

## Emergency Communications (EMTEL); Collection of European Regulatory Texts and orientations

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**Reference**

DTR/EMTEL-00010

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**Keywords**

emergency, regulation

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## Foreword

This Technical Report (TR) has been produced by ETSI Special Committee Emergency Communications(EMTEL).

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## Introduction

The rapid evolution of the market in Europe, the important multiple technical developments, the new decentralized structures for the management of Communications Networks and Services are associated to a revision of the regulatory conditions applicable in the Communications sector in the EU.

This created a number of new difficulties, some of them related to the need of ensuring a high level of support from Communications systems in Emergency conditions and a permanent increase of the effectiveness of the responsible bodies in such situations. In fact, if in a single network an Emergency situation is already a delicate case to consider, when two or more Telecommunications Networks are interconnected and the corresponding operators have different and some times opposite interests, the solution for each problem may be more complex and difficult to find.

In this context the standardization may be the only solution to promote freely and widely accepted solutions fulfilling the needs of the population, particularly those identified in regulatory documents.

The goal of the present document is to facilitate a stronger standardization in this area by bringing together the most important easily identified rules in EU. In order to enable also to take into account trends that might result in future regulatory rules, the document includes a list of main sites where these orientations can be found (Communication, working documents, statements from official groups etc.).

The present version is actualised from the first produced in 2004. The intention is to collect more information focused in the relationship between standardization work and EMTEL needs expressed in regulatory documents and update the document in future versions, when appropriate with more and more updated details. A new update is necessary at least at the time when the ongoing reform of the EU regulatory framework for electronic communications is finalized.

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# 1 Scope

The present document identifies:

- the regulatory documents applicable for the emergency communications. The documents are listed in clause 2.1 and the significant extracts are given in clause 3; and
- other information or references which are considered to be useful in relation to Emergency Communications (EMTEL), generally applicable regulatory principles, or main orientations which are still under consideration at the date of revision.

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# 2 References

References are either specific (identified by date of publication and/or edition number or version number) or non-specific.

- For a specific reference, subsequent revisions do not apply.
- Non-specific reference may be made only to a complete document or a part thereof and only in the following cases:
  - if it is accepted that it will be possible to use all future changes of the referenced document for the purposes of the referring document;
  - for informative references.

Referenced documents which are not found to be publicly available in the expected location might be found at <http://docbox.etsi.org/Reference>.

For online referenced documents, information sufficient to identify and locate the source shall be provided. Preferably, the primary source of the referenced document should be cited, in order to ensure traceability. Furthermore, the reference should, as far as possible, remain valid for the expected life of the document. The reference shall include the method of access to the referenced document and the full network address, with the same punctuation and use of upper case and lower case letters.

NOTE: While any hyperlinks included in this clause were valid at the time of publication ETSI cannot guarantee their long term validity.

## 2.1 Normative references

Not applicable.

## 2.2 Informative references

The following referenced documents are not essential to the use of the present document but they assist the user with regard to a particular subject area. For non-specific references, the latest version of the referenced document (including any amendments) applies.

- [1] Directive 2002/21/EC of the European Parliament and of the council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive).
- [2] Directive 2002/22/EC of the European Parliament and of the council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive).

