

## **1. Who we are**

*Founded in 1966, the EADP (European Association of Directory and Database Publishers) is a European Association of both large telephone directory publishers as well as business-to-business directory publishers producing directories tailored to individual professions. It has 187 members in 37 countries worldwide, including companies based in 24 of the EU Member States as well as in the Eastern European countries (Bulgaria, Romania and Russia) and Norway. Directory publishers generate an estimated turnover of 11 billion euro in Europe, employ roughly 37 000 people and are in day-to-day commercial contact with more than four million advertisers. Our member companies provide both paper and on-line directories.*

## **2. Our concern**

EADP members welcome the opportunity to contribute to the consultation on the review of the scope of the Universal Service Directive in accordance with Article 15 of Directive 2002/22/EC. They would like to stress again their conviction that given the development trends of the Information Society in Europe, every citizen shall be offered equal and equitable access to electronic communications services and networks. Directories are one of the tools at the citizen's disposal to access information and electronic communications services and networks.

By these comments on the consultation launched by the European Commission, EADP members would like to express their opinion about the longer-term question about whether to keep directories within the scope of the universal service. They are convinced that the availability of reliable and comprehensive directories is a key instrument for European citizens. They believe that making such directories available is possible only if directory publishers are granted full access to all the basic subscribers' data compiled within the universal database, and if they are allowed to re-use such data without undue conditions being attached, for a fair and non-discriminatory price and without restrictions on use beyond existing data protection and data usage requirements.

Furthermore, they would like to support the measures recently taken by the European Commission towards Member States which still do not have fully implemented the universal service directive, especially the provisions aiming to ensure the creation of a universal database compiling both fixed and mobile numbers. In this respect, they would like to ask the European Commission to further ensure the effective and full implementation of these provisions, particularly concerning the compilation of mobile subscribers' numbers. They would like to stress again the necessity to make mobile subscribers aware of the possibility to opt for their data to be made available to directory publishers.

## **3. EADP requests**

EADP members ask the European Commission to facilitate access to and re-use of subscribers' data compiled in the universal database by directory publishers without undue conditions, and to ensure that universal directories are maintained at their current level of reliability and comprehensiveness.

EADP members ask the European Commission to ensure the full and effective enforcement of the obligation, in each country, to compile a universal database including mobile subscribers' numbers, which would be made available to directory publishers.



#### **4. Specific comments**

- EC Communication COM(2005)203 – Page 11 (d), Longer-term question: for how long will there be a need to keep directories within the scope of universal service?

EADP members would like to stress again that directories remain the main source of information for all European citizens to find the relevant contacts and to make full use of the publicly available telephone services. They are the only provider of accurate and up-to-date information in this field. The reasons that prompted the Commission to include the directories within the scope of the universal service directive, i.e. enabling contact between citizens, still exist. Despite the recent technological changes in the telecommunication sector and the availability of new electronic sources of information, directories, online or printed, are still used by a large majority of the population.

Today, despite the accessibility to the data through each individual operator, burdens still hinder publishers to collect data from all providers together. The creation of an effective and comprehensive universal database in each country would allow to remedy this situation. Furthermore, to remain competitive, directories need to be a comprehensive and reliable source of information for the consumer. As stated in the universal service directive (recital 11), consumers desire comprehensive directories covering all listed telephone subscribers and their numbers (including fixed and mobile telephone numbers). This is possible only if directories publishers are allowed to have access to and to re-use the basic subscribers' data contained in the universal database. Without this raw material – the listings – directories cannot be produced. The directories will no longer be comprehensive and reliable, their usage will decrease and they will no longer be an attractive place for businesses to advertise. But directories are the main advertising medium, and often the only one for small and medium-size enterprises. Consequently, this will deprive SMEs of an essential promotional tool.

Furthermore, EADP members would like to state clearly that they are firmly in favour of fair competition. They believe that consumers have a right to choose, which is only possible if directory publishers provide them with comprehensive information.

EADP would like to express its concern about the global competition aspect. In the current global market, European directory publishers are in competition with the Americans. However, the American directory publishers benefit from the equivalent of the universal service obligation in the USA. This obligation allows them to be provided with the listings of the telecommunication operators. This is the reason why directory publishers should have access to the universal database without undue conditions. Otherwise, European publishers will be weakened on the international level.

**For all the reasons explained above, EADP members ask the European Commission to facilitate access to and re-use of subscribers' data compiled in the universal database by directory publishers, without undue conditions being attached, for a fair and non-discriminatory price and without restrictions on use beyond existing data protection and data usage requirements, and ensure that universal directories are maintained at their current level of reliability and comprehensiveness.**



- EC Staff Working Document SEC(2005)660 – Under 3.3, statement that mobile communications must be further considered as part of the review process

EADP would like to use the opportunity offered by the launch of this consultation to express its concerns regarding the implementation of the universal service on the specific aspect of mobile telephony.

In spite of the obligation for mobile telecommunication operators, as it is also the case for the fixed line operators, stated in the universal service directive (recital 11 and article 5.2) to enter in the universal database the listings of their subscribers' numbers together with the right for the subscribers to have an entry in the publicly available directory, there is hardly any directory with mobile numbers in Europe. This situation comes from the fact that, in some EU countries, too few mobile operators agree to provide directory publishers with this kind of data. The consumer's right for data protection and the "opt-in" principle do not explain alone this refusal. Experience shows that rather few mobile operators ask their subscribers whether they want to see their mobile numbers included in a directory. Without this possibility to express their choice, most consumers do not even know that mobile directories exist.

This lack of effective enforcement of the universal service obligation for the mobile operators results in the fact that some people are no longer listed in directories. As the European Commission noted in the working document that came with the communication, there is a widespread use of mobile phone and also a fixed to mobile substitution. Consequently, some people (for whom mobile phone is the only access to telecommunications – in some areas like big cities and for people practising some activities) are no longer listed in directories. This results in an increasing problem to find data making it possible to get in touch with some people. This could also result in social exclusion for these persons, which is the situation the universal service directive seeks to avoid.

EADP members would like to express their belief that the enforcement of the obligation for mobile operators to provide listings of the numbers of their mobile subscribers will hinder neither innovation nor investment in the field of mobile telecommunications. On the contrary, the inclusion of mobile numbers in directories will benefit consumers, since they increasingly need to identify and get in contact with each other, particularly in today's information society.

**For the reasons expressed above, EADP members ask the European Commission to ensure the full and effective enforcement of the obligation, in each country, to compile a universal database including mobile subscribers' numbers which would be made available to directory publishers. They stress again the necessity to make consumers aware of the possibility to opt for their data to be made available to directory publishers**

