

Strategic Plan

2020-2022

PREAMBLE

The BIPT was created in 1991 as a semi-governmental body and was given a statute of its own in 2003 in order to guarantee its autonomy vis-à-vis the executive power.

In short, the BIPT is entrusted with a mission of regulation and monitoring of numerous government domains: the electronic communications market, the postal market, the electromagnetic spectrum of radio frequencies and network security. The BIPT is also in charge of consumer protection in these domains. In addition, the BIPT is authorised in the field of radio and television broadcasting but only in the Brussels Capital Region.

Within each area of jurisdiction the BIPT has to achieve a range of objectives that are usually the direct result of the Belgian and European regulatory frameworks. In the electronic communications domain for instance, the BIPT has a task to promote competition, to contribute to the development of the internal market and to ensure that the consumer's interests are protected.

In order to achieve these goals, the BIPT has several instruments at its disposal: issue opinions, adopt administrative decisions, monitor compliance with the legislation and certain tasks of public interests.

In case of disputes, the BIPT can intervene by means of a reconciliation procedure helping the operators involved to reach a compromise, as well as by means of a procedure of dispute settlement between operators.

Although the BIPT has an independent statute, the legislator provides for a series of monitoring mechanisms. As an independent body, the BIPT is accountable for its activities.

- Every three years, the BIPT Council drafts a Strategic Plan which is submitted to the Chamber of Representatives.
- Based on its Strategic Plan the Council then drafts an annual Operational Plan attuned to the Strategic Plan.
- Finally, an annual report on the activities accomplished and the evolution of the postal and telecommunications market is submitted to the Government. The Council is heard by the Chamber of Representatives.

The Minister of Budget supervises the draft budget drawn up by the BIPT, which since its creation, is fully financed by means mainly coming from the regulated sectors, without state grants.

The BIPT's decisions may be challenged before the Market Court. The latter may suspend decisions by the BIPT as well as annul them with retroactive effect or replace them.

The BIPT's first Strategic Plan was drawn up in 2010. The Strategic Plan defines the BIPT's strategic axes and priority areas for action and contributes to the BIPT's good governance. The plan is the fruit of the BIPT's experience and a response to the evolution of the environment in which it works.

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1. INTRODUCTION

The BIPT, the Belgian Institute for postal services and telecommunications, presents its 2020-2022 Strategic Plan, thus complying with one of the obligations allowing it to submit itself to the democratic monitoring of its functioning¹.

It is not the first time that the BIPT sets out the strategy it aims to follow: since 1993 and during its infant years, the Institute described its future work within the framework of its annual reports; as of 2003 it has drafted half-yearly management plans and reports on the work performed but in 2005 it updated its approach by mentioning its missions, areas of activity and values in the 12th annual work report, completing the management plans. The first Strategic Plan dealt with the 2010-2013 period and the second with the 2014-2016 period.

On 16 January 2017 a new BIPT Council was appointed, composed of the following Council Members: Michel Van Bellinghen (Chairman), Axel Desmedt, Jack Hamande and Luc Vanfleteren. The BIPT Council kicked-off by drawing up the Strategic Plan for the 2017-2019 period. To this effect, inspiration was drawn from the experience gathered with the first two plans, the development of the Belgian market and the Belgian regulatory framework. Simplification was key for the drafting of the 2017-2019 Strategic Plan by concentrating and reducing the number of strategic axes. The mission, the vision and the values of the organisation were adapted. Within 12 weeks after its members taking up their duties, the Council submitted a draft Strategic Plan for 2017-2019 to all stakeholders. A final version was published on 23 May 2017.

The voyage towards the 2020-2022 Strategic Plan, the second plan during the current Council's six-years mandate, started off in the first place with in-depth interviews of different experts. Their statements on the future evolutions in the field of telecommunications and post were then submitted to the staff and different stakeholders.

For the 2020-2022 Strategic Plan it was decided to continue on the same course to a large extent. The mission text and values chosen thus remained largely unchanged as well as the strategic axes along which the different strategic goals have been distributed. Only the text regarding the vision has been completely overhauled in order to represent briefly but powerfully what the BIPT stands for.

The 2020-2022 Strategic Plan was submitted for consultation from 3 until 18 December 2019 on the BIPT website. After the adaptation of the document following that consultation, the Council approved the final version of the plan on 24 December 2019.

Thank you everyone.

¹ Article 34 of the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors

2. IN-DEPTH INTERVIEWS

The voyage towards the 2020-2022 Strategic Plan started off in the first place with in-depth interviews of different experts. These interviews were carried out to get an in-depth view of their individual opinions on the future developments in the telecommunications and postal sectors.

Seven of the statements cited by them regarding the future evolutions in the field of telecommunications were then submitted to the staff and different stakeholders:

1) In the years to come the digital society will face disruptive changes. It is our ambition to become the digital society's spearhead. In order to endorse future innovations we suggest an adaptation of the vision employed by the BIPT: *"We ensure that the users have the best choice among ~~powerful~~ innovative and reliable communication at the best possible terms and conditions within a competitive environment."*

2) The use of big data, 'the fuel of the new digital economy', as well as of IoT applications and artificial intelligence, which are increasingly more often misused through online applications and services, will win ground over the next years. The BIPT is open to using its technical and economic expertise to ensure a clear and well-adjusted regulatory framework in this field.

3) At the moment, the BIPT is already responsible for the safety of telecom networks. The BIPT should adopt a broader mandate in view of the developments on the market and thus become the government body of reference for anything digital.

4) The fifth mobile generation, 5G, will not only ensure an increase in data bitrates but will also provide for the possibility to digitise and interconnect economic and social sectors. These sectors are referred to as 'verticals'. As a catalyst the regulator can enter into contact with the different social sectors to take stock of their needs and develop an actual vision regarding the digital industrial policy.

5) The expected 5G developments will enable various new applications for the business world. Companies will thoroughly look into the possibilities 5G has to offer, not only on the demand side but on the supply side as well. Following in the footsteps of Germany, part of the new spectrum could be reserved for major industrial players during the auction.

6) Despite of the competition playing in the telecom markets, and all regulation regarding transparency, making available the necessary info on rates (price comparison tool www.besttariff.be and price studies) and the quality of service providers (quality barometer, ATLAS project), the Easy switch project, ... a lot of customers still stay where they are. The regulator needs to make extra efforts to break through this consumer inertia.

7) The break-up of a duopoly on the broadband Internet and broadcasting market, was sustainably initiated with the 2011 market analysis, which was further developed in 2018. A further implementation of the latter market analysis is still one of the top priorities for the BIPT now that the first signs of a successful impact on the market are showing.

3. IN DIALOGUE WITH OUR STAKEHOLDERS

3.1 Approach

To develop this Strategic Plan, the BIPT Council invited and met with different stakeholders, such as the postal and telecommunications operators, manufacturers, service providers but also consumer representatives, employees and companies, institutional players and the BIPT staff. During these meetings a number of parties were asked to formulate their expectations, vision and points of interest but also the possible reasons for their (dis)satisfaction with the BIPT's intervention and operation. For instance, in addition to their opinion on the statements quoted by the experts heard, the stakeholders involved were asked to give their vision on:

1. the future market situation in their sector (post, telecom, or media) and the BIPT's regulatory and monitoring function in that respect;
2. the BIPT's role in user protection;
3. the BIPT's role in managing scarce resources and network security;
4. the efficiency and effectiveness of the BIPT's activity.

For this dialogue the Council aspired to have a 360° vision of its operation by involving both the staff (internal vision) and the stakeholders (external vision).

