



# **Strategic priorities in 2023**

**November 2022**

## I. INTRODUCTION

The Regulatory Agency for Electronic Communications and Postal Services (hereinafter: the Agency) was founded pursuant to the Law on Electronic Communications („Official Gazette of RS“, Nos. 44/10, 60/13-CC Decision 62/14 and 95/18 - other law, hereinafter: the Law) as an independent regulatory body, endowed with quality of legal person, performing public authorities for the purpose of implementing established policies in the field of electronic communications, fostering competition in the domain of electronic networks and services, improving their capacities and quality, contributing to the development of electronic communications market and protecting the interest of electronic communications' users, in accordance with the provisions of this Law and bylaws based thereon, performing regulatory and other activities pursuant to a separate law regulating the domain of postal services.

The Managing Board of the Agency, pursuant to Article 11, paragraph 1, item 1 of the Law, adopts annual work plan of the Agency, which is aligned with strategic acts and action plans in the domain of electronic communications and postal services, at the latest until December 15 of the current year, for each following year.

Based on the objectives of the Strategy for the development of next generation networks until 2023 („Official Gazette of RS“ No. 33/18), the Strategy for the development of postal services in the Republic of Serbia 2021-2025 („Official Gazette of RS“ No. 68/21), the Consumer protection strategy 2019-2024 („Official Gazette of RS“ No. 93/19) and the Strategy for the development of information society and cyber security in the Republic of Serbia 2021-2026 („Official Gazette of RS“ No. 86/21), the Agency prepared its 2023 Work Plan, which includes activities related to the development of an independent and consequent regulatory practice, for the purpose of supporting further electronic communications and postal markets development, fostering the competition, deploying new technologies and protecting end users.

As the new laws regulating the domains of electronic communications and postal services were adopted in 2019, and a new law on electronic communications is expected to be passed, the Agency's principal activities will be focused on the implementation of new legal solutions, i.e. drafting the relevant bylaws. The adoption of the new laws will lead to a greater level of harmonization of the national regulations with the current EU regulatory framework. The Agency will also closely follow the amendments and implementation of the EU regulations in the areas of electronic communications and postal services along with its proposed solutions, to keep up with modern trends in the electronic communications and postal market regulation.

In accordance with its competencies and current trends in the development in the fields of electronic communications, postal services and information security, but also having in mind the needs of operators and end users, **RATEL has defined ten strategic priorities for 2023.**

## **1. ENHANCEMENT OF ELECTRONIC COMMUNICATIONS REGULATORY FRAMEWORK AND UNIVERSAL SERVICE DEVELOPMENT**

With the finalization of the Draft Law on Electronic Communications underway and the prospect for the National Assembly to adopt the Law on Electronic Communications during 2023, the enhancement of the regulatory frame based on new legislative solutions is the most important strategic priority of the Agency for 2023. The new Law on Electronic Communications is expected to be aligned with the EU electronic communications regulatory framework, for the purpose of establishing an up to date, efficient and single regulatory frame governing further development of the electronic communications, thus fostering more competition and incentives for domestic and foreign investments, introducing more quality services, improving business conditions and predictability for electronic communications operators and a better protection of users' rights. The Agency is bound to undertake a set of regulatory activities to adopt necessary bylaws in compliance with the new law and to implement new regulations. A detailed activity plan regarding the adoption of bylaws based on the Law on Electronic Communications, within the prescribed deadlines, can only be prepared after the adoption of the Law. In the final and transitory provisions of the currently available Draft Law on Electronic Communications, an eighteen month deadline from the day of coming into force of the Law on Electronic Communications is foreseen for the adoption of the bylaws.

The adoption of the new law governing the field of electronic communications and the Strategy for the development of universal service will determine the preparation of the bylaws which define more closely the collection of data and analysis of the universal service availability in the Republic of Serbia, requirements of equal access to universal service and the use thereof, as well as the level of detailed description and the manner of publishing the information about universal service offers by the operator, as part of their obligations.

**Activity 1 Implementation of the new Law on Electronic Communications by drafting new bylaws and aligning the acts with the EU electronic communications regulatory framework, and/or by amending the bylaws adopted pursuant to the law governing the electronic communications, if necessary.**

The drafting of bylaws and harmonization thereof will last throughout the year, in accordance with the provisions of the new law, and if the new law is not passed, the bylaws will be amended as necessary.

