



ecta RESPONSE

TO THE PUBLIC CONSULTATION BY BEREC

ON THE

DRAFT BEREC REPORT

ON EMPOWERING END-USERS THROUGH

ENVIRONMENTAL TRANSPARENCY ON

DIGITAL PRODUCTS

BoR (23) 207

9 FEBRUARY 2024

Introduction

1. [ecta](#), the [european competitive telecommunications association](#),¹ welcomes the opportunity to comment on the Draft BEREC Report on empowering end-users through environmental transparency on digital products – BoR (23) 207 (hereinafter “the Draft Report”).
2. [ecta](#) represents those alternative operators who, relying on the pro-competitive EU legal framework that has created a free market for electronic communications, have helped overcome national monopolies to give EU citizens, businesses and public administrations quality and choice at affordable prices. [ecta](#) represents at large those operators who are driving the development of an accessible Gigabit society, who represent significant investments in fixed, mobile and fixed wireless access networks that qualify as Very High Capacity Networks (hereafter ‘VHCN’) and who demonstrate unique innovation capabilities.
3. [ecta](#) members have been particularly proactive in combating climate change and several of them have played an “avant-garde” role in empowering end-users through environmental transparency on digital products. Just to name a few examples:
 - (i) Bouygues Telecom in France, as a frontrunner, seeks to involve its customers in its climate action, by making them more conscious of their behaviour, including with regard to their devices and data usage²
 - (ii) Fastweb in Italy has, since 2019, created in collaboration with Legambiente a Sustainability Label for its products and services identifying the CO2 emissions that customers can avoid by choosing Fastweb services. In addition, starting from end 2022, Fastweb provides carbon-neutral connection subscriptions by offsetting the emissions generated by its service delivery³.
4. [ecta](#) is therefore happy to provide substantial comments to the Draft BEREC Report below and is eager to contribute more to the actions undertaken by BEREC.

Key ecta considerations

5. [ecta](#) welcomes the Draft BEREC report and the related public consultation. The Draft Report provides a comprehensive overview of relevant EU regulation and key concepts from literature, and describes the inputs provided during the BEREC workshop organised for this purpose with expert consultants collaborating with the European Commission and representatives of environmental and consumer associations. In addition, it provides a useful benchmark of initiatives supporting

¹ <https://www.ectaportal.com/about-ecta>

² More information can be found [here](#)

³ More information can be found [here](#)

the empowerment of end-users carried out by NRAs, various public authorities and third parties in different European countries. Finally, it proposes some recommendations on the role of telecom regulators in promoting environmental transparency.

6. **ecta** appreciates that BEREC's draft Report usefully confirms that the efforts of the ICT industry are essential for end-users' empowerment and environmental transparency on digital products.
7. However, **ecta** notes that the report does not give any detail with respect to the electronic communications network and services (ECNS) operators' current initiatives on environmental transparency, and focuses exclusively on the public authorities' initiatives in terms of regulation.
8. **ecta** believes that an appropriate description of the current initiatives undertaken by the ECNS operators on environmental transparency towards end-users would have a twofold effect. First, it would provide a useful data collection and therefore transparency of the ECNS operators' actions for the benefit of public authorities, and secondly it would act as an encouragement for the ECNS operators that are preparing the launch of similar initiatives.
9. **ecta** therefore kindly invites BEREC to include in the Final Report the current initiatives and actions by the ECNS operators on environmental transparency, or to perform a follow-up work dedicated to the description of those initiatives and actions.
10. In relation to the scope of the Draft Report, **ecta** appreciates the accent put on the eco-design issue not only with respect to the digital products but also to the digital services.
11. **ecta** deems essential to implement eco-design for electronic communications networks, services, and products (ECNS), and, with no lesser attention, for all providers of internet content, applications and services (CAPs in the terminology widely used by BEREC), as well as in relation to cloud computing and related activities. This involves promoting and incentivizing the integration of environmental characteristics into product and service design with a view to improving the product's environmental performance throughout its life cycle. When it comes to promoting sustainable digital services, **ecta** notes that the analyses of impact of standard digital services⁴ reported by BEREC does not cover the Scope 3 emissions.
12. **ecta** acknowledges that Scope 3 emissions measurement is challenging and that the indicators measuring the scope 3 emissions all have standardization gaps. **ecta** is also aware that those emissions as well as their measurement mostly are beyond the control of ECNS operators. However, the subject is evolving, and BEREC is best placed to follow those updates and to reflect them in its reports.

⁴ See the Table 1, pages 18 and 19 of the Draft Berc Report.

13. ecta therefore respectfully invites BEREC to continue its focus on the specific issue of eco-design in general, and not to single out ECNS, but instead ensuring that there is no lesser attention to the roles of device manufacturers, all CAPs, and all cloud computing and related providers, and to perform follow-up studies focused on it by also collecting the Member States' best practices.
14. Finally, ecta notes that the Draft Report states that: *“in order to make environmental information available to end-users, information needs to be provided at every level of the digital value chain and to adopt holistic approach when analysing the environmental footprint of ICT components.”*
15. ecta, while understanding the motivation behind the BEREC call for a holistic approach, cannot but urge BEREC to exercise caution.
16. When it comes to the collection and publication of the of environmental data by industry players of the digital value chains, including ECNS providers, but also, and in particular, device manufacturers, CAPs and cloud computing and related providers, BEREC and other regulatory and in general public institutions should carefully define the role and the possible contribution of the different types of companies to such collection and publication of the data. In fact, different companies active at different levels of the value chain have different know-how and ability to have internally different types of data (i.e. the telecoms operators vs. device manufacturers vs. the “over-the-top” providers, to put it more explicitly) and should not be kept accountable for the data which is neither available to them, nor under their control.
17. ecta looks forward, with positive and proactive intent, to the forthcoming initiatives announced by BEREC on environmental sustainability and transparency, such as the forthcoming communication campaign in 2024. A focus on potential best practices, including the extension of the lifespan of devices, as well as the follow up activity on sustainability indicators in the ICT sector, especially for components of the internet ecosystem, are clearly relevant, and will continue to contribute to the BEREC's efforts.

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In case of questions or requests for clarification regarding this contribution, BEREC and NRAs are welcome to contact Mr Luc Hindryckx, ecta Director General or Ms Pinar Serdengeçti, ecta Regulation and Competition Affairs Director.