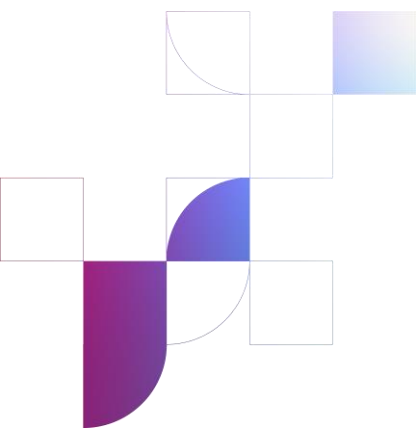


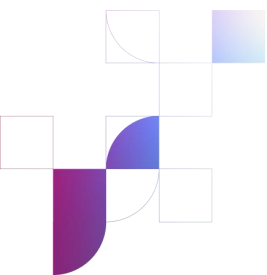
Summary Report on the BEREC Workshop on end-user rights, 9 April 2024



3 October 2024

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1 Introduction and aim of the Workshop

Connectivity and electronic communications services are now more relevant than ever to end-users. The efficiency of the end-user rights provisions of the European Electronic Communications Code (EECC) may be affected by changes in the use of different electronic communications services and their capability to ensure effective access to emergency services, by end-users use of communications services which is evolving over time, and by the prevalence of digital platforms as a substitute for traditional electronic communications services.

It is a strategic priority of BEREC to strengthen end-user empowerment. Furthermore, Article 123 of the EECC introduces a specific review procedure on end-users rights, where BEREC publishes an Opinion on the market and technological developments regarding the different types of electronic communications services, assessing to what extent Title III of Part III meets the objectives set out in Article 3 of the EECC.

The European Commission, taking utmost account of the BEREC Opinion, is required to publish a Report on the application of Title III of Part III (on end-users rights) and submit a legislative proposal to amend that Title where it considers this to be necessary to ensure that the general objectives set out in Article 3 of the EECC continue to be met.

The workshop participants discussed how market and technological developments were affecting the rights of end-users and their ability to make free and informed choices and other rights stemming from the EECC, and whether any lack of these abilities had caused or was causing market distortions or end-user harm. The workshop consisted of presentations from BEREC, stakeholders and end-user associations, as well as from the European Commission.

The discussions and topics were divided into 6 sessions, where various perspectives and views from different interested parties were presented.

Discussions at the workshop collectively aimed to provide a holistic view of the end-user rights landscape, covering different phases of contracts and addressing key issues within the electronic communication services sector.

2 Opening of the workshop

The Workshop started with an introductory speech provided by Mr. Tonko Obuljen, the BEREC Chair 2024, who said that the BEREC mission is to foster and promote independent, consistent and high-quality regulation of digital markets for the benefit of Europe and its citizens.

Empowering end users is one of BEREC's three strategic priorities, and the workshop gave an important opportunity to address the various topics related to end users. Mr. Obuljen explained that closing the digital divide is not just about building high-capacity networks, it is also about providing end-users with access that aligns with their needs. As we all navigate



this fast-changing digital ecosystem, we recognise the increasing complexity of engaging users while digital innovation and competition have empowered users.

Mr. Obuljen emphasised that regulators still have a vital role to play in ensuring transparency, increasing end-user awareness, enhancing digital skills and promoting digital inclusion.

He also explained that very high-capacity networks play a pivotal role in creating effective interactions for end users and their development remains a key priority for work to enhance the digital experience for all consumers across Europe.

The BEREC Chair 2024 concluded by calling all interested parties to continue to work together to address consumer issues in electronic communication services by fostering transparency, increasing consumer awareness, and promoting inclusion and digital skills.

3 Session 1 – Panel discussion on Changes in Consumer Rights (Legal and Technological Trends)

The session aimed to facilitate the sharing of insights regarding developments in consumer rights over the past 3 years, as well as provide future projections for the next three years. The discussion delved into the impact of both legal and technological changes on consumer rights, offering a comprehensive understanding of the evolving landscape.

3.1 Maria Ruiz Merida, BEREC Planning and future trends (PFT) WG co-chair, Spain

Ms. Maria Ruiz Merida emphasised the significant trends in regulation of digital markets since 2018 and their impact on end users. She highlighted the importance of focusing on end-users' rights in regulatory discussions, and asserted that the promotion of end-users' interests is central to regulation, with the regulatory pillars of investment, competition, and the single market ultimately justified by ensuring citizens' welfare.

Ms. Ruiz Merida noted that recent debates on digital markets regulation, particularly the Digital Markets Act (DMA) and Digital Services Act (DSA), have largely aimed at promoting competition, often overlooking direct concerns of end users. Apart from the Digital Services Act (DSA), which addresses content matters, there is a critical need to reorient regulatory discussions towards end-users. This is especially pertinent as brainstorming begins on how sectoral regulation should evolve, with a European Commission's recently published White Paper and an upcoming review of the EECC next year.

She observed that traditional service boundaries are becoming increasingly blurred, challenging regulatory frameworks and impacting users' rights. The emergence of new service bundles that combine connectivity with other digital services adds complexity to regulatory applications, particularly when various legislation overlaps. For instance, the overlapping



boundaries of services challenge their taxonomy and definitions in the EECC, affecting the delimitation of users' rights.

Also, she remarked on the promise of technological advancements like extended reality and haptic feedback, noting their potential use cases in fields such as health and education, and in improving daily life for end users with disabilities. However, she warned that these technologies might deepen digital divides in terms of accessibility and affordability. The European Parliament's report on virtual worlds, adopted in January, 2024, also acknowledges these concerns, calling for attention to the specific needs of people with disabilities and ensuring equal access for vulnerable users and those in less accessible areas, while also warning of new dangers such as fraud and scams.

The integration of satellite with 5G networks, according to the speaker, offers opportunities to bridge the digital divide, particularly in rural areas. This technological integration could significantly enhance connectivity in underserved regions, providing broader access to digital services.

The speaker also discussed the rise of Artificial Intelligence (AI), which brings both opportunities and challenges for end users. AI's application in customer care services could improve efficiencies and offer innovative solutions, such as prioritising calls from elderly users. However, she emphasised the need for careful monitoring and regulation due to concerns about AI being used to commit sophisticated fraud, such as spoofing. The BEREC report on AI elaborates on the operators' use of AI to fight fraud but also highlights the growing concerns regarding AI's misuse.

She expressed concerns about concentration in the digital sector, suggesting that it raises issues not only from a competition perspective but also in terms of preserving openness and ensuring end users' choices. BEREC's reports on the internet ecosystem highlight these issues, and notes the potential risks associated with digital sector concentration.

The BEREC PFT WG co-chair also mentioned the increasing environmental awareness among society, which prompts the exploration of empowering end users through environmental transparency on digital products; BEREC is finalising a report on this topic, aiming to inform and empower consumers regarding the environmental impact of their digital product choices.

Regarding developments in electronic communications services, Ms Ruiz Merida discussed the shift from technical to functional criteria in the EECC, which aims to increase transparency towards end users and expand their rights. However, she acknowledged that distinctions between service types are becoming less clear due to overlaps and interlinkages, posing regulatory challenges. For example, the differentiation between number-based and number-independent services is increasingly interlinked, with providers offering both through similar interfaces, and services like rich communication services complicating the landscape further.

Ms. Ruiz Merida also touched on the impact of the DMA on interoperability, which erases differentiating factors between number-based and number-independent services. The DMA's



interoperability requirements, designed for competition purposes, differ from the EECC's approach, which focuses on ensuring end users' rights to end-to-end connectivity.

3.2 Sietse van der Gaast, BEREC Wireless Network Evolution (WNE) WG co-chair, the Netherlands

Mr. Sietse van der Gaast addressed emerging trends in mobile networks and their potential impact on end users. He began by highlighting several technological advancements being explored by the BEREC Wireless Network Evolution Working Group (WNE WG) including satellite communication (direct-to-device), the upcoming role of private mobile networks, and the increasing use of small cells and indoor connectivity solutions like neutral host solutions. These developments are expected to significantly influence end-user choices.

Mr. Van der Gaast then explained phase-out of older mobile technologies, specifically 2G and 3G, which BEREC had investigated and plans to revisit in 2025. He outlined the main findings from the BEREC phase-out report, emphasising that the phase-out process could impact end-users in several ways. One major issue is that equipment and phones incapable of operating with 4G or newer technologies will no longer function. This affects users of technology who are still dependent on 2G or 3G networks, including various smart devices, medical equipment, and older M2M devices. Although many MNOs launch awareness programs years before the final shutdown to advise users to replace outdated equipment, certain user groups, especially vulnerable end users, might remain unaware or unable to afford new devices. For example, systems like eCall, which rely on 2G, will become non-functional in older cars unless updated or replaced.

