

# **Summary Report on the outcome of the public consultations on the update of the Retail and Wholesale Roaming Guidelines**

2 June 2026

## Contents

<b>Executive Summary .....</b>	<b>2</b>
Structure of this report.....	3
<b>1. General comments.....</b>	<b>4</b>
1.1. Overview of stakeholders' general comments.....	4
1.2. BEREC's response .....	4
<b>2. Specific comments requesting BEREC to supplement the present guidelines.....</b>	<b>4</b>
2.1. Traffic asymmetry.....	4
2.1.1. Stakeholders' comments .....	4
2.1.2. BEREC's response.....	5
2.2. Application of FUP .....	5
2.2.1. Stakeholders' comments .....	5
2.2.2. BEREC's response.....	6
2.3. Inclusion of statement regarding accession of Western Balkan countries to RLAH .....	6
2.3.1. Stakeholders' comments .....	6
2.3.2. BEREC's response.....	7
2.4. Complex guidance on transparency requirements without traceable improvements.....	7
2.4.1. Stakeholders' comments .....	7
2.4.2. BEREC's response.....	7
<b>3. Overview of stakeholders comments on the political process of adding non-EEA countries to RLAH .....</b>	<b>8</b>
3.1. Communication with customers becomes more complex .....	8
3.1.1. Stakeholders' comments .....	8
3.1.2. BEREC's response.....	8
3.2. Preventing distortion of competition .....	9
3.2.1. Stakeholders' comments .....	9
3.2.2. BEREC's response.....	9
3.3. Joining RLAH before EU accession .....	9
3.3.1. Stakeholders' comments .....	9
3.3.2. BEREC's response.....	10
3.4. Costs of bilateral agreements .....	10
3.4.1. Stakeholders' comments .....	10
3.4.2. BEREC's response.....	11
<b>4. Stakeholders' calls for action regarding the addition of non-EEA members to RLAH .....</b>	<b>11</b>
4.1. Overview of stakeholders' comments.....	11
4.2. BEREC's response .....	12

## Executive Summary

During the 66th BEREC ordinary meetings (12-13 March 2026), the Board of Regulators adopted the draft BEREC Guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286 (BoR (26) 37<sup>1</sup>) – the so-called Retail Roaming Guidelines – for public consultation. During the same meetings, the Board of Regulators also adopted the draft BEREC Guidelines on the application of Article 3 of Regulation (EU) 2022/612 of 6 April 2022 on roaming on public communications networks (BoR (26) 38<sup>2</sup>) – the so-called Wholesale Roaming Guidelines – for public consultation.

According to the Roaming Regulation, BEREC shall update its Roaming Guidelines in close cooperation with the European Commission and consult with stakeholders to ensure the consistent application of the provisions. In 2022, BEREC published revised Retail and Wholesale Roaming Guidelines (BoR (22) 174 and BoR (22) 147, respectively), taking into account the provisions of the 2022 Roaming Regulation.

Following the decisions made under the Association Agreements between the European Union (EU) and Ukraine (UA), and between the EU and Moldova (MD), both countries joined the Roam-Like-At-Home (RLAH) area on 1 January 2026. Moldovan and Ukrainian users in the EU and the EU citizens in Moldova and Ukraine can now make calls, send texts and use mobile data without additional charges, just as if they were in their home country.

The 2026 revision of the Retail and Wholesale Roaming Guidelines reflects the geographical extension of the EU RLAH area to include Ukraine and Moldova, and replaces the previous Guidelines published in 2022.

The revised draft Guidelines complement the provisions of the Roaming Regulation and are not presented as an official legal interpretation of those provisions. The Retail Roaming Guidelines complement the BEREC Guidelines on wholesale roaming access and *vice versa*. National regulatory authorities are expected to consider the BEREC Guidelines when supervising compliance with the Roaming Regulation in their respective countries.

From 18 March until 17 April 2026, stakeholders were invited to comment on the draft BEREC Roaming Guidelines.

