..."***

Amendment 23 includes points deleted by amendments 22 and 29 and applies to all applications. This idea is acceptable, but the part on local languages must leave open the possibility of access to non-professional services in a language other than the local language. Also, it is not possible to assess the social and societal impact of each application (see the comments on amendment 12, point 2 in section 3.3 below) and this section is therefore too binding. Under the circumstances, the amendment accepted reads:

*"Applications must **take account, where necessary, of local linguistic constraints and be interoperable between themselves to bring the maximum benefit to the users across the Community. They must address the widest possible populations of users and facilitate users' access to services of collective interest.**"*

The second part of amendment 35 adds a definition of the "transnational" nature of the projects which was included, in more appropriate form, in a declaration made by the Commission during the negotiations within the Council. The proposal is to amend Parliament's proposal as follows:

" ... Article 3. *These projects must be transnational in the sense that they shall be conceived to satisfy needs existing in several Member States and to be implemented in several Member States. This does not prevent the initial phase of their deployment, designed to check the technical and commercial viability of the project, from being carried out in a single Member State, if it appears that the conditions prevailing in this Member State are representative of those existing in the other Member States where the project should ultimately be implemented.*"

3.3 Amendments which cannot be accepted

These are amendments 2 (second part), 5, 7 (second part), 9, 12, 13, 14, 16 (second part), 17, 18, 19, 21, 27 (second part), 29, 30, 31 (second part), 32, 33 and 35 (first part).

The second part of amendment 2 indicating the nature of the project selection criteria is superfluous since the criteria are specified in Annex 2.

Amendment 5 suggests that broadband networks will not be available until the distant future; this is incorrect, even though they are still far from generally available.

The second part of amendment 7, amendments 17, 18 and 21 and the final sentence of amendment 16 amend the committee procedure proposed and deviate from the *modus vivendi* between the three institutions. The Commission proposes to keep to this agreement. A new recital 18a has therefore been added reading:

"Whereas on 20 December 1994 the European Parliament, the Council and the Commission reached a *modus vivendi* concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the EC Treaty";

The first part of amendment 9 is contrary to the Community's traditional approach to interoperability, which recommends voluntary standards with regulation only at a later stage if the voluntary approach proves to generate interoperability problems at trans-European level. The final part makes the scope of this recital too general.

Amendment 12 calls for a number of comments:

1. **The setting of an order of priority within the list of priorities is unacceptable** in view of the flexibility which must be maintained in order to adapt to the situation of the sector and to the rapid development of the communications system when preparing the annual work programme.

2. The amendments at the start of paragraphs (a) and (c) require systematic assessment of the social consequences before any deployment of generic services and applications. It should be noted that the identification criteria (Annex 2) include the direct or indirect socio-economic effects of each project. It does not seem possible to go beyond this and assess the social and societal effects of **each project** (as far as this would make any sense). It is more appropriate to monitor the more general impact by assessing the effect of a series of applications introduced over a specified period, whatever the origin. Moreover, the amendment at the end of paragraph

(c) deals with specific applications, which belong in Annex 1 and not in an article concerning the general priorities.

3. As regards the new paragraph (h), the conditions for cooperation with third countries are set out in Article 12. Such cooperation must be considered an advantage for some projects, but not a systematic priority.

As regards amendment 13, the comment made on the second part of amendment 1 applies.

Amendment 14 mentions improvement of communication in the sphere of public administration. However, this is not a general measure but a domain for action, which, logically, belongs in Annex 1.

The addition before the final sentence of amendment 16 calls for the work programme to identify specific measures according to social or regional criteria to integrate individuals into all domains of the information society. This manifestly imposes an extremely ambitious objective, which is not the purpose of the work programme.

Amendment 19 defines the substance of the support and coordination activities which, more logically, come under point 4 in Annex 1.

The second part of amendment 27 is unrealistic. To harmonize conditions of employment in the Community, measures other than any effects of the use of trans-European telematics services for job hunting are needed.

Amendment 29 deleting the point on "Citizens' access to services" is unacceptable; this domain is of great social importance.

Amendment 30 adds applications already covered by Annex 1, either under point 1 on research networks or under point 2 on generic services.

The second part of amendment 31 adds unnecessary details.