Mr. Van der Gaast also pointed out that the phase-out of 2G and 3G could have consequences for users of newer equipment, such as smartphones. Coverage areas might temporarily change, potentially leading to reduced coverage in rural or indoor areas. Compatibility issues with newer generations of voice and SMS services (4G and beyond) mean that voice calls and emergency calls might not always be possible, even if users have 4G/5G-compatible devices. This uncertainty extends to SMS services, which are often used for authentication procedures.

He further elaborated on the potential problems with newer smartphones, explaining that some phones marketed as 4G devices may support 4G for data but not for voice over LTE. This issue can arise when changing user devices, subscriptions, or access networks, including during roaming.

As the phaseout dates for the 2G and 3G approach, the speaker highlighted several critical challenges. It is essential to provide consumers with information about the expected capabilities of both older and newer devices and to harmonize network settings for Voice over LTE/Voice over NR and SMS services. Ensuring predictability for end users and maintaining the accessibility of emergency services, are paramount. He concluded by affirming BEREC's commitment to monitoring and addressing the potential impacts of the 2G and 3G phase-out.



3.3 Emily Fitzpatrick, European Commission representative, a Legal Officer in DG CNECT

Ms. Emily Fitzpatrick highlighted the Commission's efforts over recent years to strengthen consumer rights in the digital era. She noted that the EECC had modernised EU telecom rules to bolster consumer rights. Additionally, she mentioned various measures taken, including the European Declaration on Digital Rights and Principles for the Digital Decade, Digital Decade targets, DSA, DMA, and Artificial Intelligence (AI) Act.

She pointed out that the Commission White Paper on Digital Infrastructure outlined future technological, regulatory, and security trends in the telecommunications sector. The White Paper proposed scenarios to address these trends.

Ms. Fitzpatrick explained that the proposed "Connected Collaborative Computing" Network (or "3C Network") aimed to enhance investment in research and innovation (R&I) and infrastructure projects to prepare Europe's digital infrastructure for emerging technologies such as AI and autonomous cars. She emphasised the necessity of advanced digital network infrastructure to leverage the transformative potential of technology and ensure that end-users could benefit from advancements in energy, transport, and healthcare.

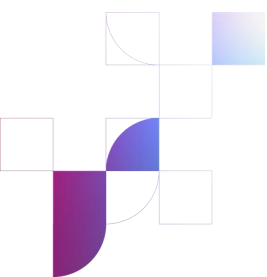
She noted that the White Paper identified regulatory fragmentation as a barrier to consolidating the EU's Digital Single Market. It highlighted the need for greater harmonisation and an assessment of the implications of market convergence between different players on the legal framework.

Furthermore, she mentioned that the White Paper proposed scenarios to establish secure and resilient digital infrastructure for European users, including on submarine cables and post-quantum cryptography.

Ms. Fitzpatrick informed the audience that stakeholders were invited to share their views on the White Paper by 30 June 2024.

Regarding compliance, she mentioned that in accordance with Article 122 EECC, the Commission was required to publish a report on the functioning of the Directive and report to the European Parliament and Council. She added that a specific review of the end-user rights provisions of the Code would also take place under Article 123 EECC.

She highlighted the Commission's role as guardian of the Treaties, mentioning that it directly assessed end-user complaints regarding the application of the EECC in Member States. In cases of EU law infringement, legal steps were taken to enforce end-user rights.



3.4 Claudio Teixeira, Legal Officer, Digital and Consumer Rights, The European Consumer Organization (BEUC)

Mr. Claudio Teixeira expressed significant concern regarding the current trend of market concentration and consolidation across the EU. Mr. Teixeira highlighted that competition is decreasing while prices are rising, with major telecommunications operators advocating for the Commission to further reduce competition and permit in-market consolidation.

Mr. Teixeira discussed BEUC's apprehensions about the recently published White Paper, noting that it might pave the way for measures aimed at market deregulation. This includes the removal of *ex-ante* obligations on dominant, formerly monopolistic telecom companies, and the support for Pan-European operators. Such measures, according to BEUC, would be contrary to the liberalisation achievements of past decades and could negatively impact competition and consumer interests.

From the consumer perspective, Mr. Teixeira argued that the White Paper's focus is ultimately misplaced. The primary issue for consumers is not the lack of connectivity, but rather the excessive costs and overall poor quality of service provided by operators.

Mr. Teixeira emphasised that a regulatory review aiming to empower a few "European Champions" amidst a trend of deregulation and consolidation would exacerbate existing problems. Such an approach would likely result in higher prices and further deterioration in the quality of service, aggravating the current situation for consumers.

3.5 Paolo Grassia, Senior Director of Public Policy at European Telecommunications Network Operators' Association (ETNO)

Mr. Paolo Grassia emphasised that connectivity is the primary demand from telecom users, serving as the gateway to all other digital services. Mr. Grassia highlighted the need for connectivity services to evolve to match changing end-user habits and expectations, noting that data consumption over telecommunication networks has steadily increased across Europe. Projections indicate a yearly growth rate of 25% for mobile data and 20% for fixed data by 2030.

Mr. Grassia pointed out that in the B2C sector, this data growth will be driven by massive video consumption, characterised by ever-higher definitions and the requirements of new devices. He expressed uncertainty about the role of telecom operators in this emerging era of immersive entertainment and the regulatory governance of this evolving ecosystem.

In the B2B sector, the significant volume of data flowing through telecom networks will create opportunities for business end-users, such as through Digital Twins and the Internet of Things (IoT). Telecom operators have the potential to become central to IoT environments and other innovative ecosystems.



Given these trends, Mr. Grassia asserted that the telecom sector must adapt its value proposition for both consumers and business users. While affordability remains crucial—evidenced by the consistent decline in telecom prices in Europe over the past two decades—the industry must also meet increasing user demands for more than just affordable services. Operators will need to offer innovative propositions and bundles of core and value-added services, such as video, cloud, cybersecurity, IoT, and financial services, tailored to specific customer needs. For business end-users, the provision of Network as a Service (NaaS) will be particularly transformative.

Mr. Grassia noted that future telecom networks will shift towards virtualised, software-defined, and cloud-dependent infrastructure, resulting in services increasingly delivered by a diverse ecosystem of operators, cloud providers, OTTs, and others. This evolution will blur the distinctions between traditional telecom providers and other ECS (Electronic Communications Services) providers like cloud and technology companies in the eyes of end-users.

He concluded by suggesting that the end-user rights chapter of the current Code is likely outdated. Mr. Grassia advocated for minimising sector-specific end-user protection rules, particularly those that are no longer relevant, and relying more on horizontal legislation. Achieving full harmonisation of end-user rights across EU markets is essential to level the playing field between local telecom providers and global cloud and emerging ECS providers. This harmonisation would facilitate the offering of cross-border ECS and ensure equal protection for all end-users across Member States.

3.6 Ricardo Garcia Bahamonde, Director of Accessibility and Digital Inclusion at Atos, Spain

Mr. Ricardo Garcia highlighted the findings of ATOS's research into European Directives pertinent to user/consumer rights and accessibility. Notably, directives such as the Digital Markets Act (DMA), the Digital Services Act (DSA), and the Artificial Intelligence (AI) Act revealed inconsistencies in the obligations imposed on different stakeholders. These disparities, Mr. Bahamonde emphasised, not only risk generating confusion but also provide potential legal loopholes for organizations to evade their accessibility obligations. Consequently, the European Commission has faced criticism from disability organisations and consumer rights groups.

Mr. Bahamonde outlined key EU "Digital" Directives referencing Accessibility. For instance, DMA, which identifies "gatekeepers" like Amazon, Apple, Google, Meta, Booking, and Alibaba, references the European Accessibility Act (EAA) and the Audiovisual Media Services Directive (Directive (EU) 2018/1808) but notably omits reference to the Convention on the Rights of Persons with Disabilities (CRPD). Similarly, the Artificial Intelligence Act mandates accessibility requirements for high-risk AI.

However, Mr. Bahamonde pointed out certain EU "Digital" Directives that overlook accessibility obligations but should ideally include them. For instance, DSA lacks mandatory



accessibility obligations for digital services, instead offering voluntary "codes of conduct" for providers. Likewise, the (Amended) Payment Service Providers Directive (PSD2), while setting security requirements for bank operations, does not sufficiently address accessibility concerns related to Strong Customer Authentication (SCA) processes.

Mr. Bahamonde highlighted the discrepancy between these directives and EAA, which mandates additional obligations for providers of consumer banking services and e-commerce services to ensure perceivable, operable, understandable, and robust identification methods, electronic signatures, and payment services.

