

# BEREC strategy 2021 – 2025

## Mission statement

***BEREC aims at fostering the independent, consistent and high-quality regulation of digital markets for the benefit of Europe and its citizens.***

## Table of Contents

I. INTRODUCTION AND OBJECTIVES .....	2
Who we are .....	2
Objectives.....	2
Term .....	3
Review.....	3
II. MARKET, TECHNOLOGICAL AND POLICY DEVELOPMENTS.....	3
III. HIGH LEVEL STRATEGIC PRIORITIES.....	6
Strategic priority 1: Promoting full connectivity .....	7
Strategic priority 2: Supporting sustainable and open digital markets.....	8
Strategic priority 3: Empowering end-users.....	9
IV. INSTITUTIONAL AND INTERNATIONAL COOPERATION PRIORITIES.....	9
Institutional cooperation .....	9
International cooperation.....	10
V. Stakeholder engagement .....	11
VI. BEREC WORK.....	11
Sustainability.....	11
Developing the right tools.....	11

# I. INTRODUCTION AND OBJECTIVES

## Who we are

In 2009, the Regulation (EC) 1211/2009 established BEREC, the Body of European Regulators for Electronic Communications. It is composed of all independent National Regulatory Authorities (NRAs) of the EU Member States. The European Commission, the independent NRAs of the EEA /EFTA countries and the EU accession countries also take part in BEREC's work as participants without voting rights. The BEREC Office seated in Riga supports BEREC in fulfilling its tasks. In 2018, the BEREC regulation was renewed (Regulation (EU) 2018/1971).

BEREC marked its tenth anniversary in 2019. In the past ten years BEREC has been a forum for cooperation and exchange of views among the NRAs. It has provided its professional expertise, in particular to the European institutions, either upon request or on its own initiative.

BEREC's responsibilities include identifying regulatory best practices and developing common positions as well as producing reports with the overall objective of a consistent application of the regulatory framework in electronic communications. Furthermore, BEREC became an acknowledged organisation as evidenced by the additional tasks that the European legislators entrusted to BEREC in the new European Electronic Communication Code ('EECC' or the 'Code') to foster the internal market. These new tasks include, among others, the delivery of technical guidelines on several subjects to facilitate the implementation of the Code, reporting on technical matters, keeping registers of providers, and developing databases for instance on numbering and general authorisations.

## Objectives

BEREC's tasks go hand-in-hand with the four overarching objectives of the Code (Article 3 (2)):

- Promoting connectivity and access to, and take-up of, very high capacity networks;
- Promoting competition and efficient investment;
- Contributing to the development of the internal market;
- Promoting the interests of the citizens of the Union.

The three objectives relating to promoting competition and investment, promoting the internal market and empowering and protecting end-users were already guiding BEREC's work in the past two medium-term strategies of 2015-2017 and 2018-2020. The connectivity target has always been pursued by BEREC through work streams around fixed and mobile connectivity and convergence. Therefore, the now four objectives remain the foundation of the assignments set out in BEREC's multi-annual work programmes and continue to be its guiding force.

## Term

This latest update of BEREC's strategy covers a period of five instead of three years, namely 2021-2025. This extended period enables better alignment with the legislative cycle of the Commission, and the objectives and new priorities set out by President von der Leyen for the period of 2019 -2024<sup>1</sup>. At the same time, the structure of the BEREC strategy is being kept to follow the strategic priorities around connectivity (very high capacity networks (VCHN, 5G), digital issues (including open internet) and end-users (including the digital divide).

## Review

To ensure that the BEREC strategy remains relevant and aligned with future developments, BEREC will revisit its strategic priorities over the course of the period.

## II. MARKET, TECHNOLOGICAL AND POLICY DEVELOPMENTS

BEREC's strategy for 2021-2025 needs to consider the impact of rapidly changing markets, new network technologies and expected policy developments in this period as well as the increasing cross-border nature of digital services.