*Phase 1 – elaboration of Draft Radio Frequency Band Allocation Plan based on the Law on Electronic Communications.*

*Phase 2 – Rulebook on fee calculation for the provision of services within the competence of the Agency, Rulebook on general terms and conditions for performing electronic communication activities under general authorization regime, Rulebook on the manner of radio frequency usage under general authorization regime and Rulebook on manner and terms of radio frequency usage and process of issuance of individual licences for the use of radio frequencies.*

*Phase 3 – Rulebook on the manner of collection and publication of the data on type, availability and geographic location of the electronic communications network’s capacities, Rulebook on the terms and conditions for access to and usage of the data from a public phone directory and Draft Rulebook on universal service.*

*Phase 4 – Rulebook on manner and terms of assignment and usage of numbers from numerical range beginning with 116, Rulebook on content and manner of notification of international interconnection agreements.*

*Phase 5 – Rulebook on the manner of substantiating additional costs and eligibility criteria for the right to cost recovery of additional costs related to universal service provision and Rulebook on the level of detail and manner of publishing the information on universal service provision offered by operators.*

*Phase 6 – Rulebook on the manner of amateur radio station usage.*

*Phase 7 – Rulebook on the manner of monitoring the radio frequency spectrum usage, technical inspection procedure and protection against harmful interference.*

*Phase 8 – Changes and amendments to other rulebooks and alignment with the new law governing electronic communications, adoption of new bylaws after the coming into force of this law and preparation of draft bylaws passed by the line ministry on the Agency’s proposal:*

- *Rulebook on the manner of radio stations usage on national and foreign aircrafts, locomotives, ships and other vessels;*
- *Draft technical regulation governing market placement and/or usage of radio equipment.*

## **Activity 2 Preparing the initiative for the amendments to the Law on Fees for the Usage of Public Goods**

The amendment concerns Appendix 15 and Appendix 16 of the Law on Fees for the Usage of Public Goods (Official Gazette of RS, Nos. 95/18, 49/19, 86/19 – other regulation, 156/20 – other regulation and 15/21 – other regulation), i.e. the manner of setting the fees for the use of numbering resources (access codes) to establish communication within functional networks and the fees for the use of GSM-R system radio frequencies.

## **Activity 3 Introducing expert supervision of the work of electronic communications operators and supervision of radio equipment**

In order to enhance the conditions for promoting competition and market liberalization, the Agency constantly monitors the work of electronic communications operators in terms of results achieved, innovations made in the electronic communications area, availability and introduction of new technologies and complaints of end users and, accordingly, prepares reports for an annual market overview, performs analysis on the work of each operator and points to the identified

shortcomings in the meetings with the operators or in cooperation with inspection services of the ministries in charge.

The new Law on Electronic Communications features a new competence of the Agency, involving expert supervision of the work of electronic communications operators and supervision of radio equipment. The above powers will largely contribute to a more efficient work of the Agency in setting better conditions in the electronic communications networks and services markets, thereby ensuring a more active role of the Agency in the implementation of the regulatory framework. This will also enable a better control over the compliance with technical requirements for the electronic communications equipment and radio equipment, including equipment placed on the market and the usage of radio equipment, through cooperation with the responsible inspection authority and expert and technical assistance provided by the Agency. Finally, this will contribute to a more efficient prevention and removal of harmful interference during the use of radio frequency spectrum.

Once the proposal is adopted and the new Law on Electronic Communications passed, necessary bylaws will be prepared and the work of employees who are to perform expert supervision of the work of electronic communications operators and the supervision of radio equipment will be organized.

#### **Activity 4 Launching of a public call for operators interested to provide universal service under prescribed conditions**

The adoption of the new Law on Electronic Communications and elaboration of the Strategy for the development of universal service will determine the preparation of bylaws defining more closely the collection of data and analysis of the universal service availability in the Republic of Serbia, the requirements regarding the provision of equal possibilities for access and use of universal services, the level of detailed description and the manner of publishing the information about universal service offers by the operator. For the purpose of designating an universal service provider, the Agency will launch a public call for operators interested in universal service provision under prescribed conditions. The Agency will additionally carry out an analysis of the universal service provision in terms of volume, geographic coverage and quality of service, as well as the setting and monitoring of the level of detailed description and the manner of publishing the information about universal service offers made by the operator, as part of their obligation of making those data publicly available.

