



EaPeReg

Eastern Partnership Regulators
for Electronic Communications



EaPeReg contribution to GRS-21

The Eastern Partnership Regulators Network (EaPeReg) is the regional association of the regulators in ICT sector of 6 EaP countries and EU Member States that together, based on the Joint Communication to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: *Eastern Partnership policy beyond 2020: Reinforcing Resilience-an Eastern Partnership that delivers for all*¹, endeavours to achieve a harmonised approach under the subject 4.4. *Together for a resilient digital transformation* set to extend the benefits of the Digital Single Market to the partner countries by supporting them in the full implementation of their commitments related to digital transformation, enabling the economy that works for all and stimulating the investments in secure and resilient digital infrastructure.

Particularly, confident steps towards increasing broadband access across the region, establishing common roaming space, and ensuring harmonised spectrum use have been taken so far.

EaPeReg recognizes critical importance of telecom/ICT for every partner-country, as developing technologies, as well as COVID-19 pandemic has accelerated the digitalization process and has shown that meaningful connectivity is the foundation of the digital economy and society. In this regard, collaboration across sectors and national borders is key to tackle regulatory challenges and come up with effective solutions in a timely and appropriate manner.

In this regard, EaPeReg is promoting **open dialog with and targeting collective efforts** of all stakeholders to facilitate digital transformation processes across the region. Cooperation and collaborative regulation should become a priority on the national and international level, as collaborative regulation brings institutions across sectors together to think through different aspects of technologies, services and their use to create an enabling environment for investment and regulatory incentives for innovation and connectivity.

Aiming at ensuring that more people experience benefits of the digital economy and transformation, international organisations such as ITU should encourage knowledge and best practice sharing and continue successful work in the

¹ SWD(2020) 56 final

elaboration of handbooks, toolkits and reports that guide the Member States' administrations in the development of the national framework. The collaborative approach will ensure not only consistency of the regulatory acts and predictability for the market players, but also citizens' trust in the new technologies and in the benefits of the digital services.

As data-driven regulation is a response to the dynamic pace of the digital world and, therefore, fundamental for digital transformation, Member States should be encouraged to ensure that **regulators are properly empowered** to collect relevant data from the market players and have **capacity to develop regulatory tools** to address identified failures in the markets. Technologies and business models will continue to evolve and in this regard data-driven approach will help regulators to be more reactive and agile.

In addition, **participation of regulators in the legislative initiatives** that have impact on the sector under their competences must be clearly stated in the legislation.

In time, it has become notorious that regulators are the most reliable in providing the most accurate information necessary for the data-driven regulation. Thus, the **obligation to consult the regulators** should be encouraged and promoted on the regional and international level and mutually recognised on the national level.

As modern regulator is one of the master builders of the extended digital economy, NRAs must have the **ability to promote the very high-capacity networks** rollout that is crucial for ensuring connectivity which is at the top of every nation's agenda nowadays. Such an ability will give a solid ground for creating an open and enabling environment for succeeding in achieving universal and meaningful connectivity.

There is no doubt, that regulators play a crucial role in ensuring sufficient investment in national market, healthy competition, access to ICTs as well as effective consumer protection. To this end the regulators must have **adequate powers and regulatory tools** to promote competition, also by setting tariffs to access the existing infrastructure in order to boost competition and to attract new investments or to identify the new mechanism to fill in the connectivity gaps. In this regard, regulatory tools such as the methodologies for setting tariffs for access to infrastructure, broadband mapping etc play a significant role.

Recent lessons learnt have shown that digital connectivity is the basic foundational element of sustainable development and "leaving no one offline" is the motto of the "new normal" world. Security and resilience of networks are key elements for sustainable development. This leads to recognizing that efficiently developed broadband mapping tool is useful not only to address connectivity gaps but also to address network incidents or monitor the network resilience that is so important during the pandemic. Within EaPeReg this conclusion was confirmed during the workshop on critical infrastructure and security of networks held on 25-26 February 2021. Besides, during EaPeReg workshop on universal service and other appropriate connectivity mechanisms held on 4-5 March 2021 it was shown that the EU Member States (IT) are using broadband mapping for governmental voucher scheme aimed at ensuring high

speed internet connection to families without internet connection to help them continue working and studying from home.

EaPeReg is making sustained efforts to ensure **capacity building** of its members via workshops that are aimed at presenting the best practices of EU member states as well as through EaPeReg deliverables that support the members in developing the necessary regulatory tools.

EaPeReg welcomes the outcomes of the ITU GSR-21 Regional Regulatory Roundtable for Europe and Africa and proposes the following matters to be considered for the GSR-21:

- Data-driven and fit-for-purpose, together with flexible, light-touch regulation that is collaborative and open to partnership and cooperation should be recognised as a necessity in this rapid life process of innovations and transformation;
- NRAs competencies should be revised and updated, in order to face and effectively respond to all of the calls of the digital era and reach every single target set. NRAs should be given the powers that respond to new technological progress, which calls for bold, new, and inclusive regulatory approaches, including enforcement levers and regulators' supervisory role. The Regulators participation in the legislative initiatives that impact the sector under their competencies must be guaranteed;
- To ensure consistency of regulation harmonization, information sharing and cooperation has to be at the top of all stakeholders involved, which should be encouraged and supported internationally. Examples of good practices should be selected and suggested to Member States for adoption on the national level;
- Best practices' suggestions are also necessary in terms of the regulatory tools (methodologies for calculating cost i.e., access to infrastructure, calculation of the net cost to compensate universal service provider etc, methodologies to assess connectivity gaps, regulatory governance and regulatory competences, broadband mapping etc);
- Member States should be encouraged to put more efforts to developing broadband mapping aimed at ensuring meaningful, secure, affordable and sustainable broadband connectivity for all. In this regard international organisations should provide consistent assistance in this matter through commitment, collaboration, and partnerships.
- The participation of regional associations in events such as GSR plays a significant role. It facilitates the implementation of new, innovative and at the same time relevant and up to date ideas on the regional and national levels.