

BEREC's Medium-Term Strategy for International Cooperation 2022-2025

Table of Contents

1	Introduction.....	2
2	Strategic Objectives	3
3	Strategic Cooperation with International Bodies	3
4	Annex I	7

1 Introduction

European Union (EU) Regulatory Authorities have a tradition of working together with regulators in other parts of the world. This is done notably through regular dialogue on a formal or an informal basis, and there has consistently been an enormous interest from third countries' regulators for additional technical support or exchanges on concrete issues directly related to the Body of the European Regulators for Electronic Communications (BEREC)'s activities. In this context, BEREC and its predecessor the European Regulators Group (ERG) have, over time, developed a long history of cooperation with its equivalent networks of regulators in other regions of the world¹, international institutions² and third countries NRAs.

The first consolidated international cooperation activities took place at a very early stage between the former ERG and the Latin American Forum of Telecommunications Regulators (Regutel) who, since 2001, have held a summit and a high-level seminar (now, joint EWG meetings) on an annual basis, resulting in 20 years of continuous collaboration. With the establishment of BEREC, these activities have been formalised in a signed Memorandum of Understanding (MoU). The success of such activities with Regutel inspired similar cooperative activities i.e. annual summits and technical meetings with the European Mediterranean Regulators Group (EMERG) and the Eastern Partnership Electronic Communications Regulators Network (EaPeReg), promoting additional synergies among all these networks by means of quadrilateral BEREC-EaPeReg-Regutel-EMERG summits.

Article 35(1) of Regulation (EU) 2018/1971 of the European Parliament and of the Council establishing BEREC stipulates that BEREC and the BEREC Office may cooperate with competent Union bodies, offices, agencies and advisory groups, with competent authorities of third countries and with international organisations. Subject to prior approval by the Commission, working arrangements which do not create legal obligations may be established.

Moreover, Article 35(3) also stipulates that as part of the annual work, the Board of Regulators shall adopt BEREC's strategy for relations with competent Union bodies, offices, agencies and advisory groups, with competent authorities of third countries and with international organisations concerning matters for which BEREC is competent. The Commission, BEREC and the BEREC Office must conclude an appropriate working arrangement for the purpose of ensuring that BEREC and the BEREC Office operate within their mandate and the existing institutional framework.

The BEREC's Medium-Term Strategy (MTS) for international cooperation for the period 2022-2025 seeks to take into account the multi-annual Working Programme and the BEREC

¹ Regutel – Latin American Regulators; EMERG – European Mediterranean Regulators Group; EaPeReg – Eastern Partnership Electronic Communications Regulators Network; PRIDA - Policy and Regulatory Initiative for Digital Africa

² OECD - Organisation for Economic Co-operation and Development; CEPT - European Conference of Postal and Telecommunications Administrations; ITU - International Telecommunication Union

Strategy 2021-2025³ and relate to its international activities, in which it evaluates its current international commitments and spells out what type of cooperation and engagement could be envisaged with each of its international partners, in a transparent manner.

2 Strategic Objectives

The BEREC's MTS for international cooperation⁴ must seek to address the need to establish and maintain relationships, which in line with Article 35 of Regulation (EU) 2018/1971, are beneficial to the execution of BEREC's tasks. The MTS is thus supportive of BEREC's core tasks, which are the predominant priority. Therefore, the MTS seeks to:

- identify those international relationships, which are most beneficial to the attainment of BEREC's priorities and fulfilment of its work programme, in line with BEREC's resources;
- help meet the legal requirement in article 35(3) of the BEREC Regulation to adopt BEREC's strategy for relations with international entities in the annual work program.

3 Strategic Cooperation with International Bodies

The European regulatory framework for electronic communications, to which BEREC contributes by aiming to ensure its consistent implementation, serves as an exemplar model, which attracts the interest of NRAs and regional authorities across the globe. This ensures that there are continuous exchanges with international parties, which seek information and clarifications on how various aspects of the European regulatory framework is implemented in practice.

The range of topics on which information is sought is broad and can extend to aspects of the European Electronic Communications Code, such as wholesale access, end users protection, spectrum and universal service, as well as requests for information on the implementation of International Roaming and Open Internet regulations. This, typically, results in such requests being "assigned" to the Co-Chairs of BEREC's Working Groups (WGs) to ensure the people closest to the subject material provide the response.

In addition to receiving requests for information, BEREC may itself wish to seek information on how regulatory policies are implemented in other regions. In other words, BEREC may wish to learn from the experiences of other bodies, which are farther along a particular regulatory path or to mutually exchange knowledge and understanding on a topic of common interest. In

³ BEREC strategy 2021-2025, BoR (20) 108

⁴ International Cooperation refers to the cooperative relationship between BEREC and National Regulatory Authorities (NRAs), international regulatory networks, policymakers and institutions based beyond the European Union involved in matters in which BEREC is competent.

this context, BEREC may well seek to exchange information and ideas with regulatory authorities or regional associations in relation to digital topics which deal with broader issues than “traditional” electronic communications markets and services and on which there is little practical regulatory experience.

BEREC’s priorities for international cooperation during any particular year are influenced by the strategic objectives defined in the BEREC strategy 2021-2025⁵. The BEREC strategy 2021 – 2025 defines the following three strategic priorities:

- Strategic Priority 1: Promoting full connectivity

Prioritizing work that improves generally the conditions for the expansion and take-up of secure, competitive and reliable fixed and wireless high-connectivity networks across Europe and ensures a smooth transition from legacy infrastructures.

