**57th Ordinary Plenary Meeting of the** **BEREC** **Board of Regulators (BoR)**

**Hybrid Meeting**

**Conclusions**

**Chair: Konstantinos Masselos**

President of the Hellenic Telecommunications

& Post Commission (EETT)

7 December 2023

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Annex I – List of documents

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| **Main Results of the 57th Meeting of the BEREC Board of Regulators** |

The BEREC Board of Regulators held its 57th Ordinary Plenary Meeting in hybrid mode on 7 December 2023.

During the Meeting, the BoR discussed and approved the following documents:

1. **Documents approved as ‘A’ items:**
   1. For publication:

* BoR (23) 195 Decision No BoR/2023/xx of the Board of Regulators on the BEREC Working Groups
* BoR (23) 196 Regulatory Accounting in practice Report 2023
* BoR (23) 197 List of institutional meetings in 2023 and List of contacts in other institutions

1. **Documents approved as regular items:**
   1. For publication:

* BoR (23) 194 BEREC 57th BoR Agenda
* BoR (23) 203 BEREC Report on the outcome of the public consultation on Draft BEREC Report on practices and challenges of the phasing out of 2G and 3G
* BoR (23) 204 BEREC Report on practices and challenges of the phasing out of 2G and 3G
* BoR (23) 205 BEREC Summary Report on the outcome of a BEREC internal workshop on the migration to VHCN s and copper switch-off with a focus on the needs of the end-users
* BoR (23) 206 BEREC Study on evolution of competition dynamics of tower and access infrastructure companies not directly providing retail services
* BoR (23) 208 external study on the trends and policy/regulatory challenges of cloudification, virtualisation and softwarisation in telecommunication
* BoR (23) 209 BEREC Report of the outcome of the public consultation on Draft BEREC Work Programme 2024
* BoR (23) 210 BEREC Work Programme 2024
* BoR (23) 213 BEREC Report on the Current Cybersecurity Challenges and Dependencies in Electronic Communication Networks
  1. For internal use:
* BoR (23) 211 PRDs for BEREC Work Programme 2024
* BoR (23) 212 Indicative calendar of international events for 2023
  1. For public consultation:
* BoR (23) 207 Draft BEREC Report on empowering end-users through environmental transparency on digital products and services
* BoR (23) 214 Draft BEREC Report on the authorisation-related framework for international connectivity infrastructures

1. **Documents submitted for information purposes:**

* BoR (23) 198 Contact lists pack
* BoR (23) 199 Information on the planned electronic voting procedures
* BoR (23) 200 Information on the electronic voting procedures since the last Plenary Meeting
* BoR (23) 201 Work Programme 2023 status update
* BoR (23) 202 Outline of BEREC Annual Report 2023

1. **Other main topics discussed**

The BoR was briefed on the recent activities of the BEREC Chair, the important projects carried out by the BEREC Office in support of BEREC, and the BEREC's current and forthcoming international activities. The BoR also held a regulatory exchange session concerning the future of the electronic communications sector.

The European Commission (EC) was invited to provide information on significant recent developments and activities that impact the electronic communications sector under its remit.

1. **Next Meeting**

The following Ordinary Plenary Meeting of the BoR will take place in virtual format on **7 March 2024**.

1. **Follow-up actions**

The follow-up actions arising from the conclusions of the Meeting are presented in Annex I to the Minutes.

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| **Introduction and participation** |

The BEREC Board of Regulators held its 57th Ordinary Plenary Meeting in hybrid mode on 7 December 2023 in Warsaw, Poland.

The Meeting was attended by the Heads and High-level Representatives of the National Regulatory Authorities (NRAs) from each EU Member State (MS), who have primary responsibility for overseeing the day-to-day operations of the markets for electronic communications networks and services. The European Commission also took part in the Meeting. Heads and High-level Representatives of the NRAs with whom BEREC has concluded working arrangements were also present.

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| **List of documents** |

BEREC Regulation and the BoR transparency rules, is presented in Annex I to the Conclusions

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| **Items discussed** |

Below is a short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the BoR.