- [3] Directive 2002/58/EC of the European Parliament and of the council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications).
- [4] Directive 2002/19/EC of the European Parliament and of the council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive).
- [5] Directive 2002/20/EC of the European Parliament and of the council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive).
- [6] Commission Recommendation 2003/558/EC of 25 July 2003 on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services.
- [7] Directive 1999/5/EC of the European Parliament and of the council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity.
- [8] Council Decision of 23 October 2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions.
- [9] Official texts relating to Community co-operation on Civil Protection.
- [10] Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision).
- [11] Commission decision 2001/148/EC of 21 February 2001 on the application of Article 3(3)(e) of Directive 1999/5/EC to avalanche beacons (notified under document number C(2001) 194) (Text with EEA relevance).
- [12] Commission decision 2000/637/EC of 22 September 2000 on the application of Article 3(3)(e) of Directive 1999/5/EC to radio equipment covered by the regional arrangement concerning the radiotelephone service on inland waterways (notified under document number C(2000) 2718) (Text with EEA relevance).
- [13] Commission decision 2003/213/EC of 25 March 2003 on the application of Article 3(3)(e) of Directive 1999/5/EC of the European Parliament and of the Council to radio equipment intended to be used on non-SOLAS vessels and which is intended to participate in the Automatic Identification System (AIS) (notified under document number C(2003) 808) (Text with EEA relevance).
- [14] Commission Decision 2004/71/EC of 4 September 2003 on essential requirements relating to marine radio communication equipment which is intended to be used on non-SOLAS vessels and to participate in the Global Maritime Distress and Safety System (GMDSS).
- [15] Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations on information society services
- [16] Commission Decision C(2006)/6364/ of 11th December 2006, updating the list of standards (application of Article 17 of the framework Directive). Chapter V addresses localisation.
- [17] Commission staff working document of June 14 2004 on "The treatment of Voice over Internet Protocol (VoIP) under the EU Regulatory Framework" (Doc 406-V2).
- [18] ERG (European Regulators group) document of December 2005: ERG (05) 12 "ERG Common Statement for VoIP regulatory approaches".
- [19] COM(2003) 542 final, Communication from the Commission to the Council and the European Parliament: "Information and Communications Technologies for Safe and Intelligent Vehicles" (SEC(2003) 963) Brussels, 15.9.2003.

- [20] COM(2005) 431 final: Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions : "The 2nd eSafety Communication, bringing eCall to citizens" Brussels, 14.9.2005.
- [21] Directive 2006/24/EC of the European Parliament and the Council (15 March 2006) on the retention of data generated and processed in connexion with the provision of publicly available electronic communications services or public communications networks and amending Directive 2002/58/EC.
- [22] COM(2006) 723 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions; "Bringing eCall back on track - Action Plan"; (3rd eSafety Communication) Brussels, 23.11.2006.
- [23] COM(2007) 541 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: "Towards Europe-wide Safer, Cleaner and Efficient Mobility: The First Intelligent Car Report" Brussels, 17.9.2007.

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### 3 Abbreviations

For the purposes of the present document, the following abbreviations apply:

AIS	Automatic Identification System
CEC	Commission of the European Communities
CEN	European Committee for Standardisation
CENELEC	European Committee for Electrotechnical Standardization
COI	Common Open Interface
EMTEL	Emergency Telecommunications
ETSI	European Telecommunications Standards Institute
EU	European Union
GMDSS	Global Maritime Distress and Safety System
IEC	International Electrotechnical Commission
ISO	International Standardization Organization
R&TTE	Radio equipment and Telecommunications Terminal Equipment

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### 4 General

The present document tries to identify the most relevant regulatory principles applicable to EMTEL. A careful study of the EU and national regulation is required for a complete understanding of all the implications of the presently applicable legal measures.

To facilitate the access to the source texts and minimize the risk of misunderstandings and false interpretations, the majority of the text was literally copied from the official documents. This text is printed in *italics* to allow a clear identification. In some cases, more important words or statements are printed in **bold** to call the attention of the reader.

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### 5 Documents relevance for EMTEL activities

The documents produced within the frame of the Commission should be considered on the basis of their relevance towards emergency telecommunications. Three classes are proposed to sort them adequately:

- regulatory documents having relevance for EMTEL;
- other regulatory documents with less direct impact on EMTEL; and
- documents giving orientations for future regulations.



## 5.1 Regulatory documents in application, having relevance with EMTEL

The documents in this category are in application and should be well known or addressed in the course of any activity in emergency telecommunications.

References [1], [2], [3], [4], [5], [6], [7] and [16] fall in this category.

## 5.2 Other documents with less direct impact in EMTEL

These documents are also regulatory and in application but they should be considered as elements of the framework of communications services and precisising the overall context; but they have no direct impact on emergency telecommunications.

References [8], [9], [10], [11], [12], [13],[14], [15] and [21] fall in this category.

## 5.3 Non regulatory documents related to orientations for future regulations

Rapid progress in technology makes it worthwhile to quote different topics that are addressed within the Commission or related groups. These orientations have not yet resulted in regulations, but are linked to the standardization activities in the field of Emergency Telecommunications, or can have an influence on them:

- NGN and Internet based telephony services.