In order to provide for more transparency on the outcome of this dialogues, a stakeholders survey, the PESTEL analysis and the SWOT analysis are added below. These are not exhaustive.

3.2 Stakeholders survey

Consultation and dialogue with the stakeholders are an essential part of a socially sound organisation. It is consequently important as well to listen to and involve stakeholders in the organisation. Taking into account all stakeholders and identifying their needs is key if an organisation wishes to commit to its social responsibility. What follows is a non-exhaustive overview of our current stakeholders.

3.3 PESTEL

A PESTEL analysis is a model to map out the political, economic, social, technological, environmental and legal factors having an impact on the organisation at a macro-environmental level. By identifying the evolutions within these four factors, this analysis contributes to a greater understanding of the environment and allows to obtain an overall view during the drafting of the Strategic Plan.

This PESTEL analysis has been drafted based on the stakeholders' input. Its contents do not necessarily reflect the BIPT's opinion.

Political / Legal

- New policy domains: platforms, AI
- Electronic comm. in new domains such as e-health, agritech (drones)
- Cooperation with other regulators
- EECC
- NIS
- Spectrum auction (5G)
- MNO: possibility of 4 operators
- Consumer lock-in
- European Cross-Border Regulation
- Postal Act US, cost orientation
- Consequences of increased e-government

Economical

- Encourage innovation
- Success and failure of operators
- Needs of different sectors regarding telecoms (5G verticals)
- Possible bottlenecks upon network roll-out
- Maximum opening up of the market for alternative operators
- Need for a durable competitive environment
- Further opening up of cable and FTTH
- Digitizing and interconnection
- Possible further consolidation
- More B2B innovative services
- Further OTT increase and new platforms
- Net neutrality
- Further shift of letter post to parcel post
- Decrease in volumes of letter post because of e-substitution and growth digital media
- Evolution of products: e.g. electronic registered item, more personalised mail
- More similarities postal and transport sectors

Social / Environmental

- Increase importance data security (e.g. data in the cloud)
- Network security (ASTRID)
- Request to take more account of the B2B market (enhance proposals current consultation M4)
- Investigate mobile networks saturation
- Consumer inertia: a lot of customers remain where they are
- Consumer tools and info too complicated and not sufficiently known
- Increase in use and importance social media
- Existence of white and grey areas
- Mobile coverage in trains
- Affordable telecom rates
- Green digital and green by digital
- Phishing
- Qualitative affordable postal services in the near vicinity
- Increasing number of parcels

Technological

- 5G: provide spectrum in due time, part reserved for major industrial players (local spectrum) in B2B, IoT, Cloud computing, market developments enhancer
- Number-independent interpersonal communications services
- Fixed Wireless Access: important for backhaul
- Network sharing – co-investment (especially for backhaul)
- Indoor coverage issue
- Cybersecurity
- Connected mobility
- Smart city

3.4 SWOT

SWOT is short for 'Strengths, Weaknesses, Opportunities & Threats'. Opportunities and threats are factors that are external to the organisation/project, some of which cannot be controlled. Strengths and weaknesses are the internal analysis's two poles.

This SWOT analysis has been drafted based on the different stakeholders' input. Its contents do not necessarily reflect the BIPT's opinion.

4. OUR MISSIONS

An organisation's mission gives this organisation its raison d'être through the goal it seeks to achieve. It provides a framework for the strategy as well as for the operational functioning. The mission allows to verify if a specific action or an evolution of the organisation in one direction or the other does not go the wrong way.

The formulation of our mission is all the more important since the BIPT, as a regulator, serves society and the sectors it regulates. Defining the BIPT's mission correctly, comes down to determining its added value to society.

Legislation, describing this mission, contributes to this effect.

Electronic communications, postal services and media in the Brussels Capital Region are the main areas of activity. For each area, the regulatory action of the BIPT is inspired by six goals:

1. **efficiently promoting healthy competition and ensuring access to the market;**
2. **contributing to the development of an internal market of efficient networks and powerful services;**
3. **protecting the users' interests while taking account of social inclusion, a high level of protection, clear information and transparency;**
4. **managing scarce resources such as radio frequencies and numbering resources;**
5. **ensuring network security,**

The new European Electronic Communications Code (EECC) added an additional goal. This Code has not yet been transposed into Belgian law but will of course also determine the Council's actions for the next 3 years. The BIPT's new sixth goal reads:

6. **In the field of electronic communications, the Institute promotes connectivity with and access to, as well as the take-up of very high capacity networks, including fixed, mobile and wireless networks.**

The BIPT is not necessarily the only regulatory body in these matters and will, if necessary, consult with those bodies, the powers of which touch upon or are shared with these of the BIPT.

Firstly, for each of the first five goals, a description is given of the context in which the sectors and policy domains in question are currently situated. Next, it is explained how the BIPT aspires, today already, to face the challenges of the different sectors and policy domains.

4.1 Fostering competition

Context

Telecommunications

The fixed telecommunications market is still characterised by durable competition although, in the meantime, the operator Orange saw a promising growth following the opening up of the cable networks. A newcomer or further concentration through mergers or take-overs is not in the pipeline for the mobile wholesale market. However, the arrival of the 5G auction does allow for the emergence of a certain niche of mobile operators (on the business to business market or the wholesale market). In addition, it cannot be excluded that existing operators having their own mobile network will start to work together, especially for 5G.

The ever-increasing demand for broadband shall continue to require major investments in the electronic communications networks. These past few years considerable investments were made to prepare the fixed networks for gigabit rates ('1 Gbps everywhere' goal). Not all operators are able to accomplish this on a large scale and in a relatively short term.

5G should participate in this race for very high speed but there still remain a lot of questions on the time schedule and the difficulties that might have to be faced when rolling out networks for mobile applications. For the regulatory foundations for organising auctions, namely for the 5G frequency bands, could not be adopted by the previous government as the regional and the federal governments were unable to reach an agreement. The emission norms in force do not allow the roll-out of 5G in all regions and the 5G business plans are still too vague according to certain parties involved.

Chances are that the telecom networks will evolve more and more in the direction of a 'commodity' focussing mainly on connectivity. In addition, 'Over-the-top' players (OTTs) and platforms have an increasingly prominent role on the market, while their activities are only monitored to a limited extent. In the meantime national players are not resting on their laurels and (together) they are trying to respond by setting up platforms themselves and producing their own applications and content.

On the retail market we see on the one hand an increase of the bundle practice and on the other hand, in the future, we may expect an increasing demand of consumers for powerful yet affordable unlimited Internet-only (fixed and mobile) offers, partly because of the growing success of OTT services.

Postal sector

The postal market still has a dual nature. As the two segments, the letter post market and the parcel market, share the same infrastructure, the terms and conditions of the one market influence those of the other.

On the one hand, there is the letter post segment which, even after the market liberalisation, is still largely dominated by the universal service provider, bpost. Despite the drop in volumes, the letter post segment still represents more than half of the postal sector revenue. In comparison with the other European countries, the Belgian universal service provider enjoys a large letter post volume per inhabitant and the letter post market is a lot more concentrated.² In the future, this segment will continue to be under pressure from digital substitutes, such as registered electronic mail and e-government initiatives.

As for e-government, Belgium is still lagging far behind compared to its neighbours (e-government development index).

On the other hand, the parcel and express mail segment shows a massive increase, both in terms of volumes and turnover. This growing segment attracts numerous providers from neighbouring countries, such as the international integrators (UPS, DHL, Fedex and TNT) and major postal companies (PostNL, GLS, DPD and others). For instance, we have noticed an increase in the number of service points of alternative operators and the arrival of innovations such as permanently accessible automated parcel machines. Still the Belgian

²ERGP report on key indicators regarding the supervision of the European postal market, 2018

user seems little inclined to compare prices in a not very transparent market, thus giving the universal service provider a great retaining power over his customers in the C2X segment.³

The BIPT activities

Healthy competition in the provision of networks and services is a crucial means to reach the social well-being objective, which the electronic communications and postal services can provide for.

