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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	13293/18 TELECOM 347 FIN 817 COMPET 681
Subject:	European Court of Auditor's Special Report No 12/2018: "Broadband in the EU Member States: despite progress, not all the Europe 2020 targets will be met" - <i>Discussion of Council conclusions</i>

1. On 5 June 2018 the European Court of Auditors published its Special Report No. 12/2018¹ entitled "*Broadband in the EU Member States: despite progress, not all the Europe 2020 targets will be met*".
2. In its Note to the delegations in doc. 13293/18 the Presidency has asked them for written contributions in order to issue an improved compromise text for the meeting of the Working Party on Telecommunications on 8 November. The changes in the text of the draft Council conclusions as set out in the Annex of this document reflect these proposals.
3. The Presidency would like to thank the delegations for the contributions and informs them that it intends to continue the discussions on 8 November based on this new document.
4. The changes in the document are marked as compared to doc. 13293/18. All changes are underlined, additions are marked with **bold**, deletions are ~~stricken through~~.

¹ https://www.eca.europa.eu/Lists/ECADocuments/SR18_12/SR_BROADBAND_EN.pdf

DRAFT

COUNCIL CONCLUSIONS

on the Special Report No. 12/2018² of the European Court of Auditors
entitled
"Broadband in the EU Member States: despite progress, not all the Europe 2020 targets will be met"

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING

– its conclusions on improving the examination of special reports drawn up by the European Court of Auditors in the context of the discharge procedure³;

1. TAKES NOTE of the Special Report No. 09/2018 by the European Court of Auditors entitled: *"Broadband in the EU Member States: despite progress, not all the Europe 2020 targets will be met"*.
2. TAKES NOTE of the conclusions and recommendations of the Special Report and RECOGNISES in particular that:
 - a) broadband coverage has improved across the EU, but not all of the Europe 2020 targets will be achieved in time;
 - b) the broadband strategies of the Member States are not always consistent with the objectives of Europe 2020;
 - c) the financing of projects in rural and sub-urban areas was not always properly addressed in some Member States;
 - d) ~~the Member States should develop revised plans for the period after 2020 to meet the broadband targets for 2025;~~

² https://www.eca.europa.eu/Lists/ECADocuments/SR18_12/SR_BROADBAND_EN.pdf

³ Doc. 7515/00 + COR 1.

3. INVITES

a) ~~all the~~ Member States ~~should~~ **to consider to** review the mandate of their National Regulatory and other competent authorities in accordance with the revised EU regulatory framework for telecommunications, with a view to ensuring that they are able to impose their recommendations and remedies on operators;

b) the EIB to focus its support through EFSI and the Connecting Europe Broadband Fund on small and medium size projects in areas where public sector support is most needed.

34. TAKES NOTE of the Commission's replies which accompany the Special Report and the partial acceptance of Recommendation 3 by the Commission.

45. WELCOMES that the Commission is looking into different possibilities for establishing a more streamlined, simplified and harmonised system of indicators across ESI Funds for the post-2020 Multi annual Financial Framework (MFF).

56. WELCOMES that the Commission intends to further clarify the application of the State Aid Guidelines on broadband funding to measures supporting the gigabit targets of the Union in its forthcoming Guide on Broadband Investment and in future decisions in specific cases.

67. NOTES that:

a) all Member States achieved the basic broadband coverage target by 2016 and many of ~~them~~ **the examined Member States are in a good position to** ~~can~~ reach the 2025 targets;

b) all Member States have developed broadband strategies and ~~most~~ **many** Member States have identified the financing support needed from the public sector;

c) the projects funded from European sources should focus in the future on those areas where public sector support is most needed;

d) the use of vectoring technology in some Member States at present will lose ~~weight~~ **importance** in line with their updated commitments to the new gigabit targets.

78. INVITES the Member States and the Commission to carefully examine the recommendations of the Special Report and encourages them to pay attention to those recommendations.