Amendment 32 duplicates amendment 22 which applies to all generic services.

Amendment 33 adds unnecessary details.

The first part of amendment 35 introduces oversubjective selection criteria (exemplarity and value as an incentive and a multiplier).

4. Conclusion

The Commission recommends that Parliament and the Council approve the amended proposal set out in Annex 1.

EUROPEAN PARLIAMENT AND COUNCIL DECISION
on a series of guidelines for trans-European telecommunications networks

Original proposal

THE EUROPEAN PARLIAMENT AND
THE COUNCIL OF THE EUROPEAN
UNION,

Having regard to the Treaty establishing the
European Community, and in particular the
first paragraph of Article 129d thereof,

Having regard to the proposal from the
Commission,

Having regard to the opinion of the
Economic and Social Committee,

Having regard to the opinion of the
Committee of the Regions,

1. Whereas the implementation and the
development of trans-European
telecommunications networks aim at ensuring
the circulation and the exchange of
information across the Union; whereas this is
a pre-condition to make possible the
establishment of the "information society",
which will result from the availability, for
each citizen, company or public authority
everywhere in the Union, of any kind and
quantity of information they need;

Amended proposal

Unchanged.

1. Whereas the implementation and the
development of trans-European
telecommunications networks aim at ensuring
the circulation and the exchange of
information across the Union; whereas this is
a pre-condition to enable citizens and
industry - especially SMEs - in the Union to
derive full benefit from the potential of
telecommunications so as to make possible
the establishment of the "information
society", in which the development of
applications, services and telecommunications
networks will be of crucial importance with
a view to ensuring the availability, for each
citizen, company or public authority
everywhere in the Union, including the less
developed or peripheral regions, of any kind
and quantity of information they need;

2. Whereas, in the White Paper on "Growth, Competitiveness and Employment", the Commission stressed the importance of establishing the information society, which, by introducing new forms of economic, political and social relations, will help the Union to face the new challenges of the next century, including the challenge of employment creation; whereas this has been recognized by the Brussels European Council of December 1993;

Unchanged.

3. Whereas the internal market establishes an area without borders, within which the free circulation of goods, persons, capital and services has to be ensured, and where already adopted Community measures, and other measures still to be adopted, imply significant exchange of information between individuals, organizations and administrations; whereas efficient means of exchanging information are vital for the improvement of industrial competitiveness; whereas these exchanges of information can be assured by trans-European telecommunications networks; whereas the availability of trans-European networks will strengthen social and economic cohesion at Union level;

Unchanged.

4. Whereas the implementation and the development of trans-European telecommunications networks should ensure that information is freely exchanged between individuals, organizations and administrations, while respecting the privacy rights of individuals and intellectual and industrial property rights;

Unchanged.

5. Whereas, in June 1994, in their report on "Europe and the global information society", the members of a group of prominent representatives of industry recommended to the Council to implement trans-European telecommunications networks and to secure their interconnectivity with the whole of European networks; whereas the June 1994 Corfu European Council gave its general approval to this recommendation;

Unchanged.

6. Whereas the communication of the Commission to the Council and the European

Unchanged.

Parliament "Europe's way to the Information Society: an Action Plan", follows these recommendations; whereas the conclusions of the Industry-Telecommunications Council meeting on 28 September 1994 on this action plan stressed the fact that the rapid development of efficient information infrastructures (networks, services and applications) on the basis of a global, coherent and balanced approach is indispensable to Europe;

7. Whereas Article 129c of the Treaty requires that the Community shall establish a series of guidelines covering the objectives, priorities and broad lines of measures to be implemented in the sphere of trans-European networks; whereas these guidelines shall identify projects of common interest;

Unchanged.

8. Whereas the information society cannot develop without the availability of applications; and especially applications of collective interest, optimally answering user needs, taking into account, where appropriate, the needs of the elderly and disabled; whereas applications will thus form an important part of the projects of common interest;

Unchanged.

9. Whereas projects of common interest can, in many cases, already be implemented in the present telecommunications networks, in order to offer trans-European applications; whereas guidelines have to be drawn up, in order to identify these projects of common interest;

9. Whereas projects of common interest can, in many cases, already be implemented in the present telecommunications networks, especially the Euro-ISDN, in order to offer trans-European applications; whereas guidelines have to be drawn up, in order to identify these projects of common interest;

9a.

