



PRESS RELEASE

Brussels, 28 June 2010

Anti-Counterfeiting Trade Agreement (ACTA):

Europe's e-communications providers call on negotiating partners to avoid provisions that would hamper the development of the Information Society

BRUSSELS – Europe's leading e-communications service providers call on the European Commission and other negotiating parties of the ACTA agreement as they meet today in Lucerne (Switzerland) to ensure that the final agreement does not hamper the further development of the European Information Society and the Digital Single Market.

In a joint statement to the negotiating parties, fixed and mobile operators, Internet Service providers and cable companies joined together to send a message to the negotiators and underscore the need for transparency. Operators are now making a public call for maintaining transparency and full respect of democratic oversight of new legislation by elected representatives until full completion of the negotiation process.

The final agreement on ACTA should not include provisions that jeopardise the existing legal framework, hinder the development of new e-services and limit European citizens' rights to privacy. This would contradict the key objectives of the Digital Agenda for Europe.

E-communications providers are particularly concerned with a series of provisions which considerably contradict the EU *acquis*. According to the draft, the scope of criminal sanctions would expand beyond the existing EU legal framework which is limited to infringement of a commercial nature. The draft liability provisions contradict the "mere conduit" principle established by the EU eCommerce Directive. E-communications providers warn against any attempt to introduce a system where private entities such as ISPs are to scrutinize and police the content of communication between citizens. Such provisions would put confidentiality of communications at risk and would undermine the level of legal security needed for ISPs to exercise their activities. They are concerned that EU law could be changed from the "outside-in" via an international treaty.

E-communications service providers strongly believe in the importance of IPR (Intellectual Property Rights) for the economy. They are actively cooperating with rightsholders and consumer organisations in the fight against illicit file-sharing within the existing legal framework.

As reiterated by the recently adopted Digital Agenda, offering a wide choice of attractive legitimate online content services is the best response for stamping out illicit file sharing. It is therefore essential to develop the appropriate conditions for easing access to content and allowing new business models to emerge.

Attached: joint industry statement

The European trade associations contributing to this joint statement are:

	<p>Cable Europe (www.cable-europe.eu), the European Cable Communications Association, is based in Brussels and groups all the leading European cable TV operators and their national trade associations throughout Europe. The aim of Cable Europe is to promote and defend the industry's policies and business interests at European and international level. The European cable TV industry provides digital TV, broadband Internet and telephony services to more than 73 million customers. Contact: Caroline Van Weede, Managing Director (+3225211763/ caroline.vanweede@cable-europe.eu).</p>
	<p>ETNO (the European Telecommunications Network Operators' Association - www.etno.eu) is the voice of the European telecommunications network operators with over a decade of experience in shaping EU telecoms policy. The association represents 41 companies located in 35 European countries. They account for an aggregate annual turnover of more than 250 billion Euros and employ over one million people across Europe. Contact: Thierry Dieu, Communications Manager (+ 3222193242/ dieu@etno.be).</p>
	<p>EuroISPA is the world's largest association of Internet Services Providers (ISPs) representing the interests of more than 1700 ISPs across the EU and the EFTA countries. EuroISPA is a major voice of the Internet industry on information society subjects such as cybercrime, data protection, e-commerce regulation, EU telecommunications law and safe use of the Internet (www.euroispa.org). Contact: Andrea D'Incecco, Head of Policy (+32 2 503.22.65/ andrea@euroispa.org).</p>
	<p>The GSMA represents the interests of the worldwide mobile communications industry. Spanning 219 countries, the GSMA unites nearly 800 of the world's mobile operators, as well as more than 200 companies in the broader mobile ecosystem, including handset makers, software companies, equipment providers, Internet companies, and media and entertainment organisations. The GSMA is focused on innovating, incubating and creating new opportunities for its membership, all with the end goal of driving the growth of the mobile communications industry. In the European Union the GSMA represents over 100 operators providing more than 600 million subscriber connections across the region. For more information on GSMA, please visit: Mobile World Live, the new online portal for the mobile communications industry, at www.mobileworldlive.com, GSMA corporate website at www.gsmworld.com, GSMA Europe www.gsmeurope.org. Contact: Martin Whitehead, Director, GSMA Europe (+32 2 792 05 50/ MWhitehead@gsm.org).</p>