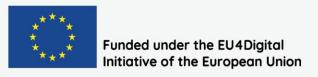


# EU4Digital Facility Activity Update

EaPeReG Plenary Meeting (virtual), 3 December 2020



Completed

In progress

Planned for the upcoming 6 months

#### **State of play and plans:**

Roaming report (11/2019)

Experts approval of draft RRA (05/2020)

National stakeholder consultations (12/2020)

Regional negotiations and approval of RRA (03/2021) Final output

Regional Roaming Agreement (RRA), reducing roaming charges among EaP countries, signed (03/2021)

- Draft Regional Roaming Agreemt (RRA) and consultations with relevant stakeholders
  - RRA is drafted in a form of Mutual Recognition Agreement (WTO compliant)
  - expected 87% roaming prices reduction with positive impact of € 4.6m
  - national consultations expected to be closed during common workshop in mid-October
  - next step regional negotiations and validation during HDM Panel expected on 13 November 2020
- The signing ceremony of the RRA is expected to take place late 2020 / early 2021
  - WTO shall be notified by one of its' members before signing RRA
  - RRA enters into force on 1 January 2022 price regulation starts
- New activity planned EaP-EU roaming study

## Regional Roaming Agreement - timeline

#### Late 2020 or early 2021

Eastern partner countries Ministers plan to sign a Regional Roaming Agreement.

#### **Throughout 2021**

Adoption of any amendments to the laws or/and by-laws, necessary to achieve the objectives and implementation of Regional Roaming Agreement.

#### **1 January 2022**

Regional Roaming Agreement enters into force, people in Eastern partner countries will pay less for mobile communications services while roaming within the six Eastern Partnership countries.

#### 2023 - 2025

Roaming prices will be still falling in line with proposed glidepath. It is expected, that by the end of this period in 2026 the roaming charges for customers will be reduced by 87%.

#### **1 January 2026**

Roaming charges for customers expected to be further reduced as a result of mirroring new EU rates for wholesale prices and setting retail charges by adding calculated effective domestic prices.

Planned for the upcoming 6 months

#### **State of play and plans:**

Methodology on NRA independence assessment (01/2020)

First draft of NRA independence gap assessment report (06/2020)

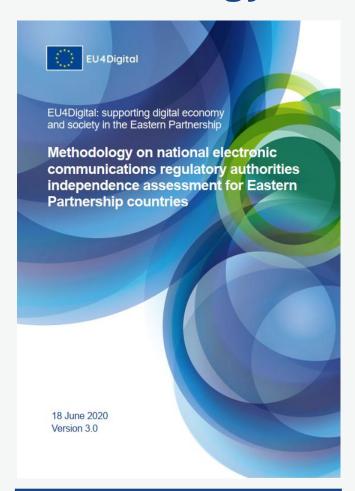
Gap assessment report and country specific action plans (12/2020) Technical support for implementation of country specific action plans (12/2021)

Final output

NRA organisational and financial independence strengthened (12/2021)

- Gap assessment report & country specific action plans
  - common assessment methodology approved
  - initial findings and observations prepared for each EaP country
  - final reports with recommendations are expected to be completed by the end of October 2020
  - country specific action plans to be prepared by the end of 2020
- National consultations and regional events to promote benefits of regulatory independence and support country actions towards strengthening NRA organisational and financial independence
  - regulatory independence is prerequisite for harmonisation of with acquis
  - involvement of high level stakeholders and promotion of topic is critical for proper implementation

## Methodology: dimensions and criteria assessed



Methodology on NRAs independence assessment for Eastern partner countries

#### **Baseline for NRA independence assessment**



#### **Baseline:**

EU 2002/2009 regulatory framework (EU NRA practice)



#### Other sources of input:

OECD, ITU and WTO approaches, results of relevant academic studies



#### Methodology for NRAs legislative gaps assessment

For the purpose of identification of legislative gaps, the criteria agreed to be assessed, including those related to governance related aspects as well as typical powers of the NRAs were broken down into **2 principal dimensions**:



#### 1. Governance dimension

- 1.1. Setup of the NRA
- 1.2. Setup of decision making body
- 1.3. Appeal and Dispute Resolution



#### 2. Powers and obligations dimension

- 2.1. General
- 2.2. Market analysis
- 2.3. Scarce resource management
- 2.4. Consumer protection
- 2.5. Universal service

## Three levels of gap assessment reports

Level 1
Insights report

The Insights report on independence of National Regulatory Authorities in Eastern partner countries provides a high-level overview of legislative gap assessment exercise in all EaP countries, including key gaps in light of relevant EU regulatory framework as well as main insights per selected criteria assessment.

