

JOINT PPDR OPINION REGARDING RSCOM.15-42

To: Andreas Geiss, Chairman Radio Spectrum Committee (RSC)

European Commission, Unit B4 "Spectrum", DG CNECT

Avenue de Beaulieu 33, 1160 Brussels, Belgium,

2 December 2015

Sources

28x PPDR user organisations + operators:

Mol of France, Mol of Finland, Mol of Austria, Mol of the Czech Republic, Mol of Republic of Croatia, Mol of Serbia, Mol of Bulgaria, Mol of Lithuania, Mol of Macedonia, Mol Republic of Slovenia, Mol of Germany, Ministry of State of the Grand-Duchy of Luxembourg, FOCCPS (Federal Office of Civil Protection Switzerland), IT Centre Mol of Estonia, National Police of Italy, Swedish (national) Police Authority, National Police of Netherlands, National Police Department of Hungary, Cyprus (national) Police, Federal Police of Belgium, An Garda Síochána (National Police Force – Republic of Ireland), Police of Finland, Police of Austria, Directorate for Emergency Communication (DNK) of Norway, The Swedish Civil Contingencies Agency (MSB), State Security Networks Finland, ASTRID S.A. (Operator Belgian PPDR network), Parliamentary Guard of Hungary,

10x Associations:

FEU (Federation of the European Union Fire Officer Associations), German Fire Protection Association (VFDB), Danish Association of Fire Chief Officers, Netherlands Fire Service, Fédération Nationale des Corps de Sapeurs Pompiers de Luxembourg, Finnish Association of Fire Officers, British Association of Public Safety Communications Officials (B-APCO), PSC-E (Public Safety Communication Europe), TCCA (TETRA + Critical Communications Association), EENA (European Emergency Number Association).

Dear Mr. Geiss

We would like to provide our input to the consultation process on this matter.

Our services do welcome the incorporation of PPDR spectrum in Article 4.3 of the draft proposal¹ for PPDR radio communications in the frequency bands 698-736 MHz and 753-791 MHz in the European Union.

¹ RSCOM15-42

We understand, that the establishment of spectrally harmonised conditions² can be realised through agreed spectrum ranges – as proposed by the EU Commission in article 4.3 in RSCOM15-42.

We have taken due note of the inclusion of PPDR in the provisions of the draft Decision and the strict adherence to 243/2012/EU, Art 8.3 : < *The Commission shall, in cooperation with the Member States seek to ensure that sufficient spectrum is made available under harmonised conditions to support the development of safety services and the free circulation of related devices as well as the development of innovative interoperable solutions for public safety and protection, civil protection and disaster relief.*>

Spectrum made available at sufficient level, under harmonised conditions as part of the Radio Spectrum Policy Programme (RSPP 243/2012/EU), is essential for the realisation of cross-border effectiveness of PPDR services to the European citizens.

We recall, that one of the important results regarding broadband PPDR for the EU 700 MHz Mandate to CEPT³ is the ECC report 218. We were informed that the conclusions of ECC report 218 will be included in CEPT report 60 (to be finalised next year in March).

This Report is highlighting the fact, that the 700 MHz range is the most obvious candidate range, from within which the establishment of harmonised conditions for broad band PPDR in the Member States can be realised.

Finally, we note for information the TFEU Article 67(3)⁴ as a clarification to the general Member States notion of PPDR as a “matter of strict national sovereignty”. (TFEU : Treaty on the Functioning of the European Union)

We furthermore note the various EU telecommunications and spectrum provisions setting the legal framework for the establishment and maintenance of the efficient use of spectrum and policy objectives of the Digital Single Market for ECN and its major applications such as PPDR.

In conclusion, we invite you maintaining, in the RSCOM15-42 – Article 4, a reference to national BB PPDR spectrum usage that can be accommodated in the 700 MHz range (as described in CEPT reports 53 and next 60).

² In accordance with 243/2012/EU, Article 8.3

³ RSCOM12-37 rev3

⁴ The Union shall endeavor to ensure a high level of security through measures to prevent and combat crime, racism and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as through the mutual recognition of judgments in criminal matters and, if necessary, through the approximation of criminal laws.