03.

International Activity

This activity is undertaken at three different levels:

As part of its remit as advisor to the government, ICP-ANACOM is mandated by the Government to represent the Portuguese State, as a competent body in the communications sector.

Furthermore, in the exercise of its duties and powers, ICP-ANACOM participates in community and international *fora*, in particular from a perspective of the necessary development and application of measures of market regulation.

Cooperation represents another aspect of ICP-ANACOM's international intervention, including bilateral cooperation with its counterparts, in particular, and among others, with the PALOP - Angola, Cape Verde, Guinea Bissau, Mozambique and Sao Tome and Principe - as well Brazil and East Timor.

■ Representation of the Portuguese State

European Union (EU)

Council of Transport, Telecommunications and Energy (TTE)

ICP-ANACOM participated, particularly in the context of the Portuguese presidency, in cooperation with the permanent national representatives (REPER) to the EU, taking over the leadership of the national delegations in the postal and telecommunications group.

It also provided support to the government in negotiations in the Council and Parliament, especially in the following fields:

Postal Services: Common position adopted on the Proposal for a Directive of the European Parliament and the Council which modifies Directive 97/67/EC with respect to full realisation of the internal market for Community postal services. This directive sets out, as its main proposal, the opening up of the postal market in 2011, while ensuring provision of the universal postal service to all users, irrespective of where they are in the Union.

Mobile Satellite Services (MSS): The proposal aims to create a common procedure, at European level, for the selection of operators of mobile satellite systems and establish provisions for the coordinated authorisation by the Member States of MSS operators selected to operate in the 2 GHz band.

Mobile TV: Conclusions adopted in order to support a coordinated approach with respect to the introduction of Mobile TV in Europe.

GSM Directive: General approach adopted with regard to the Directive which aims to allow the frequencies of this technology to be used for other mobile services.

WRC 07: Approved Council conclusions to coordinate the EU position at the World Radiocommunication Conference 2007 (WRC07) of the International Telecommunication Union (ITU).

Review of Regulatory Framework: Legislative proposals presented for the review of the regulatory framework for electronic communications.

Note should also be made of participation at the World Summit on the Information Society (WSIS), the Galileo initiatives, WTO, EUROMED, MERCOSUR, Gulf countries whose coordination is ensured at national level by the Ministry of Foreign Affairs.

Committees and Groups

ICP-ANACOM represented the Portuguese State in the following Committees and Working Groups (WG):

Communications Committee (COCOM)

Among the more relevant issues discussed, note should be made of the "112" emergency number, the Commission recommendation on the rights to use frequencies in the context of Wireless Access Policy for Electronic Communications (WAPECS), the process of notification under article 7 of the Framework-Directive (2002/21/EC), the lists of revised standards, the European Telephony Numbering Space (ETNS), harmonised spectrum usage conditions for mobile communications on aircraft and the assessment of the situation of broadband in the EU. From the activity of COCOM the adoption of the following Decisions merit special note:

- Decision amending Decision 2007/116/EC as regards the introduction of additional reserved numbers beginning with "116" reserved for harmonised services of social value.

- Decision amending Decision 2003/548/EC as regards the deletion of specific types of leased line from the Minimum Set of Leased Lines.

Radio Spectrum Committee (RSC)

With respect to the activity of the RSC (Radio Spectrum Committee) in 2007, the approval of the following draft Decisions merit special note:

– Decision amending paragraph 1 of Article 4 of Decision 2005/513/EC on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of Wireless Access Systems including Radio Local Area Networks (WAS/RLANs), in order to reflect a simplification of technical parameters for the 5150-5350 MHz band, maintaining protection in respect of the other services sharing the spectrum with WAS/RLANs.

– Decision on the harmonisation of the radio spectrum for equipment using ultra-wide band (UWB) technology in the Community, aiming to harmonise the conditions of spectrum use for equipment using UWB technology in the European Community, based on the technical studies undertaken by CEPT and presenting the solution reached at a European level for this type of equipment.

– Decision on the harmonised use of the radio spectrum in the 2 GHz frequency range for the implementation of systems providing Mobile Satellite Services (MSS).

– Decision on the harmonised provision of information on the use of the radio spectrum in the Community, through a central point of information, with harmonisation of the format and content of that information. Through this Decision Member States will use, as a point of common access, the existing ERO Frequency Information System (EFIS) in order to compare the information on spectrum use in each Member State. This information will be available to the public via the Internet.

– Decision of the Commission on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communications in the Community. Note that Member States may only implement this decision upon the repeal of Directive 87/372/EEC ("GSM Directive").

In addition, various draft Decisions were developed, including the Draft Decision of the Commission on the harmonisation of the technical conditions required for mobile communications on board aircraft (MCA) in order to avoid interference to land mobile systems, the draft revision of the Decision amending Decision 2006/771/EC on SRD and a draft revision of the EC Decision on the 3.4 - 3.8 GHz band for Broadband Wireless Access (BWA).