This also benefits the economic development. The BIPT monitors the development of competition based on quality, price or innovation in the electronic communications, postal services or media sectors. Competition in the media market is regulated in close cooperation with the media regulators of the communities.

Telecommunications

The BIPT ensures that a predictable and coherent context is created in the interest of the operators investing and/or providing services. The BIPT furthermore endeavours to ensure that everyone, historic and alternative operators alike, enjoy fair competition terms ('level playing field').

To that effect, the BIPT sees to it that other telecom providers always have sufficient possibilities to enter the telecom market in a durable fashion and to compete on that market in terms of both prices and quality. In this regard, in its Decision of 29 June 2018, the CRC imposed various measures upon operators with a significant market power with a view to promote competition on the broadband and television market as well as for bundles including such services. These measures in particular aim to open up the copper, cable and fibre infrastructures, which are in the hands of operators with a significant market power, to competing operators. They also aspire to enable the provision of Internet access without the obligation to subscribe to other services included in a bundled offer ("bundle" or "package"). The BIPT keeps a close eye on the correct and timely application of these obligations.

Following the ongoing analysis of the wholesale market for high-quality access, provided at a fixed location (leased lines and similar services), it is expected that a number of remedies shall be imposed to further boost competition. This would benefit the possibilities of choice for customers who are principally active at a wholesale level at places where there are currently insufficient providers. The purpose is also for the decision in question to include measures aimed at encouraging (co-)investments, namely a geographic differentiation of the obligations to better reflect the competition situation at local level.

Postal sector

Each year, the BIPT monitors the evolutions on the postal market that influence the market dynamics. By verifying the costs that bpost allocates for the provision of the universal postal service, the BIPT aims at avoiding possible cross-subsidies that might interfere with the market conditions. Finally, the BIPT also monitors bpost's rates for both the small user and major user (incl. aggregators) within the boundaries of the powers bestowed upon it by law. As regards the monitoring of bpost's wholesale rates, the BIPT also cooperates with the Belgian Competition Authority as bpost shows all signs of a dominant player on the letter post market.

Finally, the BIPT also has to take into account the evolution and impact that e-commerce has on the postal sector. The verticalization of the platforms will be included in its analyses as well in order to determine its effects on this sector.

³ According to the quantitative survey published on the BIPT website on 22 December 2015, 67% of the Belgian postal consumers only sends parcels through bpost. For seniors that percentage even rises to 83%.

4.2 Development of the European internal market

Context

Telecommunications

A result of the European digital market is the abolition of the additional roaming fees as of 15 June 2017. This allows consumers to use their mobile phones while travelling abroad in the EU, as if they were at home, without paying extra fees. As of 15 May 2019, the European consumers are also protected against excessive prices for intra-EU communications originating in the country of the fixed or mobile subscription and terminating in another EU Member State (+ Norway, Iceland and Liechtenstein). The consequences of a possible BREXIT have yet to be determined.

Thanks to the European Net Neutrality Regulation the end-users could indeed rest assured that the Internet would remain of an open nature so that information and content can circulate freely and so that there is room for innovation, without obstacles on behalf of Internet access services providers. 'Zero rating' services have been allowed provided that they do not hinder competition.

Creating an internal digital market requires promoting market integration, competition and investments to grant the consumer access to reasonable bitrates and bandwidth in the whole of the EU. That is why the European Commission announced in 2010 in her digital agenda for Europe an ambitious vision for connectivity.

In Europe, the sharply increasing demand for bandwidth will call for major investment in high-capacity electronic communications networks. At the same time a considerable number of Member States is facing competition issues and the danger of evolving towards more oligopolistic and duopolistic markets is still looming.

The Commission's strategy regarding 'Connectivity for a European Gigabit Society' entails a call for 5G coverage in all urban areas and a connectivity of at least 100 Mbps for all European households in 2025.

New trends, challenges and targets prompted a revision of the European regulatory framework, in support of an advanced durable development of the internal market. It has been thoroughly revised and adopted in 2018 as the new European Electronic Communications Code (EECC).

Rules have been harmonised to facilitate access to the market and promote a more efficient use of spectrum. Cross-border issues such as roaming have been successfully addressed.

It will be crucial in the years to come to adequately transpose the EECC and regulators shall play a (critical) part in this. In this context, BEREC and the national regulators shall concern themselves with drafting directives regarding crucial aspects of the new regulatory framework.

A new guideline regarding audio-visual media services ("AVMS") needs to be transposed into national law as well.

Postal sector

There is ever-increasing pressure on historical postal operators to transform their classic letter post activities in other activities, mainly associated with parcels, but without affecting their universal service obligations related to letter post. Contrary to the electronic communications market, letter post represents a highly concentrated market, and only a few European postal markets include real alternative letter post operators. Belgium has own of the most concentrated markets⁴.

We notice that digitizing initiatives, such as e-government, can have a significant impact on the letter post market, namely in the way these have been approached in some European countries such as Denmark.

⁴ ERGP report on key indicators regarding the supervision of the European postal market, 2018

Spurred on by e-commerce, cross border parcels increase strongly in Europe and the end-consumer is more and more inclined to order from foreign websites. However, important asymmetries are surfacing in the fluxes, among other things because of differences in legislation that might be more compatible with the requirements relating to the e-commerce needs in some countries than in other countries, but because of the rates for sending parcels as well.

The postal sector's evolution was subject to studies ordered by the European Commission. Based on that it will be up to the new European executive power to propose to revise or replace the Postal Directive in force, if need be.

The BIPT activities

In order to contribute to the development of a European internal market of electronic communications services and networks, on the one hand, and of postal services, on the other hand, the BIPT's main task at the international level is to cooperate with the regulators of other Member States and, if need be, with other media regulators in order to ensure a consistent application of the regulatory framework for postal services and electronic communications. The BEREC and ERGP representatives are of crucial importance in this.

Telecommunications

The BIPT monitors the European Regulation on net neutrality, in line with the BEREC Guidelines, to which it has contributed (including in the field of the necessary updates following the original adoption in 2016). For instance, it takes initiatives in the field of transparency of the Internet bitrates and other service quality parameters (mention in contracts, on the website, the BIPT's speed test application, coverage maps, ...). The BIPT also ensures that the ISPs' traffic management measures are transparent and comply with the non-discrimination principle and that the zero-rating offers on the market are monitored and adjusted where necessary. Each year, the BIPT gives a survey of its activities in a public report, which it also submits to BEREC and the European Commission.

In general, the BIPT is tasked with monitoring whether the European rules are applied correctly, namely by verifying how the operators carry out the possible fair use policy.

The BIPT is also authorised to grant or refuse departures from the 'Roam Like at Home' principle. The BIPT has had the opportunity to adopt various decisions in this matter, the latter of which exists in granting an exception to operator Nethys (which sells its services under the name of "Voo Mobile").

Finally, the BIPT regularly gathers information on the roaming services provided by the Belgian operators, with a view to drafting reports at BEREC level.

Postal sector

At the ERGP level an adaptation of the European Postal Directive to the recent market evolutions is pressed for and a consistent application of the Cross-Border Regulation aiming at more transparency regarding the rates of the increasing cross-border parcel delivery is strived after.