# Opening of the meeting and adoption of the Agenda

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| **Document(s)** | BoR (23) 194 Draft BEREC BoR Agenda |
| **Introduction by** | BEREC Chair (EETT) |
| **Information presented** | The BEREC Chair welcomed the Meeting participants and provided practical information on the logistics of the Meeting. He opened the Meeting and presented the draft Agenda for approval by the BoR. The BoR was invited to suggest any additional issue to be raised or presented under “Any Other Business” (AOB). One NRA suggested to include AOB item regarding the announcement of the EuroDIG event, happening next summer. |
| **Conclusion** | The BoR adopted the Agenda, including proposed AOB item. |

# List of “A” items

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| **Document(s)** | BoR (23) 195 Draft Decision No BoR/2023/xx of the Board of Regulators on the BEREC Working Groups  BoR (23) 196 Draft Regulatory Accounting in practice Report 2023  BoR (23) 197 Draft List of institutional meetings in 2023 and List of contacts in other institutions |
| **Introduction by** | BEREC Chair (EETT) |
| **Information presented** | The BEREC Chair presented the list of ‘A’ items, as set out above. The list of ‘A’ items was drawn up based on the conclusions of the Contact Network (CN), according to which the BoR’s approval of the documents should be possible without further discussion. The BEREC Chair will inform the BoR members that, if needed, they can still make statements for the minutes on any of the ‘A’ items. Should a position taken on an ‘A’ item lead to further discussions, or should a member of the BoR request so, this item shall be withdrawn from the list of ‘A’ items.  He also informed about newly appointed Co-chair of FNE working group, Francois Weber from Arcep. |
| **Conclusion** | The BoR approved the documents included in the ‘A’ item list. |

# Information from the BEREC Chair

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| **Document(s)** | No document |
| **Introduction by** | BEREC Chair (EETT) |
| **Information presented** | The BEREC Chair briefed the BoR on the outcome of the recent important meetings he participated in.  Also, he informed the BoR about the work of the Digital Markets Act High-Level Group (DMA HLG) and the recent meeting of the group, held on 27 November 2023.  A letter about the BEREC Chair’s main recent activities was submitted to the BoR for information before the Meeting.  Overview of the recent external events and meetings:   1. **ITRE-BEREC annual Exchange of Views (12 October, Brussels)**: BEREC Chair accompanied by incoming Chair and BEREC Office Director gave a presentation about the main directions of WP2023, the goals of WP2024 and the operation of the BEREC Office. 2. **IIC International Regulators Forum and IIC Annual conference (16-19 October, Cologne)**: BEREC Chair participated in both events together with other colleagues from BEREC 3. **5G Techritory 2023** **(18-19 October, Riga): Incoming Chair**  represented BEREC as a speaker in this event. 4. **Informal meeting of Telecommunications Ministers (23-24 October, Leon):** BEREC Chair was invited to participate on behalf of BEREC and requested to make a short intervention in session 2 about the future of telecommunications. 5. **Financial Times Tech & Politics Forum (7 November, Brussels)**: BEREC Chair participated in a panel about Digitalisation and Sustainability 6. **Dutch association for competition law event (9 November, Amsterdam):** BEREC Vice Chair participated in a panel about the future of digital markets and competition supervision 7. **Forum of Telecommunications 2023 (14 November, Rome):** BEREC Chair was invited by Assotelecomunicazioni to give a speech during their forum 8. **On 4 December 2023**, BEREC Chair participated in a panel about "Achieving a Dynamic and Innovative Digital Infrastructure in Europe" organized by **D9+ Stakeholder Forum in Brussels**. |
| **Conclusion** | The BoR took note of the information. |

