

Memorandum of Understanding

Between

**Group of Eastern Partnership Regulators for Electronic
Communications Networks and Services (EaPeReg Network)**

And

**Body of European Regulators for Electronic Communications
(BEREC)**

Memorandum of Understanding between
Group of Eastern Partnership Regulators for Electronic
Communications Networks and Services (EaPeReg Network)
and
Body of European Regulators for Electronic Communications (BEREC)

WHEREAS, the Group of Eastern Partnership Regulators for Electronic Communications Networks and Services (hereinafter referred to as “EaPeReg Network”) is the organization of the national regulatory authorities (NRA) of the Eastern Partnership countries and consists of NRAs for the electronic communications sector from Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine;

WHEREAS, the Body of the European Regulators for Electronic Communications (hereinafter referred to as BEREC), with the office at Z.A. Meierovica Bulv. 14, 2nd Floor, Riga LV-1050, LATVIA, consists of the NRAs for the electronic communications sector from the Member States of the European Union, candidate countries and states of the European Economic Area and the European Commission as observers, and facilitates the consistent application of the telecommunication rules throughout the European Union;

WHEREAS, both EaPeReg Network and the BEREC (each referred to individually as “party” and collectively as “parties”) have an interest in effective electronic communications regulation that promotes competitive markets, technological innovation, and value for consumers;

WHEREAS, both EaPeReg Network and BEREC wish to state their intent to form a cooperative relationship, as outlined in this Memorandum of Understanding (hereinafter referred to as “MOU”);

NOW, THEREFORE, EaPeReg Network and BEREC have reached the following understandings:

I. PURPOSE

The goal of this MOU is to encourage a cooperative relationship between the parties that supports the parties’ respective efforts to address current and future regulatory challenges in the eastern European partner countries¹ and the European Union countries as well as to develop collegial working relationships between experts representing both parties.

II. AREAS OF COOPERATION

A. Cooperative Activities may include but are not limited to:

- Annual meetings;
- joint working groups;
- Information exchange (e.g. questionnaires, working papers, specific events, etc.).

¹ The European Union’s eastern European partner countries include Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

Such activities may be concluded via electronic means or in-person meetings between representatives of both parties.

B. Regulatory Issues

The parties intend to determine by mutual arrangements the way in which exchange of information on regulatory issues is to be addressed through their cooperative relationship and those issues may include but are not limited to the issues described in Annex 1.

III. MOU IMPLEMENTATION

A. Responsibilities

The parties intend to make the necessary arrangements to ensure implementation of the partnership, as outlined in this MOU.

B. Communications Regarding

The parties intend to communicate regarding accomplishments related to this MOU.

C. Rules and Procedures

Each party intends to operate according to its respective rules and procedures.

IV. COSTS

The costs for each party resulting from the implementation of this MOU shall be borne by each one of them.

V. GENERAL PROVISIONS

A. Duration

The parties intend to carry out their cooperative activities for a period of two (2) years following the signature by both parties. After this initial period, it can be extended based on the outcome for the same period of time. Either party may provide advance written notice of its intention to cease cooperative activities under this MOU. Cooperation under this Memorandum will continue until the expiry of 30 days after presentation of the written notice by either party to the other party.

B. Modification

The Parties may modify and/or amend this MOU at any time by mutual written consent.

C. Communications Regarding MOU

For the purposes of communications or notices with respect to this MOU, both EaPeReg Network and BEREC will be represented by their sitting Chairs. Both participants may designate other focal points.

D. Legal Enforceability

This MOU is not intended to create legal and binding obligations for either party, but is a statement of the parties' intent to form a cooperative relationship.

VI. SIGNATURES

For the Group of Eastern Partnership Regulators for Electronic Communications Networks and Services (EaPeReg Network)²

At (city) _____ on (date) _____

For the Body of European Regulators for Electronic Communications (BEREC)

At (city) _____ on (date) _____

For the Office of the Body of European Regulators for Electronic Communications (BEREC)

At (city) _____ on (date) _____

² Four countries (Armenia, Georgia, Moldova, and Ukraine) have officially joined the EaPeReg network since its establishment in September 2012, while Azerbaijan and Belarus are at the moment informal members; they follow the EaPeReg activities and have reserved the right to formally join in the future.

Annex I

[EaPeReg Network's Proposal to be further completed]

ACTIVITIES:

1. Joint Working Groups: 1 to 3 specific projects (to be defined).
2. BEREC – EaPeReg Network annual meetings: strategic debate on common issues and agreement on yearly next steps.
3. Access and share of information: have access to contact list to disseminate and collect questionnaires, reports and any other valuable information.

Parties also agree to cooperate on following issues of the electronic communication regulation, which is not exhaustive and can be updated at any time on the basis of mutual written arrangement between parties:

- Competition in markets;
- Consumer protection;
- Management of scarce resources;
- Broadband development and promotion of NGA roll-out;
- Network neutrality;
- Costing and tariff methodologies;
- International roaming tariffs;
- Development of harmonised regulatory frameworks;
- Administrative procedures and operational issues concerning NRAs' activity;
- Promotion of investment by means of a pro-competitive regulation;
- Statistics.