

EUROPEAN ECONOMIC AREA
JOINT PARLIAMENTARY COMMITTEE

RESOLUTION

Approved at the 45th meeting of the EEA Joint Parliamentary Committee,

in Brussels on 19 November 2015

(Pursuant to article 11 in the Rules of Procedures)

adopted by written procedure

Resolution on the Digital Single Market Strategy

Co-rapporteurs:

Mr Daniel Dalton, United Kingdom (Member of the European Parliament)

Mr Vilhjálmur Bjarnason, Member of the Icelandic Parliament

The EEA Joint Parliamentary Committee of the European Economic Area (EEA JPC):

- A. Having regard to the European Commission's communication on a Digital Single Market Strategy for Europe of 6 May 2015¹;
- B. Whereas the Digital Single Market Strategy launched by the Commission in May 2015 sets out ambitious steps towards a completed Digital Single Market;
- C. Whereas a Digital Single Market enables the free movement of goods, persons, services and capital while ensuring that individuals and businesses can seamlessly access and exercise online activities under conditions of fair competition, and benefit from a high level of consumer and personal data protection, irrespective of their nationality or place of residence;
- D. Whereas the Digital Single Market Strategy is a larger initiative within the Internal Market which can create new jobs, opportunities and economic growth;
- E. Whereas all EU policies and legislation in the area of the Digital Single Market should allow new opportunities for users and businesses to emerge, especially within today's service society, while taking a holistic approach that considers their social dimension they inevitably involve structural changes;
- F. Whereas swift progress is required to achieve a well-functioning Digital Single Market, which will provide new dynamism for the European economy;
- G. Having regard to European Council's June 2012 and June 2015 conclusions on the Digital Single Market;
- H. Having regard to the resolutions of the European Parliament, in particular those of 2012² and 2013³ on completing the Digital Single Market;
- I. Having regard to the EEA EFTA Comments on Better Regulation (September 2015)⁴, on a European Single Market for Electronic Communications (November 2013)⁵, and on Trust in the Digital Single Market for e-Commerce and Online Services (May 2012)⁶;
- J. Having regard to the EEA Agreement, which provides for the EEA EFTA States' participation in the Internal Market of the European Union in various fields related to the Digital Single Market Strategy;

¹ http://ec.europa.eu/priorities/digital-single-market/docs/dsm-communication_en.pdf

² Texts adopted, [P7_TA\(2012\)0468](#)

³ Texts adopted, [P7_TA\(2013\)0327](#)

⁴ <http://www.efta.int/sites/default/files/documents/eea/eea-efta-comments/2015/2015-09-28-eea-efta-comment-on-better-regulation.PDF>

⁵ <http://www.efta.int/sites/default/files/documents/eea/eea-efta-comments/2013/2013-11-04-eea-efta-comment-on-the-telecommunications-single-market.pdf>

⁶ <http://www.efta.int/media/documents/eea/eea-efta-comments/2012/2012-05-25-eea-efta-comment-commissions-package-on-eCommerce.pdf>

- K. Having regard to the EEA JPC report⁷ and resolution⁸ of October 2011 on the EU Digital Agenda and the EEA;
- L. Having regard to the EEA JPC report⁹ and resolution¹⁰ of December 2014 on the Annual Report of the EEA Joint Committee on the Functioning of the EEA Agreement in 2013;

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Welcomes the release of the Digital Single Market Strategy and calls on the EEA EFTA States and relevant stakeholders to take part in public consultation exercises on the Digital Single Market, as many of the initiatives have an impact on the EEA EFTA States. The EEA JPC also wishes to highlight the following aspects in accordance with the three main pillars of the strategy:

A. Better access for consumers and businesses to digital goods and services across Europe

The EEA JPC:

- Welcomes the aim of achieving the rapid removal of key differences between the online and offline worlds to break down barriers to cross-border online activity.
- Considers that in order to achieve this, having simple cross-border contract rules with reinforced consumer protection cooperation, modernised copyright rules, enabling consumers and innovators to adapt to a rapidly evolving environment, and a reduced burden on small and medium-sized enterprises (SMEs), could make a great contribution.
- Takes note of the Commission's work to minimise burdens arising from different VAT regimes, providing a level playing field for EU businesses, as well as work on the tax treatment of certain e-services, such as digital books and online publications, in the context of the general VAT reform. At the same time, it notes that the EEA EFTA States are not part of the EU's VAT regime, as this falls outside the scope of the EEA Agreement, and underlines that the question of VAT rules might pose challenges for the EEA EFTA States.
- Believes that cross-border access to online material protected by copyright should be facilitated, while ensuring a high level of protection of intellectual property rights and taking into account cultural diversity.
- Highlights that simplified rules for online cross-border purchases will encourage more businesses to sell across borders and increase consumer confidence. In this respect, the EEA JPC looks forward to future proposals from the Commission on rules for consumer protection, and underlines that the rules should not lower any standards for consumer protection in any countries in the EEA.