Expressing concern over the fragmentation resulting from these inconsistencies, Mr. Bahamonde viewed this as an opportunity for progress. Atos is actively engaged in research to create a comprehensive mapping/matrix of all non-specific EU Accessibility Directives, where accessibility is referenced, either directly or indirectly, alongside EN 301 549/WCAG standards. This initiative aims to identify gaps and pave the way for enhanced accessibility measures in European digital directives.

4 Session 2 – Concluding the contract/Informed choice

This session focused on the concluding phase of contracts, exploring the transparency of given information, rights and obligations of consumers as choices were made and contracts were signed, as well as the challenges faced in concluding contracts and their implications for consumer rights.

4.1 Laurence Nivot, Manager at Cullen International – “End-users empowerment tools”

Ms. Laurence Nivot highlighted that a big trend is how National Regulatory Authorities (NRAs) are trying to implement new measures for informed choice. Ms. Nivot indicated that a study on Art. 102 EEC that was carried out on 12 countries showed this is still a developing area.

However, according to Cullen research, some great tools for making better choices have already been developed by some NRAs, such as coverage maps (Arcep), ranking providers and comparing consumers services (mobile, broadband, landline) (Ofcom) or Trial sim card (try and buy) consumers can try their SIM card and give it back if they are not satisfied (Croatia).

Therefore, although comparison tools and other measures for informed choices are still in development process, some significant advances have been observed across the EU and most of the countries are working in that direction.



4.2 Tim Nuyens, Senior Advisor, Consumer Department, BIPT, Belgium – "Contract Summaries – Belgian experience"

Mr. Tim Nuyens explained that he was invited by the EC as one of the stakeholders to inform the Commission project to adopt the Commission Implementing Regulation mentioned in Art. 102 (3) of the EECR, and therefore he was able to offer a historical perspective and some key conclusions.

As a member of BIPT, he explained that information sheets were conceived by the Belgian legislator as a comparison tool, and this was possible because of the strict formatting laid down in the implementing rules (preformatted boxes, operators were almost never allowed to modify). Also no company colours, logos etc. were allowed.

However, at the European Commission Workshop BIPT suggested that these sheets should introduce a more balanced approach giving operators the freedom to introduce more personalised items also considering that we are moving towards a digitalised environment. Mr. Nuyens considers that key elements of this assessment were considered by the Commission Implementing Regulation of December 2019.

Furthermore, BIPT conducted a first dedicated investigation into contract summaries (CS) that was part of a broader investigation that focused on the contractual transparency of internet speeds in the case of fixed networks. That investigation started with a complaint of an operator against a new entrant in the fixed internet market, but was broadened to some other internet service providers (ISPs) on that market, so the scope of the investigation was limited (it did not cover every aspect of the CS nor the whole Belgian Telecom market).

BIPT found that, in the case of the new entrant, no minimum and maximum speeds were mentioned in the contract summary itself. There were only links to the ISP website via a footnote. Therefore, they gave a notice of default to the ISP to comply with the Implementing Regulation. As a result, now speed values in the contract summary are clearer (which is particularly relevant for minimum speeds, as (consistently) not reaching the agreed minimum speed should trigger contractual remedies).

The instructions in the Annex of the Commission Implementing Regulation were helpful to address the issues spotted during the investigation at hand, although during the investigation they noticed sometimes instructions and guidance is vague (e.g. contract summary should be dated).

Finally, he concluded that the contract summary is more than a comparison tool. The summary can be a tool to easily look up information during the contract. Independent online tariff comparison tools seem to be much more relevant and powerful tools to compare contracts.



4.3 Luigi Marotta, Consumer protection department, AGCOM, Italy – “The contract summary template”

Mr. Luigi Marotta from AGCOM presented the functioning of the summary contract template in Italy.

Mr. Marotta explained how Italian regulation of consumer rights applies to consumers and small and medium enterprises (SME) but not large enterprises as well as the main elements and general procedure of the contract summary template, which is free of charge.

Specifically, Mr. Marotta explained that there are different possibilities for entering into a contract, either in person, over the phone or online. The summary template is available in stores but also online, and the confirmation of the subscriber is needed before the contract becomes binding. If the contract is subscribed by phone, a written confirmation from the subscriber is needed before the contract becomes binding. This can be sent via email.

4.4 Gerd Kiparsky, General Counsel at 1&1's, Member of European Communities Trademark Association (ECTA) –“Information overflow”

Mr. Kiparsky emphasized the problem of Information overload in contracts. He acknowledged that the amount of information is determined by the product (media, hardware, financing, insurer) and the sales channel (online, shop, phone), but considered that transparency and information obligations contained in article 102.1,2,3 EEC are very onerous in general, with an ultimate excess of information provision.

Mr. Kiparsky also indicated that the main German operators provide an average of 36 pages of information for consumers and stated that less than 0.1 % of clients look at this general information, contract summary or privacy policy. This information is ignored because it is too long. He contended that customers do not need all of this information to make a proper choice and considered how this could be improved (via reasonable and targeted info).

4.5 Claudio Teixeira, Legal Officer, Digital and Consumer Rights, BEUC – “Concluding the contract”

Mr. Claudio Teixeira highlighted the need for independent tools that enable comparison between providers. He also indicated that in the consumer market scoreboard, the telecom sector was the worst performing services sector, which resulted in reduced competition, increasing prices and lower quality, and he also stated that according to the Organisation of Consumers and Users (OCU), 64% of consumers in this sector bring complaints.

Mr. Teixeira focussed on the importance of transparency requirements. He said that there is information asymmetry - more information does not mean better information. Some information offered by providers is misleading, difficult to find, hard to compare, and occasionally there is an information overload.



Regarding contract information, operators could follow BEUC guidelines when elaborating their contract summaries. Sometimes there are similarly advertised offers, misuse of the summaries or lack of availability. There are some warning signs as consumers are still not making better choices, they find similar offers, there are only few operators from which they can choose, there are long contact durations, complex products and switching costs.

Finally, Mr. Teixeira proposed a way forward based on clarifying rules and providing information in a digestible manner, with no legal technicalities, clarifying early contract termination, how to switch providers and having an active coordination between stakeholders.

5 Session 3 - During the contract

This session concentrated on ongoing contractual relationships and service provision during the active phase of contracts. The participants shared their views on the topics related to quality of service, transparency, preventing "bill shocks", experience related to the use of price indexation clauses, and end-users' experiences and rights when their price increased.

5.1 Mark Stivala, End-User Affairs Manager, MCA, Malta – “Price Indexation Clauses in Telecoms contracts”

Mr. Mark Stivala explained how two leading service providers had begun incorporating price indexation clauses in their contracts with end-users. As a representative of the MCA (Malta Communications Authority), Mr. Stivala highlighted several concerns associated with this practice namely the:

1. lack of end-user awareness about these clauses;
2. potential misunderstandings regarding their impact,
3. uncertainty about total costs throughout the contract period,
4. end-user challenges with unpredictable increases in fees and charges.
5. hindrance to end-users' ability to compare tariff plans, thus distorting effective competition in the market.

Mr. Stivala also discussed a 2015 ruling by the Court of Justice of the European Union, which determined that price adjustments resulting from a price indexation clause in a contract applied in accordance with an objective consumer price index compiled by a public institution, do not constitute a contractual modification that requires giving consumers the right to withdraw from their contract without early termination fees.

In response to these issues, Mr. Stivala explained that the MCA had introduced a set of end-user protection measures following a public consultation. He provided an overview of the



measures in MCA's Decision Notice published in December 2023. Key transparency measures implemented included the following:

service providers websites must clearly state that service plans are subject to price indexation clauses, and

information about price indexation clauses must be included in contract summaries under the heading 'other relevant information'.

Regarding consent, MCA's Decision Notice requires that before entering into a contract, providers must obtain explicit consent from end-users (either a signature or a tick box) indicating that they are aware the contract includes a price indexation clause. This applies to service plans with a minimum contractual period or those subject to early termination fees.

In addition to the above, MCA's Decision Notice requires that contracts that include 'price indexation clauses' must not mandate a contractual commitment period of more than six months.

Mr. Stivala emphasised that these measures aim to enhance transparency and protect end-users, ensuring they are fully informed and able to make better comparisons between different tariff plans.

5.2 Andro Marčev, Senior Expert, HAKOM, Croatia – “Bill shock regulation”

Mr. Andro Marčev explained the measures taken by HAKOM to ensure end users can use services without unexpected increases in their public communication service bills. Based on an analysis of complaints, HAKOM identified areas needing additional regulation and imposed appropriate obligations on operators to better inform users about their consumption.

Mr. Marčev highlighted that operators are required to provide information on the consumption of public electronic communication services—such as tariff packages, tariff models, and tariff options—free of charge, whenever end users request this information. Operators must also notify users (typically via SMS) free of charge when they have utilised the contracted amount of their tariff package, model, or option, as per their agreement.