BEREC received 4 contributions from the following stakeholders:

---

<sup>1</sup> BoR (26) 37, Draft BEREC Guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286 (Retail Roaming Guidelines), <https://www.berec.europa.eu/en/all-documents/berec/regulatory-best-practices/guidelines/draft-berec-guidelines-on-regulation-eu-2022612-and-commission-implementing-regulation-eu-20162286-retail-roaming-guidelines>

<sup>2</sup> BoR (26) 38, Draft BEREC Guidelines on the application of Article 3 of Regulation (EU) 2022/612 of 6 April 2022 on roaming on public communications networks (Wholesale Roaming Guidelines), <https://www.berec.europa.eu/en/all-documents/berec/regulatory-best-practices/guidelines/draft-berec-guidelines-on-the-application-of-article-3-of-regulation-eu-2022612-of-6-april-2022-on-roaming-on-public-communications-networks-wholesale-roaming-guidelines>

1. Joint submission of GSMA and Connect Europe (“GSMA/Connect Europe”),
2. MVNO Europe,
3. Orange,
4. [Confidential]<sup>3</sup>.

BEREC is grateful for the responses received.

This report summarises the consultation responses received and includes BEREC’s relevant observations. After analysing the comments received, BEREC concluded that there is no need to amend the text of the Guidelines that were consulted in March 2026.

## **Structure of this report**

The report is structured as follows:

Chapter 1 sets out an overview of stakeholders’ general comments.

Chapter 2 sets out stakeholders’ specific comments, some of which request BEREC to amend or introduce new text in the Roaming Guidelines.

Chapter 3 sets out stakeholders’ feedback on the political process of extending RLAH to non-EEA countries.

Chapter 4 sets out stakeholders’ calls for action regarding the addition of non-EEA members to RLAH.

---

<sup>3</sup> One stakeholder has requested confidentiality.

## 1. General comments

### 1.1. Overview of stakeholders' general comments

There were few general comments on the changes to the guidelines themselves, most comments focused instead on the political process that led to the changes of the guidelines and their analogy to expected upcoming changes.

Both **MVNO Europe** and **[Confidential]** would appreciate a timelier manner going forward, highlighting that the guidelines should be available before a regulatory change enters into force. Before the publication of the draft guidelines, according to **[Confidential]**, several operators treated Ukraine and Moldova like any other RLAH member from EEA countries.

Both **MVNO Europe** and **[Confidential]** stress that rules should be workable and understandable for end users.

### 1.2. BEREC's response

BEREC takes note of the comments raised regarding the need to have issued the guidelines before 1 January 2026. However, it has to be noted that the decisions made under the Association Agreements between the European Union (EU) and Ukraine, and between the EU and Moldova were concluded during the summer of 2025. Throughout the whole process, BEREC kept operators informed via the NRAs and, in co-operation with NRAs, identified any implementation questions. Based on this, BEREC and NRAs formulated internal guidance that was used by NRAs to reply to operators' questions. This guidance was finally incorporated in the BEREC Roaming Guidelines.

## 2. Specific comments requesting BEREC to supplement the present guidelines

### 2.1. Traffic asymmetry

#### 2.1.1. Stakeholders' comments

**Orange** notes that there is a substantial asymmetry of traffic flows to and from Ukraine, where wholesale revenues are currently capped at 1.10 EUR/GB which puts EU host operators' costs under pressure from structural traffic imbalance. As a result, any sound and accurate assessment of wholesale costs incurred for hosting non-EEA roamers must account for such imbalanced extra-EEA traffic flows. For this reason, **Orange** calls BEREC to:

- Explicitly acknowledge in its guidelines the structural asymmetry arising from RLAH extension to third countries with significant diaspora populations in EU Member States.
- Include a recommendation to NRAs to closely monitor and report on traffic asymmetry between EU host operators and non-EEA RLAH partners, as part of data collection exercise of Q2 2026.

### 2.1.2. BEREC's response

The scope of BEREC Roaming Guidelines is to ensure the consistent application of the Roaming Regulation. The intention is not to identify and analyze any structural issues of the roaming market, this is part of the work for the BEREC Opinion prepared for the review of the Roaming Regulation and the regular BEREC and NRA monitoring activities foreseen in the Regulation.

## 2.2. Application of FUP

### 2.2.1. Stakeholders' comments

**Orange** notes that the Fair Use Policy (FUP) is the mechanism designed to prevent anomalous or abusive service usage, specifically the use of roaming services as a substitute for domestic services by people who do not genuinely reside in the country where their mobile subscription has been registered (Guideline 19 of BoR (22) 174 and Article 5 of Regulation (EU) 2022/612). **Orange** notes that a significant number of subscribers from Ukraine permanently reside in the EU and is questioning how RLAH FUPs will be applied to them, since their "home country" under the RLAH framework is the country where the SIM was issued, while the long-term residence is located in the EU, making them, in substance, permanent residents consuming domestic services at domestic Ukrainian prices on an EU host network.