#### **Activity 5 Taking part in elaboration of a draft basis for participation of the Republic of Serbia in the ITU World Radiocommunication Conference 2023 (WRC-23) in Dubai, United Arab Emirates, from 20 November to 15 December 2023), and in the Preparatory Meeting for WRC-23 (CPM-23) and WRC-23**

From 20 November to 15 December 2023, the ITU World Radiocommunication Conference 2023 (WRC-23) will be held. The previous conference, held in 2019, resulted in the Final Acts, signed,

among others, by the Republic of Serbia. The draft basis for participation of the Republic of Serbia in the ITU World Radiocommunication Conference 2023 is to be prepared by the Agency and delivered to the line Ministry. This document, in accordance with each of the items of the WRC-23 Agenda, is prepared by the Agency based on the Law on Electronic Communications, harmonized WRC-23 common proposals of CEPT members (European Common Proposals), including other international organizations' (ICAO and other) proposals, in the best interest of the Republic of Serbia. The basis for participation in WRC-23 is established by the line Ministry, whereas in the work of WRC-23 also participate the experts of the Agency, in their capacity of members of the Serbian delegation, as per an official authorization letter of the Government of the Republic of Serbia, to be submitted to an administrative body of WRC-23.

### **Activity 6 Participation in an international working group for Terrestrial – Digital Audio Broadcasting (T-DAB) planning**

In 2023, the continuation of this group's activities and possibly conclusion of a Multilateral Framework Agreement (MFA) are expected, including the preparation of bilateral agreements between the group members.

## **2. 5G NETWORK ROADMAP**

One of the main activities is the preparation for the launch of an auction for the issuance of individual licenses for the use of radio frequencies in the radio frequency bands intended for 5G technology. After the Rulebook on minimum requirements for the issuance of individual licenses based on a public bidding is passed, the launch of the public bidding procedure is planned.

One of the priorities set by the European Union is a coordinated use of 5G technology in all EU member states by the end of 2020. The interest of the Republic of Serbia is therefore not to lag behind, but to take an active part in this process. For that reason, it is one of the Agency's priorities to perform all necessary preparatory work so as to ensure that proper conditions are met for the launch of the 5G RF spectrum auction in 2023.

### **Activity 1 Preparation and carrying out of public bidding procedure for the issuance of individual licenses for the use of radio frequencies in radio frequency bands intended for 5G technology**

In accordance with the „Study on the optimal RF spectrum auction model for the existing technologies and future 5G technology“, carried out in 2019, the choice of consultants for the auction procedure will be made according to the model suggested. The consultant shall prepare all necessary procedures linked to the public bidding process, define the public bidding rules based on the type of public bidding, develop a software if the auction is to be carried out electronically, adapt the electronic auction software to our specific features and rules that are to be prescribed. The consultant shall also conduct all necessary training for the use of all needed software by the qualified bidders (operators) and for the employees of the Agency, providing support during the

public bidding procedure and after the decision on the best bids and bidders, including the possibility of the matter being brought before court.

### **Activity 2 Defining of a new radio frequency band, suitable for migration of fixed links from frequency band 26 GHz identified as pioneer high-frequency band for 5G deployment**

The current users of the 26 GHz frequency band stated that they would not start to use this frequency band for 5G before 2026, however, they expressed an interest for the opening of a new frequency band for new fixed links, to which also the existing 26 GHz links would be migrated as well. In 2023, an analysis of the 26 GHz frequency band occupancy will be carried out and subsequently the new fixed link frequency band will be proposed, including the migration of the existing 26 GHz links.

### **3. DIGITAL TRANSFORMATION OF ELECTRONIC COMMUNICATIONS**

The EU Commission, through its document „Europe’s Digital Decade: digital targets for 2030“, presented a plan for the digital transformation of the EU society and economy up to 2030, a so-called Path to the Digital Decade, based on the cooperation between the Commission and Member States in the area of digital infrastructure, digitization of businesses and public services, and enhancement of end-users’ digital knowledge and skills. The Covid-19 pandemic has furthermore raised awareness about the necessity of digital technologies in the process of work, learning, entertainment, leisure, shopping and access to many services, from health services to those offering cultural content, but has also revealed the vulnerability of our digital space, dependent on technologies and susceptible to manipulations. The European Parliament, therefore, in 2022, adopted the Digital Services Act (DSA) and the Digital Market Act (DMA), which govern new liability standards of the technology companies in an open and competitive market.