9a. Whereas there must be coordination between the implementation of the proposals chosen and similar initiatives adopted at national or regional level in the Union;

10. Whereas in the selection and implementation of such projects account should be taken of both infrastructures offered by telecommunications organizations as well as alternative infrastructures offered by other providers;

10. Whereas in the selection and implementation of such projects account should be taken of all infrastructures offered by incumbent and new providers;

11. Whereas the Commission has transmitted to the Council a series of guidelines concerning the development of Integrated Services Digital Network (ISDN) as a trans-European network; whereas the Council has reached a common position on this proposal;

Unchanged.

12. Whereas the present networks, which include existing ISDN, are evolving towards advanced networks offering a variable data flow rate up to broadband capabilities, adaptable to different needs, in particular to the offer of multimedia services and applications; whereas the implementation of integrated broadband communication (IBC) networks will be the outcome of this evolution; whereas IBC will constitute the optimal platform on which applications of the Information Society can be built;

Unchanged.

13. Whereas the results of the specific research and technological development programme in the field of communication technologies (RACE) have prepared the ground and the technology base for the introduction of IBC networks in Europe;

Unchanged.

14. Whereas the results of the specific research and technological development programme on information technologies (Esprit) have prepared the ground and the technological base for the introduction of applications of information technologies;

Unchanged.

15. Whereas the results of the specific research and technological development programmes in the field of telematics systems of general interest (1991 to 1994) and telematics applications of common interest (1994 to 1998) prepare the ground for the introduction of interoperable applications of common interest across Europe;

Unchanged.

16. Whereas effective coordination needs to be ensured between the different Community programmes, and in particular as appropriate, with programmes in favour of SMEs and with information content oriented programmes (such as INFO 2000, Media 2) and other information society activities;

17. Whereas in its communication on "Preparatory actions in the field of Trans-European Networks-Integrated Broadband Communications (TEN-IBC)", the Commission identified the need to carry out preparatory actions with the sector actors to draw up appropriate guidelines; whereas the results of these actions form the basis for the guidelines related to IBC networks in this Decision;

18. Whereas the telecommunications sector is being progressively liberalized; whereas the development of trans-European applications, services and networks relies mainly on private initiative; whereas these trans-European developments must respond to market needs; whereas, taking this into account, the interested sector actors will be requested to propose, through appropriate procedures giving them equal chances, specific projects of common interest in chosen domains; whereas these procedures have to be defined and a list of the chosen domains has to be adopted; whereas a Committee shall assist the Commission for the identification of the specific projects of common interest;

18a.

16. Whereas effective coordination needs to be ensured between the implementation of the trans-European telecommunications networks, which must address real-world concerns, excluding experimental projects, and the different Community programmes, particularly the specific programmes of the fourth framework programme for research, technological development and demonstration, the programmes in favour of SMEs and with information content oriented programmes (such as INFO 2000, Media 2) and other information society activities;

Unchanged.

18. Whereas the telecommunications sector is being progressively liberalized; whereas the development of trans-European applications, services and networks relies mainly on private initiative; whereas these trans-European developments must respond on a Community scale to market needs or to actual and sizeable needs of society which are not covered by mere market forces; whereas, taking this into account, the interested sector actors will be requested to propose, through appropriate procedures giving them equal chances, specific projects of common interest in chosen domains; whereas these procedures have to be defined and a list of the chosen domains has to be adopted; whereas a Committee shall assist the Commission for the identification of the specific projects of common interest;

18a. Whereas on 20 December 1994 the European Parliament, the Council and the Commission reached a *modus vivendi* concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the EC Treaty;

19. Whereas the Community financial support to the implementation of projects of common interest identified within this Decision has to be considered in the framework of the Regulation laying down general principles for the granting of Community financial aid in the field of trans-European networks; whereas following this Regulation, the concerned Member States shall give a certain degree of support to the projects of common interest;

19. Whereas the Community financial support to the implementation of projects of common interest identified within this Decision has to be considered in the framework of the Regulation laying down general principles for the granting of Community financial aid in the field of trans-European networks (Council Regulation (EC) No 2236/95 of 18 September 1995); whereas, nevertheless, use should also be made, on a synergetic basis and in line with their specific rules, of the Community financial instruments which can favour implementation of the lines of action in the sphere of trans-European telecommunications networks, with a view to deriving maximum benefit from coordination of the different sources of funding; whereas following the abovementioned Regulation, the concerned Member States shall give a certain degree of support to the projects of common interest;

20. Whereas the Commission shall undertake actions to assure interoperability of the networks, and to coordinate the activities of the Member States aiming at the implementation of trans-European telecommunications networks;

Unchanged.