BEREC's work will be largely focused on promoting the consistent application of the EECC throughout the EU. Due to the fast-changing nature of the markets regulated by BEREC's NRA members, it is imperative that BEREC keeps pace with and understands the impact that new technologies have on market dynamics and business models to be able to coordinate the implementation of appropriate regulatory measures by its NRA members, where required, and so that the objectives as laid down in the Code are achieved.

The path towards the **gigabit society** across the EU means that the infrastructure of the future will have specific requirements. These are extremely quick response times, high capacity, resilience and efficiency, as well as seamless integration of different networks and different technologies in order to allow consumers to switch from one to another without disruption and enjoy the same customer experience irrespective of their location and connection type.

From a supply side perspective, operators have historically deployed fixed and mobile networks independently of one another, with limited infrastructure sharing, requiring relevant stand-alone investments<sup>2</sup>. This modus operandi will evolve, because the technical development towards fixed mobile convergence and virtualisation now enables stronger structural convergence and cost-benefits from deploying and operating a shared infrastructure. Therefore, in some cases, the integration of mobile and fixed networks may even be necessary, e.g. to manage small cells inside buildings<sup>3</sup>.

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<sup>1</sup> See [https://ec.europa.eu/info/strategy/priorities-2019-2024\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024_en)

<sup>2</sup>[http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DSTI/ICCP/CISP\(2015\)2/FINAL&docLanguage=En](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DSTI/ICCP/CISP(2015)2/FINAL&docLanguage=En)

<sup>3</sup> <https://www.ericsson.com/en/networks/offerings/urban-wireless/indoor-small-cells>

The **5G network**, heralded as a ‘cloud of solutions’, will be part of a common infrastructure combining radio, satellite and optical networks. Beginning with at least one 5G network per city per Member State by 2020, the European Commission expects 5G coverage in all urban areas and along all major transport routes in the European Union by 2025 as well as cost savings to be realised<sup>4</sup>.

The transition to 5G will also pave the way for network virtualisation and disaggregation<sup>5</sup> which will change how networks are built and operated and how services are managed. An important feature of 5G is network slicing, which promises to enhance network efficiency and improve service performance through the ability to designate each service or user with the required quality at the required time.

Network intelligence will likely become more centralised through network orchestration<sup>6</sup>, while service quality will depend on the available resources at the ‘edge’ of the network. Data centres and content delivery networks, a key component in cloud computing and already an area of considerable growth and expansion, will continue to play an important role for the provision of high-quality digital services.

5G is expected to create an ecosystem for technical and business innovation involving vertical markets<sup>7</sup>. It is likely to become the cornerstone for digital connectivity and a major driver of economic growth, promoting competition and serving social needs. 5G will allow the implementation of new services such as telemedicine, large numbers of devices for the internet of things (IoT), autonomous vehicles and smart cities, eventually connecting everything and everyone to a single digital ecosystem. In order to ensure these developments can take place and are not delayed by a lack of action from public authorities, an appropriate regulatory framework needs to be in place as well, e.g. spectrum regulation, access regulation where necessary to ensure access to sites in particular in rural and less competitive areas, infrastructure sharing etc.

In a broader perspective, new connectivity technologies may emerge in this 2021 – 2025 time frame to serve new needs either for the general public or for tailor-made solutions dedicated to business users in their respective sectors. Common to all new wireless connectivity technologies, whether 5G, Wi-Fi or something else, is dependence on the availability of fibre backhaul. Ensuring that the right incentives for investing in fibre networks, and that there is sustainable competition in the markets will therefore be conditions that determine the pace of development of next generation connectivity solutions in Europe.

While the **digitalisation of society** holds great opportunities and the potential for huge efficiency gains, there will also be new risks and challenges associated with this development. Along with the attention given to the (shared) roll-out, interoperability, spectrum availability and 5G business models (and in addition to acceptability questions), concerns relating to security, robustness, privacy and integrity of the digital ecosystem have grown in recent years, and will likely continue to require the attention of regulators and policy makers. Universal service obligations must make sure that everyone has the ability and capacity to participate in the

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<sup>4</sup> <https://ec.europa.eu/digital-single-market/en/5g-europe-action-plan>

<sup>5</sup> Network Function Disaggregation (NFD) defines the development of switching and routing appliances towards totally decoupled open components.

