

**GSMA Response to the Call for Input to the Draft BEREC  
Work Programme 2025**

**3<sup>rd</sup> of November 2025**



### About the GSMA

The GSMA is a global organisation unifying the mobile ecosystem to discover, develop and deliver innovation foundational to positive business environments and societal change. Our vision is to unlock the full power of connectivity so that people, industry, and society thrive. Representing mobile operators and organisations across the mobile ecosystem and adjacent industries, the GSMA delivers for its members across three broad pillars: Connectivity for Good, Industry Services and Solutions, and Outreach. This activity includes advancing policy, tackling today's biggest societal challenges, underpinning the technology and interoperability that make mobile work, and providing the world's largest platform to convene the mobile ecosystem at the MWC and M360 series of events. We invite you to find out more at [gsma.com](https://www.gsma.com). Follow the GSMA on Twitter: [@GSMA](https://twitter.com/GSMA) and [@GSMAEurope](https://twitter.com/GSMAEurope)

## Introduction

The GSMA, representing the European mobile communications industry, welcomes the opportunity to comment on the Draft BEREC Work Programme 2026. We appreciate BEREC's continued commitment to transparency and stakeholder engagement through consultations, plenary debriefings, and workshops, which remain essential to ensure that regulatory developments are informed by practical experience and technical expertise from across the communications ecosystem.

The 2026 Work Programme is being prepared at a critical time for Europe's connectivity sector. The upcoming Digital Networks Act, and other new digital policy initiatives will shape the framework for investment, competition, and innovation in the coming years. In this context, close cooperation between regulators and industry is vital to achieve Europe's digital transformation objectives, support efficient investment, and preserve global competitiveness.

It is important to have balanced and technically grounded approaches that build on international standards and industry input. With these considerations in mind, the GSMA sets out below its detailed views on selected elements of the Draft Work Programme 2026. Our contribution aims to support BEREC's efforts to promote a regulatory environment that enables sustainable investment, innovation, and resilience in Europe's mobile sector.

### 1.1. Call for input on interfaces to mobile networks for developers and third-party services

Deliverable: External Call for input

Public consultation: No

Adoption of the Call for input for publication at Plenary 1

The GSMA believes BEREC's exploration of mobile network APIs the Open Gateway initiative is timely and essential. Open Gateway provides a framework for standardised, interoperable APIs across the mobile network operator, offering significant potential for innovation. Deployment models vary from direct integration to aggregator-based federation, each with distinct implications for scalability, pricing and governance.

However, a critical barrier remains. Mobile operators are unable to implement some of the most innovative fraud and scam prevention APIs due to outdated sector-specific rules, such as the ePrivacy Directive. These laws often restrict data sharing with third parties, limiting the deployment of advanced anti-fraud tools despite rising threats. This regulatory inertia risks undermining consumer protection and market efficiency.

BEREC's call for input is a vital step toward aligning regulatory frameworks with technological capabilities. Addressing legal constraints will be key to unlocking the full potential of network APIs, especially in fraud prevention and pan-European network slicing.

## **1.2. Fact finding report on the competition indicators and regulatory highlights in different jurisdictions**

Deliverable: Fact Finding Report on the competition indicators and regulatory highlights in different jurisdictions

Public consultation: Yes

Adoption of the draft report for public consultation at Plenary 1, 2026

Adoption of the final report at Plenary 3, 2026 for publication

Adoption of the outcome of the consultation Summary Report at Plenary 3, 2026 for publication

The GSMA reiterates its support for BEREC's idea of looking in detail at the European telecoms markets when compared to other relevant jurisdictions. Often discussions are based on facts and figures that suit different positions in the market without the ability to sense check these. The policy debate at EU level would benefit from more (and reliable) data including operator's data on return on investments, investment intensity, investment per capita, network coverage, quality of service of fixed and mobile connectivity. Where Europe seems to be doing well in terms of prices, recent data shows that European citizens (in rural areas) don't benefit from the speeds and quality that citizens in other regions of the globe are enjoying already today. Moreover, telecom operators in Europe are underperforming in terms of market capitalization and former pan-European operators are retrenching into national markets. Understanding the reasons for the low market capitalization of European telcos, currently targeted by either private equity or "new" money could help identifying the regulatory and competition policy changes needed in the sector.

We support the preparation of such a report, which needs to reflect the current market realities with 5G and convergence. As the largest association representing the European mobile sector, we remain open to engage with BEREC on this workstream by sharing relevant data and other regulatory information. The engagement should ideally take place before the publication of the draft report.

## **1.7. BEREC Report on access conditions to state-aid funded networks**

Deliverable: Report

Public consultation: No

Adoption of the final report at Plenary 3 2026, for publication

The GSMA believes that the report could be enhanced through engagement and consultation with industry stakeholders and is calling for a public consultation on this topic.

