

Briefing

Meeting with the signatories of the MoU on Harmonisation of a Charging Capability for Mobile Phones

*14 December 2012
11:00 am – Berlaymont*

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Harmonisation of a Charging Capability
for Mobile Phones*

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1. SCENE SETTER

The initiative of the Commission to harmonise chargers for mobile phones has been strongly supported by Members of European Parliament and by consumers, and has provided substantial visibility to the Commission in press, TV and radio.

According to the follow-up carried out by DG Enterprise and Industry in cooperation with the MoU signatories the voluntary agreement has been successful in delivering benefits for citizens.

The Commission notes the disagreement of the signatories on an extension of the MoU by one or more year for the actual generation of data enabled mobile phones and deeply regrets this decision.

The Commission notes that manufacturers argue that the current MoU technical specifications could not fit the needs of higher power requirements of the new generation of mobile phones.

The Commission proposes to focus on the future and to agree on a new partnership with the MoU signatories. This would consist on an agreement through which manufacturers would commit to comply with the MoU rules for the technologies foreseen in the MoU and would report regularly to the Commission on markets developments as well as on innovation about new solutions for charging and on progress on standardisation works.

In this agreement, the Commission proposes to consider the signature of a new MoU on the harmonisation of a charging capability for mobile phones where the signatories identify and agree on a common charging technology.

2. SPEAKING POINTS

- The Commission acknowledges the success achieved so far with the implementation of the MoU.
- We do not understand the reluctance of most MoU subscribers to extend the current MoU.
- We understand that the technical specifications of the current MoU may be outdated in two or three years. However, this should not be a reason not to apply the MoU provisions when the MoU technologies are used.
- The European citizens and the political authorities, including members of the European Parliament, do expect that for currently available technologies and for future technologies the manufacturers are able and willing to propose common charging solutions for mobile phones.
- The Commission is permanently under political pressure to impose legislative solutions on electric charging and on interoperability issues involving electric devices.
- This pressure can only increase if we are not able to come up with a firm commitment from manufacturers about a common charging solution that can ensure consumers and political authorities that the issue is solved.
- We want to propose you a draft agreement that confirms the commitments of the current MoU and facilitates a framework to ensure the follow-up with respect to new technologies, with a view to agree on a new MoU when the conditions to do this are met in the future.
- We would like to have your views about this draft agreement by Wednesday 19 December.

3. DEFENSIVE POINTS

Issue:

It is possible that some representatives of the manufacturers enquire about the fact that the proposal for a revised RTTE Directive foresees the possibility for the Commission to legislate with respect to interoperability, involving products under RTTE scope, which include mobile phone chargers. They may state that they are not happy with this provision.

Reply:

The Commission is often requested by MEPs, Member States, consumer associations and NGOs to impose through legislation common devices for electronic goods when an interoperability problem occurs. As this meeting illustrates, we try in the first place, to agree on a common and industry-led solution for this kind of problems. However, to succeed within this strategy, we need to demonstrate that the European Commission can act if there is a need.

4. BACKGROUND

Possible follow-up of the MoU on Harmonisation of chargers for mobile phones

4.1 Background on the MoU on harmonisation of chargers and the ensuing standardisation processes

Following a request from the European Commission, major producers of mobile phones agreed in June 2009 to sign a Memorandum of Understanding (“MoU”) to harmonise chargers for data-enabled mobile phones sold in the EU. The MoU was endorsed by Commission Vice-President Verheugen at a press conference on 29.6.2009¹.

The specifications for compliant mobile phones and chargers are contained in the international and European standard IEC/CENELEC EN 62684, which was developed by the European Standards Organisations as the result of a formal standardisation mandate issued by the Commission².

Vice-President Tajani gave a press conference on 8th February 2011 announcing that the common charger would be introduced progressively in the market during 2011, an accompanying press release was published on the same day³. The initiative has been strongly supported by Members of the European Parliament and by the public, and has provided substantial visibility to the Commission in press, TV and radio.

4.2 State of play

According to the follow-up carried out by DG Enterprise and Industry in cooperation with the MoU signatories, implementation of the MoU progresses appropriately. A recent progress report provided by the MoU signatories has shown that more than 95% of the new models of data enabled mobile phones placed on the EU market by the signatories during the 1st half of 2012 offer the common charging capability. This indicates that the voluntary agreement has been successful in delivering benefits for citizens.

In view of the expiry of the MoU by the end of 2012 and to ensure that the achievements of the MoU are consolidated and avoid a return to a diversity of incompatible chargers, the Commissions requested a timely extension of the agreement by one or more year.

The MoU signatories disagreed to extend the actual MoU arguing that:

- The MoU has successfully achieved its intention to harmonise chargers for data-enabled mobile phones and it seems unlikely that the market will naturally revert back to the diversified situation of the past.

¹ All information relevant to the common charger is available at http://ec.europa.eu/enterprise/sectors/rtte/chargers/index_en.htm

² Further information is provided in document ARES entr.g.4(2012)6181

³ <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/136&format=HTML&aged=0&language=EN&guiLanguage=en>

- The next generation of mobile phones (LTE) requires higher electrical capacity and higher battery voltage - for this reason many of the new terminals do not fall within the scope of the MoU.
- Companies are still exploring technical solutions for charging (including wireless charging) which fit the new needs, freezing innovation should be avoided.
- Preparing an update of the actual MoU including new technologies requirements would be time consuming and a very delicate exercise as new charging solutions are still under development and considered as confidential by manufacturers.

4.3 Assessment

The Commission services held several meetings with MoU signatories. It was never possible to obtain a clear explanation about their reluctance to extend the current MoU.

In fact, the explanations that the technology is changing and therefore the current MoU will be soon outdated can not prevent the manufacturers to agree that they will continue to comply with the MoU provisions when applying the technology foreseen in the MoU.

4.4 Follow-up

In a recent telephone contact (03/12/2012) with Mr [REDACTED], coordinator of the signatories of the MoU, it has appeared that the manufacturers that have subscribed the position paper attached to the letter sent by the President of Digital Europe to Director General Daniel Calleja on 29 November would be available to sign a commitment, together with the European Commission, within the lines indicated in this position paper.

What is now considered to be proposed to the subscribers of Digital Europe position paper as well as to manufacturers that have subscribed the MoU but not Digital Europe position paper, is that they subscribe a document committing to continue to comply with the MoU, and to continue to work with a view to achieve interoperable charging solutions for future technological developments.

A draft agreement to propose to the mobile phone manufacturers is attached to this email.

If the manufacturers accept to subscribe the agreement, the modalities are still to be sorted out. This could be an agreement subscribed only by the manufacturers, as it was the case with the current MoU. However, some manufacturers appear to prefer that the document is subscribed by the Commission services as well. In this case it would be necessary to consult officially the Legal Service and the Secretariat General to assess if the Commission services can take such a commitment.