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Connectivity
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RADIO SPECTRUM POLICY GROUP

Commission activities related to radio spectrum policy

COMMISSION ACTIVITIES RELATED TO RADIO SPECTRUM POLICY

1. PURPOSE OF THIS PAPER

This paper is to report on Commission activities related to radio spectrum policy since the 54th meeting of the RSPG on 10th February 2021 (RSPG#54). The paper concentrates on activities which have most relevance to RSPG's scope of responsibilities.

2. POLICY DEVELOPMENTS IN THE AREA OF RADIO SPECTRUM

A Digital Compass for the Decade until 2030

On 9 March 2021, the Commission presented a vision and avenues for Europe's digital transformation by 2030 entitled "2030 Digital Compass: the European Way for the Digital Decade".¹ The vision builds on the Strategy on the 2020 communication "Shaping Europe's Digital Future"² that remains the overarching framework, but it also takes into account the enormous changes brought by the coronavirus pandemic, which has massively accelerated the use of digital tools, demonstrating their opportunities while exposing the vulnerability of our society to new digital inequalities. The Digital compass sets out a number of key objectives, including for secure and performant sustainable digital infrastructures, and specifically that all European households should have gigabit connectivity by 2030 (compared to 59% in 2020) and that all populated areas should be covered by 5G by the same date (up from 14% in 2021).

The adoption of the Communication is followed by structured consultation on the targets and compass and by an open consultation on digital principles. Building on this wide consultation, the Commission aims to achieve decisive progress with the other institutions on a Declaration of Digital Principles by the end of 2021 and propose a Digital Policy Programme operationalising the Digital Compass before the end 2021. Finally, the Commission intends to

¹ See: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021DC0118&from=en>

² See: [communication-shaping-europes-digital-future-feb2020_en_4.pdf \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0004&from=en)

carry out an annual Eurobarometer exercise specifically dedicated to monitoring the perception of Europeans regarding the respect of their rights, values and aspirations online.

A Union Connectivity Toolbox

In accordance with the deadline of 30 April 2021 laid down in the Commission Recommendation (EU) 2020/1307, and following the adoption of the Union-level Connectivity Toolbox, twenty-one Member States as well as Norway have submitted to the Commission their national implementation roadmaps³ by 25 May 2021.

3. HARMONISATION AND TECHNICAL IMPLEMENTATION ACTIVITIES

Since RSPG#54, there has been one meeting of the Radio Spectrum Committee, RSC#74 on 9th and 10th of March 2021, with the following outcome:

6 GHz RLAN

The Committee reached agreement on a final draft of the Implementing Decision on the harmonised use of radio spectrum in the 5945-6425 MHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLANs) (*RSCOM20-42(final)*). After a written consultation based on the examination procedure (under Regulation 182/2011/EU), the Committee gave a positive opinion on that final draft on 9th of April 2021.

The Committee also agreed on a stable text concerning a Mandate to CEPT to review the limit of out-of-band (OOB) emissions below 5935 MHz applicable to very low power (VLP) WAS/RLAN devices (*RSCOM21-03rev1*). After a positive vote through a written consultation based on the advisory procedure (under Regulation 182/2011/EU), the Mandate was adopted by the Committee and sent to CEPT by the Commission on 21st of April 2021.

³ Available at the following link: <https://ec.europa.eu/newsroom/dae/items/710991>

Interference from 5 GHz WAS/RLANs to meteorological radars

The Commission's Joint Research Centre (JRC) provided an update on preliminary findings of the study on coexistence between WAS/RLANs and meteorological radars operating in the 5250-5850 MHz band (*RSCOM20-50rev2*).

RMR

The Commission submitted for discussion the updated text of a draft Implementing Decision on spectrum for the Railway Mobile Radio (RMR) (*RSCOM20-44-rev1*) in view of the introduction of the Future Rail Mobile Communication System (FRMCS). Written comments were submitted by some Member States prior to the meeting and were discussed and agreed during a tour de table. Further points for discussion concerned the possible role of mobile network operators for the provision of RMR services as well as the possibility to delay, at national level, the harmonization date of the 1900-1910 MHz band. Following discussions at the meeting, version *RSCOM20-44rev3* was concluded as "stable text" and made available to RSC delegations. The above text, including possible feedback from the ongoing EC interservice consultation, will be submitted to the next RSC for the examination procedure in view of adoption of a relevant Implementing Decision by the Commission.

