

Joint statement on Telecom Council Conclusions and the future of the open internet in Europe



**Computer & Communications
Industry Association**
Open Markets. Open Systems. Open Networks.



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The undersigned associations, representing civil society, business, academia, and technical organisations are committed to preserving the open internet and a competitive telecoms market in Europe. Together, we encourage Executive Vice-President for Technological Sovereignty, Security and Democracy Henna Virkkunen to adopt an evidence-based approach to the announced Digital Networks Act (DNA).

Following the Council Conclusions on the White Paper of 6 December 2024¹, we recommend the Commission to carefully evaluate the position expressed by the 27 Member States, and the extensive feedback gathered from stakeholders in the two previous public consultations on the electronic communications sector and its infrastructure.²

It is fundamental that the reservations expressed by the Body of European Regulators for Electronic Communications (BEREC) on the issue are taken into full consideration.³ Telecoms regulators, Member States, and the vast majority of stakeholders highlighted serious concerns on many of the White Paper's proposals, some of which are reflected in Draghi's report 'The future of European Competitiveness – In-depth analysis and recommendations'.⁴

We support the Council Conclusion's recommendations to uphold contractual freedom and technological neutrality as key cornerstones in all initiatives in the domain of electronic communications, and to safeguard the principles of the open internet, competition and consumer welfare as the primary objectives of the European Electronic Communications Code (EECC)⁵.

EU Member States, telecoms regulators, businesses, consumer organisations, civil society organisations, have emphasised the importance of an evidence-based approach to regulation on new technologies, in line with the Better Regulation principles. There are various obstacles hindering infrastructure development, such as administrative burdens, reduced competition, lack of affordability and accessibility to connectivity services. These are all areas Europe should tackle instead to help its telecoms sector thrive and empower end-users.

¹ [Council Conclusions on the White Paper 'How to master Europe's digital infrastructure needs?'](#), 6 December 2024.

² [Results](#) of the exploratory consultation on the future of the electronic communications sector and its infrastructure, and White Paper – 'How to master Europe's digital infrastructure needs?' [responses](#), also summarised [here](#).

³ BEREC's [input](#) to the EC public consultation on the White Paper 'How to master Europe's digital infrastructure needs?', 28 June 2024.

⁴ Mario Draghi, '[The Future of European Competitiveness](#)', 9 September 2024.

⁵ Directive (EU) 2018/1972 (European Electronic Communications Code), Recital 23.

The new Commission should firmly reject proposals of the past, regardless of how they are reframed: these include ideas of network usage fees, arbitration mechanisms, reducing or removing ex-ante regulation on dominant telecoms operators, or unjustified regulation of cloud infrastructure – all damaging the open internet. These policies would undermine Europe’s digital transformation, and fail to reflect the reality of the internet ecosystem.

In this context, we are concerned with recent statements⁶ in favour of arbitrarily reducing the number of telecom operators in Europe⁷: EU rules should not be setting arbitrary consolidation targets but continue to ensure that telecoms markets remain open and competitive for the benefit of end-users.

The new Commission has the opportunity to embrace fresh thinking and work on policies which can foster Europe’s digitalisation and competitiveness, with actions that strengthen, rather than fragment, its core principles, including competition, consumer protection and net neutrality. By building on these cornerstones, Europe can adopt a holistic approach to reaching its 2030 digital targets, one that chooses to empower its telecoms, tech and digital sectors together.

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⁶ Euractiv, [Virkkunen supports EU telecoms consolidation, gets mixed national responses](#), 6 December 2024.

⁷ Les Echos, [Stéphane Séjourné: «Nous allons lancer un choc de simplification de la réglementation européenne»](#), 9 December 2024.