TCAM

Over 2007, TCAM (Telecommunications Conformity Assessment and Market Surveillance Committee) examined issues related to the implementation of Directive 1999/5/EC of 9 March on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity.

Postal Directive Committee

In 2007 discussions were held on postal standardisation, with approval given to a new mandate for the CEN (European Committee for Standardisation) with respect to postal services and equipment, the compilation of statistical data for the purposes of implementing the 3rd Postal Directive, the quality of service and the financing of the US through state aid.

Radio Spectrum Policy Group (RSPG)

This group met three times in 2007, with the adoption of two opinions being of note - one on the implications of the digital dividend on EU spectrum policy and the other on the WRC-07.

The first opinion resulted from a request of the Commission, with the aim of identifying the implications of the digital dividend on spectrum policy in the EU. This view complements and builds upon the work undertaken in the development of previous RSPG Opinions - one on the implications on the spectrum of the digital broadcasting switchover (adopted in November 2004) and the other on the introduction of mobile multimedia services in the frequency bands allocated to broadcasting services (adopted in October 2006).

The other additional Opinion on the WRC-07 replaced the findings of a previous Opinion on the subject (adopted in November 2005) and should be taken into account by Members of CEPT in the preparation of ECPs (European Common Proposals) for the WRC-07.

The Group is also developing, among other opinions, the European approach to collective use of spectrum (CUS), the use of the spectrum by certain public sectors and the implications for the EU, operational modernisation (optimisation) and better coordination within the framework of the EU in the context of post-review of the EU regulatory framework, the pre-review of the R&TTE Directive and, finally, another Opinion to assist Member States in coordinating frequencies with countries outside the European Union.

The Working Group on Electromagnetic Compatibility (EMC Working Party)

In the context of this WG, note should be made of the Decision of the Commission to introduce the following to the new Guide to Implementing the EMC Directive: "Fixed installations in service on 20 July 2007 are not subject to the provisions of Directive 2004/108/EC, until they are modified in a way that may affect their electromagnetic compatibility."

In addition to intervention in the Committees and WGs identified above, ICP-ANACOM also participated in ENISA:

European Network and Information Security Agency (ENISA)

As part of the 2007 work programme, a high level meeting was held in Porto in October 2007 on the joint initiative of the Portuguese Presidency of the EU and ENISA on the Dialogue on Information Security with the objective of allowing an exchange of views on the future of the Agency's activities.

International Telecommunication Union (ITU)

Council

The ordinary session of the Council was held in Geneva from 4 to 14 Sept and approved the budget and operational plans of the Sectors and the General Secretariat for the biennium 2008-2009. For the first time the Council began with a high level session attended by ministerial representatives from seven countries in a discussion on cyber-security and construction of telecommunication infrastructures and information and communication technologies. Key decisions of the session included the decision to allow the Recommendations of the Standardisation sector to be provided electronically and free of charge to Member States, Sector Members and Associate Members, as well as the compromise solution on the cost recovery for processing satellite network filings.

Approval was also given to the Resolution establishing the Management and Budget Group – MBG, a group which had been chaired by Portugal on an interim basis and which is charged with advising the ITU management team on the strategic and operational plans.

World Radiocommunication Conference (WRC-07)

The WRC-07 has held from 22 October to 16 November 2007 in Geneva. The agenda included around 30 issues, covering virtually all the applications and services of terrestrial and satellite radiocommunications. Key points of the agenda included items related to the future of mobile communications, aeronautic telemetry and remote control systems, services in HF bands and mobile maritime service, and the identification of options to improve the international regulatory framework for the spectrum. The agreements reached at this conference are included in Provisional Final Acts of WRC-07, coming into force on 01 January 2009.

Portugal/ITU Protocol

With regard to Portugal's involvement in the ITU, particular note should be made of the signing of a Memorandum of Understanding between the Portuguese government and the ITU establishing a programme of cooperation in the field of telecommunications and the information society.

The Protocol was signed in Lisbon on 8 December, during the EU-Africa summit, by Mario Lino, Minister of Public Works, Transport and Communications and Hamadoun Touré, ITU Secretary General.

Universal Postal Union (UPU)

ICP-ANACOM, as representative of the Portuguese State, participated in the groups, committees and Plenaries of the Council of Administration (CA)[9] and, participated in the Postal Operations Council (POC)[10] as Post Administration.

Postal Union of the Americas, Spain and Portugal (UPAEP)

In 2007 ICP-ANACOM participated in the XX Congress (extraordinary), on the Advisory and Executive Council, in the 1st and 2nd Postal Regulation Forums and in the meeting of the Technical Cooperation Working Group.

The main objective of the First Postal Regulation Forum was the identification and discussion of the problems faced by the Union. Key among the topics discussed was preliminary diagnosis of the situation in the region and negotiation options regarding the third Postal Directive.

Note should also be made of other issues, such as the need to develop an economic model specifically for the postal sector in Latin America and the issue of the universal postal service in Latin America.