4.3 Consumer's interest

Context

Telecommunications

The 2020 and 2025 Digital Agendas constitute the cornerstones of the European Union regarding electronic communications, in order to appear as an important entity within the framework of global competition. The objective of the agenda is to offer access to broadband services to all. This access for all instils hope for bigger markets that are more favourable for the development of innovative services to the benefit of all categories of users.

The European Digital Agenda's first goal, 100% broadband coverage up until 30 Mbps by 2013, has been achieved in Belgium. For the second goal, i.e. providing all Europeans with fast broadband (> 30 Mbps) by 2020, in our country, we are evolving towards a 99% coverage of all households in 2018, compared to an EU average of 83.1%. Finally, the third goal, the use of ultrafast broadband services \geq 100 Mbps by at least 50% of the population by 2020, is almost achieved in our country by July 2019 with 45% (EU coverage: 20%).

In certain rural areas complaints were registered regarding the lack of well performing services, from which it can be inferred that the near-national coverage in Belgium is not yet a reality for some citizens unfortunately.

In addition, the Belgian consumer is insufficiently aware of his rights. Despite prices that are deemed too high, he does not switch operators easily and the procedures for switching are not known for instance. The consumer seems to lack information despite the initiatives taken in this area.

Postal sector

The number of complaints with the Ombudsman for the Postal Sector shows an increasing tendency compared to the past years, among other things due to the increase in the share of parcels sent. The quality of the priority single-piece letter post items, measured by means of the delivery times, showed a decline as of 2015. As of 2019 it looks like quality is again showing a more positive trend.

Studies issued by the BIPT show that users are open to innovative and a more modern interpretation of postal applications (including the universal service), but that modifications influencing the inclusiveness of the universal postal service experience resistance.

Furthermore, spurred on by e-commerce, the line between post and logistics is slowly fading away. New operational models are active on the delivery market as well, which are not inspired by the traditional postal delivery process (collection, transportation, sorting and delivery) in which the delivery service goes through all steps of that postal process in a linear manner.

The BIPT activities

Users include both private consumers and business users, such as companies, administrations and legal persons in general. The user profiles of all these users strongly differ and may result in contradictory strategies with the companies the BIPT has to regulate.

Protecting the user's interests is an important mission that must be highlighted for the BIPT. Although the availability of high-quality postal and electronic communications services at a competitive price is crucial for individual consumers, this may not eclipse the critical importance to offer them the possibility to access innovative technologies and services available on all networks and to rise to the corresponding challenges, such as the protection of privacy or compatibility with their equipment.

Telecommunications

In this context, the BIPT focusses on two axes, on the one hand increasing transparency and on the other hand, lowering the threshold for switching operators.

The BIPT has continued to develop good instruments to compare prices, which led to a revision and automation of its price comparison tool. Moreover, it launched tools in 2015-2016 allowing users to also compare the quality (on 8 parameters) and coverage at different levels of each operator and it has been keeping these up-to-date. The BIPT continued its work to allow users to know and manage their consumption costs related to telecommunications, more specifically the data and mobile services and in those areas it strives increasingly more after specialised goals with the launch of its cartographic portal, also fuelled by crowdsourcing.

During the previous legislature the government has wanted to make it easier to switch fixed-line operators and providers of bundles thanks to the efficient implementation (as of 1 July 2017) of Easy Switch.

In addition, the BIPT is working on closing the digital gap. As for social inclusion, the BIPT drafted a proposal to update the regulatory framework for the universal service and social tariffs and to adapt it to the present needs of society and to the recent court decisions as well. The BIPT continued to labour for the automated granting of the social telephone rates.

Measures were adopted to increase the consumer's freedom of choice: further liberalisation of networks, lowering wholesale rates, market analysis focussing on white and grey areas and decrease of the point-to-point radio-relay links.

Finally, the BIPT imposed sanctions for violations of the protective remedies by consumers. The BIPT was granted new powers, among which the monitoring of compliance with the measures protecting the consumers as regards premium rate numbers (070x and 090x), as well as the register set up with regard to these services.

The BIPT continued its monitoring and imposed different administrative sanctions regarding the legislation on consumer protection in certain domains (detailed basic invoice, Easy Switch and roaming rates).

As regards the balance between the regulatory burden for companies in the electronic communications sector and consumer protection, the BIPT carried out an impact analysis in 2016 relating to the Belgian federal regulation for consumer protection in electronic communications law. The legislative and regulatory provisions in question have been analysed in terms of their relevance, effectiveness, efficiency and coherence.

Postal sector

Bpost's customer satisfaction and service quality are monitored by the BIPT. The measuring systems used by bpost have been audited and the resulting recommendations followed-up. Where necessary, the BIPT imposed correction measures onto bpost in order to keep investing in the compliance with the delivery times for letter post. The BIPT carried out inspections in the field regarding compliance with the obligations imposed on bpost as regards the accessibility of the network and user information.

4.4 Scarce resources management

Context

At an international level the ITU and ICANN play a decisive role as regards radio spectrum and domain names. Although the scarce resources policy was always left to the Member States' national sovereignty, it is increasingly more subject to harmonisation measures at European level. This tendency has been ratified in the European Electronic Communications Code. The spectrum and number policy is continuously adapted to meet the rapid evolutions in the field of new services and applications (OTT, IoT, 5G, ...).

Numbering space

With regard to numbers we see the relevance of the use of tariff and service information of a number decline, while at the same time roles such as authentication, identification and authorisation of users arise, even for applications that have nothing to do with telecommunications. We also notice that in the case of certain applications (e.g. IoT) country borders play an increasingly smaller role, resulting in the numbering policy having to be addressed on an international level (issue with multiple jurisdictions). Through virtualization physical demarcation points in networks disappear.

Radio spectrum

Only after the multiband auction the first 5G networks in Belgium will be rolled-out. To that effect, frequencies that were not used for mobile applications up until today, shall be opened up (700 MHz, 1500 MHz, 3600 MHz). The bandwidth made available will increase dramatically and coverage shall be improved, indoors as well, and a far quicker response time shall be ensured. It will be possible to increase the download speed by a factor of 10 and 5G shall be deployed to support the so-called 'verticals' and industry 4.0. The use of the same frequencies on one and the same network for applications with completely different needs will be made possible thanks to specifically tailored levels ('network slicing'). It is expected that a strong compression of the mobile networks will occur and that new technologies such as the massive MIMO will be used in the 3.5 GHz frequency band.

The BIPT activities

Frequencies and numbers are only available in limited quantity. An efficient use of these scarce resources is crucial to ensure fair competition and to allow for innovation. The BIPT actively takes part in international expert groups striving after the rational use of frequencies and numbers (ITU, RSPGRSC, CEPT, ...) in the context of new applications and new technologies.

Numbering space

The BIPT is tasked with managing the national numbering plan and the granting and withdrawal of user rights of those numbers. To that effect, the BIPT works together with all other regulatory bodies in Europe to have the policy approaches regarding numbering in Europe converge as much as possible.

Radio spectrum



The BIPT manages the radio spectrum, the national and international co-ordination of frequencies and controls the use of these frequencies, including the respect of the coverage obligations. The BIPT also fulfils the part of “police of the radio waves” in order to put an end to any form of harmful interference. As regards radio frequencies the BIPT’s strategy, among other things, exists in providing the market in due time with frequency bands that are harmonised at European level.

There is cooperation with the national administrations concerned to ensure a harmonious arbitration of the use of frequencies between broadcasting and mobile services.

4.5 Network security

Context

The newest technological developments, e.g. 5G, give way to vast opportunities to connect everything, everywhere, all of the time. These developments on the one hand dramatically increased our society's dependence on electronic communications. On the other hand, they render the electronic communications networks ever so much more complicated. The necessity to have at hand well managed and secure electronic communications networks thus increases.

