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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
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WiFi calling is a possibility implemented in the most recent smartphones that the end-user can decide to activate. Whether the option of calling over WiFi (including on roaming) is supported and actually available is a choice left to providers of mobile electronic communications services, in accordance with the requirements of national legislation and in conformity with EU legislation. To this end, the European Electronic Communications Code¹ (EECC) affirms ‘the principle that [...] a national regulatory or other competent authority should neither impose nor discriminate in favour of the use of a particular type of technology’².

From the end-user’s perspective, numerous Over-the-Top applications allow making calls using an internet connection through Wi-Fi or mobile data without activating Wi-Fi calling, allowing end-users to make calls without using traditional calling services. Hence, it is not necessary for national authorities to require providers to support and to make available WiFi calling, in accordance with the principle referred to above.

As to emergency communications, the EECC requires Member States to ensure that caller location information is made available after an emergency communication is set up. Challenges may arise for providers of mobile communications services depending on how this obligation is implemented at national level. Any limitation to provide access to the single European emergency number 112 in terms of location of the caller when using WiFi calling, might prompt the operator to use another technology, such as traditional calling services, that allow making caller location information available as required³. The Commission is in contact with providers of mobile communications services and national regulatory authorities to follow-up on possible future developments.

¹ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code, OJ L 321, 17.12.2018, pp. 36–214.

² See Recital 25.

³ See Art. 109(6) EECC.