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9 Body that represents the interests of governments and regulators.
10 Body that represents the interests of operators.

Several Cooperation Agreements were signed between the UPU and UPAEP, between UPAEP and other intergovernmental organisations, between UPAEP and a number of postal operators (CTT - Correios de Portugal, Spain's Correos y Telégrafos and France's La Poste). Reports were made of the work done by the working groups "Future of UPAEP", "Technical Cooperation". "Finances of the Union". "Postal Regulation", "Terminal Dues", "Postal Security", "Tracking and Control Systems", "Quality Management Systems", "Restructuring of the UPU" and the sub working group "Future Development of UPAEP" and "Philatelic delegation of the UPAEP".

The Second Postal Regulation Forum of the UPAEP focused on the analysis of issues relating to regulation and cooperation. Discussions covered issues such as competition in the postal sector, postal liberalisation in Europe, the amendment of the European Postal Directive, the Universal Postal Service and its funding mechanisms, the importance of investment in the postal network and the construction of a solid information system (at a statistical and financial level and in terms of the general supervision of postal operators) in order that the postal authorities obtain knowledge of their market and, accordingly, take appropriate measures.

Organisation for Economic Co-Operation and Development (OECD)

ICP-ANACOM followed and participated in the activities undertaken in the context of the Committee for Information, Computer and Communications Policy (ICCP), the OECD body that examines the policy issues arising from the development and application of technologies and services in the area of information, computing and communications, including their impact on the economy and society in general, and in the strengthening of cooperation between Member States and between Member States and non-members.

At the level of the ICCP, ICP-ANACOM was represented at both meetings in 2007 with the aim of addressing, in particular, the following subjects:

- The decision to submit for written procedure approval of the Recommendation on electronic authentication, and to make public various significant documents, namely the documents on "Internet Traffic Prioritisation: an overview" and on "Fixed-Mobile Convergence: market developments and policy issues".

- The preparations for the Ministerial Meeting to be held in Seoul, South Korea in June 2008, on the subject "The Future of Internet Economy".

ICP-ANACOM also participated in meetings of the WG on Communications Infrastructure and Service Policies (WPCISP) in which documents were analysed on the convergence of networks and Next Generation Networks (NGN), the implementation of the 2004 Recommendation on broadband and on the development of Internet access, on IPTV and good practice indicators with respect to Internet Exchange Points (IXPs), regulation from the demand point of view, investment in telecommunications, particularly the influence of policies and market developments on sector investment and the Internet, ENUM and Internet Protocol Version 6 (IPv6).

ICP-ANACOM was also involved in the WP on Information Security and Privacy (ISP), which in 2007 focused its attention on preparations for the 2008 Ministerial Conference, of recommendations, including recommendations on the security of information systems and networks - covering the critical information infrastructure and Malware - privacy and authentication and digital identity management.

Note should also be made that, in the context of the ISP, a workshop was held in May in Trondheim, Norway, on Identity Management, which focused on the issue "Government and Businesses as Users of Identity Management and Exploring Challenges and Possible Responses".

European Satellite Telecommunications Organisation (EUTELSAT IGO)

As part of the restructuring process, the operational component of EUTELSAT has been transferred to a private limited company - Eutelsat S.A. - which took over management of the space segment, as well as the fulfilment of four basic principles: public service obligations/universal service, pan-European coverage, non-discrimination and fair competition.

ICP-ANACOM provides national representation in the National Assembly of Parties of EUTELSAT IGO, which meets every two years and, since 2004, also in the Advisory Committee, a support body of the organisation's executive structure.

The 35th Assembly of Parties met on 23 and 24 May, having taken note of the reports of the Executive Secretariat and the Advisory Committee, in which it was concluded that the operational and commercial action of the groups conformed to the basic principles stipulated by the IGO, fulfilling in particular their obligations in terms of universal service. The Assembly further concluded that the company has the technical, financial and operational means which enable it to observe the fulfilment of its commitments.

International Telecommunications Satellite Organisation (ITSO)

ICP-ANACOM ensures Portugal's representation at the ITSO Assembly of Parties, which meets every two years.

In 2007, the 31st Assembly of Parties was held, adopting a set of recommendations in order to compel Intelsat to comply with the decisions adopted at the 29th Assembly and the so-called base principles (including the public service obligations).

The Assembly proceeded to investigate the status of the implementation of said decisions, finding that Intelsat had implemented the decision to provide the information required by ITSO (particularly the "Quarterly Monitoring Indicator Reports") and the reintroduction of public service obligations in their regulations.

However, Intelsat had not implemented other decisions, including to re-evaluate the prices Intelsat applies to Lifeline Connectivity Obligations (LCO), contracts, which should be given an LCO price protection, the granting of observer status to the Director-General of the ITSO in the Intelsat Council of Administration and the implementation of financial and legal mechanisms that ensure the maintenance of a minimum level of global connectivity and coverage in the event that the company goes into bankruptcy.

