

Response to consultation

BEREC 2026 Work Programme

November 2025

Why it matters to consumers

The independence and technical expertise of the Body of European Regulators for Electronic Communications (BEREC) is vital for applying relevant regulation, monitoring market developments, and ensuring that consumer rights are well protected in telecoms markets. BEREC's public consultation on its work programme is a key annual milestone to promote cooperation with relevant stakeholders, including consumer organisations. As simplification and deregulation starts to dominate the policymaking agenda, the role of BEREC in the coming year is crucial to ensure that consumers have access to quality and competitive services and that their end-user rights are adequately protected and enforced.

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Summary

BEUC welcomes the opportunity to provide input on BEREC's work programme for 2026¹. This contribution builds on the input shared earlier in April 2025 to the Outline BEREC Work Programme². We take note of the changes made by BEREC based upon the responses to the outline, and welcome the additional detail and clarity provided.

We welcome BEREC's continued commitment to upholding the strategic objectives of the European Electronic Communications Code (EECC) across its workstreams, alongside additional obligations and input on digital markets, artificial intelligence, and data. The continued presence of BEREC's strategic priority to empower end-users is welcome, and BEUC stands ready to support this important work throughout 2026.

BEUC supports the independent, expert role of BEREC and its National Regulatory Authorities (NRAs) regarding the EU telecoms regulatory framework review. We also welcome BEREC's commitment to actively contribute to this process. We call on BEREC and its NRAs to ensure that this review does not compromise the primary objectives of the EECC of promoting competition, the internal market and the safeguarding of end-user interests.

BEUC particularly supports the inclusion of the following elements in the work programme:

- BEREC's Opinion on the Recommendation on relevant markets susceptible to ex ante regulation.
- The ongoing commitment to conduct additional workshops with external stakeholders to exchange views and insights.
- BEREC's commitment to ensuring the compatibility and legal certainty of digital regulation to ensure that end-users are adequately protected and informed of their rights.
- BEREC's report on switching and termination of contracts.
- The report on the impact of AI on competition dynamics, internet openness, and end-users' rights.

¹ Draft BEREC Work Programme 2026

² BEREC, Outline Work Programme 2026, 30 January 2025.

BEUC further recommends BEREC to include the following items in its work programme for 2026:

- An external stakeholder workshop on the **upcoming Digital Networks Act** proposal by the European Commission and its potential impact **on net neutrality and IP interconnection**.
- An external workshop on **roaming and intra-EU communications** to be held ahead of the upcoming review of the EU's Roaming Regulation, to assess the implementation of EU rules and how to ensure a single market for electronic communications in the EU.
- A report assessing the **respect for consumer rights in electronic communications markets**, based on a survey of NRAs and evidence gathering from consumer associations, NRA decisions, and case law.
- A continuation of BEREC and BEUC's collaboration on **end-user rights**, suggesting that another edition of the joint workshop is held in 2026.

1. General comments

BEUC welcomes BEREC's commitment to **uphold the strategic objectives of the European Electronic Communications Code (EECC)** outlined in Art.3(2), in particular as they relate to protecting the rights of consumers.

BEUC welcomes that BEREC considers “universal service” and “consumer protection” as “important horizontal principles that form an essential part of the high-level priorities”³ and recalls that this commitment should be fully reflected in future work programme activities.

Moreover, we stress the importance of BEREC addressing the expected proposals for a comprehensive review of the EU regulatory framework of the telecoms sector which are to be presented in 2025. Over the past year, BEUC and its member organisations, together with a number of relevant stakeholders of civil society and industry, have repeatedly expressed their concerns regarding the European Commission's proposals for potential changes to the EU regulatory framework for electronic communications.⁴

As the Commission prepares to present its legislative proposal for a Digital Networks Act (DNA) in December 2025, it **is imperative to ensure that any policy measure does not compromise the primary objectives of the EECC**, namely to promote competition, support the internal market, and safeguard end-user rights. Current discussions around competitiveness and scalability suggest that the Commission may propose measures to encourage the growth of the telecommunications sector. However, this must not come at the expense of net neutrality, Quality of Service (QoS), or higher prices for end-users.

2. Comments on strategic priorities

BEUC welcomes BEREC's continued commitment to its high-level strategic priorities of i) promoting full connectivity, ii) supporting sustainable and open digital markets, and iii) empowering end-users. Considering the coming adoption of a new BEREC Strategy 2026-2030 by the end of this year, BEUC considers this a key opportunity to adapt these strategic priorities to more adequately reflect the primary objectives of the EECC.

As such, in line with Article 3(2)(d) EECC, BEUC recommends to **include consumer protection (the protection of end-users)** as part of the priority to empower end-users. Because consumers cannot be empowered without protection and respect of the EECC and other regulatory requirements under EU and national laws.

