



Council of the European Union

PRESS
EN

BACKGROUND¹

Brussels, 28 November 2018

Transport, Telecommunications and Energy Council (Telecommunications Issues) Brussels, 4 December 2018

Chair: Norbert Hofer, Minister for Transport, Innovation and Technology of Austria

The **meeting** will **start** at 10.00.

The Council is due to agree on a partial general approach on a proposed EU funding programme **Digital Europe**, designed to support the digital transformation of Europe's societies and economies.

Ministers will take stock of progress on a proposal to establish a **European Cybersecurity Industrial, Technology and Research Competence Centre** and a **Network of National Coordination Centres**.

Ministers will assess progress and exchange views on a proposal to update **privacy rules for electronic communications (ePrivacy)**.

The presidency will update ministers on three ongoing legislative proposals: the **re-use of public sector information**; implementation of the **.eu top level domain**; and the **Cybersecurity Act**.

The Commission will brief ministers on the state of play of the **digital single market**.

Lastly, the incoming Romanian presidency will present its **work programme**.

The Council will also adopt, without discussion, a key telecommunications reform, which includes a **European Electronic Communications Code** and an updated mandate for the **Body of European Regulators for Electronic Communication (BEREC)**.

Press conference: +/- 13.45

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[Video streaming of press conferences and public events](#)

[Video coverage in broadcast quality \(MPEG4\) and photo gallery](#)

¹ This note has been drawn up under the responsibility of the Press Office.

Digital Europe programme

The Council is due to agree on a **partial general approach** on a proposed **EU funding programme Digital Europe**, designed to support the digital transformation of Europe's societies and economies (Commission proposal: [10167/18](#) + [10167/18 ADD 1](#), presidency compromise proposal: [14488/1/18 REV 1](#)). The general approach is 'partial' as it excludes any financial and horizontal issues which are currently being discussed as part of the negotiations on the next multiannual financial framework (MFF) covering the period 2021 to 2027. It also excludes a number of elements related to ongoing legislative proposals discussed in different Council configurations.

The Commission has proposed an overall budget of €9.2 billion for the Digital Europe programme, which focuses on five areas: supercomputing, artificial intelligence, cybersecurity, advanced digital skills, and ensuring the wide use of digital technologies across the economy and society.

Supercomputers: funding would be provided for projects to build up high-performance computing and data processing in Europe, which would benefit areas such as healthcare, car safety and renewable energy.

Artificial intelligence: funding would help spread AI across the European economy and society. Public authorities and businesses, even the smallest ones, would have better access to AI testing facilities.

Cybersecurity and trust: funding would be given for cyber defence and the EU's cybersecurity industry, state-of-the-art cybersecurity equipment and infrastructure, as well as to support the necessary skills.

Digital skills: support would be provided for training courses and on-the-job traineeships for the current and future workforce, as well as for small and medium-sized enterprises and public administrations so that their staff acquire the necessary advanced skills.

Ensuring a wide use of digital technologies across the economy and society: financing would ensure the digital transformation of public administrations and public services and enhance their EU-wide interoperability. It would reinforce the network of Digital Innovation Hubs as 'one-stop-shops' providing access to technological expertise for businesses, in particular SMEs, and public administrations. The aim is to ensure that all businesses have access to digital capacities.

The presidency compromise proposal has developed and clarified implementation and governance of the programme, for example by specifying which actions should be implemented directly by a Commission implementing act and which ones by another entity such as a joint undertaking.

The Digital Europe programme will be complementary to a number of other programmes supporting digital transformation. These include Horizon Europe, the digital aspects of the Connecting Europe Facility, Creative Europe MEDIA, Invest EU, and the European Regional Development Fund and Cohesion Fund.

The need for strong digital capacity building in the EU has been endorsed at the highest level, including at the Tallinn digital summit in September 2017 and the European Council in October 2017.

Procedure: The Commission presented the proposal in September 2018 as part of the sectoral proposals related to the multiannual financial framework 2021-2027.

Both the Council and the Parliament have to agree on the text before it can enter into force.