Portugal applied to receive the next Ordinary Meeting of Parties, scheduled for the last quarter of 2008.

International Mobile Satellite Organisation (IMSO)

ICP-ANACOM provides national representation in the Assemblies of Parties, which is the highest body of the organisation and every two years, brings together the Parties to the IMSO Convention and its Advisory Committee (as observer), the body that supports the Director-General and the Secretariat of the organisation.

In the context of restructuring, the operational component of Inmarsat has been transferred to a private limited company - Inmarsat Ltd. - which assumed the responsibility of the basic principles, involving in particular the fulfilment of the obligations of public service, world coverage, with special focus on remote areas, and management of the Global Maritime Distress and Safety System (GDMSS).

■ Technical Representation

The main point on the agenda of the 19th Assembly was the provisional application of amendments to the IMSO Convention adopted at the 18th Assembly with the aim of extending its mandate with respect to the GMDSS and the System for the Long Range Identification and Tracking of Ships (LRIT). Such amendments are aimed at extending the functions of IMSO to the supervision of possible future providers of satellite services to the GMDSS, which will be so authorised by the International Maritime Organisation (IMO) in a similar way as is applicable to Inmarsat. With respect to LRIT, the amendments seek to allow IMSO to assume new functions as the oversight body of a system of ship identification and tracking in order to increase safety in maritime transport. The provisional implementation of the amendments was supported by most countries, and entered into force on 7 March 2007. However, some countries, including Portugal, expressed the impossibility of provisionally applying the decisions for domestic reasons, mainly in matters of law.

Regulation Organisations

European Regulators Group (ERG)

The ERG worked closely with the Commission in drafting legislative proposals aimed at revising the regulatory framework and also in the construction of a new institutional model.

It should also be noted that this group took a leadership role in monitoring the application of the regulation on roaming, publishing guidance on its interpretation and a report on the process of compiling data with respect to its application.

In addition, approval was given to the Common Position on VoIP (voice over IP), the Opinion on regulatory principles applied to next generation networks and the Principles for the implementation of best practices (GDP) with respect to WACC[11].

Furthermore, a report on interconnection was drawn up and another on the regulatory accounting systems used by members of the ERG.

Meanwhile an update was made to the report on competition in the broadband market with a report published on the notification made by Poland in respect of market 14 (wholesale market for leased line transit segments).

At the end of the year approval was given, for public consultation, of the proposed Common Positions on symmetry in mobile termination rates on fixed and mobile. The Common Position establishes the principle that the termination rates should be symmetrical, whereas asymmetry is acceptable in cases where there are appropriate grounds. The determining factors for the existence of asymmetries should be duly identified.

Furthermore, a report was submitted to public consultation at the end of 2007 on best practices in respect of the regulatory regimes on unbundled wholesale access and high speed access.

Note should also be made of a seminar held on next generation networks and a meeting with the European Platform of Regulatory Agencies (EPRA) to discuss issues related to convergence.

11 Weighted Average Cost of Capital.

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Additionally, ICP-ANACOM worked with the EC in monitoring the implementation of various regulatory measures and in the preparation of measures related to convergence and e-commerce.

Issues of competition were accompanied with respect to the telecommunication and postal services, in particular, the decisions of the Directorate General for Competition and the Court of Justice and a contribution was made to the sectoral negotiations in the context of the World Trade Organisation (WTO), under the European coordination committee (133).

ICP-ANACOM also participated in the examination and discussion of various community policy issues, including the regulatory framework for Radio and Telecommunications -Terminal Equipment "R&TTE", the Directive on the protection of consumers in respect of distance contracts, the Green Paper on the Review of the Consumer Acquis and co-operation with third countries (MERCOSUR and the Andean Community, etc.).

Finally, note should be made of the participation of Portugal in the consultation conducted by the Commission on the study "Availability and Robustness of Electronic Communications Infrastructures" which was commissioned from the company Alcatel-Lucent and whose final report was published in March 2007. The study assesses the capability and security of electronic communication networks and makes a set of ten recommendations to the Commission, Member States and to the private sector, on enhancing the protection and resilience of these networks. The recommendations identify critical areas that require priority action, such as dealing with terrorist attacks or natural disasters, emphasising the importance of cooperation at a European Union level. The report looks at a range of issues, including preparation for dealing with emergency situations, public infrastructure, vital information sharing between Member States, standardisation and interoperability. ICP-ANACOM's position on this study was presented at a work session.

Independent Regulators Group (IRG)

The Independent Regulators Group (IRG) brought together, in 2007, NRA of the communications sector from 27 Member States of the EU, the European Economic Area countries (Switzerland, Iceland, Norway and Liechtenstein) and EU accession candidate countries (Turkey, Croatia) with Macedonia admitted as an observer.

Subsequent to the discussion started in 2006 on enhancing the role of IRG, the Permanent Chair´s Secretariat was established, formalising the constitution of the Group as a legal entity. The IRG therefore came to have a formal constitution, with its own budget and with its headquarters in Brussels.

