



# Wider Spectrum Group

Frequencies for a creative Europe



Brussels, 27 July 2015

Dear Prime Minister Bettel,

## RE: Views of the Wider Spectrum Group on WRC-15 agenda item 1.1

In view of the upcoming World Radiocommunication Conference 2015 (WRC-15) held in Geneva, Switzerland, from 2 to 27 November 2015, our members would like to share their views as regards the Council's decision on the position to be adopted on agenda item 1.1. Particularly as pertains to the positions outlined by the European Commission in its proposals on the matter in the Annex of COM(2015)234 final dated 29 May 2015.

We speak as one European voice under the banner of the Wider Spectrum Group with member organisations representing citizens, workers and employers in audiovisual, radio, programme making, media distribution and special events industries.

We consider spectrum to have deep political ramifications for Europe's cultural sector, diversity and plurality. We strongly support, under agenda point 1.1, "rejection of the co-primary allocation to the mobile service of the band 470-694 MHz in Europe" as expressed in the Annex of COM(2015)234 final. Such support, whatever the regulatory mechanism be, would be consistent with recent decisions taken at the CEPT<sup>1</sup>, Radio Spectrum Policy Group<sup>2</sup> as well as with the conclusions of the Lamy report<sup>3</sup>. It is important that European Member States show a united front.

It is also important that given the finite nature of spectrum and the vast amount of projected spectrum holdings (to be) transferred to IMT, Member States monitor and evaluate the impact on the Creative industry of any change in use envisaged under Agenda item 1.1 and adopt appropriate sharing or mitigation measures. This is true for the band 3400-3800 MHz as well as for the band 1452-1492 MHz, and adjacent bands 1427-1452 MHz and 1492-1518 MHz.

As a collective of aligned interests we put forward a constructive common vision: **a vision for a fresh start that corresponds to Europe's core assets and values and an industrial policy for the creative and cultural sector, of which spectrum is a pillar.** We share this vision with you in our annex to this letter as our contribution to ensure that Europe's approach carefully and appropriately takes account of the true breadth of economic activity and other relevant parts at WRC-15 and beyond.

Yours sincerely,

The Wider Spectrum Group

<sup>1</sup> See [CEPT Electronic Communications Committee, Section A1.1, part 3](#), June 11 2015. European Proposals on no change for allocations to services in 470-694 MHz specify: "Europe does not support an allocation to mobile service and identification for IMT in this frequency band [...] Reasons: The band 470-694 MHz is used extensively by the Terrestrial Broadcasting systems for the provision of television content and for SAB/SAP in many European countries. It is generally the only TV platform delivering free-to-air TV programmes to citizens. In addition the broadcasting service is currently in the process of transition from SD to HD broadcasting delivery. Allocation of additional spectrum within this band for the mobile service on a primary basis may constrain future development of the broadcasting service".

<sup>2</sup> See [RSPG Opinion on Common Policy Objectives for WRC-15](#), 19 February 2015. "Elements for a common policy objective "support no change to allocations in the band 470-694 MHz" on the basis that "In its [draft] opinion on the UHF band, RSPG recommends 'that the frequency band 470-694 MHz shall remain available for DTT in the foreseeable future, i.e. 2030'".

<sup>3</sup> See Pascal Lamy, Report to the European Commission, [Results of the work of the high level group on the future use of the UHF band \(470-790 MHz\)](#), September 2014.



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# A fresh start for Europe: building an industrial strategy for creative and cultural industries based on growth, innovation and jobs

A shared vision from the members of the Wider Spectrum Group

Europe's unique audiovisual model sustains its creative and cultural sector's economy and jobs. It is a huge asset for Europe's competitive position in the digital world, cultural diversity and media pluralism.

The creative and cultural sector, acknowledged as a leading employer and value driver in Europe, deserves a strong industrial strategy that reinforces the pillars it rests on. Spectrum allocation is one of those pillars. Free-to-air TV and radio make available to the general public local, diverse and plural European works and information.

The Lamy report<sup>4</sup>, amongst others<sup>5</sup>, made explicit the need for a change of mindset from platform convergence to co-existence<sup>6</sup>. This in order to meet different consumer expectations, support Europe's cultural diversity, support original content creation, promote media pluralism and sustain the development of an inclusive audiovisual and radio sectors.

