Emergency communications in EU legislation: What’s next?

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Some words about me

• EENA’s Public Affairs Manager

• At EENA since 2015

• Graduated in political sciences / EU affairs
Introduction

About European cooperation
Introduction

Where does EU law apply?

Read more about the special status of certain territories [HERE](#).
Introduction

Different levels of competences

- Exclusive competences
  - Internal market (incl. Telecoms)
  - Consumer protection
  - Transport
  - Freedom, security and justice
  - Shared safety concerns in public health matters
  - Humanitarian aid

- Shared competences

- Supporting competences
  - Civil protection
  - Health
  - Tourism
Introduction

Decision-making in the EU
Different norms in the EU

- Directives
  - Binding
  - Require “transposition” in MS law
Introduction

Different norms in the EU

- Directives
- Regulations
  - Binding
  - Self-executive
Introduction

Different norms in the EU

- Directives
- Regulations
- Delegated and implementing acts
  - Measures aimed at correctly implementing a directive or regulation
  - Accelerated procedure
Introduction

Different norms in the EU

• Directives
• Regulations
• Delegated and implementing acts
• Other legal acts
  o Decisions
  o Recommendations
  o Opinions
Introduction – Previous legislations

1991
- Council Decision
  - Introduction of 112

1998
- Open Network Provision Directive
  - 112 should be accessible free of charge from any telephone in the EU

2002
- Universal Service Directive
  - Caller location should be provided free of charge to the emergency services

2009
- Universal Service Directive
  - People with disabilities should be able to access emergency services on an equivalent basis compared to other end-users.

2018
- EECC
  - Emergency communications; Handset-based caller location; telephone-based public warning systems
The Electronic Communications Code

- Emergency calls communications
- Location of emergency communications should include network-based and handset-based location information (AML)
- Implementation of Public Warning Systems based to alert people on their mobile phones (Cell Broadcast, Location-Based SMS)
- Better means of access for people with disabilities (more provisions in the European Accessibility Act)
- PSAPs Directory
Introduction - Previous legislations

Other notable legislations

- ePrivacy regulation
  - Exemption for emergency services to process the caller location and calling line identification without their consent

- Roaming regulation
  - Promotion of 112 to people travelling within the European Union

- Delegated act supplementing the radio equipment directive
  - AML to be integrated in all smartphones sold in the EU single market (starting from 2022)

- Decision on a Union Civil Protection Mechanism
  - Cooperation between emergency services during large-scale disasters
Introduction - Previous legislations

To know more

- Document ‘Emergency Communications & the EU legislative framework’ – available HERE
- Presentation on ‘European legislation for emergency services’, EENA Conference 2019 – recording available HERE
- Webpage on EENA advocacy activities - HERE
What’s coming next?
Implementation of the EECC
What’s coming next?

Implementation of the EECC

• Deadline for implementation: 21 December 2020 (21 June 2022 for Public Warning Systems)

• What happens then?
  o European Commission to make sure all provisions are correctly implemented in all Member States.
  o If a country fails to comply with the law, the Commission launches an infringement procedure, which can lead to economic sanctions against the country.
  o European Commission to adopt delegated acts.
What’s coming next?

Delegated act supplementing the EECC

Article 109, paragraph 8, EECC:

"In order to ensure effective access to emergency services through emergency communications to ‘112’ services in the Member States, the Commission shall [...] adopt delegated acts [...] on the measures necessary to ensure the compatibility, interoperability, quality, reliability and continuity of emergency communications in the Union with regard to caller location solutions, access for end-users with disabilities and routing to the most appropriate PSAP. The first such delegated acts shall be adopted by 21 December 2022.”
Delegated act supplementing the EECC

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Delegated act to supplement:

- Article 109, paragraph 2 – routing to the most appropriate PSAP

2. Member States shall, after consulting national regulatory authorities and emergency services and providers of electronic communications services, ensure that providers of publicly available number-based interpersonal communications services, where those services allow end-users to originate calls to a number in a national or international numbering plan, provide access to emergency services through emergency communications to the most appropriate PSAP.
Delegated act supplementing the EECC

Delegated act to supplement:

➢ Article 109, paragraph 2 – routing to the most appropriate PSAP
➢ Article 109, paragraph 5 – accessibility to people with disabilities