In 2007, ICP-ANACOM attended all IRG plenary meetings and their preparatory meetings, participating in an operational middle group with representatives of each NRA, known as the Contact Network.

ICP-ANACOM gave priority to its presence and participation in the following WG: Fixed Networks, Significant Market Power, Mobile Market, End Users, Regulatory Costing and IRGIS (IRG information system), chairing two of these (End Users and IRGIS).

It also participated in project teams (PT): Obligations (Remedies), International Roaming, IP-IC/NGN (Next Generation Networks), VoIP (Voice over Internet Protocol) and Review of the Regulatory Framework.

Note should also been made of the publication by the IRG, in 2007, of the Benchmark on the mobile termination rates.

In September 2007, ICP-ANACOM participated in the meeting of the Informal Working Group on Network and Information Security held in Stockholm on the subject of "New Technologies and Future Threats" whose agenda covered key issues such as new threats against the Internet and the retention of data.

Regulatel

REGULATEL, the Latin American Forum of Telecommunications Regulators, has a mission to exchange information on the regulatory framework of each administration with the intention of harmonising the rules and activities of the Regulatory Authorities. With a nature which is similar to that of the European groups, ERG and IRG, it aims to foster cooperation and coordination of activities in the field of telecommunications, so promoting the development of the sector in Latin America.

ICP-ANACOM participated in the workshop of IRG/REGULATEL on "Best Practices: Successes, Challenges and Regulatory Difficulties. Learning Together", held in Barcelona, with a presentation entitled: "Portugal: Regulatory Challenges and results".

ICP-ANACOM further participated in the Summit of the Presidents of the IRG and REGULATEL on 6 July and in the Plenary of REGULATEL, held in Guatemala on 8 and 9 Nov.

ICP-ANACOM also participated in the L@tin.tel magazine and REGULATEL's online Bulletin and cooperated with other South American authorities by responding to questionnaires.

Mediterranean Regulators (MEDA)

Under the MEDA programme that aims to increase regulatory policy convergence among European and Mediterranean countries an informal meeting was held in November 2007 in Istanbul, where it was proposed to create a Euro-Mediterranean network of regulators.

Other Organisations

Sectors of the ITU

Standardization Sector (ITU-T)

At the ITU-T there were two plenary meetings of the Telecommunications Standardization Advisory Group (TSAG) which addressed the review of the International Telecommunications Regulation.

In addition, a group was set up to prepare for the Global Standards Symposium which will precede the World Telecommunications Standardization Assembly (WTSA-08).

Development Sector (ITU-D)

In this context the annual meeting of the Telecommunications Development Advisory Group (TDAG) took place, held from 18 to 20 April.

Besides the analysis of the results of WTDC-06 and the Plenipotentiary Conference of 2006 (PP-06), the TDAG discussed the consequences of the World Summit on the Information Society for the Development Sector and promoted several initiatives with the aim of creating a Centre of Excellence for the Portuguese and Spanish-speaking countries of Africa.

Note should also be made of the Global Symposium for Regulators (GSR) held on the subject "The road to next generation networks - NGN", which took place in February 2007 and where approval was given to general guidelines and best practices for migration to NGN.

Once again ICP-ANACOM sponsored the Youth Education Scheme (YES) programme promoted by the ITU's Telecommunication Development Bureau. This initiative, which is part of the ITU Youth Programme, aims to support needy youngsters from developing countries who wish to complete their higher education in the field of information and communication technologies (ICT) and related areas and who wish to contribute to the development of their community, country or region. This initiative was widely publicised during the celebrations of World Day of Telecommunications and Information Society, which was celebrated on 17 May, on the subject "Connecting the Young: the opportunities of ICT".

Radiocommunication Sector (ITU-R)

ICP-ANACOM attended the 2nd Preparation Meeting of the World Radiocommunication Conference (CPM07-2), which produced a report with various options to be presented to the World Conference.

European Conference of Postal and Telecommunications Administrations (CEPT)

The essential objectives of the CEPT include the harmonisation of technical and regulatory matters, as well as the European regional coordination of positions in respect of the proceedings of international organisations in the sector, especially the ITU and the UPU. ICP-ANACOM takes part in all activities of the CEPT, as the representative of the Portuguese administration, including in the Electronic Communications Committee (ECC) and the European Committee for Postal Regulation (CERP) and also in their working groups and project teams, as well as on the boards of the European Radiocommunications Office (ERO) and the European Telecommunications Office (ETO).

EC Mandates to the CEPT

In 2007 work was carried out with respect to the following mandates issued to the CEPT by the EC:

- SRD: permanent mandate, with the objective of conducting an annual review of the Annex to the EC Decision on the harmonisation of spectrum for SRDs, including the technical characteristics and the frequency ranges of this type of equipment; in 2007 the EC proposed to update this Annex, which proposal has been examined by each Member State.