\* \* \*

European leaders have called for a fresh start for growth and jobs<sup>7</sup>, resting on investments surpassing €300 billion and a priority on Digital. The cultural, creative and media industries are an essential pillar of the digital economy and one of the key assets of Europe, in every dimension:

- Accounting for 6.8% share of GDP (€860 billion) and 6.5% of Europe's employment (approximately 14 million direct and indirect jobs)<sup>8</sup>;
- Combining the forces of flagship European-based companies competing in a global market alongside more than 1.4 million small and medium sized enterprises<sup>9</sup> (who generate over 80% of the total revenue for the sector);
- Employing a highly skilled, non off-shorable and well-educated workforce that is deeply rooted within local territories, economies and cultures;
- Creating and investing in digital platforms and leading in technological innovations; Europe's digital market for cultural products and services are providing more and more choice to consumers.

European enterprises and employees from the creative and cultural industry stand together at the forefront of Europe's fresh start to provide more growth and jobs for Europeans. A fresh start based on:

- **A vision** for its future digital economy and society that integrates all existing components to optimise opportunities and potential rather than drive fragmentation and conflict between sectors and players;
- **A strategy** that embraces cultural diversity and pluralism as valuable assets in the EU;
- **A commitment** to enshrine fair access and support for creation, innovation and finance.

<sup>4</sup> Pascal Lamy, Report to the European Commission, [Results of the work of the high level group on the future use of the UHF band \(470-790 MHz\)](#), September 2014

<sup>5</sup> See recent RSPG opinion and ECC report 224

<sup>6</sup> Co-existence' in the sense of simultaneous deployments of terrestrial broadcasting and mobile broadband platforms.

<sup>7</sup> Jean-Claude Juncker, [My priorities](#), Priority 1 "put policies that create growth and jobs at the centre of the policy agenda of the next Commission"

<sup>8</sup> TERA Consultants, The economic contribution of the creative industries to EU GDP and employment - Evolution 2008-2011, Paris, September 2014

<sup>9</sup> Idem



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**EU policy-makers in close consultation with all stakeholders and civil society need to define a European industrial policy, which will recognise the cultural, creative and media industries as a growth enabler for Europe and as a key component of European construction. This means policies that:**

- **Acknowledge the business, investment and funding<sup>10</sup> models** for the works produced; including content creation, distribution and licensing models that ensure sustained levels of efforts and investments in content from employees and enterprises; and infrastructure investments to spark innovations that meet evolving EU audience expectations;
- **Uphold the importance of local/national works<sup>11</sup>** as supporting European employment, diversity and plurality with a thorough consideration of the added value these industries, driven by broadcasters, create through contextualising works<sup>12</sup> and investing<sup>13</sup> for citizens;
- **Enshrine guaranteed access to critical resources such as spectrum** for services that enable and sustain Europe’s creative and cultural industry, to maintain free-to-air as a capacity for citizens to participate in the public discourse, have choice and preserve their local identity.

## **Europe’s preference - Low cost, accessible, local, reliable, regulated, plural**

250 million Europeans choose television via the digital terrestrial television (DTT) broadcasting platforms as one of their preferred means of media consumption. 80% of the EU population listens to the radio for 2 to 3 hours a day, mostly through broadcasting (analogue and digital). Traditionally and increasingly PMSE<sup>14</sup> equipment is used to create this content.

Television and radio are the most intimate, most trusted and most economic rational means to address the reality of national identities and to uphold Europe’s unique, comprehensive and virtuous model. This model spreads the production base across Europe creating jobs and growth. Broadcasting platforms, and in particular DTT and radio platforms, will continue to play a crucial role in delivering linear broadcast content to European citizens.