21. Whereas it is important, for the optimum development of the Information Society, to assure an efficient exchange of information between the Community and the third countries, in particular the States members of the European Economic Area; whereas it is thus necessary to promote networks, interconnection and interoperability at European scale;

Unchanged.

22. Whereas, however, activities undertaken in the context of these guidelines are subject to the full application of the competition rules set out in the Treaty and implementing legislation,

Unchanged.

HAVE ADOPTED THIS DECISION:

Article 1

This Decision establishes guidelines covering objectives, priorities and broad lines of measures in the field of trans-European telecommunications networks. These guidelines set out the domains for projects of common interest, and a procedure for the identification of specific projects of common interest in these domains.

This Decision establishes guidelines covering objectives, priorities and broad lines of measures in the field of trans-European networks in the area of telecommunications infrastructure. These guidelines set out the domains for projects of common interest, and a procedure for the identification of specific projects of common interest in these domains.

Article 2

The Community will support the interconnection of telecommunications networks, in particular integrated broadband communication (IBC) networks, the setting-up and the deployment of interoperable services and applications and required infrastructure as well as the access to them, with the general objectives of:

The Community will support the interconnection of the networks in the area of telecommunications infrastructure, the establishment and the development of interoperable services and applications as well as the access to them, with the general objectives of:

- facilitating the transition towards the information society, in particular to promote the satisfaction of social needs and to improve the quality of life,
- improving competitiveness of European industry and strengthening the internal market,
- strengthening economic and social cohesion,
- accelerating the development of new growth area activities leading to job creation.

- facilitating the transition towards the information society as well as providing experience on the effects of the deployment of new networks and applications on social activities and to promote the satisfaction of social needs and to improve the quality of life,
- improving competitiveness of European industry and strengthening the internal market,
- strengthening economic and social cohesion,
- accelerating the development of new growth area activities leading to job creation.

Article 3

The priorities for the realization of the objectives mentioned in Article 2 will be:

Unchanged.

- The confirmation of the feasibility, followed by the deployment of applications supporting the development of a Community Information Society, in particular applications of collective interest.
- The confirmation of the feasibility, followed by the deployment of applications contributing to economic and social cohesion, by improving access to information across the whole Union building on the Community's cultural diversity.
- Actions aiming at the stimulation of interregional initiatives, associating less favoured regions for the launch of Community telecom services and applications.
- The confirmation of the feasibility, followed by the deployment of applications and services contributing to the strengthening of the internal market and job creation, in particular those offering to SMEs means to improve their competitiveness in the European Union and at world level.
- The identification, the confirmation of the feasibility, followed by the deployment of trans-European generic services providing a seamless access to all kinds of information, including in rural and peripheral areas, and interoperable with equivalent services at world level.
- The confirmation of the feasibility of new high-bandwidth fibre optic backbone networks, where required for such applications and services; and the promotion of such networks.
- The identification and removal of gaps and missing links for an effective interconnection and interoperability in all their components of telecommunications networks in the Community and at world level, with a particular emphasis on IBC networks.

Article 4

The broad lines of measures to be implemented for reaching the objectives defined in Article 2 will cover: Unchanged.

- Identification of projects of common interest.
- Actions aiming at increasing the awareness of citizens, economic actors and administrations on the benefits they can draw from the new advanced trans-European telecommunications services and applications.
- Actions aiming at the stimulation of combined initiatives from the users and the providers for the launch of projects in the field of trans-European telecommunications networks, in particular IBC networks.
- Support, in the framework of the means defined by the Treaty, to the confirmation of the feasibility, followed by the deployment of applications, in particular applications of collective interest, and encouragement for the establishment of public-private partnerships.
- Stimulation of the offer and the use of services and applications for SMEs and professional users, which constitute a source of employment and growth.
- Promotion of the interconnectivity of networks, of the interoperability of broadband services and applications and of the infrastructure they require, in particular for multimedia, and of the interoperability between existing and broadband services and applications.