# Information from the BEREC Office

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| **Document(s)** | BoR (23) 198 Contact lists pack  BoR (23) 199 Information on the planned electronic voting procedures  BoR (23) 200 Information on the electronic voting procedures since the last plenary meeting  BoR (23) 201 Work Programme 2023 status update  BoR (23) 202 Outline of BEREC Annual Report 2023 |
| **Introduction by** | BEREC Office Representative |
| **Information presented** | The BEREC Office submitted to the BoR for information the updated contact lists for the BEREC Heads, CN members and the BEREC Office, and the overview of the recent and planned electronic voting procedures.  The representative of the BEREC Office updated the BoR members on the main projects and studies run by the BEREC Office to support BEREC.  He also provided a status update on the Work Programme 2023, and presented the Outline of the BEREC Annual Report 2023 to the BoR.  The BEREC Representative also presented information on the Information Sharing portal and explained, that based on the discussion results during Contact network meeting, majority of the NRAs suggested to keep the portal with the same level of services. BEREC representative also updated BoR regarding recently introduced 2-Factor authentication for Berecnet. Password validity now increased up to 180 days, however there are still some technical issues and ICT team is working to solve them as soon as possible. BEREC Representative presented results of the Co-Chair’s Satisfactory survey, thanking them for active participation in it.  He also informed about very successful junior expert training, which was highly participated. He mentioned that some of the working group’s Co-Chairs’ sessions are still expected in the beginning of the next year.  He ended his presentation with information regarding the Draft Annual report for 2023, informing, that Contact network asked BEREC office to get involved in the drafting process and to re-draft some sections of the report. |
| **Conclusion** | The BoR took note of the information. |

# Information from the European Commission

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| **Document(s)** | No documents |
| **Introduction by** | European Commission Representative |
| **Information presented** | The EC Representative informed the BoR about the European Commission's main activities in electronic communications and other relevant activities since the last Plenary.  A paper on the Commission's main activities was submitted to the BEREC members for information before the Meeting.  The EC representative mentioned two important very recent activities dedicated to the future of the electronic communications sector and related issues: the round table with private investors and the debate with ministers at the Telecom Council.  She suggested covering those topics later under the agenda item "Exchange of regulatory experience" (discussion item).  EC representative continued with other EU activities. First topic – on the Enlargement package.  On 8 November, the Commission adopted the 2023 Enlargement Package. It provides a detailed assessment of the state of play and progress made by Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia, Turkey, including for the first time Ukraine, Moldova and Georgia, on their respective paths towards accession to the EU. The Commission notably recommended accession negotiations with Ukraine and Moldova. The Commission recommended candidate status for Georgia. It is now up to the European Council to consider the recommendations of the Commission and decide on the steps ahead in the enlargement process.  The Commission also announced on 8 November a New Growth Plan for the Western Balkans. One of the four priority areas is the Single Market; it includes priority actions on roaming to extend the scope of the current EU-Western Balkan voluntary agreement and explore legal solutions for bringing the Western Balkans into Roam Like at Home.  EC representative continued with information on Moldova.  She informed that on 6 October, the joint EU-Moldova Association Council in Trade Configuration formally adopted the decision incorporating the roaming acquis, including the European Electronic Communications Code, into the EU-Moldova Association Agreement. Moldova is expected to finalise its national law's complete alignment with the relevant EU roaming law by October 2025.  She continued with the Proposal for a Gigabit Infrastructure Act (GIA)  A General Approach on the GIA proposal was adopted at the Telecom Council 5 December. On the same day, the first trilogue took place.  She informed that there is a number of issues where the position of Parliament and Council diverge. Important ones include tacit approval, amendments on the intra-EU communications, Tower company's inclusion in regulation and replacement products for ducts, the role of Commission's guidance and entering into force of this regulation.  Belgian Presidency is planning two trilogues; the final is scheduled for February 2024. This would allow the Commission to conclude this process under the mandate of the current Parliament.  On the draft Gigabit Recommendation: Commission services are now finalising the text following internal consultations and aim to adopt and publish a final text as soon as possible when the translations are finalized.  Waiting for the translation for adoption is crucial to have all languages ready.  On the Digital Decade Policy Programme (DDPP).  The First Report on the State of the Digital Decade was adopted on 27 September. It consisted of Communication, taking stock of the EU's progress towards the 2030 objectives and targets and including recommendations at EU and MS levels. This report is a first step in collaborating with the Member States.  The conclusions and recommendations were discussed with the Member States at the Meeting of the Digital Decade Board on 7 November. Other topics included the national strategic digital decade roadmaps, where the MS will define their respective contributions to the collective 2030 goals and European Digital Infrastructure Consortia (EDICS). Roadmaps were expected by 30 November 2023. Not all roadmaps were received, and the Commission asked the NRAs to pass the message to their colleagues in ministries that the Commission is waiting for roadmaps. Two more meetings are planned to discuss those roadmaps – in February and May of 2024.  She continued briefing on the Commission’s work on 5G KPIs, where BEREC is also actively involved. She emphasised that for Commission, it is essential to start working together with BEREC on the new methodology.  She also briefed on the Digital Markets Act.  The second Meeting of the DMA High-Level Group took place on 27 November 2023. The topics discussed include developments in implementing the DMA following the designation of six gatekeepers, the possible setting up of sub-groups within the DMA High-Level Group, and an exchange of views on artificial intelligence.  The EC representative finalised her presentation, sharing that the Commission thanks BEREC for helping get data for the new cost model for the roaming wholesale services . However, she also shared regrets for those NRAs who decided not to participate in that exercise since the Commission believes that the cost model has to be as inclusive as possible. |
| **Conclusion** | The BoR took note of the information. |