**This diversity of supply ensures a diversity of choice to Europeans allowing for platform competition, innovation and investment over the long-term. Reducing spectrum for content creation and terrestrial broadcasting has far-reaching consequences beyond just arbitrating between broadcasting and mobile. Moving away from DTT would result in a loss of €38.5 billion to the EU economy<sup>15</sup> before any account of losses to the creative sector.**

<sup>10</sup> For example, recognising public contributions as well as advertising revenues’ key role in funding content in Europe, especially for media; e.g., almost 100% of commercial radio revenues come from advertising, and up to 90% for commercial free-to-air TV

<sup>11</sup> Dr Alice Enders, [The value of territorial licensing to the EU](#), October 2013

<sup>12</sup> Pr Olivier Bomsel, [Why territories matter](#), October 2013, “contextualisation’ [...] is a complementary good that enhances the meaning value of the copyrighted expression”

<sup>13</sup> Enders on conclusions of [AVMS 2011- Final Study Report - 13 December 2011](#), “every euro of net broadcaster revenue funds 54 cents of investment, of which about 29 cents to mainly national works”

<sup>14</sup> Programme Making and Special Events / SAP/SAB (radio microphones, wireless “in ear” monitor system, and wireless communication systems)

<sup>15</sup> Aetha study, Future use of the 470–694MHz band, October 2014



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**The current debate has pitched mobile services against terrestrial broadcasting when in reality these services should be seen as complementary and supporting different needs.**

Mobile services ensure one-to-one communications (phone calls, mobile internet...). Terrestrial broadcasting is indispensable for spectrum-efficient one-to-many transmissions (free-to-air TV and radio, coverage of major live events, emergency communications...). The latter makes the platform more cost effective and self-sustaining due to the economies of scale involved with equal quality.

**Europe's broadcast industry has scale and can invest to deliver high impact / quality cultural and creative works.**

Scale is manifested in reach, coverage of the service, which enables low cost delivery of media works on consumer devices affordable to all. Scale raises advertising income enabling more money to be re-invested in cultural oriented creation and national / local distribution.

**The benefits of terrestrial broadcasting are recognised in European law as an integral part of the general interest.**

More specifically as promoting "social, regional or territorial cohesion" and "cultural and linguistic diversity and media pluralism"<sup>16</sup>. For many European countries, no terrestrial broadcasting would equate to significantly weakening this general interest objective with the loss of the national media industry and no production of local works and hence jobs.

\* \* \*

**In 2015, European policy-makers can bring about an industrial policy that will:**

- 1. Position creative and cultural industries at the heart of Europe's Digital Single Market objectives**
- 2. Guide new and sustain existing investments to increase certainty for employers, employees and the public alike as well as to maintain innovation, plurality and diversity**
- 3. Take decisions on critical resources such as spectrum allocation on the basis of a comprehensive examination of the impact on cultural and creative sector growth and jobs, particularly in forming common positions for EU in reviewing the RSPP<sup>17</sup> and for global negotiations at the WRC-15<sup>18</sup>**

**It is urgent to adopt a wider vision, an industrial strategy, and a fresh start for Europe.**

<sup>16</sup> [Electronic Communications Framework Directive](#), 2009/140/EC, 2009

<sup>17</sup> The Radio Spectrum Policy Program (RSPP) defines common policies within the European Union

<sup>18</sup> The World Radio Conference 2015 (WRC-15) will take crucial decisions on spectrum matters



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### About the Members of the Wider Spectrum Group

**About the Association of European Radios:** The Association of European Radios (AER) is a Europe-wide trade body representing the interests of over 4,500 private/commercial radio stations across the EU27 and in Switzerland. AER's main objective is to develop and improve the most suitable framework for private commercial radio activity. AER constantly follows EU actions in the fields of media, telecommunications and private radio transmission, in order to contribute, to enrich and develop the radio sector. [www.aereurope.org](http://www.aereurope.org)

**About the Association of Professional Wireless Production Technologies:** The APWPT promotes, on an international level, the efficient and demand-driven provision and use of production frequencies for professional event productions, as well as safeguarding such production frequencies for professional users, in the longer term. [www.apwpt.org](http://www.apwpt.org)