The BIPT activities

With its Network Security Department, the BIPT monitors the security of public electronic communications networks and publicly available electronic communications services.

For instance, the BIPT continuously works together with the operators to adopt appropriate safety measures to guarantee the availability, the confidentiality and integrity of their networks. The focus here is on the critical infrastructures, the main network nodes in Belgium. Should an incident do occur in spite of the measures taken, the BIPT ensures a follow-up and verifies whether it is necessary to take additional measures.

The BIPT promotes the collaboration among operators and government bodies such as the police, the security and intelligence services and the Centre for Cyber Security Belgium.

In addition, the BIPT sees to the accessibility of emergency services and ensures that the operators take the necessary measures to guarantee access to these services.

5. OUR VISION

An organisation's mission allows it to define what it stands for. This vision describes an ambitious plan for the future.

For the drafting of this Strategic Plan, it was chosen to adopt a new vision reflecting briefly and to the point what we stand for. A vision that is clear to all our colleagues and stakeholders.

With its vision the BIPT expresses as follows what it aspires to be and what its beliefs are in the field of electronic communications, media and postal services:

Reliable communications environment:

All communication between users has to take place in a manner that is reliable to them in terms of service provision, including the protection of the privacy of each user. The BIPT also monitors the reliability of the information, such as the information provided to users by the operators.

Competitive communications environment:

In a liberalised electronic communications and postal services market, the BIPT wishes users to benefit from various infrastructures and a wide range of services and products providers. The BIPT is convinced that a sustainable competitive landscape increases investments in advanced and innovative services and technologies.

The BIPT welcomes and stimulates each investment in all networks (postal, electronic communications), services and technologies ensuring that the users in our country dispose of high-quality innovative and powerful services at competitive prices.

The BIPT strives after an affordable and competitive offer of services of high quality, available and accessible to everyone.

The BIPT intends to encourage this through a regulatory framework ensuring a sustainable competitive environment.

6. OUR VALUES

The values of an organisation are essential so that everyone can recognise himself or herself in the actions taken by the organisation to accomplish its mission and implement its vision. Thanks to the values of an organisation everyone, its staff, its customers and its providers can each day make certain that all actions it takes are in line with the mission and the vision. Sharing these values is essential to fulfilling them.

The values chosen are the same as the ones from the 2017-2019 Strategic Plan: independence, reliability and transparency.

Independence

A critical attitude towards all stakeholders is part of the BIPT's DNA. The regulator's independence ensures its credibility towards the market players it regulates as well as all stakeholders. This brings the regulator to defend positions that are sometimes contradictory. Independence ensures the stakeholders a regulator whose actions are stable and predictable without losing sight of the necessity to adapt to the market situation which may evolve by nature.

This independence, which is guaranteed by the European directives on electronic communications and audiovisual media services, has to translate in a critical attitude towards external pressure, a continuous questioning of its actions, their effect and the perception this creates. It is also reflected in the ethical behaviour and the sense of responsibility of the staff, which must make critical thinking a habit.

The BIPT has to make sure it can keep its independence. To this end, the specific status and the financial autonomy, ratified by the European Electronic Communications Code, represent the best guarantees for the BIPT to carry out its missions efficiently and in an entirely independent fashion.

Reliability

As a centre of expertise, the BIPT wishes to adopt a position in which its expertise makes it a reliable and competent partner for all stakeholders.

This reliability is supported internally by the professionalism, teamwork and agility of the BIPT.

The professionalism embraced by the BIPT is meant to be multidisciplinary and combines technical, economic and legal expertise in the field of electronic communications, postal services and media.

The BIPT seeks to give a swift and agile response to the situations that arise and to the often very fast technical and economic evolutions on the market; its employees' flexibility and internal and external collaboration are essential. The BIPT adapts its structures and its working method whenever necessary. Although the BIPT is subdivided into departments, priority is given to a project-based, and if useful, transversal collaboration between the departments, that have to give priority to a result-based approach.

Transparency

Transparency is an important element that guarantees control over the BIPT's action. It comes about through both internal and external openness and visibility on the one hand, and dialogue and accessibility, on the other hand. Transparency also comes from the fact that all acts and decisions are appropriately motivated and are submitted for consultation beforehand as often as possible. Nevertheless, transparency and openness have to go hand in hand with an efficient and firm decision-making process, allowing to intervene in a timely manner where necessary.

7. OUR STRATEGIC AXES

The first BIPT Strategic Plan 2010-2013 contained 8 strategic axes, the second plan 2014-2016

included 7. Following the evaluation of the previous plans, it was decided to simplify and clarify the structure of the third plan. The strategic goals were distributed along three strategic axes comprehending the external projects. A fourth axis includes internal projects aimed at improving the BIPT's functioning and making it more efficient. It was decided to uphold this structure for the current 2020-2022 Strategic Plan.

Below, the four strategic axes are described in detail, thus reflecting the BIPT's future priorities and activities. The strategic axes include a description of the strategy the BIPT, as an organisation, will implement during the years to come to achieve its mission and accomplish its vision, taking into account its values.

7.1 Strategic axis 1: competition

Promoting sustainable competition and investments

Telecommunications

Promoting an actual and sustainable competition will always remain a strategic priority to the BIPT. The BIPT also wishes to contribute to creating a climate of legal security which is vital to long-term investments.

Actions on the residential fixed market these past few years have enabled the emergence of a third (fixed-mobile) converging player. Users can now reap the first benefits thanks to the launch of affordable offers, with unlimited data or with the possibility to abandon traditional television.

The BIPT needs to ensure that the Belgian fixed market does not fall prey to a perpetuation of a duopoly. It is therefore crucial to safeguard the budding competition following the current ex ante regulation, if not to reinforce it even. To that effect, the BIPT can protect the competition at the network level, as well as the (in particular tariff) incentives to invest in ultrafast networks, while still stimulating competition at service level, which remains necessary. Finally, sustainable competition in the long run is only possible if at least a third player successfully enters the market who is, in addition, able to invest a maximum in his own network infrastructure. In any case, a market with two players will always lack in competition on the electronic communications market.

The 2018 broadband and television market analysis is the provisional tailpiece for the implementation of this strategy. In the years to come, the focus will be on developing remedies imposed in that context. New rates have to be set for access to the cable networks and to the FTTH network ('Fiber to the Home'). The BIPT shall also give priority to keeping an eye on the risks of exclusion through price and quality terms on the wholesale market. Reference offers need to be developed correctly and in due time and have to be made available to the market in conformity with the market analysis decisions.

In addition to replicability, alternative operators also have to be able to enjoy the operational and commercial autonomy strived after by the market regulation. Innovation should also come from new or alternative operators, convincing customers to switch to an "alternative" service. Alternative operators must for instance be given the means to address the different user segments that will result from the market's polarisation tendency (purchase of all-in offers or cord-cutting offers).

New forms of access to fibre need to be further developed to avoid the alternative operators from falling behind technologically. Depending on the technological developments, alternatives for physical access will be developed in conformity with the market analysis decision in order to provide alternative operators with the best investment options.

To encourage the roll-out of 'Very High Capacity Networks' (VHCN), the BIPT will also be able to use the different tools provided by the EECC: facilitating co-investments and/or (virtual) sharing of networks, preferably based on commercial agreements and symmetrical regulation or access to civil infrastructure. With a view to this, the BIPT needs to get a better insight into the implementation of Directive 2014/61/EU on measures to reduce the cost of deploying high-speed electronic communications networks, which the new European Commission will probably review. The BIPT may possibly adopt a co-ordinating role to ensure its proper functioning. In the meantime, the BIPT will also aim at obtaining a comprehensive and detailed view of the existing infrastructure of telecom operators and (other) utilities companies active in the roll-out of telecommunications infrastructure.

