

WRITTEN QUESTION E-0776/08
by Stavros Arnautakis (PSE)
to the Commission

Subject: Caller location for calls to the European emergency number '112' & information to citizens

Under Article 26(3) of the universal service directive (2002/22/EC⁽¹⁾), undertakings which operate public telephone networks should make caller location information available to authorities handling emergencies, to the extent technically feasible, for all calls to the single European emergency call number '112'. The Commission's services consider that caller location has been technically feasible since March 2005 since it is available in most Member States (MEMO/07/414).

Can the Commission provide detailed information for each Member State in response to the following questions?

1. Do the emergency services receive caller location information for calls to 112 made by standard users of landlines and mobile telephones?
2. Which method ('push' or 'pull') is used to forward the information to the emergency services and how much time is required to forward such information?
3. Have users of and subscribers to landlines and mobile telephones been informed of this facility? Have they given their consent? Have they been informed of how to refuse this facility and of the 'transparent procedures' whereby service providers may override such refusal pursuant to Articles 9 and 10 of the directive on the protection of privacy in the electronic communications sector (2002/58/EC)?

E-0776/08EN
Answer given by Mrs Reding
on behalf of the Commission
(12.3.2008)

In accordance with Article 26(3) of the Universal Service Directive¹, referred to by the Honourable Member, caller location information is provided to the authorities handling emergencies for 112 calls from both fixed and mobile telephones in all Member States, except Poland, Italy, the Netherlands, Lithuania, Slovakia and Romania where caller location information is still not provided for mobile 112 calls. Infringement proceedings are pending against these Member States in this regard. In addition, the Commission has opened an infringement proceeding against Bulgaria for lack of availability of 112. It should also be noted that, in the past, the Commission opened infringement proceedings on the basis of Article 26(3) of the Universal Service Directive against a number of other Member States and subsequently closed these cases, after establishing that provision of caller location was ensured in these countries.

As regards the method used ('push' or 'pull') and the time needed for the provision of caller location, the Commission has requested the Member States to provide up-to-date information on the implementation of 112, including these aspects of caller location, through a questionnaire, which was sent to the Member States within the framework of the Communications Committee². Responses are requested by 1 March 2008, except for the questions concerning quality of call handling, to which responses are requested by 1 May 2008. The Commission will subsequently publish the results of this questionnaire on a dedicated website.

¹ Directive 2002/22/EC of Parliament and of the Council of 7 March 2002 on universal service and user's rights relating to electronic communications networks and services, OJ L 108, 24.4.2002.

² Document COCOM07-47 final, available on CIRCA website of the Communications Committee: <http://circa.europa.eu/Public/irc/infso/cocom1/home>.

As regards the application of the Directive on privacy and electronic communications³, also referred to by the Honourable Member, the absence of the user's or subscriber's consent may be overridden for the processing of location data for the purpose of responding to emergency calls, subject to transparent procedures, in accordance with Article 10 of this Directive. For this purpose, Member States may adopt specific provisions to entitle providers of electronic communications services to provide access to location data without the prior consent of the users or subscribers concerned (see recital 36).

Moreover, the Commission has also encouraged the Member States⁴ to actively raise citizen's awareness about the functioning of 112.

³ Directive 2002/58/EC of Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector, OJ L 201, 31.7.2002.

⁴ See, in particular, Commission Press release of 11 February 2008, available on DG INFSO website: http://ec.europa.eu/information_society/index_en.htm.