- Flexible use of the L band: mandate to identify appropriate technical regulatory parameters for the opening up and EU harmonisation of the band 1452 to 1479.5 MHz (lower part of L-band) to allow flexible use by a wide range of mobile multimedia technologies.

- WAPECS: mandate related to the introduction of flexible use of spectrum in certain frequency bands. It requires, while taking into account the need to avoid interference, the definition of minimum technical conditions to be applied to the frequency bands[12] identified by the RSC following the WAPECS concept, formulated by the RSPG. The specific technical conditions expected for each frequency band will be considered for the introduction of harmonised technical conditions in the Community in order to achieve internal market objectives and facilitate international coordination. The report made in response to the mandate was delivered in December 2007.

- Digital Dividend: on technical considerations regarding harmonisation options for the digital dividend, with the aim of evaluating the technical feasibility of several possible scenarios to manage the future use of the digital dividend. The CEPT presented its second report ("B") which covers the coexistence of digital terrestrial television (DVB-T) systems with UHF band mobile communications networks. This report showed that coexistence is possible provided that mobile communications are grouped into contiguous bands.

Electronic Communications Committee (ECC)

From the activity of this Committee in 2007, note should be given to the approval of five decisions, covering the following topics:

- The availability of frequencies between 3400-3800 MHz for the harmonised implementation of BWA.

- The revision of the Decision for generic devices that use UWB technology.

- The approval of a Decision for UWB BMA (Building Material Analysis) devices.

- Reservation of "116" numbering ranges for harmonised services of social value.

- The exemption of individual licenses, as well as the free circulation and use of terminals for the mobile satellite service.

It further drew up CEPT reports in response to the mandates of the EC, including on the dividend, UWB technology, Wireless Access Policy for Electronic Communication Services (WAPECS) and Intelligent Transport Systems (ITS).

Note should also be made of the revision of the 2002 Maastricht and 2005 Wiesbaden Agreements, and the repeal of the 1997 Chester Agreement, following the results of the Regional Radiocommunication Conference (GE06), in 2006 in Geneva. In this regard:

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12 470 - 862 MHz, 880 - 915 MHz/925 - 960 MHz, 1710 - 1785 MHz/1805 - 1880 MHz, 1900 - 1980 MHz/2010 - 2025 MHz/2110 - 2170 MHz, 2.5 - 2.69 GHz, 3.4 - 3.8 GHz.

– 32 administrations, among them Portugal, undersigned the revision of the CEPT Special Agreement concerning use of the 1452-1479.5 MHz band for T-DAB, also known as the 2002 Maastricht Agreement, with a view to facilitating the introduction of terrestrial multimedia mobile services in that band.

– 32 administrations, among them Portugal, undersigned the partial revision of the CEPT Special Agreement concerning use of the 47-68 MHz, 87.5-108 MHz, 174-230 MHz and 230-240 MHz bands for T-DAB, also known as the 1995 Wiesbaden Agreement, revoking the provisions on the 174-230 MHz band.

– 26 Administrations, among them Portugal, signed the Protocol to Revoke the Multilateral Co-ordination Agreement on Technical Criteria, Co-ordination Principles and Procedures for the introduction of digital terrestrial television, also known as the 1997 Chester Agreement.

Regarding accompaniment of the ECC subgroups, ICP-ANACOM gave priority to its presence in the working groups and project teams of Frequency Management, Spectrum Engineering, Regulatory Affairs, IMT-2000 and Other Systems, Preparation of Conferences, Numbering and Addressing and Technical Aspects of interconnection. Below are some of the key results obtained by these groups in 2007:

– The Frequency Management Working Group (WG FM) was crucial with respect to harmonisation of the radio spectrum at European level in the context of radio services and systems, developing strategies for the implementation of plans for the future use of the spectrum, preparing responses to mandates of the EC, ECC Decisions, Recommendations and Reports on various issues and coordinating monitoring activities as well as contributions of the CEPT to the ITU-R and their groups.

– The main topics discussed were: the regulatory framework for the MSS in the 2 GHz band, leading to the Decisions on exemption from individual licensing and free circulation and use of terminals for the mobile satellite service; conclusion of studies carried out in respect of the broadband FWA systems for BWA applications in the 3.5 GHz and 5.8 GHz frequency bands and drafting of the corresponding regulatory framework, main-

tenance and further development of the EFIS (ERO Frequency Information System) portal, in order to meet the requirements of the EC; updates to the ECA (European Common Allocation Table); updates to Recommendation ERC/REC 70-03 relating to the use of short range equipment, which are reflected in the updates of the QNAF; revision of the Decisions ERC/ECC, in order to verify that they remain current, determining whether they require amendment or repeal.

– The Spectrum Engineering Working Group (WG SE) carried out studies that resulted in recommendations and reports to establish compatibility criteria between different radio systems. Note should be made of the reports on the WAPECS, the introduction of ITS and also the report and the Decision on the introduction of mobile services on board ships (GSMOBV). In the studies carried out, various specifications from the ETSI and ITU-R were taken into account.