Article 5

The development of trans-European telecommunications networks is made under this Decision by the implementation of projects of common interest. The domains within which projects of common interest shall be identified are listed in Annex 1.

The development of trans-European networks in the area of telecommunications infrastructure is made under this Decision by the implementation of projects of common interest. The domains within which projects of common interest shall be identified are listed in Annex 1.

Article 6

The following Articles 7 to 9 describe the procedure for identifying specific projects of common interest in the domains indicated in Annex 1, using the identification criteria listed in Annex 2. The identified projects are eligible for Community support in compliance with the Council Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks.

Unchanged.

Article 7

1. A work programme shall be drawn up by the Commission, in conformity with the other trans-European network policies, in consultation with sector actors, for selecting the areas in which specific projects of common interest can be proposed, within the domains of projects of common interest set out in Annex 1. The work programme shall be updated as necessary.

1. A draft work programme shall be prepared by the Commission, in conformity with the other trans-European network policies, in consultation with sector actors, for selecting the areas in which specific projects of common interest can be proposed, within the domains of projects of common interest set out in Annex 1. The work programme shall be updated as necessary.

2. The work programme shall be the basis for the establishment of calls for proposals for projects of common interest by the Commission.

Unchanged.

Article 8

1. The Commission shall be responsible for the implementation of the procedure defined in Articles 7 to 9.

Unchanged.

2. For the cases specified in Article 9(1), the Commission shall be assisted by a committee composed of representatives of the Member States and chaired by the representative of the Commission.

The Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority provided for in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the Member States' representatives within the committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt the measures envisaged where they are in accordance with the opinion of the Committee.

If the measures envisaged are not in accordance with the Committee's opinion, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal relating to the measures to be taken. The Council shall act by qualified majority.

If on expiry of a period of one month from referral of the matter to the Council, the latter has not acted, the proposed measure shall be adopted by the Commission.

Article 9

1. The procedure laid down in Article 8 shall apply to:

- the preparation and updating of the work programme referred to in Article 7,
- the identification of projects of common interest as a result of a call for proposals,
- the definition of complementary support and coordination actions,
- the measures to be taken to evaluate the implementation of the work programme.

2. For the particular case of the domain of projects of common interest related to ISDN

Unchanged.

2. For the particular case of the domain of projects of common interest related to

(referenced in Annex 1, point 3, paragraph 1), the applicable guidelines are those adopted by the Council.

Euro-ISDN (referenced in Annex 1, point 3, paragraph 1), the applicable guidelines are those adopted by the European Parliament and the Council.

3. The Commission shall inform the committee, at each of its meetings, of the progress of the work programme implementation.

Unchanged.

Article 10

Member States shall take all measures required at national, regional or local level to facilitate and accelerate the implementation of the projects of common interest, in the respect of Community rules. The authorization procedures which may be necessary shall be achieved in the shortest delays.

Unchanged.

Article 11

This Decision shall not prejudice any financial commitment by a Member State or the Community.

Unchanged.

Article 12

The participation of third countries, in particular those being parties to the Agreement on the European Economic Area, or having concluded an Association Agreement with the Community, can be authorized by the Council on a case-by-case basis, following the procedure laid down in Article 228 of the Treaty, in order to allow their contribution to the implementation of projects of common interest, and to promote the interconnection and the interoperability of the telecommunications networks.

Unchanged.

Article 13

The Commission shall present every two years a report on the implementation of this Decision to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

Unchanged.

The report shall contain an evaluation of the results achieved with Community support in different project fields, in relation to the overall objectives.

Article 14

This Decision shall enter into force on the seventh day following its publication in the Official Journal of the European Communities.

Unchanged.

Article 15

This Decision is addressed to the Member States.

Unchanged.

Done at Brussels,

For the European Parliament

For the Council

The President

The President

ANNEX 1: DOMAINS FOR PROJECTS OF COMMON INTEREST

The trans-European telecommunications networks will open the European market to the new applications and services which are the ground upon which the information society should develop. They are essential to realize the objectives of safeguarding and promoting Europe's future prosperity and creating new jobs, as well as enhancing economic and social cohesion.