<sup>6</sup> Software-Defined Networking (SDN) and Network Functions Virtualisation (NFV) aim to transform the way that network operators design and operate networks. However, technologically as well as regarding the alleged business impact, they appear to be approaching a phase of disillusionment and awareness that at least some of the expectations have been inflated.

<sup>7</sup> Such as energy, agriculture, city management, government, healthcare, manufacturing, public transportation and others.

digital society by ensuring that all consumers have access at an affordable price to adequate broadband internet service. Bridging the **digital divide**, and providing equivalent access and choice for those with disabilities will be of equal importance, given that a digital society will only be possible with the inclusion of all citizens. Therefore, consumer protection needs to be up to the new challenges and regulators must be active in enforcing transparency and more generally consumer rights.

In order to accelerate the transition to digital services and the wider digital ecosystem, broader access to higher quality and higher resilience internet-based services will remain important. The internet has intensified competition by making it easier for consumers to compare prices and companies to deliver services to consumers, producing a disruptive effect on the dynamics in various service markets. However, as market fundamentals have changed, so are new structures also being established and potential bottlenecks now forming. The new market dynamics are by no means limited to the electronic communications sector but affect all industries in our connected society. The increasing availability of data and analytical tools is changing a significant part of the European economy, enabling innovative business models, new products and processes, cost reductions, better-informed decisions by consumers, institutions and firms, as well as providing new growth opportunities<sup>8</sup>.

**Data-centric business models** are now becoming the norm in the digital economy, and access to data and the use of algorithms is likely to have significant impact on competition dynamics in digital service markets. Network effects and scale and scope economies make growth the most prevalent strategy in platform markets, which can lead to new concentrated market structures. In addition, they raise questions about the impact of **digital platforms**<sup>9</sup> **with regard to** both the principle of internet openness and competition, and whether the current competition framework can address any anti-competitive behaviour or whether sector-specific regulation might be warranted.

As an intrinsic part of digitalisation, **big data and artificial intelligence (AI)** are also expected to have a strong impact, both societally and commercially. AI is a general-purpose technology with a multitude of applications in all industries, such as healthcare, government, transport or finance. The versatility of AI in products and services in combination with its potential to impact citizens in myriad ways is the key reason why AI has become an area of such strategic importance for the European Union.

AI-based systems are furthermore of particular relevance<sup>10</sup> to the telecommunications industry due to their potential for various stages of operations (network roll-out, network optimisation, transmission optimisation etc.), new services (new revenue streams or business models, different categories/classes of services), customer service (customer service enhanced by natural language processing), data management (collection, validation, analysis etc.) or security (fraud detection, cybersecurity etc.). Traditional telecommunications operators may employ AI technologies in regulated areas, potentially affecting efforts in net neutrality, end user rights, data protection, competition (in terms of data economy) or security.

Besides the ongoing digital transformation, **climate change** is another defining phenomenon of our time. Digitisation promises to bring major efficiency gains that will translate into major reductions of greenhouse gas emissions<sup>11</sup>. At the same time, the digital sector's environmental

<sup>8</sup> BEREC report on the Data Economy BoR (19) 106.

<sup>9</sup> <https://ec.europa.eu/digital-single-market/en/policies/online-platforms>

<sup>10</sup> <https://techsee.me/blog/artificial-intelligence-in-telecommunications-industry/>

<sup>11</sup> See Communication of the Commission 'A Green Planet For All', October 2018, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0773>.

footprint is increasing, with a growth in energy usage occurring. Currently, ICT today accounts for around 4%<sup>12</sup> of the European carbon footprint (equivalent to civil aviation), with an overall 8% to 10% rising trend<sup>13</sup>. Hence, the environmental consequences of digital technologies require careful assessment of direct impacts, such as energy consumption and end-of-life disposal, and indirect impacts, e.g. change in consumption patterns and choices.