References [17] and [18] fall in this category.

In [17], clauses 5.2. Emergency Services, 5.3. Routing Emergency Calls and 5.4. Enhanced Emergency Service - Caller location, and in [18] clause 4 Specific Statement on Access to Emergency Services have a specific interest:

Road Safety related services.

In 2005, the Commission launched the eCall project with an objective to deploy a service of automatic call in case of road accident.

References [19], [20], [22] and [23] fall in this category.

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# 6 Framework Directive

*DIRECTIVE 2002/21/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) [1].*

## 6.1 Executive Summary of EMTEL relevant text

There is a list of standards to recommend or enforce specific standards (also for EMTEL).

## 6.2 Chapter IV, general provisions

### 6.2.1 Article 17, Standardisation

1. The Commission, acting in accordance with the procedure referred to in Article 22(2), shall draw up and publish in the Official Journal of the European Communities a **list of standards and/or specifications to serve as a basis for encouraging the harmonised provision of electronic communications networks, electronic communications services and associated facilities and services**. Where necessary, the Commission may, acting in accordance with the procedure referred to in Article 22(2) and following consultation of the Committee established by Directive 98/34/EC, request that standards be drawn up by the European standards organisations (European Committee for Standardisation (CEN), European Committee for Electrotechnical Standardisation (CENELEC), and European Telecommunications Standards Institute (ETSI)).

2. **Member States shall encourage the use of the standards and/or specifications referred to in paragraph 1, for the provision of services, technical interfaces and/or network functions, to the extent strictly necessary to ensure interoperability of services and to improve freedom of choice for users.**

As long as standards and/or specifications have not been published in accordance with paragraph 1, Member States shall encourage the implementation of standards and/or specifications adopted by the European standards organisations.

In the absence of such standards and/or specifications, Member States shall encourage the implementation of international standards or recommendations adopted by the International Telecommunication Union (ITU), the International Organisation for Standardisation (ISO) or the International Electrotechnical Commission (IEC).

**Where international standards exist, Member States shall encourage the European standards organisations to use them, or the relevant parts of them, as a basis for the standards they develop, except where such international standards or relevant parts would be ineffective.**

3. If the standards and/or specifications referred to in paragraph 1 have not been adequately implemented so that interoperability of services in one or more Member States cannot be ensured, **the implementation of such standards and/or specifications may be made compulsory** under the procedure laid down in paragraph 4, to the extent strictly necessary to ensure such interoperability and to improve freedom of choice for users.

4. Where the Commission intends to make the implementation of certain standards and/or specifications compulsory, it shall publish a notice in the Official Journal of the European Communities and invite public comment by all parties concerned. The Commission, acting in accordance with the procedure referred to in Article 22(3), shall make implementation of the relevant standards compulsory by making reference to them as compulsory standards in the list of standards and/or specifications published in the Official Journal of the European Communities.

5. Where the Commission considers that standards and/or specifications referred to in paragraph 1 no longer contribute to the provision of harmonised electronic communications services, or that they no longer meet consumers' needs or are hampering technological development, it shall, acting in accordance with the procedure referred to in Article 22(2), remove them from the list of standards and/or specifications referred to in paragraph 1.

6. Where the Commission considers that standards and/or specifications referred to in paragraph 4 no longer contribute to the provision of harmonised electronic communications services, or that they no longer meet consumers' needs or are hampering technological development, it shall, acting in accordance with the procedure referred to in Article 22(3), remove them from this list of standards and/or specifications referred to in paragraph 1.

7. This Article does not apply in respect of any of the essential requirements, interface specifications or harmonized standards to which the provisions of Directive 1999/5/EC apply.

### 6.2.2 Article 19, Harmonisation procedures

1. Where the **Commission**, acting in accordance with the procedure referred to in Article 22(2), issues **recommendations to Member States on the harmonised application** of the provisions in this Directive and the Specific Directives in order to further the achievement of the objectives set out in Article 8, Member States shall ensure that national regulatory authorities take the utmost account of those recommendations in carrying out their tasks. Where a national regulatory authority chooses not to follow a recommendation, it shall inform the Commission giving the reasoning for its position.