# Wireless Network Evolution (WNE)

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| **Document(s)** | BoR (23) 203 Draft BEREC Report on the outcome of the public consultation on Draft BEREC Report on practices and challenges of the phasing out of 2G and 3G  BoR (23) 204 Draft BEREC Report on practices and challenges of the phasing out of 2G and 3G |
| **Introduction by** | WNE Working Group (WG) Co-Chairs (ACM/ComReg) |
| **Information presented** | The Co-chairs started their presentation with the information, that there are many different practices and approaches used by Member states to address this topic.  The Co-Chairs briefed about the main outcomes of the public consultation and the final Draft Report, explaining that the main reason for the presentation on this Plenary meeting is not the prepared draft report but a discussion more of a strategic perspective on the possible BEREC involvement and timing/ role of BEREC in this process.  If the market is unable to (timely) solve the issues raised by the phase-out process policy intervention may be needed and regulation may have to play a role.  The co-chairs also refered to the fact, that need for spectrum management/authorization policy measures may be in contradiction with RSPG statements, which says that “from a spectrum regulatory perspective, no need has been identified for regulatory intervention to extend the lifespan of 2G/3G.”  The Co-chairs concluded their presentation noting that not knowing what the policy base is, there are obvious risks when and how BEREC can effectively contribute in the best way and what strategic criteria should be considered. The Co-chairs proposed to discuss those topics and informed that the draft report on the outcome from public consultation and draft final report were submitted to the BoR for approval for publication. |
| **Conclusion** | The BoR approved the documents for publication. |

# Fixed Network Evolution (FNE)

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| **Document(s)** | BoR (23) 205 Draft BEREC Summary Report on the outcome of a BEREC internal workshop on the migration to VHCN s and copper switch-off with a focus on the needs of the end-users |
| **Introduction by** | FNE WG Co-Chairs (RTR/BNetzA) |
| **Information presented** | Electronic communication network operators are rolling out fibre closer to end-users and the importance of the copper-based access network is declining. Therefore, NRAs are increasingly confronted with the situation where the significant market power (SMP) operator wants to decommission its legacy copper-based access network and close the main distribution frames (MDFs) for example. The NRAs have to apply the provisions of Article 81 of the European Electronic Communications Code (EECC), taking into utmost account the new European Commission Gigabit Connectivity Recommendation.  BEREC already held an internal workshop on ‘Migration from legacy infrastructures to fibre-based networks’ in 2019 and published a report on a consistent approach to migration and copper switch-off in 2022, as well as an opinion on the draft European Commission Gigabit Connectivity Recommendation including a section on the topic ‘migration and copper switch-off’ in 2023. Migration to very high capacity networks and copper switch-off is an important ongoing process, in particular for end-users, and therefore, BEREC examined this topic further and held an internal workshop on 7 September 2023 in Brussels.  The Co-Chairs presented to the BoR the main findings of that internal workshop.  Most relevant for end-users are:   * Sufficient, reliable and timely information * The availability of an appropriate alternative end-user service in time (it is particularly challenging in case of remote rural areas where fibre is not available and even wireless coverage is difficult) * Whether end-users will be forcibly switched-off, if they do not migrate voluntarily before the switch-off date. The role for forced migration differs between presented countries   The Co-chairs also presented information on the updates of the migration process rules, set by NRAs and informed on some countries examples.  The Co-Chairs informed, that draft report is submitted to the BoR for approval for publication. |
| **Conclusion** | The BoR approved the document for publication. |