Unchanged.

A three-layer model has generally been accepted as the most appropriate framework for describing trans-European telecommunications networks. These layers are:

Unchanged.

- The **applications** layer, through which users interact with generic services and basic networks for meeting their professional, educational and social needs. Applications require to be interoperable between themselves to bring the maximum benefit to the users across the Community.

- The **applications** layer, through which users interact with generic services and basic networks for meeting their professional, educational and social needs.

- The **generic services** layer, made of compatible generic services and their management. Through support of the applications common requirements, these services complement the applications whilst aiding their interoperability.

- The **generic services** layer, made of compatible generic services and their management. Through support of the applications common requirements and by promoting common non-proprietary tools for development and implementation of new applications, these services complement the applications whilst aiding their interoperability.

- The **basic networks** layer, that provides the physical access, transport and switching elements of the networks, including their management and signalling. These elements are providing the trans-European network interconnectivity.

Unchanged.

These three layers form a consistent structure, where applications are supported by the two lower layers: generic services and basic networks. In particular, applications cannot be offered in the absence of one of the other two layers; however, each layer should be sufficiently open as to support any

Unchanged.

element of the layer immediately above. In this context, projects of common interest should be identified on the basis of their operational capability to support the objectives set forth in this Decision.

This Decision aims at identifying a list of projects of common interest, from which projects which will benefit from the Community financial support under Article 129c(1), third indent, of the EC Treaty, will be selected. This selection is made within the framework of the "Regulation laying down general principles for the granting of Community financial aid in the field of trans-European networks".

The recourse to the other sources of Community financing remains open, within the financing rules governing each instrument for all the projects of common interest identified. Community financial support is granted in accordance with competition policy rules, notably those dealing with the financial support of R&D and State aids.

The following sections define the domains in which projects of common interest will be identified.

1. Applications

The domains in which applications projects will be identified are the following:

A network for universities and research centres: An advanced trans-European network, carrying multimedia applications, should be established, linking universities and research centres across Europe, with open access to their libraries.

Unchanged.

Unchanged.

Unchanged.

1. Applications

Applications must take account, where necessary, of local linguistic constraints and be interoperable between themselves to bring the maximum benefit to the users across the Community. They must address the widest possible populations of users and facilitate users' access to services of collective interest.

The domains in which applications projects will be identified are the following:

Unchanged.

Distance education and training: Advanced distance education and training services should be made accessible for all citizens, schools, colleges and businesses. Centres should be set up and made remotely accessible across Europe in order to provide courseware and training services for SMEs, large companies, education systems, and public administrations. New approaches to professional training for the information society should be developed and promoted.

Health telematics: Trans-European networks and applications based on common standards should be deployed, which would link on a European scale all the partners of the health system, in particular general practitioners, hospitals and social centres.

Transport telematics: Full advantage should be taken of trans-European telecommunications networks to improve transport network management and logistical support for transport industries and the development of value-added services. Telematic systems and services, wherever applicable, should also serve as a tool for implementing common transport policy; the necessary complementarity with and interoperability of the trans-European transport network will be ensured.

Telematics for environment: Trans-European networks can bring an important contribution to the monitoring and the management of the environment, including emergency management.

Teleworking: The development of teleworking (in homes and satellite offices) supported by advanced communication systems will help provide new forms of flexibility in terms of the place of work and the way work is organized. Through the decentralization of professional activities, teleworking can also help reduce the

Distance education and training: Advanced distance education and training services should be made accessible for all citizens, schools, colleges and businesses. Centres should be set up and made remotely accessible across Europe in order to provide courseware and training services for SMEs, large companies, education systems, and public administrations. New approaches to general, academic, professional and linguistic training should be developed and promoted as part of the transition towards the information society.

Unchanged.

Transport telematics: Full advantage should be taken of trans-European telecommunications networks to improve transport network management and logistical support for transport industries and the development of value-added services. Integrated multimodal transport, non-motorized personal transport, public transport and environment-friendly modes shall be treated as a priority. Telematic systems and services, wherever applicable, should also serve as a tool for implementing Common Transport Policy; the necessary complementarity with and interoperability of the trans-European Transport Network will be ensured.