**Orange** notes that the FUP was designed for periodic travellers, not for a population of several million people who have relocated to the EU and are using EU networks as their primary domestic networks, while their subscription anchor remains in a third-country RLAH partner. Furthermore, the lack of RLAH reciprocity between Ukraine and Moldova (which is acknowledged in the guidelines) and between UA/MD and EEA-EFTA countries means that the FUP assessment of "normal residence" will produce inconsistent outcomes depending on where a Ukrainian subscriber actually travels within the enlarged RLAH area.

**Orange** therefore calls on BEREC to:

- Explicitly acknowledge, in the Retail Roaming Guidelines, that the standard FUP detection methodology based on a "domestic vs. roaming" consumption ratio is

structurally inadequate for third-country RLAH subscribers residing long-term in EU Member States.

- Issue specific guidance to NRAs and operators on how to assess "normal residence and stable links" for nationals of third-country RLAH partners who are residing in the EU under Temporary Protection or equivalent status, while ensuring protection of their rights as roaming customers.

### 2.2.2. BEREC's response

As mentioned in section 2.1.2, the scope of the BEREC Roaming Guidelines is to ensure the consistent application of the Roaming Regulation and not to provide BEREC's Opinion on the functioning of the rules. Furthermore, BEREC considers that the geographic expansion of RLAH to include UA and MD under the decisions amending the Associating agreements does not require the amendment of BEREC guidance about the application of the FUP measures including the stable link criterion.

## 2.3. Inclusion of statement regarding accession of Western Balkan countries to RLAH

### 2.3.1. Stakeholders' comments

**Orange** notes that the European Commission proposed on 24 February 2026 to open negotiations to extend the RLAH area to the six Western Balkans (WB) partners (Albania, Bosnia-Herzegovina, Kosovo, North Macedonia, Montenegro, Serbia). The BEREC plenary noted that the guidelines would require updating with each such extension. Before doing so, Orange calls for policymakers to develop a proper and comprehensive impact assessment on the cumulative and systemic implications of successive RLAH extensions to non-EEA third countries (see also section 4). According to **Orange**, the WB6 extension risks further damaging the fragile economic equilibrium of the EU mobile industry for the following reasons: 1. Availability of an effective and proportionate alternative (the voluntary roaming framework already in place), 2. Enlarged Scale (17-18 million inhabitants with significant diaspora communities in EU Member States), and 3. Structural complexity (nine distinct RLAH zones without full mutual reciprocity legal regime).

**Orange** calls on BEREC to:

- Include in both Retail and Wholesale Roaming Guidelines an explicit statement that the successive extension of RLAH to non-EEA third countries must be accompanied by a comprehensive economic impact assessment. Where structural traffic asymmetry is demonstrated, BEREC should suggest appropriate solutions to policymakers.

### **2.3.2. BEREC's response**

As mentioned already in section 2.1.2, the scope of the BEREC Roaming Guidelines is to ensure the consistent application of the Roaming Regulation and not to provide BEREC's Opinion on any further enlargement processes.

## **2.4. Complex guidance on transparency requirements without traceable improvements**

### **2.4.1. Stakeholders' comments**

**Orange** observes that the proposed revision of the Retail Roaming Guidelines misses the opportunity to bring greater clarity and achieve greater integration with already applicable obligations. Also, they do not account for recent technological developments in information provisioning to retail customers.

The resulting guidance risks failing to adapt to evolving market realities and being less accessible and practicable to operators joining the RLAH area. This is critical at a time when roaming usage is still growing and will peak with the creation of the RLAH area.

**Orange** calls on BEREC to:

- Eliminate ambiguous wording that could hinder regulatory predictability such as the reference to a requirement of providing 'certain information' to customers roaming within the RLAH area.
- Maximize the options for legitimate information provision by providers: The 4th bullet point of Guideline 130 of BoR (26) 37 on basic information in automatic messages refers solely to a 'free-of-charge number' as a means of providing customers with more detailed information. In light of evolving usages, the guidance should also consider other means of communication (such as applications, chatbots and NIICS) that are free of charge and accessible to the customer.