The BIPT will furthermore stimulate the roll-out of VHCN by showing the necessary flexibility for the migration to new networks and technologies. In this context, the BIPT will continue on the same course in which the predictability and transparency of the access network's operation as such do not stand in the way of its technological evolution. In a context in which both copper and cable networks are completely transforming (in the case of cable this regards the extinction of analogue television - in the case of copper, it regards the transformation to fibre), such an approach will only win ground.

On the high-quality access market the BIPT shall continue its policy of encouraging competition, supporting competition through infrastructure where possible, and ensuring competition at service level where necessary.

The BIPT points out that there is an increasing need for backhaul capacity to support both fixed and mobile networks, for the roll-out of 5G networks among other things. For these reasons the BIPT will pay the necessary attention to the availability of backhaul capacity. In the context of 5G, the BIPT shall, where possible, act as a discussion platform to further encourage site sharing - beyond what is legally stipulated - among operators but also with third parties such as the government.

Network competition in the mobile sector is a characteristic of the European markets. These comprise at least three players, each with his own infrastructure (MNO). That is also the case in Belgium with three networks providing for qualitative services that compete among themselves (both retail and wholesale). This network competition has to be cherished in the interest of quality and innovation, which, in the end, will benefit the end-user. Even if mobile wholesale access is now, a priori, competitive, it is necessary for the BIPT to continue to monitor the MVNOs' interests. In this context special attention needs to be paid for instance to the development of zero-rating applications by network operators that may or may not be replicable to MVNOs based on the existing commercial terms and conditions.

Consolidation (in whichever form) on an already concentrated market in Belgium, may result in competition dwindling and has to be looked upon by the regulator with Argus' eyes. That is, in the first place, a task of the Belgian and European competition authorities, with whom the BIPT is always prepared to share its expertise in the sector. Monitoring of the market concentration, however, does not imply that the roll-out of fixed or mobile networks cannot go hand in hand with a necessary cooperation within the sector, especially as regards the 5G radio network.

The digital economy is partly shifting towards platforms, applications, cloud applications and such while the players involved only show part of their cards. New business models can pave the way to abuse of a dominant position and discrimination. Stakeholders warn for instance about practices such as an increasing market concentration and vendor lock-in techniques, on markets that fall outside of the traditional telecommunications markets as well (e.g. cloud services). In addition, operators increasingly adopt a one-stop provider's role, from access to content, according to various provisions, which may cause tension between operators and broadcasters.

Following other leading regulators such as ARCEP (France), ACM (the Netherlands) and OFCOM (the United Kingdom), the BIPT had better anticipate strategic/tactical moves and innovative platform developments (in particular those facilitating third-party contact and thus exercising an economic power) and other technology players by carrying out (or having carried out) studies. For instance, research into the functioning of the market at 'app stores' level, equipment and operating systems is carried out with regard to the net neutrality rules. Such studies can be set-up in cooperation with other competent authorities.

The BIPT shall also fully cooperate as regards initiatives taken at European level to analyse these new players and their way of working and aims at regulating where necessary, using, among other things, the possibilities provided at present following the EECC stipulations. Cooperation with other regulators is more relevant than ever as the various legislation applying to the digital sector is intertwined. Creating a "*club des régulateurs*" (a regulators group) such as in France and in the United Kingdom ("UK Regulators Network"), can be a way of achieving this, apart from the current bilateral exchanges that are already taking place.

Just like other regulators, the BIPT asks itself whether the monitoring limits of a telecom watchdog should not be pushed out. It shall broach the discussion with the political governments in order to revise the relevance of the current competences with a view to an evolving digital landscape in which new powers are coming to full bloom.

Postal sector

Starting from its core tasks, the BIPT shall continue to foster sustainable competition on the postal market. As such, the BIPT shall continue to keep a close eye on bpost's cost allocation by means of the separated analytical accounts bpost has to submit (in the universal service segment and commercial products) as well as to the impact that has on the postal sector.

The BIPT shall keep a careful watch on the terms that bpost imposes on its major customers and intermediaries (including wholesale customers). Furthermore, the BIPT shall keep up its close monitoring of the compliance with tariff principles for universal service products to further put into perspective the impact of bpost's price increases through the revision of the rates for small users and the implementation of the Cross-Border Regulation. Finally, the BIPT shall work together with its stakeholders to identify the obstacles for the development of the sector.

In support of these goals, the BIPT shall go all out for transparency through its postal observatory, describing the evolution of the postal market in Belgium and through an up-to-date survey of the points of access to the various postal networks (www.postalpoint.be).

Encourage innovation

Telecommunications

Innovation should, in the first place, be supported by a healthy competition, to which all measures above should contribute, among which the investments in the ultrafast networks and the availability of flexible and powerful wholesale offers.

Innovation also implies the continuation of a close watch on net neutrality, as well as an opening up for new business models. In this context, one might look at the promising possibilities of the mobile services of the fifth generation, which the public is not yet very familiar with. Upon introducing 5G in our country, the BIPT will pay attention to the further encouragement of innovative applications supporting the development of verticals⁵. For the use of 5G does not only depend on operators but on other industrial players as well, who have to develop verticals based on 5G technology. To this effect, the BIPT shall act as a facilitator during discussions between the different stakeholders, with a view to the future 5G roll-out in our country.

The increase in the consumption of electronic communications, and in particular of additional data, will, in principle, result in a higher energy consumption and increasing eWaste on the one hand. On the other hand, technological progress (5G technology and the dematerialization tendency) will help absorb these ecological challenges, at least partially. In any case the BIPT shall contribute to and encourage all innovative initiatives in this field of sustainability.

⁵ While the previous generations of mobile services were designed to generally meet the connectivity needs, 5G will enable the creation of ecosystems meeting the specific needs of each sector (for instance, the automotive industry, public transport, health care, etc.).

Postal sector

The BIPT shall ensure that the market functioning and more in particular the commercializing of innovative services on the postal market, is not slowed down. The BIPT supports innovations on the postal market that may represent an advantage for the users such as hybrid services, parcel machines or parcel boxes. It's the BIPT's goal to support such innovations, that benefit both the user-comfort and the operator's last-mile costs.

The BIPT will also pay attention to the development of new hybrid players who further expand on the vertical chain and thus possibly become postal operators themselves. In that context, the BIPT will further monitor the right definition of the different market players in order to create a level-playing field for everyone.

With regard to its advisory competence, the BIPT will continue to strive after a legislative framework creating an actual level playing field between the different market players. On the other hand, the BIPT will also play a supporting role, in dialogue with the sector and stakeholders, for the redefinition of a universal service adapted to the future needs of society. Moreover, the BIPT shall inform stakeholders of the actual consumer needs, through consumer studies and by mapping out the demand side of the postal market, in order to create a sustainable balance between the demand and supply side of the postal market. In addition, these consumer studies can serve as a scientifically justified basis for an optimisation of a financially feasible universal postal service.

7.2 Strategic axis 2: users

Contribute to transparently informing and protecting users and promote social inclusion

Telecommunications

Contribute to transparently informing and protecting users

The BIPT will ensure to communicate more with the users and to promote its tools (price comparison tool, maps, quality indicators) with a view to more transparency and the encouragement of consumer empowerment. It shall endeavour to be more present on social media and to promote the consumer's rights through communication campaigns. Furthermore, it shall continuously work on improving the tools it has at hands, as well as on developing new tools.