³ Draft BEREC Work Programme 2026, p.7

⁴ See BEUC response to the public consultation on the European Commission White Paper “How to master Europe's digital infrastructure needs?”, “[Mind the \(Connectivity\) Gap: Making Digital Infrastructure Work for Consumers](#)”, 29 June 2024.

2.1. Promoting full connectivity

BEREC's commitment to ensuring the harmonised application of European legislation⁵, and to empowering EU consumers should remain a priority. In principle, we support the commitment to facilitate the roll-out of Very High Capacity Networks (VHCNs) as a contribution to help addressing the digital divide. The improvement of network infrastructure should go **hand-in-hand with providing accessible and affordable high-quality connectivity to all consumers**, with a special focus on those who are most isolated. It is therefore encouraging to see BEREC's work enhancing coverage and take-up, and supporting future network roll-out through standardisation and interoperability efforts⁶.

However, the rollout of network infrastructure to deliver better, high-quality **connectivity for consumers must go together with the objectives of promoting competition and ensuring consumer protection**. We encourage BEREC to include language similar to its 2025 Work Programme, reiterating that “[c]losing the digital divide entails more than just the roll-out of VHCNs.”⁷

We recommend NRAs to **remain cautious during the upcoming review of the EU telecoms rules**, particularly regarding any proposals towards meeting the Digital Decade connectivity targets for 2030. Any potential regulatory intervention based solely on self-imposed numerical targets, without any objective justification, proven necessity or consideration of (unintended) consequences, could hurt both for consumers and the market. These risks must be carefully analysed to avoid both counterproductive effects and negative consequences. **Connectivity targets should not be ends in themselves**. They cannot justify going against or trading off the fundamental regulatory objectives of promoting competition and consumers' interests and (real) needs.

2.1.1. Fact finding report on the competition indicators and regulatory highlights in different jurisdictions

BEUC welcomes the work on this report showing how changes in telecommunications markets and value chains are changing the communications ecosystem. We would encourage BEREC to **consider the impact on end-users as a central element of this report**, including how EU end-user rights and quality of service relate to other jurisdictions.

⁵ Draft BEREC Work Programme 2026, p.8

⁶ Ibid.

⁷ BEREC 2025 Work Programme, p.4

2.1.2. BEREC Opinion on the Recommendation on relevant markets susceptible to ex ante regulation

Considering the European Commission's upcoming Digital Networks Act proposal, we especially welcome BEREC's intention to contribute to the review process of the Recommendation on relevant markets susceptible to ex ante regulation. Considering the potential impact of the EU telecoms rules review to the current national regulatory approaches of NRAs and the potential negative consequences for consumers. That's why BEREC's expert, independent opinion is a key contribution to this debate.

2.2. Supporting competition-driven and open digital ecosystems

2.2.1. Further Guidance on 5G Network Slicing

As outlined in BEUC's response to BEREC's call for input on the Roaming Regulation, the use of network slicing - creating multiple virtual networks each tailored to specific needs to provide customized connectivity and services - and Quality of Service (QoS) differentiation also raises important questions regarding net neutrality. We caution regulators to make sure that the current regulatory exemptions allowing network slicing are to remain conditional to the provision of critical services. Telecom operators should not be allowed to instrumentalise the opportunity for network slicing to pursue commercial interests. This would otherwise open the door for commercial practices that ultimately discriminate Internet traffic and further undermine the open internet.

2.2.2. BEREC contribution to the implementation of the Digital Markets Act

We support BEREC's ongoing contributions to the implementation of the Digital Markets Act (DMA). The DMA remains a vital element of the EU's digital and competition policy toolkit. At a time when the implementation of the DMA is coming under challenge from designated gatekeepers, which could directly impact the rights of consumers to fair, open, and interoperable services, it is fundamental that BEREC further engages in consultations with all relevant stakeholders when preparing its analysis and interventions, through dedicated workshops and discussion fora.

2.2.3. BEREC report on the impact of artificial intelligence on competition dynamics, internet openness and end-users' rights

As artificial intelligence (AI) continues to develop at a fast pace, BEUC welcomes BEREC's commitment to further analyse the impacts of AI on competition, internet openness, and end-users rights. As the use of AI solutions continues to grow across sectors, including in the telecoms sector, the protection of end-user rights gains a

significant importance. As consumers become more exposed to such technology on a daily basis, it is essential that consumer protections keep up with the increased risks.

We share BEREC's concern that AI may "affect the overall user experience on the internet" as it could directly influence "the way users access online content/services and thus to possibly affect their freedom of choice"⁸. There are clear risks that end-users will be subjected to AI systems and exposed to automated decision making without clear, accessible ways to request explanations and take legal action. Without this, consumer protections are further weakened and both consumers and businesses are left with legal uncertainty. BEREC should make sure we have clear rules that provide appropriate safeguards for end-users.

