



GSM Europe

The European interest group of the GSM Association

<http://gsmeurope.gsmworld.com>

London, 15th January 2003

Dear Commissioner,

GSM Europe is very concerned about the potential use of equipment designed to make mobile telecom terminals inoperative, devices commonly known as 'GSM jammers'. For the moment such equipment can neither be freely put on the market nor freely used by the public. However, legislative developments in France relating to the proposed use of GSM jammers in theatres and performance halls, as well as new discussions regarding the possible use of GSM jammers in cars constitute a first breach in this established fact and could very well lead to a proliferation in the use of GSM jammers throughout the European Union.

Mobile operators very often need to comply with heavy licensing conditions including coverage obligations and the obligation to convey emergency calls. The installation and use of GSM jammers clearly conflicts with these licensing conditions, notably as the jammed area in practice exceeds the intended area (e.g. outside a theatre).

GSM Europe believes that the proper use of mobile phones is an issue of education rather than legislation. It is our aim that customers use their phones in a responsible manner and respect their neighbours (see attached Etiquette from GSMA).

GSM Europe believes that the use of jammers for civil use (whether in theatres, in cars or by the public in general) should be strictly prohibited and they hope the European Commission will take all the necessary steps to oppose national initiatives in this respect. The TCAM Committee has already clearly indicated *“that it is not possible to construct jammers that comply with R&TTE and EMC Directives and that such devices cannot therefore legally be placed on the market within the Community for use under these*

Directives". This is already a very positive development but it has not so far challenged the legal provisions in France.

This is why GSM Europe calls upon the Commission to reject the draft decision recently notified to it by France on the usage conditions of jammers and to take this opportunity to put into question the underlying French law of 2001 authorising the installation of jammers in theatres.

Thanking you in advance for the attention you will give to this matter,

Yours sincerely,

Kaisu Karvala,
Chair GSM Europe

To the attention of;

Mr. Erkki Liikanen
Member of the European Commission
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Belgium