⁷ <http://www.efta.int/sites/default/files/documents/advisory-bodies/parliamentary-committee/jpc-reports/report3-2011-10-26.pdf>

⁸ <http://www.efta.int/sites/default/files/documents/advisory-bodies/parliamentary-committee/jpc-resolutions/adopted-resolutions-2011-10-26.pdf>

⁹ <http://www.efta.int/sites/default/files/documents/advisory-bodies/parliamentary-committee/jpc-reports/14-131858%2014-131858-Rev6%202-141217%20EEA%20JPC%20Report%20on%20the%20EEA%20JPC%20Annual%20Report%202013.pdf>

¹⁰ <http://www.efta.int/sites/default/files/documents/advisory-bodies/parliamentary-committee/jpc-resolutions/14-132359%20141217%20JPC%20Resolution%20on%20the%20JPC%20Annual%20Report%202013.pdf>

- Recalls that affordable, accessible, efficient and high-quality cross-border delivery services are a prerequisite for building consumer trust in online sales and e-commerce. Furthermore, the EEA JPC takes note of the Commission's future initiative on parcel delivery to improve price transparency and the efficiency of parcel delivery.
- Takes note of the Commission's aim to prevent unjustified geo-blocking, noting also that by limiting consumer choice, geo-blocking is a significant cause of consumer dissatisfaction and fragmentation of the Internal Market.

B. Creating the right conditions and a level playing field for digital networks and innovative services to flourish

The EEA JPC:

- Welcomes the emphasis on the need for reliable infrastructures and content services, supported by the right regulatory conditions for innovation, investment, fair competition and a level playing field, in order to achieve the aims of this pillar.
- Reiterates its previous position on the EEA EFTA States' participation in the Body of European Regulators for Electronic Communications (BEREC) where the Regulation only allows for observer status. The EEA JPC invites the EU to ensure the full participation of the EEA EFTA States in BEREC without the right to vote.
- Emphasises that radio spectrum is a vital building block for the deployment of broadband services, and notes that further actions are necessary regarding the way in which spectrum is managed and regulated, given its importance for connectivity. The EEA JPC calls therefore for effective spectrum coordination while respecting national competences.
- Calls on the Commission to recognise the special role that mobile and satellite internet connectivity play in the Digital Single Market, in particular for cross-border access to information, cross-border flow of data and improving connectivity coverage set in Digital Agenda targets. Calls for continuous effort to improve the deployment of 4G Internet connectivity and to set Europe in a leadership position for upcoming 5G technology.
- Welcomes the new legislation adopted by the European Parliament in October 2015, whereby roaming fees for calling, sending text messages and using the mobile internet abroad in the EU will be, heavily reduced in early 2016 and banned from 15 June 2017.
- Calls on the Commission to develop an innovation-friendly policy that fosters competition between online platforms, and notes the Commission's plan to undertake a comprehensive assessment of the role of online platforms in the digital economy.
- Considers, in order to ensure trust in digital services, that increased resources from the public and private sectors are required to strengthen the security of IT systems and online networks, and the encryption of communication, to improve cyber-attack prevention and increase knowledge of basic security processes among users of digital services.

C. Maximising the growth potential of the digital economy

The EEA JPC:

- Emphasises the opportunities that new technologies can offer to the economy and society, and welcomes the focus on investment in ICT infrastructures and technologies such as

Cloud Computing and Big Data, as well as on research and innovation to boost industrial competitiveness and better public services, inclusiveness and skills, in order to achieve the aims of this pillar.

- Highlights the importance of removing barriers to benefit fully from the potential of digital and data technologies and ensure the free flow of data. In this respect, the EEA JPC notes the Commission's planned initiatives on the "free flow of data" and the "European Cloud", and calls for the clarification of the rules on the use, access to and ownership of data, and on the facilitation of switching between data service providers.
- Notes the intention of the Commission to launch an ICT standardisation plan and to extend the European interoperability framework, and draws attention to the fact that in order to keep up with the fast pace of technological development, standardisation should be anticipated in a strategic manner.
- Believes that the development of e-administration holds great potential to reduce costs, modernise public administration and provide new and more efficient services for citizens and businesses across the EEA, and further stresses that the digitisation of administrative formalities and better access to information will reduce burdens for businesses in the EU and in the EEA EFTA States. The EEA JPC therefore welcomes the Commission's aim to promote e-government, and encourages the EU to take advantage of the experience of the EEA EFTA States in this regard.
- Welcomes the Commission's aim to support an inclusive Digital Single Market in which citizens and businesses have the necessary skills and can benefit from online services.