



EURO-MEDITERRANEAN REGULATORS GROUP - EMERG

ANNUAL REPORT 2020

April 2021

INTRODUCTION

In 2020 MTIT, Palestinian Ministry of Telecom & IT was the Chair member of the European Mediterranean Regulators Group “EMERG”. Due to the COVID-19 pandemic all 2020 EMERG activities were held virtually and this report will go through all the activities undertaken during 2020. In 2020 the EMERG, in cooperation with DETECON (the consultant company supporting the Group selected by the European Commission) made an effort to meet the deadlines set and to produce documents as foreseen in the Rules of Procedures. The present report will therefore provide a summary of the activities carried out and will summarize the main results achieved in every meeting also with a view to the international role played by the Group within and outside. In this latter respect, the EMERG participated in several inter-platform initiatives, including ITU, EaPeReG and BEREC.

1. CONTACT NETWORK AND BENCHMARK MEETING (CN)

It was organized and hosted by Detecon International GmbH in cooperation with the European Commission in Frankfurt, Germany 4th and 5th February 2020. The following topics were raised during the 2020 CN and suggestions were elaborated:

1. Overview of EMERG Events 2019 and outline of the Annual report 2019 by CRA (Bosnia and Herzegovina).
2. Update on Application submitted to EU for prolongation of the project and fund by Detecon.
3. Discussion and decision on EMERG 2020 Work Plan.
4. Presentation of draft 2019 EMERG Benchmark Report by WIK.
5. Sustainability Report by NTRA (Egypt).
6. Approximation Report by CRA (Bosnia and Herzegovina).
7. International Roaming Report by MOC (Israel).
8. The Appointment of the EMERG Chair 2021 and the composition of the 2020 Permanent Secretariat were discussed. Normally, according to the EMERG Charter, the Chair 2021 should be an EU NRA, however, at the CN, no EU NRAs volunteered, it was taken into consideration the option of a candidacy of a non-EU Country, which is also an option foreseen by the current EMERG Charter. Israel volunteered to be the 2021 chair - hence such candidature will be presented at Plenary for approval.
9. Regarding the composition of the Permanent secretariat, besides the NRAs who are part of the "Troika", three additional NRA volunteers to be part of it (AGCOM, NTRA and TRC).
10. In response of the conclusion to keep the current EMERG internal rules for the appointment of Permanent Secretariat, provided by article 6 of the Charter, in order to ensure that the network reaps the benefit of a broader participation in the Secretariat, a possible solution, proposed by the Consultant and backed by AGCOM, was to change article 6 of the Charter and to increase "up to seven" the Members of the Secretariat.

2. PLENARY

2.1 Meetings

The EMERG 2020 Plenary was initially planned to be hosted in Jordan in early March 2020 but due to COVID-19 outbreak it was canceled and after discussion between the members it was decided that 2020 Plenary to be held virtually, and it was held in two sessions:

1st session ZOOM meeting on 23.06.2020

The Plenary meeting for this year was held remotely via video conference on Tuesday, 23rd June with the presence of 13 countries and 27 participants: namely representatives from Palestine, Egypt, Jordan, Morocco, Turkey, Bosnia, Cyprus, Italy, Switzerland, France, Spain, Portugal, and Israel, Detecon and European Commission (DG Connect and DG Near). According to the Agenda, the following topics were discussed:

- a) The 2019 Annual Report, as reviewed after the CN in Frankfurt, was presented by the representative of Bosnia and Herzegovina, consequently approved for publication on the EMERG website.
- b) The 2019 EMERG Benchmark Report was reviewed after the CN, further comments on it will be accepted until 1st July, and so it can be published before 15th July.
- c) Regarding the budget for the year 2021: the representative of the European Commission expressed the lack of a budget for the year 2021 and the inability to carry over any budget available from the year 2020 to the year 2021 from the running project. However, he opened the perspective to find a solution for travel expense coverage for some EMERG meetings in 2021 and a possible new project later.
- d) The 2020 work plan was adopted. In terms of presence meetings of technical groups, expert meetings and their rapporteurs, and the host countries the activities will be postponed until the fourth quarter of 2020, hoping that travel restrictions are released at this time.
- e) It was decided to hold a meeting in August to organize the plan of the activities for the rest of the 2020.