## **1.11. Ad hoc work to support information exchange on 5G private networks, direct-to-device satellite communication, phaseout of 2G and 3G mobile technologies, and hybrid networks**

Deliverable: Various

Timing: throughout 2026

The GSMA supports the information exchange on these topics, some of them are just emerging and can benefit from broad stakeholder engagement. Hence, any work carried out in these topics should consider include consultation with industry stakeholders,

## **2.1. BEREC contribution to the implementation of the Data Act**

Deliverable: Contribution to the implementation of the Data Act (TBD, e.g. opinions, workshops, knowledge-building, reports, etc.)

Timing: throughout the year

The GSMA welcomes BEREC's intention to support the implementation of the Data Act, There are a number of remaining relevant issues requiring further clarification.

Regarding the scope, there seems to be an overly broad interpretation of a "Connected Product." This interpretation includes any item that collects or generates data on its use or environment, can communicate such data, and whose primary function is not the storing, processing, or transmission of data for third parties. We believe that routers, modems, femtocells, Wi-Fi amplifiers, set-top boxes, and similar electronic communication and audiovisual equipment, which enable communication flows necessarily involving third parties (e.g., ISPs), should be excluded from the definition of "Connected Product."

On the topic of data processing services switching, there is a lack of specific provisions or guidance in cases where services are resold (e.g., when operators resell hyperscalers' products or services to their customers). It is important to clearly define roles and responsibilities, and it should be explained how switching obligations apply in practice across the value chain.

Furthermore, clear guiding principles are needed for the Business to Government (B2G) data sharing framework. We also support the creation of a clear, transparent, and mandatory EU-wide compensation scheme to underpin emergency B2G-related requests.

Further info can be found in our [submission](#) to the Commission's Call for Evidence on the Digital Omnibus.

#### **4.1. Advancing towards environmental data collection on ECN/ECS and contributing to future code of conduct on ECN/ECS sustainability**

We support that BEREC will contribute to the work on the Code of Conduct on sustainable networks. In light of the current simplification, we do not see the need for further assessing the environmental footprint beyond the CoC. Therefore, we want to strongly encourage BEREC not to further expand the sustainability indicators as this would unnecessarily increase the burden and complexity for telecommunication operators without contributing to the sustainability objective. Furthermore, it should be clear that the ad hoc data collection should not go beyond the indicators that have been marked as “expected” in the recent draft of the CoC.

#### **4.2. Sustainable AI for greener digital infrastructures: Understanding the environmental implications of AI in the telecoms and ICT sector**

Generally, we support that BEREC is looking into understanding better the environmental implications of AI, and we will support the public consultation by providing input on this matter.

In this context, it is important to highlight that both the International Telecommunication Union (ITU) and the European Telecommunications Standards Institute (ETSI) are currently working on methodologies to assess the environmental impact of AI systems, using frameworks such as ITU-T L.1410, L.1480, and Life Cycle Assessment (LCA) approaches.

We encourage BEREC to take this ongoing work into account to ensure alignment with internationally recognized methodologies and to establish a consistent baseline for gathering the information and evaluating the implications of AI in the electronic communications sector.

#### **4.3. Understanding digital technologies sufficiency for greener networks and ICTs**

All the efforts made in the Code of Conduct development should be considered synergies and be used as environmental information for green networks and ICTs.

#### **4.5. Ad hoc work on reinforcing EU's resilience capabilities**

Deliverables: BEREC contribution on reinforcing EU's resilience capabilities (to be defined, e.g. Map NRAs roles and competences in the area of network resilience, provide opinions, recommendation for regular resilience status monitoring (e.g. KPI), enhance best practice sharing, provide relevant inputs if required (e.g. the protection of submarine cables, technical guideline for SATCOM Security for NRAs)

Timing: throughout 2026

GSMA welcomes BEREC's initiative to explore ways to contribute to reinforcing the EU's resilience capabilities. Europe's digital resilience relies on secure and robust telecom networks and as rightly stated in the BEREC Work Programme, the security and resilience of electronic communication networks and services is of paramount importance to the well-functioning Digital Single Market.

These infrastructures enable critical services such as emergency response, payments, healthcare, energy systems, and data protection. The EU Telco sector is already making major investments in security, redundancy, and operational continuity to address an increasingly complex threat landscape. However, this effort requires a sustainable economic foundation. The profitability of the European telecom sector is at historic lows, as highlighted in the Draghi and Letta reports. A healthy and profitable European telecom sector is the best lever to ensure resilient and secure connectivity. Without adequate returns, the capacity to invest in future-proof infrastructure and meet growing societal demands is at risk. Thus, resilience in connectivity involves both technical and economic considerations.

### **6.3.3. Roaming regulation potential ad hoc work in 2026**

TBD

We noted that BEREC is ready to provide input in case the European Commission comes up with a legislative proposal to review the Roaming Regulation in 2026. However, we recall that, according to the Commission Report on the Review of the Roaming Market published in June 2025, the overall framework of the Roaming Regulation has proven to be effective, also in intensifying competition and creating dynamics at wholesale level, and the findings of this report do not call into question the general principles underlying the Regulation. The European Commission must also carry out another 'interim' review report due by 30 June 2027.