Additionally, operators must alert end users if their public electronic communication service costs reach twice the average amount of their bills from the previous three months. For end users who have been using the service for less than three months, a warning is issued when the total cost is twice the contracted minimum monthly consumption or monthly fee.

Mr. Marčev emphasised that if operators fail to warn end users about excessive consumption in a timely manner, users are only obligated to pay up to the point where the warning conditions were met and when they were informed.

Mr. Marčev also addressed obligations regarding special tariff services, which have significantly reduced objections to less than 1% since their implementation. For Voice



Premium Rate Services, calls must be terminated if they reach 20.00 EUR or 30 minutes in duration. For SMS Premium Rate Services (PRS), users must be informed free of charge about their consumption for each service (one-time or subscription) for every 20.00 EUR spent or every 30 SMS/MMS messages charged, whichever comes first. For subscription content services, PRS operators must request SMS/MMS confirmation from users to continue the service once these conditions are met.

5.3 Bostjan Okorn, Slovene Consumers' Association, ZPS representative – “Consumers during the contract provision

Mr. Bostjan Okorn emphasised the importance of fair practices and robust consumer protections within the telecommunications sector. He outlined several key points aimed at ensuring that both operators and consumers are treated equitably and that consumer choices are respected.

First, Mr. Okorn said that contract terms should be binding for both operators and consumers, advocating that no price changes should be permitted during the agreed contract period. This measure aims to provide consumers with financial predictability and prevent unexpected cost increases.

Additionally, he called for TV programs to be available outside of operators' bundled packages. This would allow consumers the freedom to choose and pay only for the specific programs they wish to follow, rather than being compelled to purchase large bundles that may include unwanted content.

He also addressed the issue of extortionate roaming charges outside the EU, which can be up to 7000 times higher than within the EU. He proposed that these prices should be regulated to a justifiable factor, such as being only three to five times higher than EU rates. This regulation would protect consumers from exorbitant fees when using their mobile services abroad.

Finally, he said that premium SMS delivery should be permitted only under an opt-in option, individually for each provider. This would ensure that consumers have explicit control over whether they receive and are charged for premium SMS services, thereby preventing unwanted charges.

By advocating for these measures, Mr. Okorn underscored the need for regulations that protect consumers and provide them with greater choice and transparency in their telecommunications services.



5.4 Sabine Lobnig, Director for Communications at Mobile & Wireless Forum (MWF) - “Learning from 5G for 6G”

Ms. Sabine Lobnig highlighted the challenges and lessons learned from the rollout of mobile technologies, particularly focusing on the experiences with 5G and how they should inform the deployment of 6G. She began by providing a historical context, noting that initial concerns about electromagnetic field (EMF) exposure emerged with 2G, and substantial public opposition was faced with 3G due to safety concerns. Interestingly, the rollout of 4G saw fewer safety concerns, likely because people were eager for better connectivity. However, 5G encountered significant backlash, exacerbated by the widespread use of social media, the COVID-19 pandemic, and various conspiracy theories, which led to real-world consequences such as infrastructure attacks.

In response to the backlash against 5G, a campaign titled "5G facts, not fear" was launched to provide factual, accessible information to counter misinformation. This campaign included expert opinions, research studies, videos, and infographics to educate the public. Ms. Lobnig emphasised that for 6G, it is crucial to start communicating early and clearly about the new technology. Addressing legitimate consumer concerns openly and understandably is essential to build public trust. Additionally, quality research and transparent sharing of safety data are necessary.

Ms. Lobnig also pointed out that despite extensive information provided by health authorities and the tech industry, public worries about EMF exposure persist. She stressed that future technologies should proactively address these fears through comprehensive and transparent communication. Furthermore, she highlighted the importance of a unified, global approach to ensure consistent and reliable information dissemination about new technologies. Finally, she encouraged collaboration among associations and groups to provide coherent, fact-based information worldwide, emphasising the need for global consistency in responses to public concerns about mobile technologies.

6 Session 4 – Terminating the Contracts

This session focused on the termination of contracts, including switching issues and examining the processes and rights associated with contract withdrawal. Speakers in this session addressed legal considerations, technological aspects, and the challenges and opportunities for consumers when terminating contracts, especially regarding bundles.

6.1 Teresa Félix, Senior Analyst at Cullen International – “Contract termination and switching”

This presentation highlighted the national rules regarding the termination of contracts and switching process.



According to Cullen International's research from November 2023, based on the information of 14 EU Member States (MS), it was concluded that four MS maintain the obligation for providers to offer a 12-month commitment period option to end-users.

On the other hand, three MS set a limit on the maximum duration of the automatic renewal of a fixed-term contract and ten MS establish a notice period (mostly one month) for providers to inform end-users of the end of the commitment period and the means by which to terminate the contract before its automatic renewal.

Also, eight MS have specific rules on the maximum penalty for the contract termination before the end of the commitment period and five countries approved secondary legislation/guidelines detailing the information that should be provided to end-users before and during the internet access service (IAS) switching process.

There is only one MS, from analysed ones, who set a maximum timeframe for the receiving provider to activate the IAS.

6.2 Tore Kjelstrup Christensen, Senior Advisor, ADSI, Denmark – “Internet in cars”

Mr. Kjelstrup Christensen explained the experience in Denmark regarding the Internet in cars i.e. the Wi-Fi service in cars and also the touch screen services. ADSI has had complaints from consumers, because the price per megabyte when using the terminal equipment in the car is quite high.

Since the only SIM-module in the terminal equipment is used for eCall, it is not possible to switch internet provider on this in some cars. Pursuant to the EECC the maximum commitment period of 24 months also applies to terminal equipment.

The manufacturers argue that it is extremely expensive to change that, however they must comply with the EECC and give the possibility to the end-user to switch providers.

In 2024, ADSI intends to investigate how common it is for cars in Denmark to have equipment that may be used for internet access services and if it is possible switch internet provider on this equipment.

6.3 Kristina Baltauskienė, Adviser, Legal and consumer rights protection group, RRT, Lithuania – “Termination of bundles”

Ms. Baltauskienė gave a presentation regarding the out-of-court dispute resolution body for electronic communications services in Lithuania.

According to the EECC, a bundle consists of electronic communications services (internet access service or a publicly available number-based interpersonal communications service) combined in the same contract with other services and (or) a terminal equipment. Articles of



the EECC that touch upon bundles are those concerning: contract summary information, transparency, contract duration and termination, and switching.

Before the EECC, RRT dealt with bundle issues upon contract termination by applying civil law principles (justice, proportionality and fairness) and balancing between its competence and discretion.

Ms. Baltauskienė distinguished three types of disputes occurring in (i) several electronic communications contracts; (ii) mixed contracts (electronic communications services plus terminal equipment); and (iii) purchase contracts of terminal equipment. However, for the latter kind of contracts, the NRA is not competent.

The main subjects of the NRA's decisions' concern *pro rata temporis* value, remaining service fee calculation, and acquisition time of terminal equipment. However, challenges still exist since cases depend on individual circumstances.

6.4 Susanne Blohm, Policy Advisor, Federation of German Consumer Organisation, Germany – “Contract termination”

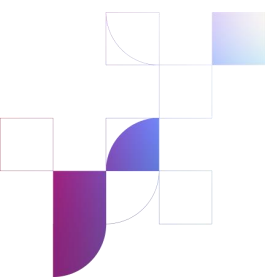
Ms. Blohm explained some challenges experienced in Germany regarding contract termination from the consumer's perspective. On 1 December 2021 the new German Telecommunications Act entered in force, transposing the EECC.

Ms. Blohm highlighted some positive changes with regard to contract termination: one month notice period in automatic prolongation, specific national provisions such as contract termination with regard to low bandwidth, relocation of residence and a termination button. However, harmonised consumer laws are not flexible enough to adhere to practical issues after implementation at national level and also the relationship between consumers and providers remains asymmetrical, there is little enforcement leverage on the consumer side.

Regarding specific cases, two situations were noted, the first related to the automatic renewal of contracts and the second related to unlawful commercial practises from one provider.

After the implementation into national law, some consumers couldn't terminate their contract when they were in their extension period after the initial 24-months of the contract were completed. This happened in contracts where the initial 24-month period was up before 1 December 2021. Providers told their costumers that the new law would only apply to contracts whose initial contract term expired after 1 December 2021.

On the other hand, many complaints were filed about one stakeholder, a landline Internet provider. This provider usually got in touch with consumers via letter or door-to-door sales. It advertised a DSL tariff and consumers believed they were just adjusting their existing contract with *other provider*; but what they actually were doing was switching the provider (which they often do not want).



When consumers realised that they made that mistake, usually the two-week withdrawal period was over. So, when consumers tried to cancel their contract, *the provider* claimed for a three-digit compensation amount, which is considered unfair by the speaker.