- f) Regarding the EMERG international activities, AGCOM presented the renewal of the MOU with BEREC and the participation to the PRIDA project in the African area. The plenary approved both initiatives as an opportunity to strengthen international cooperation.
- g) Amendment of the EMERG Charter, as proposed by AGCOM: The Plenary accepted the proposal and the EMERG Permanent secretariat has been expanded up to 7 members instead of 5, in order to include all the most active Members in the Secretariat, referring especially to the Chairs of the EMERG EWGs. The Decision was adopted unanimously.
- h) Regarding the Appointment of the 2021 Chair and the Permanent Secretariat: Israel applied to run for the chair of the group in 2021, noting that the chair for the year 2020 automatically becomes the current vice chair. The application was presented during the CN in Frankfurt.
- i) AGCOM confirmed its candidacy for the Permanent Secretariat.
- j) Palestine, Jordan and Morocco objected to Israel's candidacy for the chair 2021, because this is a precedent and contravenes the group's norms since its inception in 2008, which provide that there should be a rotation between EU and non-EU Countries every year. Given the lack of availability from the EU countries to take over the Chairmanship for 2021, the Plenary decided that it could have been a MENA country running for the Chair for 2021, considering that the Charter is flexible in this case, under a decision from the Plenary. During the meeting, Jordan applied to run for the chair of 2021. Several members asked for an immediate voting between the two candidates or to reconvene the Plenary meeting in a short time period. EMERG Chair 2020 proposed to postpone the decision on the matter to an exceptional session and the Plenary agreed.

2nd session ZOOM meeting on 15.09.2020

EMERG held the last session of the EMERG Plenary assembly, on 15th September 2020, chaired by Samer Ali MTIT (Palestine) EMERG Chair 2020. The representatives voted unanimously for future set-up of the Group:

1. ANACOM (Portugal) represented by its Chairman, João Cadete de Matos, was appointed as EMERG Chair 2021 and Vice-Chair 2020; MOC (Israel) represented by Naama Henig was elected as vice-Chair 2021 and Chair 2022,

according to the rotation between EU Countries and MENA Countries provided by the EMERG Charter. Furthermore, the EMERG Permanent Secretariat was established: together with the “Troika” (ANACOM, CRA and MTIT), MOC (Israel) Chair 2022, AGCOM (Italy), TRC (Jordan) and NTRA (Egypt) as volunteers, were included.

1.1. Work Plan 2020

Moreover, the Plenary assembly approved the Work plan for 2020 that will be executed virtually since the current emergency; it comprises the following topics:

- 5G policy for regulators to operate 5G;
- Net Neutrality and Open Internet Neutrality;
- Broadband Strategy;
- International Roaming.

1.2. International cooperation

Finally, EMERG confirmed its commitment to strengthening the international cooperation with other platforms and institutions. In this respect, EMERG decided to sign a new MoU with BEREC to give continuity to the past fruitful collaboration, especially aiming at achieving one of the most relevant objectives, namely the approximation to the EU regulatory framework in the MENA countries. In addition, EMERG decided to reinforce the cooperation with EaPeReg on the topics of common interest as, for example, International Roaming. Finally, EMERG welcomed the recent activities in ITU as regional platform, as already reported, and decided to take part to the Policy and Regulation Initiative for Digital Africa (PRIDA) in the scope of Africa-EU partnership.

3. Work Plan Implementation – Webinar and Workshops

i. EMERG WEBINAR on "Key Policy Challenges in 5G Development for Emerging Countries"

The webinar took place virtually on Monday, September 28th. Presented by Detecon EU Key Experts Dr. Arnulf Heuermann and Dr. Richard Majoor on the following:

1. 5G, Economic Growth & Digital Divide
2. 5G Market Readiness

3. Covid-19 Impact on 5G

Recommendations:

1. Every country should develop a realistic Broadband Strategy including infrastructure choice, investment model, financing tools and regulation.
2. Making spectrum available quickly is the most important governmental task to support 5G investments.
3. Emerging countries need to reform old, restrictive regulatory systems to create an environment for 5G investments.
4. Countries need to adapt their institutional framework to adapt to the changing market structures of a digital economy based on 5G.