Unchanged.

Teleworking: The development of teleworking in satellite offices and conceivably in homes supported by advanced communication systems will help provide new forms of flexibility in terms of the place of work and the way work is organized. Through the decentralization of professional activities, teleworking can also help reduce

environmental consequences of daily commuting to population centres.

the environmental consequences of daily commuting to population centres. Applications should be set up to allow for such developments while ensuring the preservation of workers' rights and preventing the risks of social isolation that could be involved with teleworking. Special attention should be paid to the evaluation of the social consequences of these applications.

Telematic services for SMEs: Projects of common interest will support the use of trans-European telecommunications applications and services by European SMEs, with links to public authorities, trade associations, consumers, customers and suppliers and including information services and electronic commerce. The awareness of telematics-based solutions in general should be raised among SMEs.

Unchanged.

Trans-European Network for Public Administration: Interconnected networks between public administration networks in Europe should be established, aiming at facilitating interchange of data between administrations, in particular when implementing European Union regulations providing an effective and less expensive information interchange. This interconnected network should be further extended to link public administrations and European citizens.

Unchanged.

Electronic tendering: A trans-European Electronic Tendering Network should be set up, based on electronic procedures for public procurement between public administrations and suppliers in Europe.

Unchanged.

City information highways: Networks and services should be promoted interconnecting households, businesses, social organizations and administrations and providing access to on-line multimedia information, education, cultural, entertainment and tourism services on a local, regional, national and European basis. Links between city and regional networks should be promoted.

Unchanged.

Library services: Trans-European advanced networked library services involving all types of libraries (national, university/research, public, etc.) should be deployed to provide effective access to both the reservoir of organized knowledge and the cultural wealth held in libraries across Europe, in support of the economic, social, educational and cultural life of the EU.

Telematic services for the job market: Networked services, such as job information databases, should be developed to support the changing labour market in Europe and to help tackle unemployment.

Cultural and linguistic heritage: Initiatives should be launched to foster the preservation of and access to the European cultural heritage, and to demonstrate the potential of the information infrastructure to support the development of local content in local languages.

Citizens' access to services: Applications demonstrating citizens' access to services of collective interest should be set up. Examples might include the establishment of kiosks and access points in public areas, and the use of smart cards and electronic wallets.

2. Generic services

The domains in which projects of common interest for generic services networks will be identified are the following:

Unchanged.

Telematic services for the job market: Networked services, such as job information databases, should be developed to support the changing labour market in the Community, publicize EU-wide job opportunities and encourage workforce mobility.

Cultural and linguistic heritage: Initiatives should be launched to foster the preservation of and access to the European cultural heritage (including support for museum and cultural site multi-media networks) and creation, and to demonstrate the potential of the information infrastructure to stimulate and enhance creative endeavours and achievements as well as to encourage local content and its dissemination.

Unchanged.

Implementation of operational trans-European generic services: They should include in particular electronic mail, file transfer systems, on-line access to electronic data bases, and video services. As there is an urgent need for these trans-European generic services, they will use existing switched basic networks and user access. They should include service elements operating at European scale, European directories, exchange rate compensation, authentication, data protection and information security, trans-European "kiosk" and network navigational aids, etc.

Progressive extension of the generic services toward a multimedia environment:

These services will offer end-users access to multimedia services, and might cover, but should not be limited to, multimedia mail, high speed file transfer and video services, including video-on-demand. Use of these multimedia services by business and residential users should be encouraged, as well as the integration of new service elements such as automatic translation, speech recognition, graphical user interfaces.

Introduction of non-proprietary digital signature as a basis for open service provision and mobility of use:

Generic services will rely on a large number of complementary and competing services providers. Open service provision and mobility of use will be of key importance and require electronic names (digital signatures) to be generally available and supported.

3. Basic networks

The domains in which projects of common interest for basic networks will be identified are the following:

Euro-Integrated Services Digital Networks:

For reasons of immediate commercial and technical transEuropean availability, ISDN is today the most appropriate and efficient digital switched basic network that can support new services and applications. Its

Implementation of operational trans-European generic services: They should include in particular electronic mail, file transfer systems, on-line access to electronic data bases, and video services. As there is an urgent need for these trans-European generic services, they will use existing or emerging networks, fixed or mobile, and user access. They should include service elements operating at European scale, European directories, exchange rate compensation, authentication, data protection and information security, trans-European "kiosk" and network navigational aids, etc.

