GSMA

# The GSMA Response to the Call for Input to the Draft BEREC Work Programme 2027

**30th of October 2026**

## 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. Follow the GSMA on X: @GSMA and @GSMAEurope.

## Introduction

The GSMA, representing the European mobile communications industry, welcomes the opportunity to comment on the Draft BEREC Work Programme 2027. We appreciate BEREC's continued commitment to transparency and stakeholder engagement through consultations, plenary debriefings, and workshops, which remail essential to ensure that regulatory developments are informed by practical experience and technical expertise from across the communications ecosystem.

The 2027 Work Programme is being prepared at a critical time for Europe's connectivity sector. The 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 2027. Our contribution aims to supports BEREC's efforts to promote a regulatory environment that enables sustainable investment, innovation, and resilience in Europe's mobile sector.

### 1.1. BEREC inputs to the Digital Networks Act

The GSMA welcomes BEREC's commitment to continue supporting the EU institutions throughout the Digital Networks Act (DNA) legislative process and its intention to begin preparatory work for implementation where appropriate. The DNA represents a significant opportunity to modernise Europe's telecoms framework so that it is better aligned with evolving market realities, technological developments and the investment needs of the connectivity sector. We encourage BEREC to ensure that its contributions throughout the legislative process are evidence-based and support the DNA's objectives of simplification, harmonisation and development of the Single Market. In particular, BEREC's input should take full account of the need to strengthen investment incentives, reduce unnecessary regulatory complexity and ensure that the framework remains

proportionate, technology-neutral and capable of accommodating evolving technologies and business models.

Any preparatory work on implementation should follow the outcome of the legislative process and should focus on ensuring consistent, proportionate and practical implementation, while avoiding the creation of additional regulatory or administrative burdens beyond those agreed by the co-legislators. BEREC should engage closely with industry in this work to ensure that implementation reflects market realities and technical expertise.

### 1.2. The telecom single market: market and economic approach

It is important to understand why Europe still doesn't have a fully functioning single market. The aim of the Digital Networks Act is to help contributing to reach that objective by promoting investments, preserve competition, reduce fragmentation and reduce barriers to pan-European activities. From the draft work programme, it is unclear when these workshops will take place, who will be part of those discussions namely which stakeholders will be invited or if the workshops will be only among NRAs. The GSMA encourages BEREC to involve industry stakeholders closely in this workstream, as market participants are well placed to provide evidence on demand for pan-European services, barriers to cross-border provision, and the practical implications of potential policy measures. We encourage direct industry participation in the workshops, alongside any call for evidence

### 1.5. Opinion on the national implementation and functioning of the general authorisation

A genuinely integrated Digital Single Market requires simple, predictable and harmonised market-entry conditions for providers of electronic communications networks and services. We support the objectives of reducing regulatory fragmentation, enhancing legal certainty and maintaining the light-touch authorisation framework that has long facilitated competitive market entry across the EU. As part of its assessment, BEREC should consider whether the conditions attached to the General Authorisation remain targeted, proportionate and focused on their original purpose of enabling market entry, while avoiding unnecessary administrative burdens or regulatory asymmetries between

functionally comparable providers. In light of the ongoing Digital Networks Act discussions, the review also provides a timely opportunity to assess how the framework can support a more consistent and future-proof regulatory environment that promotes investment, innovation and competition across European connectivity markets. We note that no public consultation is foreseen for this workstream and believe stakeholder input would have added value, particularly given the potential implications for market entry conditions, regulatory consistency and the future evolution of the authorisation framework.

### 1.6. Contribution to the EC report on the roaming regulation

The GSMA welcomed the opportunity to engage in the Call for Input for BEREC 2027 Opinion about Roaming Regulation and Commission Implementing regulation. We note that BEREC has been requested to provide an Opinion to support the European Commission's interim review of the Roaming Regulation, as well as the review of the Fair Use and Sustainability Implementing Regulation, due by 30 June 2027. We recall that the European Commission's 2025 Review Report concluded that the current roaming framework has proven effective in delivering the objectives of Roam Like at Home, while promoting competition and supporting sustainable wholesale market dynamics. We therefore encourage BEREC's contribution to be firmly evidence-based and proportionate, taking into account both the findings of the 2025 review and the forthcoming market data, and to ensure that any future policy considerations are justified by clear evidence of market failure or deficiencies in the existing framework.

### 1.7. Contribution to the intra-EU communications regime

The GSMA welcomes BEREC's ongoing review of the regulatory framework for regulated intra-EU communications and will provide its detailed views through the dedicated Call for Input. We encourage BEREC to fully reflect the evidence and stakeholder input gathered through this process in its Opinion to the European Commission, including when assessing whether the existing regulatory intervention remains justified, necessary and proportionate in light of current market conditions and evolving consumer behaviour.