### **2.4.2. BEREC's response**

BEREC's Roaming Guidelines have been drafted in accordance with the provisions of the Roaming Regulation. The specific obligations of the Roaming Regulation cannot be overlooked in the BEREC Roaming Guidelines. BEREC takes note of these comments and the additional complexity and will examine whether there is a need to include any relevant recommendation in its next BEREC Opinion about the functioning of the roaming rules.

### 3. Overview of stakeholders comments on the political process of adding non-EEA countries to RLAH

This chapter summarizes the statements that target the political process of adding non-EEA countries to RLAH, rather than the update of the BEREC Roaming Guidelines.

#### 3.1. Communication with customers becomes more complex

##### 3.1.1. Stakeholders' comments

**MVNO Europe** notes that adding EU candidate countries to the RLAH regime creates new complexities, such as drafting longer welcome messages and amending customer contracts.

**[Confidential]** notes as well that the [yes/no] frame depicted by the guidelines is very hard to communicate to the final customers not aware of the legislative aspects of the agreements between Ukraine, Moldova, and EFTA countries.

**MVNO Europe** states that “operators are seriously concerned about compounded complexity, especially if/when (6) Western Balkan countries could join the Roam-Like-At-Home regime going forward”. This would lead to complex matrix of Yes/No scenario. Ideally, they would like to avoid any Yes/No scenarios due to bilateral agreements to be communicated to customers.

Both **MVNO Europe and GSMA/Connect Europe** fear an increase in complaints. Welcome messages become longer and may not be well understood by customers, and the fragmentation [due to bilateral RLAH agreements] would make transparency extremely challenging.

**Orange** notes that new bilateral agreements translate into new IT compliance costs because, amongst other things, operators must inform subscribers of the use cases that are not covered by RLAH (e.g., a Ukrainian SIM holder roaming in Norway will be incurring surcharges despite being located within the "enlarged RLAH area"), generating customer confusion, complaint handling costs, and reputational risk. These extra costs need to be accounted for in the cost modelling aimed at setting roaming wholesale caps.

##### 3.1.2. BEREC's response

BEREC understands and takes note of these comments and will examine whether there is a need to include any relevant recommendation in its next BEREC Opinion about the functioning of the roaming rules.

## 3.2. Preventing distortion of competition

### 3.2.1. Stakeholders' comments

**MVNO Europe** notes that there is a need to ensure that competition is not distorted, i.e. that measures do not favour or harm particular operators, and ensure economic viability for all operators, including MVNOs.

### 3.2.2. BEREC's response

BEREC takes note of these comments and will examine the issues mentioned in its next BEREC Opinion about the functioning of the roaming rules.

## 3.3. Joining RLAH before EU accession

### 3.3.1. Stakeholders' comments

While acknowledging the specific and exceptional circumstances that led to the addition of Moldova and Ukraine to RLAH, both **Orange** and **GSMA/Connect Europe** argue that joining RLAH should be a privilege for EU member states, and should not be interpreted as establishing a general precedent for further geographical expansion.

**GSMA/Connect Europe** call on the EU to approach potential further extensions of RLAH with caution, as such extensions would not constitute a mere geographical expansion but would entail a structural change to the technical, operational and business model underpinning roaming in RLAH areas.

**GSMA/Connect Europe** warn that RLAH accession ahead of EU membership would risk undermining incentives for the necessary reforms and would not reflect the current level of convergence with EU rules.

**GSMA/Connect Europe** note that since 2022, EU and WB operators have successfully implemented a voluntary roaming framework, which has delivered tangible consumer benefits, including lower prices and increased usage. At the same time, progress on the complementary reforms expected from WB6 governments, particularly those aimed at improving investment conditions, has been limited. Moving prematurely to a mandatory RLAH regime would, according to **GSMA/Connect Europe**, risk disregarding an effective and proportionate solution, while potentially weakening incentives to complete the necessary reforms.

### 3.3.2. BEREC's response

BEREC considers that these comments are not relevant to BEREC's role and tasks.

## 3.4. Costs of bilateral agreements

### 3.4.1. Stakeholders' comments

**GSMA/Connect Europe**, **Orange**, and **[Confidential]** express concern that additional bilateral RLAH agreements with third countries would entail excessive costs for network operators. **GSMA/Connect Europe** and **Orange** further note that such extensions fall outside the assumptions underpinning existing cost models.