Finally, on the policy side, in view of the strategic priorities adopted by the **European Commission**, there are several policy goals for the digital market in the EU that are relevant for BEREC to consider:

- creating the right framework to allow Europe to make the most of the digital transition;
- promoting full connectivity by stimulating private investments while reducing the cost of roll-out in very high capacity networks;
- developing a new Digital Services Act and assessing the need for *ex ante* rules on digital platforms to tackle bottleneck issues;
- strengthening the EU's cybersecurity framework<sup>14</sup> and capabilities and develop a coordinated European approach on artificial intelligence;
- retaining a strong focus on digital innovation, while ensuring the continued modernisation of key transport systems;
- closely monitoring the transition to the digital economy which raises many other policy and regulatory issues, from competition issues related to market power, to labour issues related to the platform economy or taxation;
- updating of the Digital Education Action Plan;
- a new European Green Deal which will be one of the main projects of the new European Commission.

These priorities will guide the work of the EU Commission in 2020-2024. They are also likely to have a strong impact on BEREC's work during this period.

Finally, the experience with the **COVID-19 pandemic** has demonstrated the critical importance of digital technologies in society and the continued need for investments in those technologies. The large and sudden shift to teleworking and online provision of public services (including e-education and public administration) underlines the importance of bridging the digital divide to ensure that many of the most vulnerable citizens are included in the new digital society. Governments and regulators are becoming increasingly aware that all citizens are entitled to equitable and fair access to the digital ecosystem.

### III. HIGH-LEVEL STRATEGIC PRIORITIES

For the period 2021-2025, BEREC will plan its multi-annual work around the four strategic objectives of the Code, and in the process give special consideration to the three high-level

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<sup>12</sup> <https://ictfootprint.eu/en/about/ict-carbon-footprint/ict-carbon-footprint>

<sup>13</sup> [Lean ICT – Towards digital sobriety, The Shift Project, 2019](#)

<sup>14</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Secure 5G deployment in the EU - Implementing the EU toolbox – COM (2020) 50 final, 29.01.2020: <https://ec.europa.eu/digital-single-market/en/news/secure-5g-deployment-eu-implementing-eu-toolbox-communication-commission>.

strategic priorities listed below, as well as the priorities set for institutional and international cooperation. These strategic priorities are based on the market developments outlined in the previous section and refer to areas of interest that BEREC should cover under the strategic objectives mentioned above.

The high-level priorities are further subdivided into more concrete areas of interest to indicate the work BEREC intends to focus on. The strategic priorities will not define the full scope of BEREC work for the five-year period 2021-2025 but will be recurring topics in BEREC's work programme for the coming years. The order in which the priorities are listed does not imply any sort of ranking.

The facilitation of **successful implementation and consistent application of the Code and the focus on sustainability** will be important horizontal principles that will form an essential part of the high-level priorities and the concrete areas of interest mentioned above. BEREC will further monitor the impact and the effectiveness of the EECC with a view to collecting sufficient quantitative and qualitative data for future reviews (as required under Article 122-123 of the EECC).

BEREC will engage in working on sustainability considering the ICT-related parts of the upcoming Green Deal and the Agenda 2030 targets to identify the sustainable development goals that could be relevant for BEREC. In addition, it will assess how to contribute to more sustainability by adding an environmental focus to its workstreams and the running of BEREC as an organisation, taking into account the objectives of the European Commission to be proposed in the Green Deal. BEREC could contribute to the assessment of the above-mentioned impact as well as developing an understanding of how to reduce the carbon footprint, a topic which is gaining importance in the digital sector. End-users could also be empowered by raising awareness of the environmental impact of electronic networks.

## **Strategic priority 1: Promoting full connectivity**

BEREC will keep connectivity as a strategic priority in the coming five years. This means prioritising work that improves generally the conditions for the expansion and take-up of secure, competitive and reliable high-capacity networks (both fixed and wireless) across Europe and ensures a smooth transition from legacy infrastructures.