7 Session 5 - Accessible ECS

This session focused on exploring accessibility-related issues within the context of consumer rights. Speakers discussed how to make electronic communication services (ECS) more inclusive for individuals with disabilities, addressing barriers, and challenges stemming from requirements established in the European Accessibility Act, and ensuring equal access for all consumers.

7.1 Inmaculada Placencia Porrero, Senior Expert, Disability and Inclusion Unit, Directorate General for Employment, Social Affairs and Inclusion, EC – “EU Accessibility initiatives - Policy and legislation - Accessible Europe: ICT 4 All”

Ms. Placencia Porrero talked about the legal initiatives regarding accessibility for all consumers. The main one is the European Accessibility Act (EAA) that establishes the framework for accessibility requirements for carefully selected products and services.

The transposition period is three years after the entry into force on 28 June 2022 and it must be applied as of 28 June 2025. It is important to build capacity in accessibility in the Member States, to support the implementation of the EU legislation, and to connect stakeholders in order to train professionals on accessibility.

From the Commission's point of view, it would be useful to carry on events at national and EU level, create a website with a library on accessibility knowledge and best practices, give support for excellent professionals on accessibility: set up and maintain the community, attract newcomers by awareness raising about the work of Accessible EU, and promote workshops and training.

7.2 Donal Fitzpatrick, Senior ICT Design Advisor, Centre for Excellence in Universal Design, Ireland – “The Centre for Excellence in Universal Design (CEUD)”

Mr. Fitzpatrick discussed what was meant by 'Universal Design' and its purpose. Universal Design is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.



An environment (or any building, product, or service in that environment) should be designed to meet the needs of all people who wish to use it. This is not a special requirement, for the benefit of only a minority of the population. It is a fundamental condition of good design.

If an environment is accessible, usable, convenient and a pleasure to use, everyone benefits. By considering the diverse needs and abilities of all throughout the design process, universal design creates digital and built environments, services and systems that meet people's needs.

It is important to realise that people with disabilities have individual needs, however there is a collective responsibility to ensure that all products and services are designed in such a way as to enable these needs to be met.

To achieve this, the following process was advised, known as the 'double diamond', which can be divided into four stages: (i) discover; (ii) define; (iii) develop and (iv) deliver.

7.3 Daniel Casas, European Disability Forum (EDF) Accessibility Policy Officer – “Electronic Communication Services: the expectations of persons with disabilities”

Mr. Casas made a presentation about the main concerns when it comes to people with disabilities. He said that technology could empower people with disabilities, but also exclude them. For this reason, technologies, including electronic communication services, need to be available, accessible and affordable. In this respect, the EECC, European Accessibility Act (EAA) and European standards play a key role, but we need to be ambitious.

Some of the things that people with disabilities expect from electronic communications service providers and public authorities is that real time text (RTT) becomes a default and interoperable means of communication (like voice-call or SMS). There must be equivalent and affordable access to relay services available 24/7 and accessible emergency communications (not only to 112, but also to national numbers and public warning systems). Also, providers and public authorities have to clearly advertise information to support consumers with disabilities (i.e. accessible contact point), provide information in alternative formats (like sign language, large print or braille) and invest in training and awareness on accessibility and disability.

On the other hand, providers and public authorities should engage with disability organisations, and all stakeholders should work to meet the EAA deadlines and participate in the standardisation processes (including to update EN 301 549).

7.4 Sabine Lobnig, Director for Communications at Mobile & Wireless Forum (MWF) - “Accessible information on accessible devices”

Ms. Lobnig in her presentation explained the work of MWF related to existing accessible devices.



The main companies try to help consumers to find a device with the accessibility features that work best for them, but there are still certain details under the EAA about the implementation of some requirements that are missing. Also, the harmonised standards are delayed and the product life-cycle is 18 months.

The aim is to ensure accessibility of products and services for consumers and provide accessible information on accessibility features. The Real Time Text (RTT) and Total Conversation shall avoid interferences with assistive devices.

7.5 Benoit Vivier Public Affairs Director at European Emergency Number Association (EENA) – “Ensuring equivalent access to 112”

Mr. Vivier talked about accessibility in emergency communications. This issue is regulated under the EECC (supplemented by Delegated Regulation 2023/444), the European Accessibility Act (EAA) and the EU Roaming Regulation.

However, the legislation is not correctly enforced yet. European Commission report COM(2022)724 shows that a majority of Member States do not comply with the functional equivalence criteria laid down in Delegated Regulation 2023/444, especially on ensuring seamless access for people with disabilities travelling to other Member States.

EENA’s view is that some Public Safety Answering Points (PSAPs) developments on accessibility matters should also be coordinated with other developments, such as the transition to IP-based emergency communications.

Finally, EENA strongly advocates for Real-Time Text (RTR) to be provided as a native solution, in order to ensure a seamless experience for all users.

7.6 Lorelien Hoet, Government Affairs Director EU at Microsoft

Ms. Hoet talked about how Microsoft tries to engage actively to develop accessibility features to support users with disabilities and, in that regard, sees great potential in the possibilities of AI.

Microsoft is working on developing new capabilities to address real-time text (RTT), as required by the EAA, but standards are needed for successful implementation, notably to allow for interoperability, and not all the necessary standards have yet been developed.

In the meantime, as called for in the Delegated Act on Measures to Ensure Effective Access to emergency services, Microsoft envisions Public Safety Answering Points (PSAPs) that can support RTT, total conversation services, and modern communications. Designating one primary PSAP per country for emergency calls from people with disabilities was recommended, which can develop specific expertise and technical capabilities including RTT.



Such primary PSAP designation has additional benefits and would also help in assuring emergency access to Network Independent – NB-ICS services.

Location and call routing needs for those services are not contemplated in the Delegated Act. Number-independent interpersonal communication services (NI-ICS) operators would like to leverage tools which can dynamically locate callers. With these tools in place, NI-ICS operators could then route emergency calls to the designated PSAP without delay.

Ms. Hoet explained, a per country designation of a primary PSAP can accelerate Europe's ability to enable dynamic emergency call routing and allow PSAPs to transfer calls to the right responder, even if they are across a border. Identifying highly skilled PSAPs and capabilities on a per country basis could be a strong help in this regard.

8 Session 6 - Emergency Communications

The last session concentrated on emergency communications. Speakers touched topics on the challenges and solutions related to emergency services, accuracy criteria, the impact of emerging technologies to possibility to ensure access to emergency services.

8.1 Freddie McBride, Director for Digital Communications Policy and Regulation at EENA – “Transitioning to packet-switched emergency communications”

Mr. McBride in his presentation highlighted the components of the emergency communications supply chain, including device availability, network access, call reception, data collection, classification of emergency situations, dispatching resources, and intervention and care.

He explained that efforts to advance emergency communications face significant challenges amidst technological transitions and interoperability issues. Key solutions to these challenges include upgrading Public Safety Answering Point (PSAP) systems to accommodate new infrastructure and services. Implementation deadlines have been set for various services requiring packet-switched infrastructure, such as real-time text and video communication, as well as eCall over IMS and in-car emergency systems.

Mr. McBride also said that despite the increased use of number-independent interpersonal communication services (NI-ICS), the review procedure on end-user rights does not indicate a significant threat. Challenges like VoLTE roaming, network-handset compatibility, and the lack of agreements pose obstacles to the interoperability of emergency communications. Collaboration among handset providers, networks, PSAPs, and solutions providers is essential for addressing interoperability and technological development challenges.



8.2 Mick Fox, Advisor, ComReg, Ireland – “Enhanced Caller Location for Emergency Calls”

Mr. Fox talked about the need for enhanced caller location information for emergency calls in the Irish context, along with the European regulation requiring member states to establish criteria for accuracy and reliability of caller location information.

The Irish regulator (ComReg) has defined a target emergency caller location accuracy of 50 meters for 80% of mobile emergency calls. This determination was made after extensive consultation and analysis of call data, and consideration of device-derived location methods such as GPS and Wi-Fi. The difference between network-derived (AML) and device-derived mobile caller location (PIDF-LO) was presented, with the device-derived location being deemed more accurate. Device-derived location (PIDF-LO) is considered the next step beyond AML and is expected to accompany VoLTE emergency calling. It utilises the device's GPS or Galileo receiver to pinpoint its location. Hybrid location technologies combine GPS/GNSS data with other available information, such as Wi-Fi hotspots, to enhance accuracy.

In conclusion, it has been stated that fixed-line operators must update the PSAP address database monthly and provide address coordinates and installation addresses. Mobile operators must send Cell ID with each call, ensure network capability for AML and PIDF-LO, and aim for a minimum reliability level of 54.5% of calls with less than 50m accuracy.