2.6 GHz Decision derogation request by the Netherlands

The delegation of the Netherlands presented a request for a derogatory transitional period under Article 4(5) of the Radio Spectrum Decision and Article 2(2) of Commission Implementing Decision (EU) 2020/636 to keep in place two existing licenses for two small lots in the 2500-2690 MHz band until their expiry in 2030. The Committee members were invited to express views as to whether this derogation would unduly defer implementation of the decision or create undue differences in the competitive or regulatory situations between Member States. No view was expressed. The Chair took note and indicated that the Commission will decide in due course on the next steps following the outcome of the meeting.

5G potential interference to radio altimeters

The Commission Services informed the meeting about an EASA workshop that took place (online) on 25 February. For the time being, EASA does not identify any conditions that compromise safety and reports no occurrences of interference from 5G base stations to aeronautical radio altimeters. EASA is following the issue closely and has issued a Continued Airworthiness Review Item addressed to all radio altimeter manufacturers. Airbus is meanwhile monitoring flights and collecting data which will be available by the end of March. Some Member States informed the meeting about their views on this issue. France, in particular, has taken some precautionary measures around main airports. The CEPT reminded that they have already opened a Work Item on possible interference from 5G to aeronautical Radio Altimeters.

The next RSC meeting (RSC#75) is scheduled for 7th and 8th of July 2021.

4. OTHER ACTIVITIES

A second stakeholder workshop focussed on 5G supply market trends in the context of the 5G observatory was held on 19 May. The workshop aimed to provide an overview on 1) key development pathways for 5G derived from a scenario development process, and 2) results of the scenario impact assessment in a selected number of impact dimensions including market competition and costs, cybersecurity, energy efficiency and consumption, new services, applications and mobile traffic, interoperability and standards' needs, and overall impact for Europe.

Mandate to the Scientific Committee on Health, Environmental and Emerging Risks (SCHEER) to provide its opinion on the need to update the Council Recommendation of 12 July 1999 on EMF

Council Recommendation of 12 July 1999⁴ sets out basic restrictions and reference levels for the exposure of the general public to electromagnetic fields (EMF). These restrictions and

⁴ (OJ. L 199/59, 30.7.1999)

reference levels are based on the guidelines published by the International Commission on Non Ionizing Radiation Protection in 1998 (ICNIRP)⁵. ICNIRP has released new guidelines for the protection of humans exposed to radiofrequency electromagnetic fields in March 2020⁶.

In this context and in accordance with paragraph 4 of the Council Recommendation, the Commission is currently mandating the Scientific Committee on Health, Environmental and Emerging Risks (SCHEER)⁷ to provide its opinion on the need of a technical update of the Council Recommendation annexes in view of the latest scientific evidence available, in particular the above mentioned ICNIRP guidelines. This mandate concerns the radio frequencies (100 kHz to 300 GHz), as well as to update the SCENIHR Opinion of 2015⁸ with regard to frequencies between 1Hz and 100 kHz. The first opinion will be delivered in July 2022 and the second in July 2023 respectively.

In addition, the Commission might involve the Group of Chief Scientific Advisors⁹ to deal with the wider and longer-term study of EMF aspects and fill any scientific gaps. This will further enhance the confidence of the public with regard to the protection of public health which is of paramount importance for the Commission.

⁵ <https://www.icnirp.org/cms/upload/publications/ICNIRPemfgdl.pdf>

⁶ <https://www.icnirp.org/cms/upload/publications/ICNIRPrfgdl2020.pdf>

⁷ https://ec.europa.eu/health/scientific_committees/scheer_en

⁸ https://ec.europa.eu/health/sites/default/files/scientific_committees/emerging/docs/scenihr_o_041.pdf

⁹ https://ec.europa.eu/info/research-and-innovation/strategy/support-policy-making/scientific-support-eu-policies/group-chief-scientific-advisors_en