# Market and Economic Analysis (MEA)

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| **Document(s)** | BoR (23) 206 Draft BEREC Study on evolution of competition dynamics of tower and access infrastructure companies not directly providing retail services |
| **Introduction by** | MEA WG Co-Chairs (ANCOM/CNMC)  Representative of the contractor (WIK Consult) |
| **Information presented** | The Co-chairs started with the short introduction on the objectives of the study, explaining that in recent years, there has been a trend towards divestiture/spin-off of key network assets such as communication towers/sites and access fibre infrastructure by telecommunication operators that had previously been vertically integrated. This development is reconfiguring the market at the wholesale level, leading to a diversity of players that are not (directly) active at the retail level but which control key strategic assets that are needed to provide retail electronic communications services.  The Co-Chairs introduced the contractor and the study methodology to the BoR members.  The contractor presented the final report of the study, which also includes the regulatory provisions applicable in Europe to the operation of these assets, as well as to operators marketing the use of these infrastructures.  The study covers analytics for opportunities and threats for telecommunication companies and infrastructure companies, showing different aspects for each market player. The study provides scope for existing EU legislation to address the challenges. And also gives conclusions and recommendations on the regulatory tools which are relevant for different market players and can be used as a possible solution for various types of problems.  There are 2 reports submitted for approval: one is a confidential version, with confidential information provided by companies during the interviews, for BEREC’s internal use only, and the other non-confidential, public version is submitted for the approval for publication. |
| **Conclusion** | To discuss and approve both versions of the report:  Confidential version - for internal use;  Public version - for publication. |

# Exchange of regulatory experience

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| **Document(s)** | No document |
| **Introduction by** | BEREC Chair (EETT) |
| **Information presented** | The BEREC Chair started with the background information, that during 2023 a discussion has begun in the EU regarding the future of electronic communications sector.  The discussion started with an exploratory consultation on the future of the electronic communications sector and its infrastructure, published by the European Commission in February 23rd, aiming to gather data and views on the technological and market developments, measures regarding fairness for consumers, barriers to the Single Market and the question regarding a fair contribution by all digital players benefitting from the digital transformation. The stakeholders, in general, identified at the time the fair share contribution as being the centre of the discussion and the focus of the European interest. The EC published the results of the exploratory consultation in October 10th, identifying three main takeaways :   1. Need of innovation and efficient investment; 2. Need to leverage the Single Market to boost investment and innovation; 3. Need to secure EU networks.   BEREC Chair continued with the information about the informal Telecom Council in León on October 23-24, where Commissioner Breton announced that the Commission would be working to redefine the regulatory framework of telecoms. This is reflected in the Commission Work Programme 2024: “Major investments in digital networks are needed to meet our Digital Decade targets for 2030”.  Following the recent exploratory consultation, the Commission will prepare the ground for possible policy and regulatory actions regarding Digital Networks and infrastructure, notably to facilitate cross-border infrastructure operators in the Single Market, accelerate deployment of technologies and attract more capital into networks. Europe needs to facilitate a single market and it needs a secure, resilient connectivity.  The European Commission plans to issue a White Paper on a long-term vision for competitiveness, spectrum, deregulation or consolidation, and it was highlighted that the legal framework needs to be adapted to deploy telecommunications networks faster. There are also plans to issue a recommendation for submarine cables to ensure proper finances for the deployment and maintenance of submarine cables.  BEREC Chair also briefed on BEREC’s own work:   * Chair’s study 2023 on cloudification, virtualization, softwarisation of networks * These developments have significantly changed the dynamics of networks, and improved their efficiency. * The study considered the impact of the technical evolution and changes in business dynamics on the regulatory landscape for Electronic Communications Networks and Services (ECN/S).   The BEREC Chair continued its presentation with another important aspect, that there are plans for the review of the EECC. By 21 December 2025 and every five years thereafter, the Commission shall review the functioning of the EECC and report to the European Parliament and to the Council. While BEREC has commenced work that will be relevant to this review, it is unclear how this required review might interplay with any new legislative initiative that might emanate from the exploratory consultation on the future of the electronic communication sector and its infrastructure.  Considering all those factors, the Heads were asked to have a discussion on the future of electronic communications regulation and BEREC’s role in the new technological environment. |
| **Conclusion** | To take note of the information. |