### 1.11 Contribution to the initiatives related to the Digital Fitness Check

The GSMA welcomes BEREC's reiteration of the importance of the Digital Fitness Check, which BEREC notes is aimed at the full review of EU's digital rules to ensure that those are effective, proportionate and fit for the future, analysing the interplay between the different rules, their cumulative impact on businesses, and how effectively they support the EU's competitiveness, values and fundamental rights.

The GSMA regards the associated Digital Omnibus, proposed as a measure to streamline digital rules and to remove redundancies and unnecessary duplications, as a missed opportunity. European telecommunications providers continue to struggle with the fragmented and duplicitous nature of the ePrivacy Directive as well as with the Directive's legal obligations applying exclusively to telecom operators, thus placing operators at a comparative disadvantage to its competitors in the value chain of communication services. As such, GSMA reiterates the call for the repeal of the ePrivacy Directive in its entirety, and the incorporation of the principle of the confidentiality of communications into the GDPR, which would foster innovation and better protect personal data.

GSMA believes that the upcoming Digital Fitness Check represents a critical opportunity to thoroughly review the ePrivacy Directive, its effectiveness and its relevance in light of more modern frameworks, like the GDPR and the upcoming DNA.

### 2.1 Direct to device satellite communications: current & future regulatory and harmonisation challenges

The GSMA welcomes the information exchange by a group of BEREC D2D matter experts (including RSPG), and the organisation of a workshop on current & future regulatory challenges of D2D satellite communication. Point d) on the integration with terrestrial networks is particularly important, as D2D services can help address residual coverage gaps but are not a substitute for terrestrial mobile networks and will not replace the capacity, quality of service, or broad functionality provided by terrestrial infrastructure.[1] Harmonised mobile spectrum should continue to support terrestrial mobile services,

[1] Please see: GSMA, The limits of D2D, https://www.gsma.com/connectivity-for-good/spectrum/gsma_resources/the-limits-of-d2d/

and it is essential to ensure the protection of mobile services and their future development from harmful interference. The provision of D2D services should be based on agreements with the mobile operator holding the spectrum rights.[2] GSMA also welcomes point b) on competitive issues and underlines the importance of regulatory parity. Where satellite operators offer direct-to-user connectivity services similar to terrestrial providers[3] equivalent obligations should apply, notwithstanding differences in network architecture. BEREC should ensure that there are consistent regulatory outcomes across functionally equivalent services. Our recently released Satellite Regulatory Playbook[4] should be used as a good reference

### 2.2. Workshop on the barriers to the provision of electronic communication services

Larger MNOs are equally impacted by these restrictions. BEREC should ensure that its planned workshops are representative of all affected ECS providers, including larger MNOs, and are not limited to smaller MNOs and MVNOs. BEREC should also recognise that commercial sensitivities may constrain open discussion in a multi-stakeholder setting and therefore provide for confidential exchanges where needed.

### 2.5. Report on the impact of generative AI on internet openness

We welcome BEREC's work on the impact of generative AI on internet openness and consider this a timely and important area of analysis as AI increasingly shapes how users access information, content and online services. We also welcome the ongoing public consultation on the draft report, which provides an important opportunity for stakeholders to contribute practical evidence and expertise to this emerging policy discussion.

As generative AI services increasingly act as gateways to online content and services, it is important to assess their potential impact on users' freedom of choice, content discoverability, innovation and the wider internet ecosystem. In this context, the GSMA

[2] Please see: GSMA Releases Guidance to Support New Direct-to-Device (D2D) Satellite Services, https://www.gsma.com/newsroom/press-release/gsma-releases-guidance-to-support-new-direct-to-device-d2d-satellite-services/

[3] without partnerships with terrestrial operators.

[4] https://www.gsma.com/solutions-and-impact/connectivity-for-good/public-policy/gsma_resources/satellite-regulatory-playbook/

believes that Open Internet principles should not only apply to traditional providers of Internet Access Services (IAS) but should also be considered in relation to other relevant digital service providers that have a significant influence over users' quality of experience and the way internet traffic and content are accessed, prioritised, filtered or presented.

### 3.1. Report on the IP interconnection

The GSMA welcomes BEREC's intention to reassess the IP interconnection ecosystem and, in particular, to re-evaluate its earlier findings in light of market and technological developments since 2024.

