

## ETNO Reflection Document on RFID

### Executive Summary

1. ETNO acknowledges the benefits of the RFID technology; therefore ETNO welcomes the initiative of the EC regarding this broad consultation
2. ETNO believes that the use of radio frequencies should be harmonised to avoid interferences
3. There is a need for adequate standardisation to allow interoperability inside and across markets, including standardisation of privacy enabling functionalities like data confidentiality and data integrity
4. ETNO thinks that there is sufficient regulation in place to deal with frequency management issues as well as with privacy issues
5. ETNO members are active in relevant standardisation bodies, but the Commission could play an active role in the harmonisation with non-EU standards

### 1. Introduction

ETNO welcomes the opportunity to contribute to the discussion, as started by the European Commission on Radio Frequency Identification (RFID). In this contribution, ETNO wishes to express a number of general thoughts on this subject and addresses questions as stated in the questionnaire, issued by the Commission.

ETNO is the recognised voice of the European Telecommunications network operators with over a decade of experience in shaping EU telecoms policy. The association represents 40 companies from 34 European countries. They account for an aggregate turnover of more than 210 billion Euros within Europe and employ more than one million people. The association is widely recognised for its expertise on various topics including technical and regulatory matters, but also on issues such as network naming and addressing, environmental protection, sustainability and network security.

## **2. Benefits and challenges of RFID**

ETNO acknowledges generally the benefits of RFID technology. This technology is not a goal as such, but it is seen as an important precondition for successful services development.

However, a number of issues appear as this technology evolves. The main areas to notice are:

- **Frequency management:** The frequency bands to be used in Europe by RFID applications are identified in ECC Recommendation 70-03, in order to avoid interference with other applications and services that make use of the radio spectrum. At this moment, there are some concerns that out-of-band emissions of RFID applications in the 865-868 MHz band could cause interference with neighbouring applications.
- **Standardisation and Interoperability:** For the rendering of services that make use of RFID technology, it is crucial that there is a sufficient level of standardisation. GSM mobile is a successful example, showing the importance of standardisation.
- **Privacy aspects:** This is a key area of concern.
- **Spectrum strategy aspects:** With increasing RFID use larger spectrum bands will be needed. Spectrum above 2GHz is best suited for near-field communication applications such as RFID. The propagation properties of spectrum below 2GHz make this spectrum most suitable for radio communication technologies that need to cover large distances. In the long term RFID applications in the 865-868 MHz band may cause interference with converging broadcast and mobile applications in the UHF band.

## **3. ETNO's activities in the area of RFID**

ETNO members are active in the area of RFID based services. Their prime concerns are, apart from making profitable business out of RFID based services, to maintain customer confidence by taking good care of privacy aspects involved with the electronic processing of their customers personal data. ETNO members are active concerning a number of RFID aspects:

- **Frequency management:** ETNO experts follow related discussions on radio spectrum issues in RSC, RSPG and CEPT ECC.
- **Standardisation:** ETNO members are active in standardisation, for instance by participating in relevant ETSI working group and other standardisation bodies.
- **ETNO members comply with the relevant legislation for the purpose of protecting their customer's privacy.** We recognize the responsibility that we have as service providers, and play an active

role in the development of privacy protection measures and applications.

- Also in the area of misuse, fraud and security ETNO members play an active role in the development of policies, countermeasures, applications.

#### **4. ETNO's position and expected role of the European Commission**

ETNO believes that there is a sufficient level of regulation in place to protect the privacy of e-communications users (e.g.: Framework Data Protection Directive -Directive 1995/46/EC- and Directive on Privacy and electronic communications -Directive 2002/58/EC-). General principles included in existing legislation remain adequate to cope with specific developments such as RFID (data quality, need for clear information to be given to the data subject, informed consent, right of access to the processed data, right to object...).

Henceforth there is no need for an active role of the Commission in the area of development of new regulation to be applied specifically to RFID. In any case, it is of outmost importance that any new regulation does not hamper innovation in this field. Indeed, at the current early state of development of RFID, regulation can become obsolete and therefore the Commission should avoid too early and too detailed legislation.

In the area of standardisation there is no need for the Commission to ask for new standards, as standardisation needed for successful interoperability is partly in place - and partly under development in existing standardisation bodies. Out-of-band emissions must be sufficiently addressed.

However, the Commission could play an active role in the harmonisation of EU standards (e.g. ETSI) and non-EU standards (e.g. IEEE), as the flow of RFID-based products does not stop at the European borders.

In areas where standardisation is not complete (yet), the Commission should promote its development - and the work to be carried out by existing industry- and non-industry standardisation bodies.