However, to avoid consumers from being swamped with information or from getting information that is too complicated, the BIPT shall emphasize the provision of useful information. The BIPT will pursue more simplicity, both when drafting legal rules and in its own communication, through a realistic regulation, consultation and coordination with other European regulators.

The BIPT shall continue to gather data serving as input for its tools (coverage maps, quality of service barometer or price comparison tool) and ensure that these are always up-to-date, which should benefit these tool's relevance. The BIPT shall look into the improvement of the existing tools by means of new techniques such as crowdsourcing or truck sensing as regards the cartographic tools. The BIPT shall launch new projects which will translate in a data ecosystem.

The BIPT shall also assess 'Easy Switch' with a critical and constructive mindset, emphasising its promotion, the procedure's efficiency and user comfort.

The BIPT shall monitor and give critical feedback on the register of premium rate numbers and the use of services provided through premium rate numbers. The organisation of the numbering space of premium short numbers that are kept as common goods by the mobile operators, prevents a dedicated policy of blocking, as well as the shared use of certain numbers. The BIPT shall pay attention to the regulatory aspects of these new issues.

The short text message numbers used for premium services, are allocated to the mobile operators as a group. Various premium rate services are frequently offered by one and the same short text message number. These practices together, render it difficult to have a dedicated policy of blocking short text message numbers in the case of abuse or fraud. The BIPT shall pay attention to the regulatory aspects of these new issues.

Within the framework of its role aiming at guaranteeing the open Internet, the BIPT shall continue to ensure that nobody is hindered from using the powerful, positive and innovative potential of the Internet.

The BIPT shall also keep a close watch on a correct implementation of the Roaming Regulation as regards the provision of roaming services within the EU and the EEA.

Since 15 May 2019, the retail tariffs for international communication (calls and text messages) are capped. The BIPT will ensure that the new regulations are correctly implemented and shall examine the requests for exceptions.

Through BEREC's activities, the BIPT shall continue to monitor the coherent and harmonised implementation of the European Regulation regarding net neutrality, namely in the context of the zero-rating tariff plans. If need be, it shall examine the possible impact of network slicing within the future 5G networks on net neutrality.

In the context of a future BEREC report, the BIPT shall assess measures for the protection of users. It shall, more in particular, keep a watch on the correct implementation of these rules, if necessary by using the procedure of administrative sanctions.

Promoting social inclusion

It is important as a regulator, to further close the digital gap in order for the transformations related to the fixed and mobile networks of the last generation to be accessible to everyone. The Directive of the European Parliament and the European Council establishing the European Electronic Communications Code lays down a series of provisions regarding the universal service. The BIPT shall keep a watch on the correct implementation of these new provisions. In that way the BIPT shall participate in the discussions within BEREC on the directives and best practices to be issued by BEREC and will provide for the expertise following the transposition.

The geographical element of the universal service, namely fixed and functional Internet access (at 1 Mbps) is now reinforced by the market. That means that no universal service provider is designated to that effect. Through its annual monitoring the BIPT verifies whether having no provider impacts the availability, the quality and the affordability of the service. The BIPT shall continue to monitor and keep a close watch on the provision of the geographical element by the market, paying attention to eliminating the white zones. In view of the technological developments the BIPT shall start reflecting on how to achieve the revision of the functional Internet access, which is now set at 1 Mbps.

In the first place, the BIPT shall continue its efforts with a view to a better information of consumers on social tariffs. For these tariff reductions should enjoy a maximum visibility and user-friendliness in order for the possible beneficiaries to have access to them. In addition, the BIPT shall further develop the social tariffs computer applications, STTS, allowing an automatic processing of part of the requests for social tariffs. It is of crucial importance that this application works smoothly as it enables to simplify and curtail the procedure for the granting of social tariffs.

The BIPT shall keep a close watch on the transposition into national law of the European Directive of 17 April 2019 regarding the accessibility of products and services. This recent directive aims at facilitating the access for people with a handicap to certain products and services, taken into account the fact that it targets, among other things, the electronic communications services, as well as devices used in the context of electronic communications services.

Postal sector

The BIPT shall keep on monitoring the consumer needs regarding the postal services with a view to possibly modernising the universal postal service. The debate on the revision of the postal universal service shall also be held in the context of the review of the Postal Directive. The BIPT shall study the users' needs and thus examine which postal universal service is still to be expected in the future. As such the BIPT shall also verify what the possible net cost price is of the universal postal service, taking into account immaterial and market benefits, and to what extent these net costs would represent an unfair burden.

The BIPT shall further labour for more transparency of the postal e-commerce products. In this context, each interested party shall, in parallel to the website www.postalpoint.be, have access to basic information on these postal e-commerce products such as the tariffs and basic characteristics and the dimensions and delivery times. This transparency shall also deal with the qualitative and the quantitative terms and conditions for parcel delivery as the user today is still too often badly informed. There will be more transparency on the offer of the postal market and on the rates available for these different parcel distributors.

The BIPT wishes to remain the reference regarding the provision of information to users relating to postal services. It will ensure that the information the operators are legally obliged to provide is accessible and understandable for the postal services users. Via its website, the BIPT will provide additional information on practical questions users are asking. The BIPT is not the only authorized body in this matter. The governments with powers overlapping with these of the BIPT or sharing powers with the latter would have to be consulted.

The BIPT has to contribute to an increased transparency on the international e-commerce market by gathering information and publishing non-sensitive market data, harmonising administrative obligations and information to be published, compliance with the needs of the e-commerce user and the offer regarding the delivery of parcels abroad to improve the BIPT's competitive position. That includes in particular the provision of information regarding the rights and obligations of the consumer and the different facets of e-commerce on the BIPT's website. The BIPT aims at completing the cross-border information gathered in the context of

Regulation 644/2018 with information on the services of domestic parcel delivery (prices per delivery services, delivery time).

In addition, there is uncertainty about the rights of the addressee who is generally not a customer of the distributor but is a possible victim of bad quality of service. The BIPT wishes to improve this by adopting measures increasing transparency and possibly formulating proposals on the rights of all postal users.

The postal sector is facing the challenge of having to adapt to new trends and habits of postal users, or even, new requirements regarding distribution, e.g. in city centres, that are introduced in order to achieve the climate goals. The BIPT shall act as a facilitator in new discussions that may arise regarding this matter.

The BIPT shall carry out inspections for the benefit of the users as to the compliance with the regulatory framework by the active postal operators. In addition, the BIPT shall keep a close watch on the quality of the postal services provided and shall monitor the customer satisfaction as well.

Ensure a reliable environment

Society is becoming more and more dependent on digital communication. This digital communication is in its turn dependent on systems that offer ever-increasing possibilities thanks to developments such as softwarization and virtualization, but that also bring with them an increased complexity. Thus, society needs safe networks managed in a reliable manner. This applies especially to critical telecom infrastructure and the essential services that are provided in that way and that have to be available. For they constitute the backbone of our digital society.

On the one hand, the landscape of risks will change these next years in terms of reliability, integrity and availability of the networks and data transferred in that way. On the other hand, it is important to learn from mistakes from the past.

To face the growing challenges, the BIPT shall increase its collaboration with the sector to map out and fight the risks, both current and future, in a structured manner. If an incident does occur, the BIPT attaches a lot of importance to a sound reporting and follow-up. The BIPT, together with the operators and other parties involved, shall work on best practices regarding safety and, if necessary, the BIPT shall impose measures. In this context possible issues regarding single-source equipment and single-source software shall be looked into as well.

