

DRAFT COMMISSION DECLARATION ON NET NEUTRALITY

"The Commission attaches high importance to preserving the open and neutral character of the Internet, taking full account of the will of the co-legislators now to enshrine net neutrality as a policy objective and regulatory principle to be promoted by national regulatory authorities¹, alongside the strengthening of related transparency requirements² and the creation of safeguard powers for national regulatory authorities to prevent the degradation of services and the hindering or slowing down of traffic over public networks³. The Commission will monitor closely the implementation of these provisions in the Member States, introducing a particular focus on how the "net freedoms" of European citizens are being safeguarded in its annual Progress Report to the European Parliament and the Council. In the meantime, the Commission will monitor the impact of market and technological developments on "net freedoms" reporting to the European Parliament and Council before [the end of 2010/ the end of October 2010] on whether additional guidance is required, and will invoke its existing competition law powers to deal with any anti-competitive practices that may emerge."

¹ Article 8(4)(g) Framework Directive

² Article 20(1)(b) and 21(3)(c) and (d) of the Universal Service Directive

³ Article 22(3) of the Universal Service Directive