# Sustainability (SUS)

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| **Document(s)** | BoR (23) 207 Draft BEREC Report on empowering end-users through environmental transparency on digital products and services |
| **Introduction by** | SUS WG Co-Chairs (Arcep/CTU) |
| **Information presented** | The Co-chairs started their presentation recalling the objectives of the workstream:   1. Raising the level of knowledge on existing initiatives to provide reliable information to end-users and promote their empowerment in the green transition (NRAs’ initiatives, EU activities, other relevant/competent authorities’ work); 2. Exploring the means to reach out to end-users on the environmental footprint of digital products (i.e., goods and services), as well as the potential role of BEREC and NRAs; 3. Preparing BEREC communication campaign materials that regulatory authorities can use on a voluntary basis, based on the report and previous work of BEREC, with special attention to circular economy and life cycle approach of end-user devices.   The Co-chairs presented 3 deliverables and time plans for each planned activity:   * **Workshop** with EEB, BEUC and consultants working with the European commission (recording and internal summary report) * BEREC **report** including the review of existing initiatives, analysis of means to reach out to the end-users on the topic, and learnings from the workshop (Draft Report presentation on CN/P4 2023, final report for CN/P2 2024 with the report on the outcomes of the PC) * A **communication campaign** in S2 2024 (in collaboration with BEREC ENG Communications)   The Co-Chairs presented a draft report, which provides a general overview of initiatives taken by NRAs and other relevant stakeholders regarding the empowerment of end-users in terms of sustainability, as well as an analysis of the most effective ways of reaching out to end-users in this regard (e.g. educational campaigns, data collection on end-users' approaches to sustainability, etc.).  The Co-chairs introduced to the BoR some of the key findings, explaining that digital services life cycle has an impact on infrastructure and devices footprint. Devices constitute the major part of the environmental footprint of digital technologies, therefore awareness of the end-users, and promotion of the sustainable consumption choices to extend the durability of the devices has an impact.  The Co-chairs submitted report for the BoR approval for public consultation. |
| **Conclusion** | The BoR approved the document for public consultation. |

# Planning and Future Trends (PFT)

## External study on the trends and policy/regulatory challenges of cloudification, virtualisation and softwarisation in telecommunications

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| **Document(s)** | BoR (23) 208 Draft external study on the trends and policy/regulatory challenges of cloudification, virtualisation and softwarisation in telecommunications |
| **Introduction by** | PFT WG Co-Chairs (ACM/CNMC)/ Plum Consulting (contractor) |
| **Information presented** | The contractor started with the objective and methodology of the study.  Secondly, he presented the input gathered through the study about all the new trends in network operation so as to provide a complete picture to NRAs on what to expect as regards the functioning of the electronic communication networks and the provision of electronic communication services. In particular, the study focuses on the effects of the increased separation between network hardware and software, tendencies towards centralisation (cloud computing) as well as decentralisation (edge computing), and the impacts of these processes on the different players along the telecommunications value chain, taking into consideration the role of data in these developments.  The contractor informed, that the working group will organise a workshop in the first quarter of 2024 to discuss the main findings of the study with the stakeholders.  The draft report was submitted to the BoR for approval for publication. |
| **Conclusion** | The BoR approved the document for publication. |

## BEREC Work Programme 2024

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| **Document(s)** | BoR (23) 209 Draft BEREC Report of the outcome of the public consultation on Draft BEREC Work Programme 2024  BoR (23) 210 Draft BEREC Work Programme 2024  BoR (23) 211 Draft PRDs for BEREC Work Programme 2024 |
| **Introduction by** | Incoming Chair (HAKOM) |
| **Information presented** | The Incoming Chair started with the outcomes of the public consultation on the BEREC Work Programme 2024 (WP2024), which sets out the priorities that the Board of Regulators has identified for 2024.  He informed, that public consultation was launched on 6 October and ran until 6 November. Thirteen inputs from stakeholders were received.  Incoming chair presented some of the general comments from the stakeholders, which included the request for more transparency and involvement of stakeholders. Also longer public consultations and better planning of BEREC’s internal work was suggested. Focus on the activities prescribed by EECC and retain more independency were among the main comments.  He explained in detail changes introduced after the public consultation.  Th Incoming chair invited Regulatory framework working group Co-Chair to explain reasons behind the recently added ad-hoc item on the NRAs independence.  The Incoming BEREC Chair presented the final Work Programme 2024 to the BoR members and the list of PRDs (Project Requirements Documents). |
| **Conclusion** | The BoR approved the Work Programme 2024 (with adjustment) and the Report on the outcome of public consultation on the Work Programme 2024 for publication.  The BoR approved the PRD for internal use. |