– The Regulatory Affairs Working Group (WG RA) worked on the harmonisation of regulatory technical standards and procedures at a European level, applicable to equipment for networks and services, with particular emphasis on the review of the Decisions on free circulation, use and exemption from individual licensing of terminals, analysis on the applicability of the R&TTE and EMC (Electromagnetic Compatibility) Directives.

– The Conference Preparatory Group (CPG) concluded the preparation of the European positions which were submitted to the WRC-07 in the form of the CEPs. ICP-ANACOM also participated in the following CPG project teams: CPG PT2, responsible for matters related to the allocation of spectrum and conditions for sharing between mobile and mobile satellite services and scientific space services (earth exploration by satellite and meteorology by satellite); CPG PT3, responsible for matters related to the allocation of new frequency bands and conditions for sharing between the fixed and fixed satellite aeronautical radionavigation services; CPG and PT4, responsible for issues related to the maritime mobile and amateur services as well as radio services operating in short wave bands (HF) between 4 MHz and 10 MHz.

– In order to respond to the mandates of the EC, the TG3 of the CEPT carried out works, in particular, the study of mitigation techniques and the development of regulatory solutions for specific UWB devices, and new regulatory solutions, including the possibility of UWB devices operating inside automobile vehicles and trains.

– In response to the mandate of the EC to study the technical constraints with a view to the adoption of a harmonised policy for the digital dividend in the EU, at the end of 2006 the CEPT created the ECC group TG4. This group had the aim of drafting three reports in 2007. Report A on compatibility between DVB-T networks for fixed reception (networks not very dense in terms of emitters) and networks for the mobile reception of multimedia services (networks very dense in terms of emitters), concluded that they are compatible, having identified various mitigation techniques in specific cases where problems might occur. Report B, on the possibility of harmonising a sub-band in the UHF bands IV and V, for fixed/mobile applications including uplinks concluding that such is possible, provided that this harmonisation is not mandatory and its use is left to the criteria of various administrations, per the GE06 agreement and without affecting the rights of licences already granted. It was further concluded that the preferred sub-band for that harmonisation is the top part of band V and should include at least channels 62 through 69. Portugal presented a reservation regarding the report's conclusions, given that the sub-band indicated does not correspond to the preferential sub-band indicated by Portugal. Report C, which will be finalised at the 1st meeting of 2008, regards the use of the non-harmonised spectrum between the allocations and assignments of DVB-T (so-called "white spots") by future applications or services.

– The WGFM PT45 was established to respond to the mandate of the EC on the harmonisation of the 1452-1479.5 MHz band in the EU in order to enable flexible use by mobile multimedia technologies. The main objective of this project team was to prepare a report on the technical and regulatory constraints in order to revise the 2002 Maastricht Agreement (MA02). Following the work undertaken, three multilateral CEPT meetings were held during the ECC meeting in Romania:

1. Meeting for the partial revision of the MA02 Agreement on the use of the 1452-1479.5 MHz frequency band for the terrestrial digital radio system (T-DAB).

2. Meeting for the partial revision of the 1995 Wiesbaden agreement on the use of the 47-68 MHz, 87.5-108 MHz, 174-230 MHz and 230-240 MHz bands for the terrestrial digital radio system (T-DAB).

3. Meeting on the repeal of the 1997 Chester Agreement (CH97) on the technical criteria, principles of coordination and procedures for the introduction of digital terrestrial television broadcasting (DVB-T system).

– PT1 of the ECC (ECC PT1) is responsible for all matters related to the evolution of IMT-2000 and future systems, co-ordinating European contributions and positions on issues concerning spectrum, regulations and sharing/compatibility in the context of the WP8F of the ITU-R. Note should be made of the responsibility that this team has in the preparation of European positions on the relevant items of the WRC-07.

– PT 9 of ECC (ECC PT9) focused its activities on issues related to the International Maritime Organisation (IMO), questions concerning the proper use of the DSC system, accompaniment of the work of the 8B working group of the ITU Radiocommunication Sector (ITU-R), licensing of maritime equipment and harmonisation of the VHF band of the maritime mobile service and the accompaniment of the relevant issues tabled at the WRC-07.

It also continued the evaluation of the community directives, including the R&TTE Directive and Directive 2001/25/EC.

It also presented an orientation proposal on the certification of ship station operators - Short Range Certificate (SRC) and Long Range Certificate (LRC), in the scope of the GMDSS, within CEPT.

European Committee for Postal Regulation (CERP)

The two plenaries of the CERP underscored the idea that there is some difficulty in anticipating an immediate balance between the operation of a liberalised market and regulatory intervention. On the other hand, it was recognised that consumer needs are more likely to be met in a market where they have more ability to choose and where information is easily accessible. Meanwhile growing concern was noted in respect of the environment and the postal operators' fundamental role in this area.