Detecon presentation:

<http://www.emergonline.org/2020/09/29/key-policy-challenges-in-5g-development-for-emerging-countries-emerg-webinar-28-09-2020/>

ii. EMERG WORKSHOP ON NET NEUTRALITY

On October 13th 2020 EMERG held a virtual workshop on Net neutrality and Open Internet, the first one from the EMERG 2020 Work program. During the meeting, different aspects have been covered: legal, technical, and commercial point of views were provided, considering the complexity of the topic at stake, COVID emergency and the most recent updates from EU regulatory framework.

The meeting, chaired by AGCOM, registered 50 people, including guests from the EaPeReg countries, who were invited in the light of EMEG-EaPeReG cooperation on the topics of common interest. The following topics were discussed:

1. Covid-19 impact on Broadband traffic: overall evolution and remedies. (AGCOM & DETECON)
2. The new BEREC guidelines on Open internet: an introduction. (AGCOM).
3. Derogation to the EC Regulation 2120/2015: technical issues (The Case of FWA) (AGCOM)
4. CURIA and Zero-Rating Offers: Case Study. (DETECON)
5. Network slicing and Open internet. (DETECON)

All the presentations can be found on the following link:
<http://www.emergonline.org/2020/10/15/emerg-workshop-on-net-neutrality-13-october-2020-presentations/>

Recommendations:

1. Traffic management - NRAs and ISPs should cooperate closely to keep NRAs informed on traffic management measures taken, in particular in case of emergency measures to make sure they are in line with the net neutrality principle.
2. Since Zero Rating practices have potential competitive and discrimination effects, BEREC new Guidelines annex (2020) and relevant paragraphs detailing the case by case BEREC approach constitute an adequate reference.
3. FWA services should be assessed on a case by case basis by NRAs, in particular the location of their Network Termination Point and FWA services that could rely on mobile and fixed technologies.
4. Net neutrality regulations should encompass network evolutions (for instance, 5G or network slicing) and NRAs and operators/ competitors at various levels should work closely to determine how these technical evolutions can benefit end users.

iii. EMERG WORKSHOP ON INTERNATIONAL ROAMING

EMERG held, virtually, its third 2020 workshop about International Roaming on 7th December. The Workshop was chaired by Naama Henig, representing the Ministry of Communication of Israel (MOC) and Chair of the EMERG International roaming Expert working group and it was hosted by ANACOM (Portugal), EMERG Incoming Chair.

1. Initially, Arnulf Heuermann (DETECON) gave an overall introduction on the topic at stake, giving updates about the work done by the EMERG EWG: International Roaming: Regulatory Options, ECOWAS Regional Roaming and Status of the EMERG Working Group – Arnulf Heuermann DETECON
2. Liliia Malon (Ukraine) EaPeReg Network – Eastern Partnership Member, in charge of International roaming, gave a presentation on the experience in the regional area they cover. EMERG cooperation with EaPeReg is becoming more

and more fruitful and it is strengthening also for the next year: Roaming Initiative of the Eastern Partnership countries EMERG WS on International Roaming – Liliia Malon EaPeReg Roaming EWG Chair

3. Manuel Costa Cabral (ANACOM) presented the experience of the international roaming working group within the Portuguese Speaking Countries Community (CPLP).

Presentations:

<http://www.emergonline.org/2020/12/11/emerg-workshop-on-international-roaming-7-12-2020/>

iv. EMERG WORKSHOP ON BROADBAND STRATEGIES

EMERG held virtually a meeting on the Broadband strategies on 17th December 2020, chaired by Mahmoud Hatem (NTRA Egypt) and hosted by TRC Jordan. Generally, the workshop focused on the key issues related to connectivity and roll-out of high-capacity networks, covering topics related to mapping, investments, technical solutions, national experiences, and current European framework. Furthermore, EMERG invited EaPeReg to present the work done by the Eastern Partnership Group on this strategic matter:

2. Roll-out of high capacity broadband and mobile networks: mapping the road – Davide Gallino, AGCOM (Italy)
3. Measuring & Monitoring Broadband (QoS/QoE) – Zeid Al-Kadi, TRC (Jordan)
4. Cost-minimizing Technology Mix for roll-out of Fixed and Mobile Broadband – Arnulf Heuermann, DETECON
5. Regional approaches to Broadband Development in Eastern Partnership Countries – Inga Popovici, EaPeReg IRB EWG Chair

Presentations:

<http://www.emergonline.org/2021/01/21/emerg-workshop-on-broadband-strategies-17-december-2020/>

4. Work Plan Implementation - EMERG PARTICIPATION TO THE ITU 20TH GLOBAL SYMPOSIUM FOR REGULATORS (GSR-20)

On 7th July 2020, EMERG participated in the GSR-20 Regional Regulatory Roundtable Discussion for Europe and CIS: Key Regional Trends by Regional Organizations, represented by Ms. Naama Henig, MOC (Israel).