## Oral update on the Outline of the draft BEREC Work Programme 2025

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| **Document(s)** | No documents |
| **Introduction by** | Incoming Chair 2025 (ComReg) |
| **Information presented** | The BEREC Regulation states that the Board of Regulators shall adopt the outline of the annual work programme by 31 January of the year preceding that to which the annual work programme relates. After consulting the European Parliament, the Council and the Commission on their priorities, as well as other interested parties in accordance with Article 4(5), the Board of Regulators shall adopt the final annual work programme by 31 December of that year.  The incoming BEREC Chair for 2025 updated the BoR on the Outline of the draft BEREC Work Programme 2025 and introduced the Timeline of the planned activities.  He briefed about the Stakeholders Forum, which is planned on 26 March 2024, suggesting the content of the sessions and items for the discussion. He also noted, that European Commission could be a key note speaker on White paper initiative.  Also he suggested other NRAs to share their ideas for the Stakeholder Forum, after which there will be a Call for input for Work Programme 2025. |
| **Conclusion** | The BoR took note of the information. |

## BEREC International Cooperation

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| **Document(s)** | BoR (23) 212 Draft Indicative calendar of international events for 2024 |
| **Introduction by** | BEREC Vice-Chair (ACM) |
| **Information presented** | The BEREC Vice-Chair responsible for international cooperation briefed the BoR members about BEREC’s international activities and presented the indicative calendar of the international events for the 2024.  She briefed about the cooperation with regional networks - EaPeReg, EMERG, Regulatel and activities with other organizations, including bilateral activities.  She also invited NRA’s international communications representatives to be proactive and communicate BEREC’s dates outside, to ensure that there are less possibilities of BEREC’s activities overlapping with international events. |
| **Conclusion** | The BoR approved for internal use. |

# Cybersecurity (CS)

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| **Document(s)** | BoR (23) 213 Draft BEREC Report on the Current Cybersecurity Challenges and Dependencies in Electronic Communication Networks |
| **Introduction by** | CS Working Group Co-Chairs (AKOS/HAKOM) |
| **Information presented** | The Co-Chairs updated the BoR members on the recent cooperation meetings between ECASEC, NIS CG (WS5G/Telecom) and the BEREC Cybersecurity Working Group, where the Co-Chairs presented the BEREC’s recent report on cybersecurity.  They informed the BoR about the next steps expected regarding the “Nevers Call to Reinforce the EU’s Cybersecurity Capabilities” (Nevers Call report).  The Co-Chairs also presented the second report, prepared based on the data questionnaire, sent to the NRAs and operators, explaining the target of this report, which was to understand the resilience and security status of the networks in responding countries.  The Co-Chairs presented some of the general findings and informed BoR about the open issues and possible topics for future focus work, which will be considered in 2024.  The Co-Chairs submitted the report to the BoR for discussion and approval for publication. |
| **Conclusion** | The BoR approved the document for publication. |