BEREC's further analysis is critical to provide an expert, evidence-based analysis on AI usage and its impact on markets and consumers, based on sound research and market analysis. To support the important work on this report, we would recommend BEREC to consider organising additional stakeholder workshops that would provide input into its drafting. BEUC welcomes the opportunity to contribute to this exercise with our insight from the consumer perspective, and reiterates its availability to engage in these discussions.

2.3. Empowering end-users

BEUC welcomes BEREC's commitment to continue to prioritise workstreams aimed at the empowerment of end-users. BEUC and its members especially appreciate the continued collaboration with BEREC over the years and the recent opportunities to contribute to BEREC's work and engage in external and joint workshops on key topics concerning consumers, including the recent workshops regarding the review on end-user rights following Article 123 of the EEC⁹, and the recent joint workshop on end-user rights¹⁰.

Following the announcement of the European Commission of its intention to review the EEC, we regret that end-user rights have been conspicuously absent in from the centre of current policy discussions. With the proposal of the upcoming Digital Networks Act, expected to be presented in December 2025, BEUC welcomes BEREC's commitment to keeping this vital topic on the agenda at this critical juncture, and reiterates its commitment to support this work wherever possible.

2.3.1. BEREC report on switching and termination of contracts

Switching process and contract termination are critical aspects for consumers; opaque processes for termination and lengthy contractual documents remain a critical issue for consumers across the EU. We appreciate BEREC's positive reference to the November

⁸ Draft BEREC Work Programme 2026, p.21

⁹ BEREC External Workshop on practical issues preventing number misuse and possible fraudulent activities as a result of impact of new technologies

¹⁰ BEREC-BEUC joint workshop on end-user rights

2022 joint workshop with BEUC and reiterate our availability to contribute to this process. We would suggest to, in addition to the adoption and publication of the report, to organise an external stakeholder workshop to discuss the findings, and put forth recommendations for best practices that telecoms providers and NRAs can implement.

2.3.2. BEREC-BEUC Joint workshop on end-user rights

BEUC strongly appreciates the continued collaboration with BEREC on the important subject of end-user rights. We thank BEREC for the joint organisation of another successful edition of this workshop in October 2025, and welcome the decisive contribution of this event to place consumer rights at the center of the debate on the upcoming review of the regulatory framework, with productive discussions held on quality of service, coverage, information, and marketing practices. Considering the positive feedback of this edition, BEUC stands ready to continue this collaboration and suggests that this initiative continues into 2026 with a new iteration of the joint workshop, to be jointly developed and hosted by BEREC's end-user rights working group and BEUC.

2.3.3. Implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines

BEREC's continued reporting on the implementation of the Open Internet Regulation remains a vital aspect of the protection of consistent application of the regulation and the overarching defence of net neutrality. At a time when private sector actors are increasing their control over key aspects of communications infrastructure, it is more important than ever that BEREC voice its views on the state of the Open Internet in the EU.

We note that the work programme at present does not plan for a public consultation on the report for 2026. We would request that, if not a public consultation, BEREC provide the opportunity for certain stakeholders to provide their input on the report.

2.4. Strengthening BEREC's capabilities and continuous improvement

BEUC welcomes the Work Programme's ambitions for the continued development of BEREC, in particular its agility, independence, inclusivity, and efficiency. As a frequent contributor and collaborator to BEREC's work on end-user rights, we commend the commitment to further strengthen work with key stakeholders.

As noted previously, we look forward to working with BEREC on the next iteration of the end-user rights workshop, and to exploring other possible avenues for collaboration to ensure that the consumer voice is heard and respected in the telecommunications sector.

2.5. Comments on potential BEREC work for 2027 and beyond

We especially welcome BEREC's vigilance in monitoring IP interconnection into 2027, given the anticipated changes to the regulatory framework with the introduction of the Digital Networks Act. We welcome the reference to the Report on the IP Interconnection ecosystem¹¹, that “BEREC is aware that there are a few IP-IC disputes that have occurred since 2017, and BEREC’s workshops also revealed similar insights.” In a context where telcos continue to argue for the upcoming DNA proposal to include potential mechanisms for dispute settlement or arbitration, we call on BEREC to remain vigilant. And as the consumer voice in Europe’s, we stand ready to support BEREC's work in this area.

In conclusion, we reiterate our recommendation that public consultations should take place over longer periods of time. Unfortunately, a four week period is not enough for an umbrella organisation with limited resources, to properly and fully address all issues raised towards producing an added-value contribution. Short deadlines for public consultations on documents of such complexity risk excluding smaller stakeholders with even more limited resources from adequately participating, therefore jeopardising the objective of any consultation: balanced, representative feedback from all stakeholders. This is particularly important in the case of consultations that are particularly relevant for consumer protection.

¹¹ [BEREC Report on the IP-Interconnection Ecosystem](#)