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BEREC publishes updated Open Internet Guidelines for public consultation

BEREC has revised and updated its Open Internet Guidelines in the light of recent rulings of the European Court of Justice (ECJ)¹. BEREC has published the [draft updates](#) for public consultation until 14 April 2022. During today's public debriefing on the outcomes of its 50th plenary meetings, BEREC invited stakeholders for contributions to the public consultation.

The draft updates to BEREC's Open Internet Guidelines reflect the ECJ's ruling that zero tariff offers are incompatible with the obligation of equal treatment of traffic in the Open Internet Regulation. The guidelines are updated within the scope of the Court's rulings only.

Guidance regarding Ukraine crisis

During the plenary meetings, BEREC discussed the implications of the crisis in Ukraine for the telecom sector. To provide guidance to internet access providers, BEREC has clarified that the [Open Internet Regulation is not an obstacle in implementing EU sanctions to block RT and Sputnik](#) to comply with legal acts by the EU and indicated which domains and subdomains fall within the scope of the sanctions.

“We welcome the voluntary initiatives from the telecom operators to help Ukrainian citizens in their communications needs, such as lowering fees for roaming and calls to Ukraine and we hope that these will be implemented as long as necessary. Meanwhile we will be in continuous contact with all relevant authorities as long as this crisis continues,” BEREC Chair Annemarie Sipkes said during the public debriefing.

BEREC report on the digital sector's impact on the environment

During today's public debriefing, BEREC presented a [draft report on the environmental footprint of the digital sector](#). The report evaluates the effects of telecommunications on the

¹ <https://curia.europa.eu/juris/liste.jsf?lgrec=fr&td=%3BALL&language=en&num=C-854/19&jur=C>
<https://curia.europa.eu/juris/liste.jsf?lgrec=fr&td=%3BALL&language=en&num=C-5/20&jur=C>
<https://curia.europa.eu/juris/liste.jsf?lgrec=fr&td=%3BALL&language=en&num=C-34/20&jur=C>

environment and maps existing good practices developed to minimize negative environmental impacts imputable to the sector. The draft report outlines the importance of digitalization to reach environmental targets as well as the growing carbon footprint of the digital sector, estimated to 2-4% of global GHGs today, and potentially around 14% in 2040. It also highlights the raw materials consumption of ICTs and other environmental impacts that are still largely undocumented.

According to the report, telecom regulators can also act to help minimize telecommunications' adverse effects on the environment by using some of their traditional regulatory tools (e.g. pooling, coordination of civil work) and by encouraging relevant good practices deployed by digital players including operators, services providers or devices manufactures.

BEREC invites its stakeholders to contribute to the public consultation on the draft BEREC Report on environmental sustainability focusing on the environmental footprint of the digital sector. The public consultation will last until 14 April 2022.

The telecoms sector and its impact on sustainability is also among the topics of the annual BEREC Stakeholder Forum that will take place on 23 March 2022 in Brussels, Belgium, and online. Those wishing to participate are asked to [register](#) in advance.

This report is intended as a first step opening new territories for further contribution of telecom regulators to the needed twin green and digital transition.

[Call for input on Work Programme 2023](#)

Incoming BEREC Chair 2023 Kostas Masselos (EETT, Greece) announced an [early call for input on the BEREC Work Programme 2023](#). Earlier this year, BEREC adopted the Outline BEREC Work Programme 2023, which reflects the objectives of BEREC's work in the upcoming year. Masselos encourages all stakeholders and interested parties to provide their views and contributions to the Work Programme 2023. Please forward your input via e-mail to <mailto:BEREC-WP-2023@berec.europa.eu> before 15 April 2022 (EoB).

The BEREC Chair and the Working Group Co-Chairs also discussed the [regulatory treatment for fixed and mobile backhaul](#), and [BEREC's response to the public consultation on the European Commission's draft revised Guidelines on State aid for broadband networks](#).

A [full list of public documents](#) adopted at the plenary meetings is available on BEREC's website.

The 51th BEREC plenary meetings will take place on 8-10 June 2022 in Cyprus.

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