8.3 Pinar Sendergecti, Regulation and Competition Affairs Director at European Competitive Telecommunications Association (ECTA) – “Transforming the future, releasing digital innovation”

Ms. Sendergecti explained that the implementation and effectiveness of Title III of the EECC regarding end-user rights, specifically focusing on emergency communications, had been discussed within ECTA, and she set out the perspective of ECTA members.

It was stated that the transposition of the EECC has been slow in many Member States and that a review of Title III would be premature as many provisions are still being implemented. The provisions concerning emergency communications are deemed suitable and thorough, with specific delegated acts and BEREC guidance adopted to ensure effective access to emergency services. ECTA's view is that Title III of the EECC provides a comprehensive framework for emergency communications. ECTA emphasised the significance of specific provisions in the code, such as Article 108 and Article 110, which safeguard end-user rights and ensure access to emergency communications



Next steps and recommendations for further work

After careful consideration of the expert content and discussions during the Workshop, it is important that BEREC is kept well informed about relevant issues related to end-user rights and to accessibility requirements for electronic communications services, which come from the European Accessibility Act. In so doing, BEREC will be equipped with relevant information about the changing world and the outcome of the newly adopted legislation.

Furthermore, the views and concerns that were shared during the Workshop might be considered in the context of the Opinion on Article 123 of the EECC, which has to be provided no later than December 2024.



Annex I – Workshop Agenda

Agenda for the BEREC Workshop on End-Users rights 9th April 2024, Brussels (Belgium)

	Location IRG Secretariat Rue de la Science 14, 3rd floor B-1040 Brussels Date & Time 9 th April 2024 10:00 – 16:30
9:30-10:00	Welcoming coffee/tea
10:00-10:05	Opening Remarks/Keynote speech <ul style="list-style-type: none"> • Tonko Obuljen, BEREC Chair 2024
10:05-11:10	Session 1: Panel discussion on Changes in Consumer Rights (Legal and Technological Trends) <ul style="list-style-type: none"> • Maria Ruiz Merida, BEREC PFT WG co-chair, Spain • Sietse van der Gaast, BEREC WNE WG co-chair, the Netherlands • Emily Fitzpatrick (European Commission representative, a Legal Officer in DG CNECT) • Claudio Teixeira (Legal Officer, Digital and Consumer Rights - BEUC) • Paolo Grassia (Senior Director of Public Policy at ETNO) • Ricardo Garcia Bahamonde (Director of Accessibility and Digital Inclusion at Atos, Spain) • Q&A session Moderator: Marina Ljubić Karanović, HAKOM, Croatia
11:10-12:00	Session 2 – Concluding the contract/Informed choice <ul style="list-style-type: none"> • Laurence Nivot (Manager at Cullen International) – “End users empowerment tools” • Tim Nuyens (Senior Advisor, Consumer Department, BIPT, Belgium) – “Contract Summaries – Belgian experience” • Luigi Marotta (Consumer protection department, AGCOM, Italy) – “The contract summary template” • Gerd Kiparsky (General Counsel at 1&1’s, Member of ecta) – “Information overflow” • Claudio Teixeira (Legal Officer, Digital and Consumer Rights - BEUC) – “Concluding the contract”



	<ul style="list-style-type: none"> Q&A/Discussion <p>Moderator: Szilveszter Ádám, NMHH, Hungary</p>
12:00-12:50	<p>Session 3 – During the contract</p> <ul style="list-style-type: none"> Mark Stivala (End-User Affairs Manager, MCA, Malta) – “Price Indexation Clauses in Telecoms contracts” Andro Marčev (Senior Expert, HAKOM, Croatia) – “Bill shock regulation” Bostjan Okorn (Slovene Consumers' Association, ZPS representative) – “Consumers during the contract provision” Michael Milligan (Secretary General at Mobile & Wireless Forum (MWF)) - “Learning from 5G for 6G” <ul style="list-style-type: none"> Q&A/Discussion <p>Moderator: Mervyn Hickey, ComReg, Ireland</p>
12:50-13:30	Lunch Break/Coffee
13:30-14:20	<p>Session 4 – Terminating the contract</p> <ul style="list-style-type: none"> Teresa Félix (Senior Analyst at Cullen International) – “Contract termination and switching” Tore Kjelstrup Christensen (Senior Advisor, ADSI, Denmark) – “Internet in cars” Kristina Baltauskienė (Adviser, Legal and consumer rights protection group, RRT, Lithuania) – “Termination of bundles” Susanne Blohm (Policy Advisor, Federation of German Consumer Organisation, Germany) – “Contract termination” <ul style="list-style-type: none"> Q&A/Discussion <p>Moderator: Szilveszter Ádám, NMHH, Hungary</p>
14:20-15:20	<p>Session 5 – Accessible ECS</p> <ul style="list-style-type: none"> Inmaculada Placencia Porrero (Senior Expert, Disability and Inclusion Unit, Directorate General for Employment, Social Affairs and Inclusion, EC) – “EU Accessibility initiatives - Policy and legislation - Accessible Europe: ICT 4 All” Donal Fitzpatrick (Senior ICT Design Advisor, Centre for Excellence in Universal Design, Ireland) – “The Centre for Excellence in Universal Design (CEUD)” Daniel Casas (EDF <i>Accessibility</i> Policy Officer) – “Electronic Communication Services: the expectations of persons with disabilities” Sabine Lobnig (Director for Communications at Mobile & Wireless Forum (MWF)) - “Accessible information on accessible devices” Benoit Vivier (Public Affairs Director at European Emergency Number Association (EENA)) – “Ensuring equivalent access to 112”

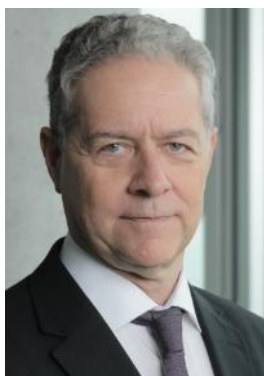


	<ul style="list-style-type: none"> • Lorelien Hoet (Government Affairs Director EU at Microsoft) • Q&A/Discussion Moderator: Indre Jurgelioniene, RRT, Lithuania
15:20-16:00	<p>Session 6 – Emergency Communications</p> <ul style="list-style-type: none"> • Freddie McBride (Director for digital communications policy and regulation at EENA) – “Transitioning to packet-switched emergency communications” • Mick Fox (Advisor, ComReg, Ireland) – “Enhanced Caller Location for Emergency Calls” • Pinar Sendergecti, Regulation and Competition Affairs Director at ecta – “Transforming the future, releasing digital innovation” • Q&A/Discussion Moderator: Mervyn Hickey, ComReg, Ireland
16:00-16:30	<p>Closing Remarks</p> <p>BEREC End User Working Group co-chairs and moderators of the sessions (Marina, Szilveszter, Mervyn, Indre)</p>



Annex II – Speakers Bios

BEREC Workshop on End-Users rights 9th April 2024, Brussels (Belgium) SPEAKERS' BIOS



Tonko Obuljen, the BEREC Chair 2024

President of the Council of Croatian Regulatory Authority for Network Industries (HAKOM) in 2018 and is currently serving his second five-year mandate. Prior to the presidency, he served as Director of HAKOM from 2006 to 2009 and as a Member of HAKOM's Council from 2009 to 2013. During the accession of the Republic of Croatia to the European Union (2005-2013) he was a member of the Information Society working group and also served as a member of the drafting teams for the harmonization of Electronic Communications Act and bylaws with EU legislation. From 1993 to 2006, he worked in the Croatian electronic communications industry, mainly in microwave and satellite communications. He participated in developing the Croatian state aid programs for backhaul and access networks and in setting up current end-user protection ecosystem in Croatia. In 2020, Tonko Obuljen also served as a Vice-Chair of the Body of European Regulators for Electronic Communications - BEREC.



Indrė Jurgelionienė, Co-chair of the BEREC EU WG

Indrė Jurgelionienė is a Chief Advisor at the Communications Regulatory Authority of the Republic of Lithuania (RRT). She joined RRT in 2013. Indrė has been, among other things, resolving out-of-court disputes between end-users and communication service providers, responsible for forecasts and data analysis of trends and developments in the regulated sectors, and international communications. She has also been engaged in various regulatory aspects, including access and ex-ante regulation, universal service provision, numbering and number portability, complaint handling, and consumer protection in electronic communications and postal sectors. Indrė has experience in team management as well as public policymaking and implementation, including the transposition of European Union legislation into national law and involvement in various national multi-stakeholder projects on both national and international levels. Indrė holds a Bachelor's degree in Law and a Master's degree in Civil law – from Mykolas Romeris University (Lithuania).