Level 2
Gap assessment reports

Reports on assessment of the legislative gaps in the field of electronic communications – governance of national regulatory authorities and their powers and obligations provide gap assessment regarding governance of NRAs and their powers and obligations for each EaP country separately, including findings in light of relevant EU regulatory framework as well as recommendations towards bridging the gaps where applicable.

Level 3
Detailed gap assessment reports

Detailed reports on assessment of the legislative gaps in the field of electronic communications including references to national legislation provide findings and recommendations regarding legislative gap assessment for each EaP country separately, including detailed mapping of relevant EU regulatory framework norms versus relevant country-specific legislation.

Planned for the upcoming 6 months

#### **State of play and plans:**

EU best practice analysis report (10/2019)

National consultations on the draft RSA (05/2020) Regional EaP roadmap and country specific plans (06/2020) Support regional negotiations on the RSA (03/2020) Final output

Regional roadmap for freeing 700 MHz designed, aligned among EaP countries (06/2020)

#### Implementation of the Regional EaP roadmap:

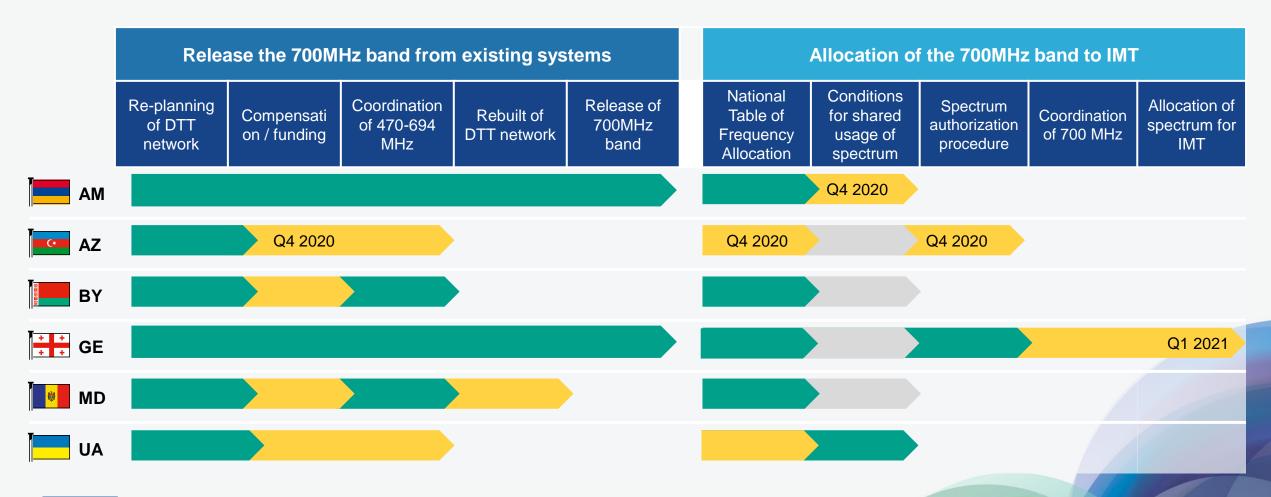
- handed over to Country representatives for implementation
- current phase ongoing technical support and on-demand consultations
- it is recommended to accelerate roadmap implementation by introducing monitoring mechanism, enabled through SEWG and HDM Panel levels at least on a bi-annual basis

#### Signing of Regional Spectrum Agreement (RSA):

- RSA is in the final stages of alignment, pending agreement on reflection of national specificities
- the signing ceremony of the RSA is expected to take place late 2020 or early 2021

## **Progress of EaP countries freeing 700 MHz**





## 4. EaP-EU Roaming study: scope and expected deliverables

Objective

Explore the possibility of setting up of a common roaming space between Eastern partner countries and the EU Member States, following up on an agreement reached at the Third Ministerial Meeting, as cross cutting legal, economic and technical exercise



**Activities** 

**Activity kick-off** (we are here)



**Planning** 

Project scope definition, work plan preparation and other project planning activities



Legal analysis

Preparation of summary of potential approaches towards common EaP-EU international roaming space based on roaming regulatory environment analysis and international commitments



Impact assessment

Impact assessment of introduction of EaP-EU international roaming space based on current state analysis of mobile communications markets in EaP and EU



**Technical requirements** 

Design of technical requirements and recommendations for next steps

**Output** 

Feasibility study on the common international roaming space between the Eastern partner countries and the EU Member States