BEREC is providing guidelines to help ensure consistent regulatory application of the EECC regarding the deployment of- and access to **VHCN** by citizens and businesses of the Union. BEREC will continue this work with the aim of contributing to regulatory stability and predictability for the benefit of investments (private and public) in VHCN. BEREC will also address other issues that may encourage investment and roll-out of VHCN across Europe, such as access to ducts and infrastructure.

BEREC is also finalising the guidelines on new instruments to promote connectivity on the fixed network side (e.g. roll-out of fibre networks) and to monitor the implementation of these guidelines, which NRAs are obliged to take into account. The drafting and implementation are one of BEREC's core tasks assigned by the 2018 BEREC Regulation. With these new guidelines, BEREC is contributing to the consistent application of the new regulatory tools, such as co-investment, symmetric regulation, wholesale-only operators etc., by NRAs when taking national decisions.

Based on past activities with regard to increasing the transparency on the use of the various services offered for end users to make informed and active choices, BEREC will continue to

further promoting the transparency as well as the availability and the benefits of broadband services for both businesses and consumers.

BEREC will also continue, within the scope of its competence, to follow the development of **5G** actively and closely. Fixed network coverage and access options will influence 5G, as high-capacity quality fibre backhaul availability is necessary for the deployment of the new standard. Depending on the assessment of competitive conditions, wholesale access to fibre backhaul connectivity of cell sites needs to be ensured (and regulated, where necessary) to prevent potential problems in terms of lack of coverage and refusal of access to bottleneck facilities, in particular in less competitive geographic areas. Duct and pole access and dark fibre may also become increasingly relevant.

Regarding **security**, BEREC can play an important role in the implementation of the 5G cybersecurity recommendation (Commission Recommendation on Cybersecurity of 5G networks C(2019) 2335), in cooperation with ENISA and the NIS cooperation group. Following this recommendation, BEREC's role includes information and experience sharing on electronic communications market matters among its members, participants and other relevant bodies, and assisting in the toolbox development process as mandated in preamble 24 of the cybersecurity recommendation. Furthermore, BEREC is responsible for acquiring and reporting market impact information in any of the measures to be implemented concerning 5G cybersecurity to the NIS CG.

Further to promoting the fibre and 5G roll-out, BEREC will contribute, through cooperation with the competent bodies, to ensuring that future network technologies meet their connectivity targets in line with European values and interests (security, protection of the end-user, environmental challenges etc.).

Additionally, BEREC will continue to monitor the development of connectivity technologies that may emerge to serve multiple digital needs (for instance the evolution in the internet of things ecosystem).

## **Strategic priority 2: Supporting sustainable and open digital markets**

BEREC will prioritise work that relates to the functioning of digital markets, namely focusing on exploring conditions and addressing issues regarding digital service providers and end-users in the digital market.

**The open internet** is considered an important building block in the current EU telecom rules, as it guarantees, through specific obligations on the telecom operators, an open internet for the benefit of end-users. This enables innovation without permission by internet users. With the upcoming roll-out of 5G, BEREC will have an important role in contributing to continued, predictable and consistent application of the open internet regulation.

BEREC recognizes that the **digital economy** brings new opportunities and challenges. The use of big data and algorithms has great potential but could also increase the risk of some companies becoming dominant. Issues of potential monopolies, dominance and bottlenecks have been highlighted as some of the digital priorities of the EC. Furthermore, technologies such as artificial intelligence (AI) promises to improve the quality of life, safety and prosperity of European citizens. AI and connected and automated mobility are equally among the digital priorities of the EC and likely to be considered in the forthcoming Digital Services Act. BEREC may investigate data-centric approaches and data-driven regulation principles as to their ability to achieve regulatory targets while empowering end-users.

In this aspect, BEREC and its constituent NRAs have expertise, such as integrating technological, economic, legal, and user protection perspectives in the design and practice of regulatory remedies (such as interoperability), as well as experience in coordinating the application of a common EU legislative approach to take account of both national and pan-European perspectives in electronic communications markets. BEREC will continue to build its knowledge base within the digital economy, in close cooperation with EU bodies and groups as well as other institutions, to make sure that technological, economic, legal, and user protection perspectives are integrated in the design and practice of regulation.