EMERG presented the measurements taken by the group Member States in facing with the pandemic challenges, such as establishing a control center dedicated to monitoring the efforts of the pandemic, providing additional spectrum to support increased broadband usage, extending 5G deadlines, sharing information and best practices with the member countries to improve the crisis management.

On 31st August 2020, EMERG participated in the GSR-20 Regional Regulatory Roundtable: Competition Policy and Analysis in a Digital Apps Environment for the Arab and Africa Regions, represented by Samer Ali, MTIT (Palestine) EMERG Chair 2020.

Then, EMERG contributed to the Regulatory Associations Meeting 2020, during the Global Symposium for Regulators 2020 (GSR-20), presenting the Group, its main activities and goals. In particular, EMERG took the chance to stress the importance of being connected worldwide and mentioned its active cooperation with EaPeReg and BERECA, looking forward to other initiatives. EMERG was represented by Paola Calestani, AGCOM Italy, Permanent Secretariat member.

5. Work Plan Implementation - EMERG PARTICIPATED TO THE EAPEREG 16TH PLENARY MEETING (VIRTUAL)

In the light of the increasing cooperation between EMERG and Eastern Partnership (EaPeReg), EMERG was invited to participate in the EaPeReg 16th Plenary Meeting (Virtual) on 3th December 2020.

At the welcoming session EMERG, represented by Paola Calestani (AGCOM) EMERG Member of The Permanent Secretariat, thanked the EaPerReg group for the invitation and highlighted the importance of the cooperation between the two regional platforms. In addition, regarding the Covid-19 pandemic and the measures taken by the States to face this disruptive situation, Paola Calestani recalled the important role

of the National Regulatory Authorities (NRAs) in assuring connectivity for the all the countries, allowing, among others, smart working, e-learning, e-health, and many other essential services.

Regarding cooperation with EaPeReg, EMERG proposed to the Plenary a Memorandum of Understanding (MoU) between the two parts especially focused on common interest topics.

6. Work Plan Implementation - EMERG-BEREC MEMORANDUM OF UNDERSTANDING SIGNED ON 17TH DECEMBER 2020

On 17th December 2020, EMERG held a virtual meeting with BEREC for the signature of the Memorandum of Understanding between the two organizations. EMERG was represented by Samer Ali, EMERG Chair 2020 (MTIT Palestine) and Paola Calestani, Member of the EMERG Permanent Secretariat (AGCOM Italy); BEREC was represented by Dan Sjoblom, Chair BEREC 2020, Michel Van Bellinghen, Chair BEREC 2021, László Ignéczi, Director BEREC Office, Tom Boyce (ComReg, Ireland), Ola Bergström, (PTS, Sweden).

EMERG representatives underlined the importance of renewal the cooperation between the two regional platforms, giving continuity to the agreements and the activities fruitfully undertaken in the previous years: one of the main EMERG goals is the approximation to the European regulatory framework in the electronic communications sector and BEREC has been recognized more and more as a crucial partner to help EMERG reaching this strategic objective.

The two parts agreed on holding joint workshops and on setting up common experts working groups in the coming years, when feasible.

In particular, the suggested topics of cooperative relationship are the followings:

- Promotion of competition in markets, services, infrastructures, supporting the digital transformation.
- Connectivity and 5G networks: regulatory challenges.
- Broadband deployment and promotion of NGA/VHCN roll-out.
- Promotion of investment by means of a pro-competitive regulation.
- How to overcome the Digital divide.
- Spectrum management.

- International roaming tariffs.
- Open Internet/ Net neutrality.
- Consumer protection and end-users' interests in the electronic communications ecosystem.
- Administrative procedures and operational issues concerning the NRAs' activity.