## EaP-EU Roaming study: high level work plan

Lai Lo Roaming Stady. Ingil level work plan												
			2020			2021						
	Activities and sub-activities	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>	9 <sup>th</sup>	10 <sup>th</sup>	11 <sup>th</sup>
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Prepare a feasibility study on the common international roaming space between the Eastern partner countries and the EU Member States												
	Stakeholder management											
0.	<ul> <li>Proactive stakeholder engagement</li> <li>Cooperation with DG NEAR, DG CONNECT, DG TRADE EaPeReg, BEREC and relevant national stakeholders in EaP</li> </ul>											
		▲ Kick-	off meetin	g								
	Legal framework analysis  Mapping of international commitments of the EaP countries											

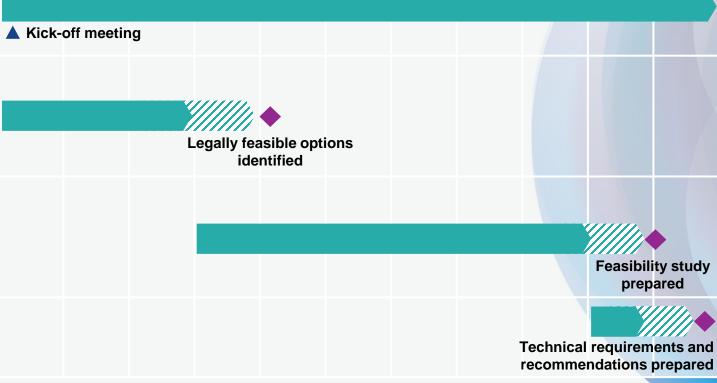
- Mapping of international commitments of the EaP countries and the EU MSs
- Mapping of roaming regulation frameworks and specifics in EU and EaP countries
- ▶ Identification and evaluation of legally feasible options

#### **Economic impact assessment**

- Design of impact assessment model and data required
- Data collection
- Data analysis
- Preparation of economic feasibility and impact assessment report

#### **Technical requirement preparation**

 Design of technical requirements and recommendations for next steps







## Stakeholder engagement approach

EaPeReg	<ul> <li>Close collaboration with EaPeReg and its' Roaming expert working group (REWG) from the early beginning</li> <li>All deliverables / decisions aligned with EaPeReg and its' REWG before communicating to the relevant national stakeholders in EaP countries</li> </ul>
European Commission	<ul> <li>All deliverables / decisions to be aligned with DG NEAR and DG CONNECT</li> <li>Deliverables / decisions related to international commitments/legal feasibility to be also aligned with the DG TRADE</li> </ul>
BEREC	<ul> <li>All deliverables / decisions to be aligned with BEREC</li> </ul>
National stakeholders of EaP countries (relevant ministries and NRAs)	<ul> <li>All deliverables / decisions need to be aligned with NRAs and relevant ministries</li> <li>Communication via REWG country representatives – they are expected to represent position of respective NRA / Ministry</li> </ul>
National mobile network operators	<ul> <li>To be engaged during the work products presentation and alignment with wider stakeholders</li> <li>Communication via REWG country representatives</li> </ul>



## **Key considerations for success**



#### EaP and EU MSs cooperation and provision of data is essential

It is crucial that countries concerned would cooperate (both Easter Partner and EU MSs), including commitment to provide mobile communications markets data, participation in the relevant stakeholder meetings and verification of the findings



# Signing of RRA among EaP countries is one of underlying assumptions for further assessing feasibility of common EaP-EU roaming space

Regional Roaming Agreement (RRA) signing, which is expected to take place late 2020 or early 2021 shall bring Eastern partner countries' roaming regulation closer to the harmonization with EU international roaming regulatory framework and is a pre-requisite for common EaP-EU roaming area



# Involvement of EaPeReg, BEREC, relevant European Commission services and national stakeholders in EaP countries is required

The work shall be carried out by the EU4Digital team with potential involvement of the of the experts of the REWG, representatives of the BEREC. It is also essential, that DG NEAR and DG CONNECT would be involved, when aligning the work products. For work to progress the involvement of relevant national stakeholders (NRAs and respective Ministries) is essential.



## **Telecom Rules area beyond 2021**

#### Considerations for the future



- Reduction of roaming prices among the EU Member States and EaP countries
- Establishment of mechanism and tools to comprehensively monitor internet service quality and reach
- Design of roadmap / action plan to promote access to competitive broadband internet services
- Design roadmap / action plan for the release and allocation of potential frequency bands (other than 700 MHz) for 5G mobile networks
- Launch of 5G strategies and 5G pilot projects in EaP countries
- Empower National regulatory authorities to promote effective competition in the EaP countries' electronic communications markets