**GSMA/Connect Europe** also suggest that the extension of the RLAH area to markets not yet fully aligned with the EU framework would entail revenue losses and implementation costs, including adjustments to complex IT systems. It could also have implications for investment capacity in the sector, at a time when significant resources are required to support connectivity, cybersecurity, resilience, and innovation objectives across the EU. According to **GSMA/Connect Europe**, the potential financial and operational impact on operators should be carefully considered and evaluated before any extension decision is taken.

**Orange** notes that there is a substantial asymmetry in traffic flows to and from Ukraine, with wholesale revenues currently capped at 1.10 EUR/GB, which places EU host operators' costs under pressure from structural traffic imbalance. Accordingly, any sound and accurate assessment of wholesale costs incurred for hosting non-EEA roamers must take such imbalanced extra-EEA traffic flows into account. For this reason, **Orange** calls BEREC to:

- Explicitly acknowledge in its guidelines the structural asymmetry arising from RLAH extension to third countries with significant diaspora populations in EU Member States.
- Include a recommendation to NRAs to closely monitor and report on traffic asymmetry between EU host operators and non-EEA RLAH partners, as part of the data collection exercise of Q2 2026.

**Orange** notes that the recent Ukraine and Moldova integration ends full reciprocity [of RLAH] and creates a non-symmetric origin-destination matrix. A further extension to WB6 would create six new RLAH zones (one per Western Balkan partner), producing a total of nine distinct RLAH zones lacking full reciprocity in bilateral legal relationships between all pairs. The combinatorial complexity of managing such a multi-zone would represent a systemic IT compliance burden, the costs of which should be accounted for in the assessment of wholesale costs of EU operators.

**Orange** also notes that there are large groups of people from Ukraine and the Western Balkan countries permanently residing in the EU and questioning how RLAH FUPs will be applied to them, since their "home country" under the RLAH framework is the country where the SIM was

issued, while the long-term residence is located in the EU, making them, in substance, permanent residents consuming domestic services at domestic Ukrainian/Western Balkan prices on an EU host network. The blurring of domestic and roaming patterns of usage requires system-level changes to fraud and anomalous usage detection tools, which add to the costs of bilateral agreements.

**Orange** therefore asks BEREC to:

- Explicitly acknowledge in Guideline 1 (Entry into force) of BoR (26) 38 that entry into force of each RLAH area extension creates specific IT and operational compliance obligations for all EU host operators.
- Commit to conducting a comprehensive economic impact assessment, including IT compliance

### 3.4.2. BEREC's response

BEREC takes note of these comments and will examine the issues mentioned in its next BEREC Opinion about the functioning of the roaming rules.

## 4. Stakeholders' calls for action regarding the addition of non-EEA members to RLAH

### 4.1. Overview of stakeholders' comments

**MVNO Europe** requests that BEREC's leadership explains systematically to interlocutors at the political level that measures put forward, however well intended, on a flagship European integration project such as mobile roaming, must be workable and understandable in practice at the retail level to avoid disappointment of customers/citizens, and that measures must not distort competition, including at wholesale level.

**[Confidential]** calls on the European Commission to run an information campaign informing about the peculiarities of the Moldova and Ukraine RLAH agreements.

**Orange** proposes that in the context of the BEREC Work Programme 2027 a dedicated workstream on the economic sustainability of RLAH extensions to non-EEA countries should be included, addressing the design of possible compensation mechanisms (e.g., differentiated wholesale caps, traffic-balance adjustment payments, EU fund contributions).

**Orange** calls for policymakers to develop a proper and comprehensive impact assessment on the cumulative and systemic implications of successive RLAH extensions to non-EEA third countries.

## **4.2. BEREC's response**

BEREC takes note of these comments and will publish this report, together with the individual contributions received, subject to confidentiality considerations, with a view to raising awareness among policymakers about the issues identified. As regards the proposal to include a dedicated workstream on the economic sustainability of extending RLAH to non-EEA countries in the BEREC Work Programme 2027, BEREC considers this to fall within the remit of the European Commission and EU policymakers. Nevertheless, BEREC will raise this issue in the context of its regular exchanges with the European Commission.