

Covington Internet of Things Update: BEREC Confirms European 5G Strategy Priority and Opens Public Consultation on the European Net Neutrality Rules

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[BEREC](#), the Body of European Regulators for Electronic Communications, recently held its 34th public debriefing in Brussels. It confirmed, among other developments, that it has made 5G a strategic European priority for the next 3 years, and has opened a public consultation on the European Net Neutrality Rules – which will run until April 25 2018.

BEREC's focus on making 5G a strategic European priority forms part of an ambitious plan to help Europe become a leader in 5G deployment, enabling high-speed internet everywhere, and connected smart homes. This announcement was presented along with an externally commissioned [5G study](#) which examines the implications of 5G deployment and future business models. The new 2018 BEREC Chair, Johannes Gungl (Managing Director of RTR Austria), described the goal as contributing to the removal of potential hurdles in order to enable the smooth roll-out of 5G in Europe. In coming to such a position, earlier this month BEREC also held a [workshop](#) on 5G and the internet of things in order to better understand current and future network security issues, in cooperation with the European Union Agency for Network and Information Security. One of the workshop's objectives was to raise awareness about

network security for European telcos, and examine potential risks where low cost IoT products may not include security by design. In its presentation, the group of European regulators showcased their newest [video](#) on the importance of Europe moving forward as one in this very important area, and for regulators to engage, collaborate and thereby empower European consumers in a future 5G Europe.

BEREC also introduced a new [public consultation](#) to evaluate the 2015 Net Neutrality Regulation and related 2016 BEREC Net Neutrality Guidelines. This consultation seeks practical input from stakeholders on their experience over the last two years, since the Net Neutrality Regulation came into force, and the more detailed Net Neutrality Guidelines which were introduced by BEREC some months later. This can include feedback on stakeholders' overall general experience with the application of the rules, whether the Guidelines have helped national regulators behave in a consistent coherent and correct way, and how the rules may be improved or clarified. In doing so, stakeholders are invited to provide concrete examples of stakeholder experiences so far. Additionally, BEREC seeks views on the introduction of new technologies – particularly those in the context of 5G deployment, and their relationship with the European net neutrality rules, and is interested in how stakeholders envisage the European rules dealing with new network technologies such as 'network slicing' and 'edge computing'.

The consultation also seeks input on the assessment of specific commercial practices such as zero-rating. Indeed, zero-rating has been the issue of much debate in Europe over the last eighteen months where some national regulators have adopted significantly different approaches to interpreting the Guidelines (the concept of zero-rating is not directly addressed in the Regulation itself) – with some ultimately attempting to over-rule major principles contained therein. It is therefore likely that the non-uniform approach to the practice of zero-rating adopted by regulators across Europe will be an issue given significant attention in responses, in addition to likely requests for clarifications and examples to be added to the existing guidance on this complex and evolving topic.

Ultimately, this new net neutrality consultation presents an important opportunity for stakeholders across different industries to have their say on the future development of the European net neutrality rules – by both highlighting issues which have arisen so far, and identifying ways in which the rules may be clarified and improved, and deal with new technologies in the future. The electronic version of the consultation can be accessed [here](#) and **remains open until April 25 2018**. Submissions can be made in both in a confidential and a public version, and may be made on a corporate and-or personal basis. Ultimately, as well as being published on BEREC's website, BEREC will use the feedback in its own report which will be submitted to the Commission in its own review of the Net Neutrality Regulation, tabled for the summer of 2019.

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