### **Strategic priority 3: Empowering end-users**

Engaging consumers in the fast-evolving digital ecosystem is becoming more complex. While digital innovation and competition among digital service providers has improved consumer empowerment, there is still an important role for regulators to play in ensuring consumer transparency and digital skills.

The promotion of full connectivity will enable the demand for high-quality services on the part of consumers, provided by the very high capacity networks whose development is a key priority in creating positive interactions.

BEREC will continue its work in promoting choice and empowerment for end-users by prioritising work to build trust in ICT and digital services, and to enable and result in better informed choices by consumers.

BEREC's approach to empowering end-users is based on two pillars: monitoring of the sector and the appropriate level of transparency. As part of monitoring the functioning of the EECC, BEREC will also monitor new end-user provisions such as the information provision requirements, including the contract summary template, and will provide input to the EC regarding the review of end-user rights. In terms of transparency, BEREC will also continue its work towards greater involvement of stakeholders, including consumer representatives, and publish its work in compliance with the BEREC regulation.

As part of its work on transparency, BEREC will build its knowledge base on AI and explore ways to safeguard consumers against potential risks.

## **IV. INSTITUTIONAL AND INTERNATIONAL COOPERATION PRIORITIES**

Cooperation with EU institutions and international organisations is becoming increasingly important for BEREC in order to deal with issues relating to global and borderless digital markets at a time when issues often span across established regulatory boundaries. BEREC is hence increasing its efforts to reach out and engage in dialogue with NRAs beyond the EU, with networks and institutions working on regulation and electronic communication and policymakers and establish working arrangements where relevant.

### **Institutional cooperation**

According to Article 35 of the BEREC Regulation, BEREC and the BEREC Office may cooperate with competent Union bodies, offices, agencies and advisory groups. As part of the

multi-annual work programme, the Board of Regulators shall adopt BEREC's strategy for relations with those institutions. This document provides an overview of BEREC's priorities regarding institutional cooperation, with a focus on connectivity/5G and platform regulation.

A working arrangement between the Radio Spectrum Policy Group (RSPG) and BEREC on 5G roll-out was already established in 2019 with the intention of collaborating on implementation of Article 35 EECC, the peer review forum. BEREC will continue to play a supporting role regarding 5G and cybersecurity, and closely cooperate with the NIS Cooperation Group and the European Union Agency for Cybersecurity (ENISA) by contributing to the implementation of the toolbox.

As discussions on platform regulation and the Digital Services Act progress, BEREC will engage with co-legislators and share its technical experiences of telecoms regulation. Other regulatory networks have complementary expertise, and BEREC will investigate ways to exchange views about practical issues of platform regulation. BEREC has already established ties with the European Data Protection Board (EDPB), but it might be meaningful to exchange with other regulatory bodies and networks such as the European Data Protection Supervisor (EDPS), the European Competition Network (ECN) and the European Regulators Group for Audio-visual Media Services (ERGA).

In addition to carrying out its advisory duty for all EU institutions, BEREC will furthermore look into ways of collaboration and exchange with other European regulatory cooperation platforms and bodies operating both in adjacent and different economic sectors. These include the ERGP (on e-commerce, cross-border parcel delivery regulation), Eurostat (definition of indicators for data collection), the ESA (European Space Agency) and the EEA (European Environment Agency).

## **International cooperation**

The increasing volume of electronic communications between the EU and the rest of the world shows the global nature of such services and means that policies, legislation and regulation must be seen from a more global perspective. BEREC benefits from the cooperation with NRAs and with international regulator networks, policymakers and institutions involved in communications matters based beyond the EU.

This cooperation allows exchange on cross-border and common issues as well as closely following global trends in technology and changing business models. This enables BEREC to retain its capacity to swiftly and effectively meet challenges. Moreover, regions beyond the EU and non-EU regulators networks have been expressing great interest in the European regulatory approach.