Marina Ljubić Karanović, Co-chair of the BEREC EU WG

Marina Ljubić Karanović is a Senior Legal Expert, Deputy Head of the Legal Affairs Department at the Croatian Regulatory Authority for Network Industries (HAKOM). At HAKOM, Marina provides legal support for all of HAKOM's activities, especially regarding consumer regulation and consumer protection strategies. Marina is involved in resolving disputes between consumers and operators, representing them in court in consumer disputes, drafting regulations under the Electronic Communications Act, and overseeing and ensuring compliance of terms of use and price lists with Telecoms Regulations. In addition, she actively participated as a Croatian expert participant in the adoption of the European Electronic Communication Code in the Council of the European Union. Furthermore, she has extensive media experience, participating in media, radio and Television programmes on consumer protection together with press statements.



Mervyn Hickey, Member of the BEREC EU WG.

Mervyn is Legal and Alternative Dispute Resolution Manager in the Commission for Communications Regulation (ComReg) in Ireland. In this role he advises on all end-user issues in the areas of electronic communications, premium rate, and postal services, with a particular focus on enforcement. He is a practising barrister, with over 20 years' experience, having worked in private practice prior to advising ComReg. In private practice his clients included telecommunications and technology companies and State departments. Mervyn has acted in a senior advisory capacity to Ireland's Communications Department. He has extensive experience working in dispute resolution having represented clients before various sectoral dispute resolution bodies and having acted himself as a mediator, adjudicator and an appeals panel member. In addition, Mervyn helped establish ComReg's electronic communications dispute resolution function.



Szilveszter Ádám, Deputy Director, Electronic Communications Supervision, NMHH, Hungary

Szilveszter Ádám is the deputy director responsible for the supervision of the electronic communications and postal services market at NMHH, the Hungarian NRA. Before that, he was active in the supervision of trust services. He is a lawyer with 20 years of experience in regulation and supervision.



Maria Ruiz Mérida, Co-chair of the BEREC PFT WG

Co-chair of the Planning and Future Trends Working Group of BEREC. BEREC gathers National Regulatory Authorities to coordinate sectoral regulation and provide technical advice to the EU institutions. The group is currently analysing network virtualization and, more generally, the interrelation of communication services with cloud and edge computing. Other latest activities of this group develop around the 5G ecosystem, the impact of artificial intelligence solutions in the telecommunications sector, the Data Act, among others. She has worked for the Spanish National Competition Authority and sectoral regulator, CNMC, since 2010 representing Spain



in international regulatory fora such as BEREC, ITU, OECD. In this context, she has contributed to regulatory coordination and advice on matters such as the interplay between the DMA and the Electronic Communication Code, the provision of OTT services or the common positions to define wholesale access obligations. Before joining CNMC, she worked for the Spanish Parliament and the EC on international affairs.



Sietse van der Gaast, Senior Enforcement Officer, ACM, The Netherlands

Sietse van der Gaast is a co-chair of the BEREC Wireless Network Evolution Working Group. He holds a MSc in Computer Science from the University of Twente, and gathered over 25 years of experience in the telecommunication and Information and Communications Technology industry before joining ACM in March 2022, where he is involved in several activities and projects in areas such as wireless and fixed access. He previously worked for the Dutch advisory firm Stratix, and was active as project leader or expert in a variety of projects concerning fixed and mobile infrastructures, but also including topics such as datacentres, Internet of Things, Programme Making and Special Events and optical wireless communication, involving policy advice, technology advice, business strategy and tendering of fixed and mobile infrastructure. Earlier he worked for Bell Labs Research and was active in the European Telecommunications Standards Institute standardisation, representing Alcatel-Lucent.



Emily Fitzpatrick, Legal Officer, European Commission

Emily Fitzpatrick is a Legal Officer with the European Commission Directorate-General for Communications Networks, Content and Technology, where she is contributing to EU electronic communications policy, implementation, and enforcement. She is working specifically on end-user rights. Prior to joining the Commission, Emily worked in the European Parliament and Irish Representation to the Council of the EU.



Cláudio Teixeira, Legal Officer, Digital and Consumer Rights, BEUC

Cláudio Teixeira is a Senior Legal Officer for Digital Rights in BEUC, the European Consumer Organisation, working on telecommunications, digital services and cybersecurity. As a law graduate, holds a Bachelor and Master of Laws in International and European Union Law from the University of Coimbra in Portugal, and a LL.M. in European Law from College of Europe in Bruges, Belgium. Prior to joining BEUC, Cláudio served as a Junior Legal Attaché in the Permanent Representation of Portugal to the European Union in Brussels during the Portuguese Presidency of the Council of the EU in 2021, working on the institutional negotiations of the Digital Markets Act and the Public CbCR Directive.





Paolo Grassia - Senior Director of Public Policy, ETNO

As Senior Director of Public Policy, Paolo oversees ETNO's work and institutional engagement on a range of regulatory and policy issues, including privacy and data protection, the data economy, cybersecurity, and digital services. In this capacity, he currently serves as a Board member of the European Internet Forum (EIF). Paolo joined ETNO in 2017 from the economic section of the United States Mission to the EU, where he covered technology, telecommunications, and data privacy as a policy advisor. Prior to that, Paolo was a consultant with APCO

Worldwide and Community Public Affairs. In his consulting roles, he advised global companies in various sectors, with a particular focus on technology and telecommunications. Paolo started his career with two internships, respectively at DG COMP in the European Commission and in the EU affairs team of Telecom Italia. Paolo holds a Master's degree from Bocconi University in Milan and completed an Exchange program at Seoul National University. He is also a Certified Information Privacy Professional and Manager accredited by the International Association of Privacy Professionals (IAPP).



Ricardo Garcia Bahamonde, Director of Accessibility and Digital Inclusion at Atos, Spain

Ricardo García Bahamonde is Director of Accessibility and Digital Inclusion at Atos Spain. Since 2004 he has worked for organizations like ONCE Foundation (Spain), the Center for Inclusive Design & Innovation at Georgia Institute of Technology (Atlanta, GA, USA), AccessibilityOZ, the International Telecommunication Union (ITU), G3ict (USA), and the International Association of Accessibility Professionals (IAAP). Ricardo has held responsibilities in consulting, project management, and research in various countries. He holds a MA

in Economics from the Complutense University of Madrid, Spain, and is a Certified Professional in Basic Accessibility Competencies (CPACC) by the International Association of Accessibility Professionals (IAAP).



Laurence Nivot, Manager, Cullen International

Laurence leads Cullen International's research on consumer protection, publishing country-by-country comparisons on key regulatory topics. She also monitors telecoms regulatory developments in Belgium and Lithuania. Before joining Cullen International in 2012, she worked for the European Commission's news website. Laurence holds a master's degree in European Law from the Aix-Marseille University (France).





Tim Nuyens, Senior Advisor, Consumer Department, BIPT, Belgium

Tim Nuyens is senior advisor at the Consumer Department of the BIPT, the Belgian telecom regulator. Among other things he deals with end-user switching, contract transparency and net neutrality. Tim has advised the Belgian permanent representation during the negotiation of the EECC in the EU Council Working Group. Currently, Tim is also a drafter in the Workstream of BEREC, dealing with the end-user's rights review.



Luigi Marotta, Consumer protection department, AGCOM, Italy

Luigi Marotta is a senior employee of the Italian Regulatory Authority for Communications (AGCOM) since 2007 and at present works for the Consumer protection department. Some of his previous job assignments regarded the Administrative Management of the Headquarters of AGCOM- Naples (2014-2016) and the registering of the contracts stipulated by AGCOM (2014-2016). Luigi worked also for the Italian Regulatory Authority for Energy, Networks and Environment (ARERA – 2002/2007). Luigi participated as an expert in several international missions to NTRA (National Telecommunication Regulatory Authority of Egypt, 2009-2010); the Authority of Israel's Telecom Regulator (2011;2022); the Telecommunications Regulatory Commission of Jordan (2012-2013); he was also the Resident adviser in the twinning with the Tunisian "Instance Nationale des Telecommunications (INT)" (2016-2017). Previously, he worked as a doctor in law and a lawyer (1996-2002) and as a law teacher and tutor. He authored or co-authored some scientific publications dealing with telecommunications research. Luigi graduated in law at Federico II University of Napoli and completed a qualification in Management, Economy and Right of network services (MIP- Politecnico di Milano) and a three-year course of Specialization in Law and Criminal Proceeding.