- Strategic Priority 2: Supporting sustainable and open digital markets

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

- Strategic Priority 3: Empowering end-users

Prioritizing work that is in line with the important role for regulators to ensure consumer transparency, digital skills, promoting choice and empowerment for end-users, and better-informed choices by consumers.

Regardless of whether BEREC initiates the engagement with another body or is approached with a request for input, a major factor to be considered is the resources required to ensure the best outcome for both parties (i.e. BEREC and the other international body). Thus, careful consideration should be given to the commitments BEREC makes to other international bodies, to ensure that this doesn’t hinder BEREC from implementing its Work Programme and addressing its strategic priorities. It is therefore important for BEREC to have a set of strategic principles which are taken into account during the implementation of this MTS in the annual work programme.

The priority for determining the timing and nature of BEREC’s engagement with international bodies should consider the MoUs it has signed with international organisations, which include tacit and explicit commitments to collaborate.

BEREC currently has MoUs with the following regional and global organisations:

⁵ BEREC strategy 2021-2025, BoR (20) 108

- **EaPeReg** - Eastern Partnership Electronic Communications Regulators Network – comprised of representatives from Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine as well as some BEREC members and participants⁶.
- **EMERG** - European Mediterranean Regulators Group comprised of representatives from Egypt, Tunisia, Morocco, Jordan, Lebanon, Palestine, Israel, Libya, Switzerland, Turkey, as well as some BEREC members and participants.
- **Regulatel** - Latin American Forum of Telecommunications Regulatory Entities, comprised of representatives from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Spain, Guatemala, Honduras, Italy, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Puerto Rico, Dominican Republic, Uruguay and Venezuela.
- **ITU** – International Telecommunication Union

In addition, BEREC currently has MoUs with the following NRAs:

- **TRAI** - Telecom Regulatory Authority of India
- **CRTC** - Canadian Radio-television and Telecommunications Commission

The recently signed/renewed MoUs are of indefinite duration and so BEREC will not need to renew these MoUs - though the terms of the MoUs allows BEREC to terminate the MoU at any time. Specifically, the MoUs with EaPeReg, EMERG, Regulatel, ITU, TRAI and CRTC are of an indefinite duration. BEREC is also looking into re-signing an MoU with the Federal Communications Commission of the United States of America (FCC).

The complete list of independent NRAs and regional regulatory networks which BEREC cooperates with is provided in Annex I.

In addition to the organisations covered by the above MoUs, BEREC has also committed, at the request of the EC, to supporting the activities of "Policy and Regulation Initiative for Digital Africa" (PRIDA).

In a similar manner, BEREC, in collaboration with the OECD, has previously organised joint webinars on thematic areas of mutual interest such as the webinar organised in 2020 on Quality of Service and Quality of Experience.

The strategic principles that should be applied when deciding on the nature and level of engagements with international bodies are as follows:

- The Mini-Board, with appropriate input from Co-Chairs determine the timing, subject and nature of engagements/collaboration.

⁶ List of BEREC Members and Participants:

https://bereg.europa.eu/eng/about_bereg/composition_and_organisation/board_of_regulators

- Engagements with regional (multilateral) regulatory bodies should be prioritised over individual NRAs.
- The intensity of the collaboration can be directly linked with the geographical proximity.
- For BEREC's own purposes it should seek to benefit from exchanges with countries with advanced technological development.
- BEREC should also consider a longer-term approach, whereby its positive influence to export the EU regulatory framework best practices might help build stronger competition dynamics in other regions.

BEREC has established a sufficient number of MoUs, which create a framework for positive collaboration. Steps should be taken to maximise the potential benefits of these established relationships rather than seek any new MoU partners.

4 Annex I

Table 1 Independent NRAs and Regional Regulatory Networks that BEREC cooperates with

Region	Name	Description
Eastern European	Group of Eastern Partnership Regulators for Electronic Communications (EaPeReg)	EaPeReg is an independent platform of NRAs for Electronic Communications Networks and Services of Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine.
Euro-Mediterranean	European Mediterranean Regulators Group (EMERG)	EMERG is an independent platform of NRAs for ECNS from 23 countries. These are Austria, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, France, Germany, Greece, Israel, Italy, Jordan, Lebanon, Libya, Malta, Montenegro, Morocco, Palestine, Portugal, Spain, Slovenia, Switzerland, Tunisia and Turkey
European	European Conference of Postal and Telecommunications Administrations	An organization consisting of policy makers and regulators from 48 European countries
Africa	Policy and Regulation Initiative for Digital Africa (PRIDA)	PRIDA is a joint initiative of the African Union (AU), the European Union (EU) and the International Telecommunication Union (ITU)
North America	Federal Communications Commission of the United States of America (FCC)	
North America	Canadian Radio-television and Telecommunications Commission (CRTC)	
Central and South America	Latin America Forum of Telecommunications Regulators (Regulatel)	Regulatel consists of 23 telecommunications regulatory bodies from Latin America and Europe. These are Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Italy, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Puerto Rico, Spain, Uruguay and Venezuela
Asia	Telecom Regulatory Authority of India (TRAI)	
Oceania	Australian Competition and Consumer Commission (ACCC)	

Region	Name	Description
Oceania	Commerce Commission (COMCOM)	New Zealand's competition, consumer and regulatory agency