BEREC already has a long history of cooperation with NRAs' regulatory networks in other regions, namely the EMERG (European Mediterranean Regulators Group), REGULATEL (Latin American Regulators) and EaPeReg (Eastern Partnership Regulators' Network).

Furthermore, BEREC has signed memorandums of understanding (MoUs) with the NRAs of the United States, Canada and India, which are not part of the abovementioned networks.

Finally, BEREC also cooperates in electronic communications matters with other international institutions such as the International Telecommunication Union (ITU) and the Organisation for Economic Co-operation and Development (OECD).

The implementation and permanent evaluation of existing and future agreements and working arrangements is essential for realising BEREC's ambitions to enhance international cooperation in order to deal with issues across BEREC's regulatory borders.

In order to enhance efficient use of BEREC's resources, alternative and more targeted means of cooperation could be explored, with the aim of achieving efficiency gains.

BEREC's international activities complement the policies of the European Union in terms of both cooperation topics and the priority regions with which to cooperate.

In 2018, the EC initiative Policy and Regulatory Initiative for Digital Africa (PRIDA) was launched to enable legal and regulatory framework development across Africa. BEREC has acknowledged this initiative in its work programmes and has committed itself to supporting this project. BEREC has also contributed technical support to the implementation of the Western Balkans regional roaming agreement following the request of the EC.

## **V. Stakeholder engagement**

BEREC remains committed to continuously improving its interaction with all stakeholders to ensure that its output stays relevant. BEREC will aim to ensure its work processes remain transparent and that it reaches the relevant audience. Stakeholders will be involved both at an early stage as well as when the work is more mature.

## **VI. BEREC WORK**

Besides prioritising the topics and the relevant areas of cooperation for the period 2021-2025, BEREC is also looking at areas of improvement within BEREC and the BEREC Office.

### **Sustainability**

The EU and its Member States have committed themselves to implementing the 2030 Agenda and contributing to the European Commission's sustainable development goals embedded in the EU treaties.

BEREC's work comprises considering issues of sustainability in the BEREC Office itself in terms of BEREC's operation as an organisation, such as the use of paper, plastic or CO2 emissions and how to reduce its impact.

### **Developing the right tools**

BEREC and its members have successfully developed and implemented regulatory tools for non-discrimination and access remedies, transparency measures vis-à-vis end-users and portability. BEREC also has experience in balancing the objectives of promoting competition and investment, and in communicating and distilling stakeholder input regarding specific regulatory proposals.

The EECC defines a category of electronic communication services (i.e. NI-ICS) that are provided cross border simultaneously in several Member States. These services, and the emerging issues around the digital ecosystem (including platforms), may require new and

enhanced cooperation among European regulators. In this regard, BEREC should assess whether its current cooperation tools are sufficient in this new environment and, if needed, explore the procedures and means to further this cooperation. BEREC will also keep sharing best regulatory practices such as data-driven regulation complementing more traditional tools like market analysis.

At the moment, analysis of the need to establish specific tools and possibly new mechanisms for regulation of the digital ecosystem, including their definition and the role of the different institutions, is at an early stage. Although there is broad agreement on the need for more specific monitoring of these types of markets, the scope and mechanisms of such monitoring are still uncertain. However, BEREC intends to contribute to the analysis of the digital ecosystem based on its own in-depth technical and sectoral expertise and participate in the debate in different fora in order to receive input and streamline the work that lies ahead.

Finally, the COVID-19 crisis has clearly demonstrated that connectivity is essential and a must have for all parts of society. BEREC will thoroughly analyse the experience gained during this ongoing COVID-19 crisis, including quantitative and qualitative research on the impact on the digital ecosystem, on sustainability and the digital divide, to draw conclusions and lessons, notably to further strengthen Europe's digital capabilities. The COVID-19 crisis also shows the necessity to collaborate with other relevant bodies such as the EDPB and the NIS Cooperation Group.