Gerd Kiparski, General Counsel, 1&1, Germany

Gerd Kiparski is the General Counsel to 1&1, a leading German telecommunication provider offering fixed and mobile telecommunication services as well as TV broadcasting. As General Counsel, Gerd leads the Legal, the Privacy, the Compliance and the Legal Interception Departments. Besides his engagement für 1&1, Gerd is a member to the board of DGRI (Deutsche Gesellschaft für Recht und Informatik – German society for law and IT) and he is the chair to BITKOM's Consumer and Competition working group. Gerd studied law in Bonn (Germany) and Prague (Czech Republic), holds a PhD from the University of Oldenburg (Germany) and a MBA form Heilbronn University. Prior joining 1&1 Gerd worked in the Group legal department of the car manufacturer Daimler in Stuttgart (Germany) and for Tele2 in Düsseldorf (Germany) and later on in Stockholm (Sweden). He started his career as an attorney in a law firm in Switzerland.



Mark Stivala, End-User Affairs Manager, MCA, Malta

Mark Stivala joined the Malta Communications Authority in 2005 and has a deep understanding of consumer protection in the telecoms sector. Mark has held various roles within the Authority and is now leading MCA's end-user affairs team contributing actively in the development and implementation of MCA's regulatory policy with respect to end-user affairs. Mark has a proven track record of advocating for end-user rights and promoting fair competition in the telecoms market. Through his efforts, the MCA has been able to establish strong relationships with industry stakeholders and end-user advocacy groups, leading to improved regulation and better protection for Malta's telecoms end-users.



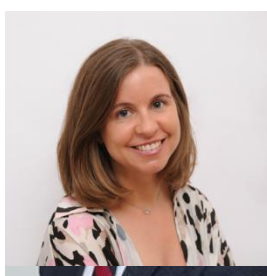
Andro Marčev, Senior Expert, HAKOM, Croatia

Andro Marčev has been working at HAKOM for fifteen years, and in addition to protecting the rights of end users, he also deals with net neutrality and roaming. He participated in the adoption of legal regulations and checks their implementation on the operator's side. He is currently the head of the consumer protection department.



Boštjan Okorn, Slovene Consumers' Association ZPS, Slovenia

Boštjan Okorn joined the Slovene Consumers' Association ZPS in 2006 and has been since active as the head of comparative testing, technology, and sustainability expert. He's been particularly active in the field of telecommunications, also as a member of BEUC Digital Expert Group and Slovenian Electronic Communication Council. As in his previous job (tech and car journalist) he observed the evolution of technologies especially from the end-consumer point of view and thus often finds a discrepancy, connected also with the lack of sensitivity on the part of providers. This was proved also by analyses and research he performed during the past years, including several hidden consumer visits to operators' service shops.



Teresa Felix, Senior Analyst, Cullen International

Teresa follows telecoms, postal, and digital economy regulation in Portugal. She is a legal expert in EU and national consumer protection regulation. Before joining Cullen International, Teresa worked in Portugal at the national regulatory authority for communications (ANACOM) as a legal adviser to the Information and Consumers department. She has also worked as a legal adviser for the Portuguese Association for Consumer Protection (DECO).





Tore K. Christensen, Senior Advisor, ADSI, Denmark

Tore has a master's degree in law from the University of Aarhus. Since 2010 he has been working with telecom at the Agency for Data Supply and Infrastructure (ADSI). In this position he has been responsible for Universal Service Obligations, emergency communication, open internet regulation and end-users rights in general.



Kristina Baltauskienė, Adviser, Legal and consumer rights protection group, RRT, Lithuania

Kristina has more than 10 years of experience working in the Legal division of NRA in Lithuania. The main functions spanning from dispute resolution between end-users and providers of electronic communications services, preparation of legal conclusions on different aspects of NRA activities to drafting of legal acts.



Susanne Blohm, Policy Advisor, Federation of German Consumer Organisation, Germany

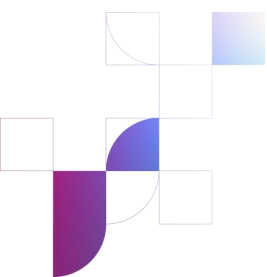
Susanne Blohm currently works as a policy advisor at the Federation of German Consumer Organisation. Blohm has background in Political Science and Law from Berlin and Konstanz Universities. Previously, she worked in the public affairs team at Software AG and at a consulting agency focusing on public affairs in copyright law. At the Federation of German Consumers, Blohm's work focuses on consumer rights in the telecommunications market.



Inmaculada Placencia Porrero, DG EMPL, European Commission

Inmaculada Placencia Porrero is a Senior Expert on Social Affairs, Disability and Inclusion at Directorate-General Employment, Social Affairs, and Inclusion at the European Commission. Her unit is responsible for the coordination of European policies for persons with disabilities. She was responsible for the Task Force for the preparation of the European Accessibility Act and remains responsible for its transposition. Currently, she is leading the team working on the implementation of the Strategy for the Rights of Persons with Disabilities 2021-2030, and of the United Nations Convention on the

Rights of Persons with Disabilities (UNCRPD).





Dr. Donal Fitzpatrick, Senior ICT Design Advisor, Centre for Excellence in Universal Design, Ireland

Dr. Donal Fitzpatrick is the Senior ICT Design Advisor at the Centre for Excellence in Universal Design, where he leads on projects directly related to the European Accessibility Act and other policy initiatives pertaining to Universal Design in the context of digital environments. Prior to joining the Centre for Excellence in Universal Design, Dr. Fitzpatrick spent twenty years working as an academic, focusing on research into various aspects of usability, user experience and accessibility.



Daniel Casas, Accessibility Policy Officer, EDF

Daniel Casas is Accessibility Policy Officer at the European Disability Forum (EDF), the umbrella organisation that defends the interests of over 100 million persons with disabilities in the EU. His work at EDF focuses on accessibility and freedom of movement, covering areas and policies such as transport, the built environment, accessibility of goods and services, ICT and new technologies and standardisation. Before that, he worked for three years as Policy Officer at the Delegation of the Government of Catalonia to the EU. Daniel holds a bachelor's degree in Philosophy, Politics and Economics (Spain) and a master's degree in

European Integration (Belgium).



Sabine Lobnig, Director for Communications, MWF

Sabine is the MWF's Director for Communications. The MWF is the international association of companies with an interest in mobile and wireless communications including the evolution to 5G and the Internet of Things. One of the MWF's main projects is the Global Accessibility Reporting Initiative (GARI). GARI's mission is to inform consumers about existing accessibility solutions in the market today and help them identify devices with features that best help their individual needs. This includes mobile phones with built-in screen readers, "simple access" for

persons who find today's user interfaces overwhelming, Wearables with haptic feedback, Smart TVs that allow voice recognition for accessing features, or mobile apps that have been developed specifically to help overcome a barrier in daily life like finding accessible locations.



Benoît Vivier, Public Affairs Director, EENA

Benoît Vivier joined EENA in September 2015 and is in charge of EENA's public affairs work. He is EENA's liaison with the institutions of the European Union as well as other stakeholders, and works on projects including public warning systems and emergency caller location. Benoit is a French/Belgian national and has graduated in International Relations at Sciences Po Lille (France) and European Political and Administrative Studies at the College of Europe in Bruges

(Belgium).





Freddie McBride, Director, Policy & Regulation, EENA

Freddie McBride is EENA's director for digital communications policy and regulation, joining in January 2021. Prior to his role at EENA, he was the European Communications Office's deputy director and expert in numbering and networks, joining in November 2012 from the Commission for Communications Regulation, Ireland's telecoms regulator. He is a business graduate with a MSc in Computing and Information Systems and a Professional Diploma in Regulatory Governance. He has over 25 years' experience in the telecommunications industry.



Mick Fox, Advisor, ComReg, Ireland

Mick Fox is a seasoned technical professional in the telecommunications industry with over two and a half decades of experience. He started his career in the mobile industry, where he worked for 12 years on developing innovative messaging and data solutions for various mobile operators and vendors. He then switched to the network performance monitoring and CEM field, helping telecom companies improve their service quality and customer satisfaction.

Mick's current role is as a technical advisor for the Irish Telecoms regulator ComReg, where he provides expert guidance on technical issues over a broad range of technologies including emergency communications.



Pinar Serdengecti, ecta

Pinar has 20 years of experience in the telecommunications sector, while working for various operators. Before joining ecta in October 2021 she worked as Director of Regulatory and Competition Affairs at Iliad Italia, the fourth MNO in Italy, that she joined in October 2017. From 2008 until 2017 she worked in the Regulation and Competition Affairs Department at Vodafone Italia, contributing to the start-up and growth of its fixed services business in Italy, and following all network and economic regulatory aspects of fixed business and ultimately also the Content/STB and Copyright regulation aspects. She started working at Telecom Italia in 2004 as an analyst in the International Regulatory Affairs Department and later as a specialist in Telecom Italia's Regulatory Strategy Department. Pinar is born in Istanbul and holds a BSc in Economics & Social Sciences from the Bocconi University in Milan, a MA in International Management and Business Administration from the Bocconi University and a MA in Economics of Competition Law from King's College - University of London.