The CERP has been following other issues, namely the introduction of VAT in postal services, the issue of liberalisation (in particular, the draft 3rd Postal Directive), statistics, quality of service, negotiations in the context of the World Trade Organisation (WTO), analytical accounting and the financing of the universal service.

This committee encompasses three Working Groups (WG) and their Project Teams (PT), namely: "Policy Issues", "Economic Affairs", and "Supervision/Market Statistics".

Regarding the "Supervision/Market Statistics" WG, the status was addressed of the work of the 331 WG1 Technical Committee in the context of the definition of European standards for postal services. Meanwhile, the results were presented of the first compilation of statistical information on postal markets with reference to 2005.

In the "Economic Affairs" WG, the works on "Costing Systems and Price Control" and "Universal Service and its Financing" were presented.

The "Polity Issues" WG continued to monitor preparations for the 24th UPU Congress to be held in August 2008.

Issues were also identified as matters of interest, such as terminal dues, quality of service, the Nairobi World Postal Strategy (EPMN), the Extraterritorial Offices of Exchange (ETOEs) and International Mail Processing Centres (IMCO), us and the new text of the Agreement on Postal Services Fees.

The European Telecommunications Standards Institute (ETSI)

ICP-ANACOM is a member of ETSI also in the Administration category and, in this quality, attended the two General Assemblies.

2007 saw a restructuring of the secretariat and of the ETSI portal, including the new service which enables the online declaration of Intellectual Property Rights, in a way that is faster and easier to use.

Association of Postal and Telecommunications Operators of the Portuguese-speaking Countries and Territories (AICEP)

The Authority participated in the annual General Assembly of this Association, which was held on 23 April in Maputo. In the context of the XV AICEP Forum, dedicated this year to the theme "New trends", a presentation was made on "The New Challenges for Spectrum Management" and another entitled "Regulation situation in Portugal and Europe - Electronic communications and postal services", in the seminar promoted by AICEP, which was held in October for top-level post and telecommunications managers.

■ Cooperation

The following initiatives which took place in 2007 merit particular mention:

- Signing in Rabat in April 2007 of a memorandum of cooperation in telecommunications with the National Agency of Telecommunications Regulation (ANRT), the sector regulator of Morocco, in the context of the Ninth Portuguese-Moroccan Summit.

- On 5 November 2007 the first meeting of the ANACOM - ANRT working group was held in Lisbon. Issues were discussed such as the role of regulators, major ongoing regulation projects in Portugal and Morocco and other more specific topics, such as the resolution of disputes, tariffs, relationships with operators, electronic certification and competition.

- This working session included a visit to the MPWTC, during which the coordinator of the Fund for the Information Society presented the eIniciativas programme (which includes the eEscolas, eProfessores and eOportunidades programmes), regarding the policy of the Portuguese Government for the generalisation of information technology to education and retraining.

- In May 2007 a memorandum of institutional and technical cooperation was signed with Autoridade Geral de Regulação (AGER - General Regulation Authority) from Sao Tome and Principe. It should be noted that Sao Tome and Principe was at that time the only country with Portuguese as an official language with which there was no formal framework for cooperative activities between ICP-ANACOM and its counterpart.

- Participation in the National Preparatory Conference on Communications, which took place in Brasilia in September, with a presentation on the Portuguese experience in the context of specific legislation for broadcasting and telecommunications.

- Participation in the 11th meeting of the ANACOM-ANATEL coordination committee, which was held in October in the Brazilian city of Natal and where issues were discussed such as relevant regulatory measures, participation in international fora , broadband, the impact of technological convergence on regulation, governance and security of the Internet and ITED.

- Revision of some protocols of cooperation signed with ICP-ANACOM's counterpart bodies, including the instruments of bilateral cooperation in force between this Authority and Agência Nacional das Comunicações (ANAC-National Communications Agency, Cape Verde) and Instituto Nacional das Comunicações de Moçambique (INCM - National Communications Institute of Mozambique).

- Promotion of 3 cooperation training programmes, which brought 47 employees of the communications regulators of East Timor, Angola, Guinea Bissau, Sao Tome and Principe and Mozambique to Lisbon between October and November.

- Visit to Hungary by 3 technicians of ICP-ANACOM in the context of cooperation with the National Communications Authority of Hungary (NHH), to exchange experience and knowledge in activities of spectrum monitoring and control, including the planning and work methodologies adopted by both authorities. From 1 to 4 October, a return visit was made by the technicians of NHH to the premises of ICP-ANACOM in Barcarena.

- Between 22 and 24 October 2007, ICP-ANACOM was visited by a high-level delegation from the Guinea-Bissau Communications Institute (ICGB) with an agenda that included working sessions with virtually all of ICP-ANACOM's Directorates.

- ICP-ANACOM also organised a consulting study which saw the participation of the coordinator of spectrum management and supervision activities of ANAC (Cape Verde), who visited the premises of Barcarena and saw the activities undertaken there.