# Regulatory Framework (RF)

## Draft BEREC Report on the authorisation-related framework for international connectivity infrastructures

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| **Document(s)** | BoR (23) 214 Draft BEREC Report on the authorisation-related framework for international connectivity infrastructures |
| **Introduction by** | Leading drafter (ANACOM) |
| **Information presented** | The leading drafter started his presentation reminding the BEREC members, that in March 2021, most of the European Member States adopted the Ministerial European Data Gateways Declaration, a key element of the EU’s Digital Decade strategy. To ensure connectivity throughout the EU (and especially in its outermost regions) and with other continents, it is essential to invest and modernise telecom submarine cables. In this respect, an important factor for reducing the costs related to such investments is the streamlining of the licensing and authorisation processes for submarine cables.  The leading drafter started with the purpose of the report: to analyse the regulatory and authorisation frameworks applicable to international submarine cable systems and identify solutions to promote international submarine connectivity in the EU.  He presented a context of the report and main findings of the analyses.  One of the main findings is that submarine cables very often are not qualified as a public electronic communications network or service, therefore obligations under the EECC are not applicable in all cases.  There is a need to assess how the regulatory frameworks apply to the new ownership structures and operation models of submarine cable systems, including: the Electronic Communications Code; the Network and Information Security Directive; the Critical Entities Resilience Directive.  He also explained, that based on analyses, BEREC can see, that deployment of submarine cable systems depends on the compliance with a significant number of national authorisation administrative procedures in fields beyond the ECNS sector, involving a total average duration that can exceed one year.  There is a lack of single points of contact. National cooperation mechanisms between competent authorities are not a generalised policy across Europe, which also lacks international mechanisms or points of contact at European level.  He also emphasized, that existing measures to promote the development of international submarine connectivity include, at European level, mostly financial support, and, at national level, a varied and fragmented set of legal, administrative, institutional, security and financial measures.  The draft report was submitted to the BoR for approval for public consultation. |
| **Conclusion** | The BoR approved the document for public consultation. |

## Procedure to assess applications from third countries NRAs to join BEREC/BEREC Office work

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| **Document(s)** | BoR (23) 215 Draft Procedure to assess applications from third countries NRAs to join BEREC/BEREC Office work, according to Article 35 of the BEREC Regulation. |
| **Introduction by** | RF Co-Chairs (AGCOM/NMHH) |
| **Information presented** | The Co-chairs started with the legal background, explaining that according to Article 35(2) of the BEREC Regulation, the Board of Regulators, the Working Groups and the Management Board are to be open to the participation of regulatory authorities of third countries with primary responsibility in the field of electronic communications, where those third countries have entered into agreements with the Union to that effect. For this purpose, BEREC and the BEREC Office shall establish, subject to prior approval by the Commission, working arrangements with the applying NRAs.  The working arrangements shall be developed and shall specify, in particular, the nature, extent and manner in which the regulatory authorities of third countries participate without the right to vote in the work of BEREC and of the BEREC Office, including provisions relating to participation in the initiatives carried out by BEREC, financial contributions and staff of the BEREC Office. Article 35(1) of the BEREC Regulation stipulates that working arrangements shall not create legal obligations.  The Co-chairs reminded, that BEREC has been approached by ANRCETI (NRA of Moldavia) and ComCom (NRA of Georgia) with their requests to join BEREC and BEREC Office as participants without voting rights.  Therefore, BEREC decided to set up a procedure and objective criteria to address requests from third country NRAs to join the work of BEREC and the BEREC Office.  The Co-chairs introduced main comments received during the CN4 and also informed about incorporated suggestions received from the Commissions legal service during the consultation process with them. The documents submitted to the Plenary meeting have incorporated all suggestions received after the CN4.  The Co-Chairs presented the draft procedure and the objective criteria that BEREC will use to assess requests from third country NRAs to join the work of BEREC and the BEREC Office.  Also, the Co-chairs presented open points of the discussion on the execution of the requests, the eligibility criteria and on the identification of who shall run the eligibility analyses.  In the end of the presentation, the Co-chairs envisaged next steps for the process, suggesting to adjust the procedure based on BoR discussions. |
| **Conclusion** | To adjust the procedure according to the comments and suggestions received, send to the European Commission for a legal checkif needed and prepare documents for the approval via electronic e-clearance procedure as soon as possible. |

# AOB

## Information on the EuroDIG event in Vilnius ( 17-19 June 2024)

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| **Document(s)** | No documents |
| **Introduction by** | Representative of the NRA ( RRT) |
| **Information presented** | The NRA representative informed about the EuroDIG event – European multistakeholder dialogue on Internet Governance, which will be held in Vilnius, 17-19 June 2024 and suggested to save the date and attend this event. She also mentioned, that proposals for the agenda can be submitted by 31 December 2023. |
| **Conclusion** | The BoR took note of the information. |

## Information on the 58th BoR ordinary meeting (7 March 2024, virtual meeting)

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| **Document(s)** | No documents |
| **Introduction by** | BEREC Chair (EETT) |
| **Information presented** | The BEREC Chair provided information on the next BoR Meeting, which will take place virtually on 7- 8 March 2024. |
| **Conclusion** | The BoR took note of the information. |