

BEREC-REGULATEL SUMMIT

REGULATORY RESPONSES FOR THE NEW DIGITAL ECOSYSTEM

LIMA, PERU, 20 NOVEMBER 2018

DECLARATION

The Body of European Regulators for Electronic Communications (BEREC) and the Latin American Forum of Telecommunications Regulators (REGULATEL) have met in Lima, on 19 and 20 November 2018, for the high level BEREC-REGULATEL Summit. The meeting was hosted by the Federal Telecommunications Institute of Mexico (IFT) and the Supervisory Agency for Private Investment in Telecommunications of Peru (OSIPTEL).

This Summit aimed at addressing the main challenges deriving from the role of regulatory entities in meeting the expectations of a rapidly evolving digital ecosystem. In this context, the representatives from regulators of both networks recalled that:

- Nowadays, the digital ecosystem comprises a broad set of actors that surpasses the traditional framework of the powers and scope of action of the electronic communications regulator. Furthermore, the digital transformation comprises the interdependence of a group of elements, such as devices, networks, information and applications.
- In recent years, the ecosystem of connectivity has experienced significant evolution and growth, becoming a very important facilitator for the economic and social development of countries. This trend has brought with it the emergence of a wide variety of new services, applications and technologies completing traditional fixed and mobile voice communications such as Over-the-top (OTT) services, the Internet of Things (IoT), cloud computing, big data and artificial intelligence, among others. Thus, a number of regulatory frameworks may need to be reviewed, completed or adapted to take into account the effects of digitalization.
- Information and Communications Technologies (ICT) play a relevant role in achieving the Sustainable Development Goals (SDG). The spread of ICT has great potential to contribute with the accomplishment of the SDG through accelerating the human progress, bridging the digital divide, contributing to empower citizenship and developing knowledge societies. In addition, the ICT have the potential to reduce poverty and inequality, improve productivity, healthcare and education, among others.

- However, concerns continue to emerge about new and growing digital imbalances, since there are considerable technical and financial challenges in expanding networks to remote regions, making it difficult to deliver truly universal and affordable broadband connectivity to communities. Furthermore, strong network effects that can lead to high economic concentration and market power in the hands of a few companies, especially where high investments are needed, characterize both telecom and digital sectors.
- The rapid growth of Internet traffic forces the regulator to pay particular attention not only to issues related to access to the networks but also to the openness of internet through trending topics such as net neutrality, zero-rating or the Internet fragmentation discussion which comprises the need and importance of generating and guaranteeing economic competition conditions, innovation processes and investment to encourage sustainable development and a higher level of end-users' protection.
- In order to continue generating synergies in the policies and tools that strive for the development of telecommunications and ICT, as well as the use of their economic and social benefits, it is necessary to carry out a greater and better coordination at the international level. This will facilitate harmonious markets for the benefit of the investment and trade in Latin America and Europe.

Recalling the purpose of the BEREC-REGULATEL Memorandum of Understanding to encourage a cooperative relationship between the participants that supports their respective efforts to address future regulatory challenges in Latin American and Europe, as well as to develop collegial working relationships between experts representing both networks, BEREC and REGULATEL, declare that:

- The digital ecosystem comprises a broad set of actors, entities and relationships that go beyond the traditional framework of attributions of the electronic communications regulator. Therefore, it is relevant that regulators create a collaborative environment with all the stakeholders in order to identify the most accurate regulatory measures that can be taken.
- Regulators can implement strategies that consolidate them as enablers of increasingly convergent networks and as promoters of collaboration among the actors responsible of the digital transformation. They shall also promote new regulatory tools and the use of data to react and adapt the regulation to these new trends.

- The new emerging technologies pose common challenges for regulators, such as the increasing demand for connectivity. This motivates the regulators to take an active role in promoting competition and investment in networks.
- Open internet issues deserve particular attention and, in order to ensure innovation and net neutrality both at the technical and commercial levels, regulators shall seek to share best practices and reflect on the new identified trends that preserve this openness.
- It is essential to combine efforts to close the digital divide, boost the digital economy and the digitalization of society. However, in order to achieve this, it is also imperative to have robust and independent regulatory bodies that can count on the necessary tools and duties to face the challenges that arise due to the constant evolution of technologies.

Holding this joint Summit is a clear evidence of the benefits of promoting a regulatory dialogue, based on fair and added valued discussions, between BEREC and REGULATEL at the highest institutional level, and it contributes to guarantee future cooperation among authorities of both regions.

The success of the Summit ensures a framework for future common initiatives, such as promoting joint working groups.

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