5. Member States shall ensure that access for end-users with disabilities to emergency services is available through emergency communications and is equivalent to that enjoyed by other end-users, in accordance with Union law harmonising accessibility requirements for products and services. The Commission and the national regulatory or other competent authorities shall take appropriate measures to ensure that, whilst travelling in another Member State, end-users with disabilities can access emergency services on an equivalent basis with other end-users, where feasible without any pre-registration. Those measures shall seek to ensure interoperability across Member States and shall be based, to the greatest extent possible, on European standards or specifications laid down in accordance with Article 39. Such measures shall not prevent Member States from adopting additional requirements in order to pursue the objectives set out in this Article.
Delegated act supplementing the EECC

Delegated act to supplement:

- Article 109, paragraph 2 – routing to the most appropriate PSAP
- Article 109, paragraph 5 – accessibility to people with disabilities
- Article 109, paragraph 6 – caller location

6. Member States shall ensure that caller location information is made available to the most appropriate PSAP without delay after the emergency communication is set up. This shall include network-based location information and, where available, handset-derived caller location information. Member States shall ensure that the establishment and the transmission of the caller location information are free of charge for the end-user and the PSAP with regard to all emergency communications to the single European emergency number ‘112’. Member States may extend that obligation to cover emergency communications to national emergency numbers. Competent regulatory authorities, if necessary after consulting BEREC, shall lay down criteria for the accuracy and reliability of the caller location information provided.
What’s coming next?

Delegated act supplementing the EECC

Delegated act to supplement:

➢ Article 109, paragraph 2 – routing to the most appropriate PSAP
➢ Article 109, paragraph 5 – accessibility to people with disabilities
➢ Article 109, paragraph 6 – caller location

First delegated act to be adopted by 21 December 2022.
What’s coming next?

Delegated act supplementing the EECC
Review of the roaming regulation
1st roaming regulation adopted in 2012

Introduction of the ‘Roam-Like-At-Home’ principle which became effective in 2017

Regulation set to expire on 30 June 2022. Hence: need for another regulation.
The roaming regulation

What to expect on emergency communications?

➢ Promotion of 112 for people roaming to remain

➢ Issues related to the establishment and the transmission of caller location information to the emergency services

➢ Communication for people with disabilities

➢ Awareness of public warning systems

➢ Use of non-emergency numbers
The roaming regulation

Timeframe

- Summer 2020: Public Consultation – See EENA’s response [HERE](#)

- End of 2020: Proposal from the European Commission

- End of 2020 – Beginning of 2022: Legislative discussions

- June 2022: End of the current roaming regulation; entry into force of the new text.
Digital Services Act
Digital Services Act

- Objective: modernise the current legal framework for online services (2000 e-commerce directive).

- How does that impact public safety organisations?
  - Removing illegal content online (child, sexual abuse material, terrorist propaganda...)
  - Removing harmful content online (disinformation)
  - Responsibility of online platforms
Timeframe

- Summer 2020: Public consultation on the Digital Services Act
- December 2020: Proposal from the European Commission
- 2021-2023: Legislative discussions
- 2023: Entry into force of the new act
EPrivacy Regulation
ePrivacy vs. General Data Protection Regulation (GDPR)
  - GDPR: Data Protection
  - ePrivacy: protection of privacy when personal data is communicated electronically

2002 ePrivacy directive:
  - Exemption for emergency services to process caller location and calling line identification without the caller’s consent.

ePrivacy regulation:
  - Consolidation of the previous exemption
  - Modernisation of definitions and rules
ePrivacy regulation

Timeframe

- January 2017: Proposal from the European Commission
- October 2017: Vote of the European Parliament
- ???: Vote of the Council
- ???: Inter-institutional agreement
- ???: Entry into force
Artificial intelligence
Artificial intelligence


➢ Future legislation to address the following topics:

➢ Safety and liability
➢ Ethical framework
➢ Intellectual property rights for the development of artificial intelligence technologies
Cybersecurity
Cybersecurity

- Implementation of the Cybersecurity Act (in force since 2019)
  - Reinforced role of ENISA
  - Cybersecurity certification framework (to be achieved)

  - Improving national cybersecurity capabilities
  - Building cooperation at EU level
  - Promoting a culture of risk management and incident reporting among key economic actors
Facing future sanitary crisis
Facing future sanitary crisis

➢ Revision of the Union Civil Protection Mechanism (2020)

➢ Towards a European Health Union?
  ➢ More funding of EU4Health programme
  ➢ Strengthened role for agencies (EMA, ECDC)
  ➢ Creation of Agency for Biomedical Advanced Research and Development Agency
Also to look out for...

- Roll out of 5G
- European Data Act, 2021
- Drones
- Use of EU space programmes
- AEDs in the EU single market?
Any questions/comments?
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