[Digital Europe \(Commission press release\)](#)

[Multiannual financial framework: shaping EU expenditure \(background information\)](#)

[Digital single market for Europe \(background information\)](#)

Cybersecurity centres

The Council will **assess progress** on a proposal to establish a **European Cybersecurity Industrial, Technology and Research Competence Centre** and a **Network of National Coordination Centres** ([Commission proposal](#), progress report [14368/1/18 REV 1](#)). The objective of the draft regulation is to set up an effective and efficient structure to pool and share cybersecurity research capacities and outcomes and to deploy innovative cybersecurity solutions, as current capabilities and competences of the EU in this domain are considerable but fragmented.

The proposal introduces three layers of governance:

- EU level - European Cybersecurity Competence Centre
- national level - network of National Coordination Centres
- stakeholder level - Cybersecurity Competence Community.

Funding for these centres would be provided mainly from the Digital Europe and Horizon Europe programmes, with the possibility of co-financing from the industry and voluntary contributions by member states. In this context, the Cybersecurity Competence Centre, in cooperation with the Network of National Coordination Centres, would act as an implementation mechanism for two different EU cybersecurity funding streams under the next multiannual financial framework (Digital Europe programme, Horizon Europe).

In the **Council**, the Horizontal Working Party on Cyber Issues has discussed the proposal. Most delegations support the general objectives of the proposal, in particular as regards the need to retain and develop the cybersecurity technological and industrial capacities necessary to secure the digital single market and increase the competitiveness of the EU's cybersecurity industry. They have particularly welcomed the proposal to deepen coordination of the Union's cybersecurity research programmes. Nevertheless, a number of concerns and questions for clarification have been raised, which will be tackled in subsequent discussions.

The Romanian presidency intends to continue work on this important dossier with the aim of reaching a Council position at the beginning of next year.

Procedure: The Commission presented the proposal in September 2018. The presentation of the proposal was announced in the Joint Communication on "Resilience, Deterrence and Defence: Building strong cybersecurity for the EU", published in September 2017.

Both the Council and the Parliament have to agree on the text before it can enter into force. The Parliament has not yet adopted its position.

[Reform of cyber security in Europe \(background information\)](#)

[Digital single market for Europe \(background information\)](#)

[Council conclusions on building strong cybersecurity for the EU](#)

[Action plan for the implementation of cybersecurity conclusions](#)

[Joint communication Resilience, Deterrence and Defence: Building strong cybersecurity for the EU](#)

ePrivacy

The Council will **assess progress and exchange views** on a proposal to update **privacy rules for electronic communications (ePrivacy)** ([Commission proposal: 5358/17](#); progress report: 14491/18).

The draft regulation sets out to ensure a high level of protection of private life, communications and personal data in the electronic communications sector. It also aims to create a level playing field for providers of various services and to ensure free movement of electronic communications data and services in the EU. It will replace the [current ePrivacy directive](#), which was last updated in 2009, and complement the [general data protection regulation](#), which became applicable on 25 May 2018.

Under the proposal on e-privacy, confidentiality of communications would apply both to the content of the communication and to metadata - for example, who was called, the timing and location of the call and websites visited. The proposal also includes stronger rules on spam and marketing calls.

The scope of privacy rules would be extended to cover not only traditional telcos, but also providers of new services such as instant messaging apps and web-based e-mail.

The Commission has also proposed new rules on cookies and on the consent required to access information on a user's device.

In the **Council**, key issues discussed in the working party this autumn have included permitted processing of electronic communications data, protection of terminal equipment information, the provision on privacy settings and supervisory authorities.

The progress report prepared by the presidency for the Council of 4 December invites ministers to **exchange views on the basis of the following question**:

- Do ministers consider that the most recent work undertaken in Council has moved the text in a good direction in terms of achieving a high level of data and privacy protection and at the same time facilitating business opportunities in the digital era? In this respect, what are the main outstanding issues that still have to be addressed before entering into negotiations with the European Parliament?

The aim of this exchange of views is to guide further work on the proposal

Procedure: The Commission presented its proposal in January 2017. It is one of the actions under the digital single market strategy to reinforce trust and security in the digital single market.

For it to be adopted, the text will need to be approved by both the Council and the European Parliament. The Parliament adopted its negotiating mandate in October 2017.

[Digital single market for Europe \(background information\)](#)

Other business

- Directive on the re-use of public sector information
Information from the presidency
 - Regulation on the implementation of the .eu top level domain
Information from the presidency
 - Regulation on the Cybersecurity Act
Information from the presidency
 - Status of the implementation of the DSM Strategy
Information from the presidency and the Commission
 - Work programme of the incoming presidency
Information from the Romanian delegation
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