In doing so, BEREC should adopt a sufficiently broad and forward-looking approach that considers IP interconnection as part of the wider internet ecosystem, rather than assessing interconnection arrangements in isolation. The analysis should reflect the evolution of traffic delivery models, including the growing role of CDNs, private infrastructure and paid peering, and examine how these developments affect competitive dynamics and negotiating conditions across the internet value chain.

In particular, BEREC should assess the relative bargaining positions of Internet Access Service providers and large content and application providers, including how structural asymmetries in negotiating power affect the ability of parties to reach sustainable commercial arrangements. This assessment should be based on robust and up-to-date evidence gathered from the full range of relevant market participants.

Given the broader debate on the future regulatory framework for electronic communications, it is important that BEREC approaches this work without predetermined conclusions and reassesses previous findings against current market realities. The GSMA therefore encourages BEREC to make full use of the envisaged quantitative and qualitative data collection and exhaustive stakeholder engagement before drawing policy conclusions.

### 3.2. Implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines

The GSMA supports BEREC's efforts to promote consistent implementation of the Open Internet Regulation across Europe. However, as markets and technologies continue to

evolve, including through 5G Standalone, network slicing, network APIs, edge computing and emerging AI-enabled services, BEREC's work should increasingly focus on providing greater legal certainty, regulatory predictability and technology-neutral guidance for innovative connectivity services. The annual implementation and monitoring activities should therefore not only identify areas of compliance concern, but also proactively assess whether existing interpretations of the OIR remain fit for purpose in light of evolving network architectures and user needs. In particular, we encourage BEREC to continue engaging closely with industry on issues such as specialised services, differentiated quality of service, end-user choice, enterprise and private network use cases, and the interaction between the OIR and future legislative developments, including the Digital Networks Act. A more consistent, innovation-supportive and future-proof application of the OIR would help preserve open internet principles while enabling the development of advanced connectivity services that support Europe's competitiveness and digital transformation.

### 3.4 Monitoring issues and best practices related to 2G/3G phaseouts

The GSMA supports BEREC’s continued work on monitoring the challenges associated with 2G/3G network phase-outs, particularly the need to ensure uninterrupted access to emergency communications and other critical services.

While the timing and implementation of network switch-offs remain a commercial and operational prerogative of mobile network operators, effective coordination between regulators, operators, device manufacturers and other stakeholders is essential to support a smooth and secure transition to newer technologies.

The GSMA’s technical work supports this transition by addressing interoperability challenges, advancing VoLTE roaming capabilities, updating technical specifications, improving device readiness. Industry efforts also include testing and certification activities, development of IMS profiles, and collaboration with device manufacturers to ensure that emergency calling capabilities remain available and functional across networks and devices.

Given the technical nature of these challenges, GSMA encourages BEREC to continue facilitating practical information exchange and stakeholder engagement. GSMA stands ready to contribute technical and regulatory expertise, helping ensure future guidance

reflects operational realities and supports a coordinated transition to next-generation networks.

### 3.6 Opinion on end users' rights

Under the EECC, Art. 3, BEREC is, among others, obliged to contribute to the achievement of the European internal market including ensuring a common level of end-user protection through the sector specific rules. In its 2027 Work Programme, BEREC is planning to issue an Opinion towards the end of 2027 based on its regulatory obligation of the EECC without public consultation. It would be beneficial for the anticipated opinion that BEREC evaluates to which extent, a common level of end-user protection has been achieved and furthermore provides for a more quality-based evaluation of the sector specific consumer protection rules that have been implemented and to which degree, BEREC considers that the current state of fragmented rules are beneficial given the developments of technologies and the market itself.

### 3.7 Workshop on end users' rights

The workshop to be held in Q2/2027, should gather views from industry and impacted stakeholders with a view to discuss how a common level of end-user protection could be achieved avoiding gold-plating at national level, and to discuss how diverging rules at national level can be withdrawn.

### 4.1 Combatting fraud

The GSMA welcomes BEREC's work to identify best practices to combat fraud and strengthen consumer trust. Close cooperation with industry will be essential to ensure that BEREC's report is practical, evidence-based and future-looking.

Operators are already investing significantly in network-based and collaborative fraud prevention solutions. BEREC should recognise the role of innovative network capabilities in fraud prevention and support their deployment.

Beyond best practices, BEREC could also look into the regulatory barriers that hinder innovative fraud prevention tools, including privacy-preserving data sharing and network APIs, ensuring regulation keeps pace with evolving threats.

### 4.2. Advancing towards environmental data collection and contributing to the code of conduct for the sustainability of telecommunications networks

We support that BEREC will contribute to the work on the Code of Conduct on sustainable networks. 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.