Unchanged.

Unchanged.

Unchanged.

Unchanged.

present development makes it an opportunity for Europe, and its market and geographical extension will be justified by the implementation of these new services and applications at pan-European scale. However, it should be borne in mind that ISDN is only a first step, and that it is going to evolve toward becoming merely a user access to broadband basic services.

Commercial introduction of managed Asynchronous Transport Mode (ATM) and other broadband networks: This domain must be considered as being of utmost common European interest.

Unchanged.

Interoperation of existing and broadband communication networks: Existing networks (for fixed, mobile and satellite services) should be interconnected and interoperate between themselves and with ATM-based high speed networks, in order to offer the most appropriate economic solutions to the various situations which will occur during the setting up of the information society. This issue is at the core of the development of the Integrated Broadband Communications network, and is particularly relevant for SMEs, as well as for the professional and residential markets.

Unchanged.

4. Support and coordination actions

Unchanged.

In addition to its support to projects of common interest, the Community should initiate actions aiming at providing the appropriate environment. They will contribute to consensus development and concertation of national and regional activities for stimulation and promotion of new applications and services in conformity with the implementation of programmes in other areas, as well as the development of broadband basic networks. They will involve concertation with European standardization and strategic planning bodies, coordination with actions funded by the different Community financial instruments. This includes:

Development of target specifications, and transition towards these targets. These specifications will support sector actors to make sound economic investment decisions. This will be done in consultation with all sector actors, including telecommunication operators, cable operators, emerging operators, service providers, trade associations and consumer associations for:

Unchanged.

- identifying the missing elements and the bottlenecks in the trans-European telecommunications networks,

Unchanged.

- developing the target networks specifications for the three identified network layers. This includes terrestrial, satellite, mobile, as well as management and operation on a European scale. Sector actors will build on the RACE and Telematics Programme common functional specifications, the Eurescom work and other technical bodies set up by sector actors, and the results of broadband trials underway as well as the results of the Esprit and IT programmes,

Unchanged.

- developing the network towards the target networks, and

Unchanged.

- encouraging the development of open, interoperable and user friendly systems.

Unchanged.

Definition of means to access broadband networks, at the three specified layers.

Definition of means to access IBC networks.

Establishment of common specifications, based on European and world standards.

Unchanged.

Furthering the cooperation among sector actors, in particular the emerging and fragmented operators, such as cable television networks, as well as with users.

Unchanged.

Cooperation and coordination with Community, European and national programmes.

Unchanged.

Annex 2

Identification criteria

The identification of projects of common interest among the projects presented by interested sector actors in response to a call for proposals as mentioned in Article 7 is made on the basis of their compliance with the objectives and priorities laid down in Articles 2 and 3 respectively. These projects shall be transnational with special emphasis on projects of an interregional nature.

The identification of projects of common interest among the projects presented by interested sector actors in response to a call for proposal as mentioned in Article 7 is made on the basis of their compliance with the objectives and priorities laid down in Articles 2 and 3 respectively. These projects must be transnational in the sense that they shall be conceived to satisfy needs existing in several Member States and to be implemented in several Member States. This does not prevent the initial phase of their deployment, designed to check the technical and commercial viability of the project, from being carried out in a single Member State, if it appears that the conditions prevailing in this Member State are representative of those existing in the other Member States where the project should ultimately be implemented.

In addition, the economic and financial criteria spelt out in the "Regulation laying down the general rules for the granting of Community financial aid in the field of trans-European networks" shall be taken into account. These criteria, which will be used in the framework of this Regulation to decide on the granting of a financial support to a specific project, are

Unchanged.

- the potential economic viability of the project, which should be assured,
- the maturity of the project,
- the stimulative effect of Community intervention on public and private financing,
- the effectiveness of the financial package,
- the direct or indirect socio-economic effects, in particular on employment,

Unchanged.

Unchanged.

Unchanged.

Unchanged.

Unchanged.

- the consequences for the environment, Unchanged.
- specially for transborder projects, Unchanged.
coordination of the timing of the different
parts of a project.

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