The BIPT keeps a finger on the pulse of the legal framework and will, where necessary, suggest modifications. For all parties involved benefit from a legal framework that is well adjusted to the technological possibilities and challenges. From this point of view, the BIPT will also keep a close watch on the European evolutions regarding cybersecurity, in particular regarding the security risks identified in 5G networks.

It is important that even in extreme circumstances or times of crisis, the citizens and governments can still communicate efficiently with each other. The BIPT will continue to work together with the sector and other government bodies in order for the different crisis cells and plans to be well tuned-in on each other.

Apart from its contribution to network security, the BIPT shall also contribute to the security of society. Already in the past, the BIPT was a facilitator in calls among telecom operators and police, intelligence and security services. With technology becoming increasingly more complex, the BIPT will have to further facilitate this dialogue with its expertise.

7.3 Strategic axis 3: scarce resources

The BIPT distributes the scarce resources, namely the radio frequencies and numbers, in such a way as to guarantee that they are used as efficiently as possible. The BIPT also fulfils a role of "police of the radio waves" in order to put a stop to any form of harmful interference. It monitors the electromagnetic spectrum, the operators and the equipment.

The monitoring teams shall also endeavour to develop their monitoring capacity and support the entire Institute in its monitoring tasks.

As manager of the scarce resources, the BIPT has to make sure that it is used optimally according to coherent terms, in order to avoid situations of hoarding, insufficient use or an artificially created shortage. It shall see to it that these means are valued appropriately.

Managing scarce resources

Numbering space

The management of the numbering plan shall be continued on an increasingly more complex context.

For instance, modifications to the regulatory framework shall be required as the requests for the use of numbering means display an increasing diversity, example given by non-operators, extraterritorial use of numbers and the fading away of boundaries between telecom services that used to be well-defined. Priority shall be given to policy measures to fight off a possible lock-in of users. In this context, cooperation with other regulatory bodies in order to define a common approach shall be sought after as much as possible.

Increased attention shall be paid to decrease fraud and abuse of numbering means in an efficient and pragmatic manner. The monitoring of the use of numbering means is intensified. It shall be examined whether new technologies can be deployed to this effect. This should instil an increased trust in electronic communications. In addition, it shall be examined whether the use of block-chain technology can contribute to a more efficient implementation of number portability.

The BIPT shall aspire to make sure that Belgium can keep its worldwide lead regarding IPv6 uptake, as well as in the context of 5G roll-out. Furthermore it shall be seen to that the manager of the Belgian top-level domain .be achieves the highest standards possible to minimise abuse of the .be domain names, in line with the best ICANN practices.

Radio spectrum

The strategy regarding radio spectrum is geared towards the international activities at European level, striving after a harmonised use of the spectrum within the EU.

The BIPT watches over the implementation of harmonised conditions for spectrum access at Belgian level to guarantee an efficient use of the radio spectrum and to enable the interoperability of radio equipment and communications services. In this context, the technologically neutral user rights will play a central part. For instance, all frequency bands for which user rights have been granted, have to be freed up for 5G. Flexible spectrum management with among other things a possibility of shared use of spectrum and spectrum trading shall be necessary.

The main projects regarding the management of radio spectrum for the 2020-2022 period are, in the first place, the renewing of the current user rights of the frequency bands at 900 MHz, 1800 MHz and 2100 MHz, which expire on 15 March 2021.

5G roll-out is essential to ensure that consumers and companies can benefit from the digitization in all industry sectors in Belgium. In view of the strategic importance of 5G for our economy, the BIPT is leaving no stone unturned to ensure that the right terms and conditions exist for the allocation procedure of a number of new frequency bands (700 MHz, 1500 MHz and 3600 MHz), designated for 5G.

Other important points of attention for the BIPT shall be the follow-up of the electromagnetic radiation standards and certain sustainability measures, e.g. with regard to the consumption of energy of 5G networks. It shall provide technical support to all stakeholders involved in order to avoid network saturation.

Furthermore, the BIPT shall pay sufficient attention to launching initiatives enabling private LTE/5G licences, as well as to the implementation of the results of the 2019 World Radio Communication Conference, especially as regards the millimetre frequency bands for 5G.

7.4 Strategic axis 4: working efficiently

Ensuring an accessible and future-oriented operation

An efficient operation of the BIPT is in the first place accomplished thanks to the efforts of its staff. To this effect all personnel works together in a positive atmosphere across the different departments. The fruit of the work is the result of both the work of the specific vertical departments and the different horizontal departments supporting the organisation in numerous areas.

Thanks to the publication of the strategic three-year plan, the operational plans and the annual reports the BIPT creates transparency regarding its goals, accomplishments, financing and results. On a day-to-day basis the BIPT shall communicate transparently with the press on important events.

The BIPT shall also endeavour to make its functioning better known to the general public, among other things by publishing dedicated messages on social media.

The launch of its new website should also ensure a more accessible distribution of the useful and relevant information the BIPT disposes of.

The BIPT furthermore wishes to uphold the dialogue with its stakeholders to create an efficient regulation.

By means of specific Innovation Tables, it wants to share its knowledge with various economic and social sectors that will further digitize and interconnect to a large extent with the planned roll-out of 5G mobile networks in the future data economy.

As regards the new digital challenges and innovative applications related to e-commerce, sustainability, security of the digital infrastructure, big data, IoT applications, artificial intelligence and further developments of platforms the BIPT keeps an open mind. To this effect, the BIPT wants to use its technical and economic expertise to monitor different (technical) aspects, help develop action plans and a clear and adapted regulatory framework in order to be able to intervene effectively in the case of unauthorised use of data, safety risks, the constitution of an economic power by international players (e.g. through platforms and applications). A dialogue with other monitoring bodies is recommended in order to avoid a fragmented approach in the EU.

As regards media, Brussels can become an important media pool for international players belonging to neither of the language communities present in Brussels (among other things with a view to the Brexit developments). In this context the BIPT shall play its role as media regulator to the fullest and shall free up the necessary capacity for this activity.

The fines policy in force shall be further developed with a view to clarification, coherence and following the maturity of the regulatory framework.

Without denying the needs and the specific expertise of the different sectors, the BIPT also wants to work more closely together with other regulators who possibly lack in means or manpower, provided that the regulation is related to the missions of monitoring competition and protecting the consumer.

On a European and international level, the BIPT wants to play an active role in drafting the regulation and wants to continue its role as an expert in the international organisations for post and telecommunications. These next few years, the BIPT will especially take on a managerial role within BEREC. Michel Van Bellinghen, Chairman of the BIPT, was elected BEREC Chair for 2021. In practice, that means that he will become Vice-Chair as of 2020 and that the BIPT will contribute to the management of the major European projects regarding electronic communications. The BIPT shall be one of the steering forces of the body's agenda and will consequently play a central role in determining the goals, as well as in leading the activities.

Being an attractive employer



As regards digitisation, organisation management and internal control, the BIPT continues its efforts following what will be introduced at the federal level in order to create a modern and efficient working environment. The BIPT shall take further steps as regards modernising its HR policy within the context defined and shall keep on providing for trainings depending on the needs of the departments and individual collaborators.

In its activities, the BIPT shall take into account sustainability factors and the impact on its environment.

8. OUR EVALUATION

The BIPT carries out a periodic evaluation of the operational goals and projects of the annual operational plan. This evaluation is done by means of a follow-up of the projects' critical performance indicators set. A presentation of this evaluation is discussed with different stakeholders (Parliament, stakeholders meeting). These evaluations of the operational plan are represented by operational goal in the BIPT's annual report.

The BIPT shall evaluate case by case the events on the market resulting from a BIPT decision.

The BIPT shall take into account that these results shall also be influenced by the evolution of the environment, the users' expectations, the service providers, the markets and the European agenda.