### 4.3 Sustainable AI for greener digital infrastructures

The GSMA supports BEREC's objective of improving understanding of the environmental implications of AI across telecommunications and ICT infrastructures.

The report will be published for consultation in December 2026, and the GSMA looks forward to contributing.

### 4.4. Reinforcing EU's resilience capabilities

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. Member States across the Union are developing new rules and regulations to increase resilience of critical national infrastructure. An overview of best practices linked to clear a cost-benefit analysis can help Member States defining resilience strategies that do not put an undue burden on Network Operators while increasing resilience capabilities.

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.

### 5.1.1. Connectivity and competition monitor: market snapshots

While the GSMA clearly endorses data-driven regulation as the only basis for economically sound policymaking, we encourage BEREC to ensure that its benchmarking and monitoring exercises consider the full range of available evidence and data, providing a balanced and comprehensive view of market developments.

In particular, previous exercises have relied on selective benchmarks and datapoints, while giving insufficient consideration to alternative evidence and analysis. The joint GSMA and Connect Europe response to BEREC's Telecom Reality Check report highlighted concerns regarding the choice of comparator countries, the limited focus on advanced network quality metrics and future investment needs, and the lack of consideration given to wider EU-level analysis, including the Digital Networks Act Impact Assessment and the findings of the Draghi and Letta reports.

To ensure robust and objective outcomes, BEREC should engage with stakeholders early in the drafting process and test preliminary findings against the broader body of available evidence. Given the potential policy significance of these reports, we would welcome greater stakeholder engagement ahead of publication and believe draft findings should be subject to public consultation before being finalised.

### 5.1.2. 33rd International Roaming benchmark data and monitoring report

The GSMA welcomes the continued inclusion of data on roaming developments in Ukraine and Moldova an in the Western Balkans. As regional roaming integration progresses, comprehensive and reliable data collection will be important to support evidence-based assessments of market developments and policy outcomes. The report should also highlight implementation issues not only from an operator perspective but also from the consumer angle.

### 6.1 Assignment of Radio Spectrum Rights Peer Review Forum

The GSMA welcomes continued cooperation between BEREC and the RSPG on spectrum-related matters. Regulatory bodies could contribute to greater predictability and consistency across Member States. However, in its current form we consider the peer review process has not contributed to ensuring predictable and investment-friendly award processes throughout Europe. Because mobile operators are key stakeholders in the awards and in investing in networks, we request more transparency and stakeholder collaboration in the process.

European society relies and builds on reliable and secure communication networks. Significant and continuous investments are needed in mobile networks to meet the increased demands of data use, security, reliability, as well as new technologies and use cases, such as 6G and sensing. At the same time end-user prices continue to be low in Europe and operator revenues flat. Spectrum awards and pricing are in the core of ensuring that operators can afford to the needed investments also in future. It is essential to get them right in each and every Member State.

### 7.3. Report on wireless network evolution in the 6G era

The GSMA welcomes BEREC's proposal to explore the evolution of wireless networks in the 6G era. The report should recognise that future wireless connectivity models remain highly dependent on availability of harmonised licensed spectrum. In particular, ongoing discussions regarding upper 6 GHz, 7-8 GHz and sub-700 MHz bands will play a key role in shaping future 6G deployment models, investment incentives and network architecture choices. The report should take into account anticipated growth in mobile traffic and the need for sufficient harmonised licensed spectrum to support future 6G services. The future use cases, such as sensing (ISAC, integrated sensing and communication), may also require resources in the mobile networks even though they may not increase mobile traffic.

Existing mobile spectrum will continue to be needed to sustain 4G and 5G services, while additional spectrum resources will be necessary to support the introduction and growth of 6G. Scenarios assessing future wireless ecosystems should therefore take into account the need for sufficient licensed spectrum to support nationwide 6G networks,

growing mobile traffic demand, and resource demand for new use cases, such as sensing.

### 7.4 Report on Hybrid Networks (WiFi/IMT interworking)

The GSMA recognises BEREC's intention to continue examining developments in hybrid networks and Wi-Fi/mobile interworking. Wi-Fi networks are not available everywhere, typically not open to everyone, often outside the control of mobile operators and cannot be relied upon to provide connectivity everywhere and everyone. Furthermore, when traffic is offloaded to third-party Wi-Fi networks, operators are generally unable to guarantee the same levels of security, quality of service, reliability, or resilience as on managed mobile networks, which may affect the user experience and complicate accountability. As a result, Wi-Fi should be viewed as a complement to mobile networks investment, but generic and broad hybrid networking for everywhere and everyone is not feasible.