**About Broadcast Networks Europe:** BNE is a trade organisation for Terrestrial Broadcast Network Operators for Radio and TV in Europe based in Brussels. BNE's 17 members operate in 21 European countries. Members are Abertis (Spain), Arqiva (UK), České Radiokomunikace (Czech Republic), Digea (Greece), Digita (Finland), ETV (Serbia), Elettronica Industriale (Italy), Media Broadcast (Germany), Norkring (Norway), OiV (Croatia), ORS (Austria), Swisscom Broadcast (Switzerland), Radiocom (Romania), Rai Way (Italy), RTENL (Ireland), TDF (France) and Teracom (Sweden). In addition Terrestrial Network Operators in Belgium, Denmark, Estonia, and Monaco are represented by their respective parent (and BNE member) company. [www.broadcast-networks.eu](http://www.broadcast-networks.eu)

**About the European Coordination of Independent Producers:** CEPI represents the interests of independent television and film production companies in Europe. Today, CEPI represents 18 national trade associations across Europe, and is the only European organisation to include members from both the television and film sectors. [www.cepi.tv](http://www.cepi.tv)

**About DigiTAG:** DigiTAG is an association of stakeholders in the digital terrestrial TV industry and has members from broadcasting, network operators, regulatory, and professional equipment and consumer electronics manufacturing organisations throughout the world. DigiTAG's mission is to promote and defend digital terrestrial television (DTT) on a worldwide basis bringing together industry players to protect spectrum for broadcasting, regardless of the technical standard used on the DTT platform. DigiTAG seeks to advance and safeguard the development of digital terrestrial television. It encourages and aims to facilitate the introduction and implementation of national DTT platforms regardless of the business model, regulatory regime or technology adopted. [www.digitag.org](http://www.digitag.org)

**About Digital UK:** Digital UK manages strategy, policy and service development for digital terrestrial television (DTT) – the UK's biggest platform used in 19 million homes. Digital UK is owned by the BBC, ITV, Channel 4 and Arqiva and is leading development of Freeview Play, a new hybrid platform bringing together free to view DTT and catch up services in a range of TVs and set top boxes. [www.digitaluk.co.uk/](http://www.digitaluk.co.uk/)

**About European Broadcasting Union:** The European Broadcasting Union (EBU) is the world's foremost alliance of Public Service Media, providing television, radio and online services. The EBU has 73 active members in 56 countries in Europe and beyond. The organisation provides technical expertise in order to drive media innovation and coproduction across every entertainment genre and advocate the values of Public Service Media organisations. [www.ebu.ch](http://www.ebu.ch)

**About the European Federation of Journalists:** The European Federation of Journalists (EFJ) is the largest organisation of journalists in Europe, representing over 320.000 journalists in 60 journalists' organisations across 39 countries. The EFJ was created in 1994 with the aim to fight for social and professional rights of journalists working in all sectors of the media across Europe through strong trade unions and associations. [www.europeanjournalists.org](http://www.europeanjournalists.org)



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**About UNI MEI:** UNI MEI represents 170 national unions & guilds affiliating more than 375 000 creators, technicians and other workers in the media, entertainment and arts worldwide. Media and entertainment workers and their trade unions affiliated to UNI MEI believe that the European Union needs to strengthen its commitment to social inclusiveness and cultural diversity. European citizens need a European Union with a progressive policy blue print that invests in people, ensures solidarity, respects and cherishes their cultures and puts quality employment at the heart of a sustainable growth agenda. [www.uniglobalunion.org](http://www.uniglobalunion.org)

**About the Voice of the Listener & Viewer:** The Voice of the Listener & Viewer (VLV) enables the voices of the citizen and consumer to be heard by broadcasters and those concerned with broadcasting policy. It strives to promote and maintain diversity and plurality in public service broadcasting in order to maintain local and national democracy, our cultural and democratic traditions. It supports the independence, integrity and secure funding of the BBC and the work of broadcasters and programme suppliers who demonstrate commitment to public service broadcasting. It promotes the broadcasting of first-rate programmes that meet the demands of listeners and viewers for more high quality content than the market can provide. It believes every citizen should benefit from the enormous potential to deliver digital resources to people across the UK and seeks to ensure that citizens are not disadvantaged by technological developments. Mindful of the need to protect programme quality it encourages public service broadcasters to build relationships and a feeling of shared ownership with listeners and viewers. [www.vlv.org.uk](http://www.vlv.org.uk)