DSA and DMA represent a turning point in today’s Internet regulation, setting the standards intended to guide in the future the technology companies in their business and service provision endeavors, and not only within the EU. DSA’s aim is to restrict the dissemination of illegal online content and to create a safe environment by setting a clear responsibility area as regards the current digital environment challenges and adoption of measures to eliminate non-transparent offers and deceitful occurrences on the Internet.

Among the most significant DSA measures are the principles of legally binding transparency and algorithm responsibility, including the reporting on content management and removal, as well clear information on how recommendation algorithms work, including the restriction of illegal content dissemination and handling thereof. Not to omit the prohibition of deceitful advertising and certain types of targeted advertising which use sensitive personal data, as well as practices whose aim is to manipulate users.

In other words, platforms such as Facebook, Google, Microsoft, Apple and Amazon will from now on be forced to provide better protection to their users and their basic rights, but also to make their content management solutions and their content recommendation algorithms more transparent.

DSA will be applied to all online intermediaries providing:

- intermediary services offering network infrastructure (Internet access service providers, Internet service providers, domain name registrars);
- data storage services (cloud, web page storage);
- online platforms gathering sellers and customers (online markets, application market, social networks);
- large online platforms and large online browsers, with at least 45 million active users throughout Europe, i.e. 10% of the population.

DSA provisions will be binding for all companies which provide services in the EU, regardless of whether they are founded on its territory or not. The provisions will therefore also apply to the platforms with business headquarters outside the EU, with each platform providing services in the EU being obligated to appoint a legal representative, on the basis of whose business location the appropriate authority is to be established.

Service providers' obligations will be proportionate to their nature, size and number of users, as well as their role and influence. Consequently, online platforms will have more obligations to fulfill than Internet intermediaries, whereas large online platforms and browsers will be obliged to abide by the strictest regulations.

#### **Activity 1 Analysis of objectives of Digital Services Act (DSA)**

Perform detailed analysis of DSA, find out whether it is possible to apply it in the Republic of Serbia and identify the main objectives and manner of implementation.

#### **Activity 2 Analysis of objectives of Digital Market Act (DMA)**

Perform detailed analysis of DMA, find out whether it is possible to apply it in the Republic of Serbia and identify the main objectives and manner of implementation.

### **4. ENHANCEMENT OF RADIO FREQUENCY SPECTRUM MONITORING SYSTEM**

The construction of a new Monitoring and Measurement Center (MMC) Belgrade at the current location in Dobanovci is a necessary prerequisite for an efficient use of the RF spectrum monitoring system and creation of an optimal working environment for the employees. The existing complex, built in the 1960s, is unfit for use and in a bad condition due to decrepitude, therefore its functionality is compromised. The plan is however to keep it in use until the new complex is put in operation, following which the former will be demolished. The new complex will include a monitoring and measurement center building, antenna masts and auxiliary and accompanying facilities.

The construction project of remotely controlled monitoring and measurement station system (RCMMS) is in its final phase, which enables continuous monitoring of the situation in the aether on the major portion of the national territory. Activities pertaining to the construction of the CRCMS (compact remotely controlled measuring station) network have continued, with stations being installed in cities and larger settlements. This enables precise source identification in those



cities and their immediate vicinity, using TDOA or hybrid TDOA/DF methods, as well as monitoring of the activity of transmitters that broadcast signals with small output power but operate on higher frequencies, the presence of which is characteristic for urban areas. One of the significant improvements is networking of the stations of both types to form an integrated RF spectrum monitoring platform with common software, which creates an environment for a more efficient monitoring of the use of radio frequencies.

### **Activity 1 Elaboration of investment and technical documentation and acquisition of licenses and approvals from competent authorities for the construction of a new Monitoring and Measurement Center „Belgrade“ complex**

The elaboration of technical documentation includes providing complete project documentation regarding the complex (architectural project, construction project, interior design project including furniture arrangement in the premises), drafting of technical documentation related to exterior space design, infrastructure and location landscaping, as well as technical documentation for two antenna masts.

Once the technical documentattion is ready, necessary licenses and approvals from competent authorities will be acquired.

### **Activity 2 Expansion of compact remotely controlled measuring station network within RF spectrum monitoring system in urban areas**

In 2023, the acquisition of measurement equipment and construction of compact remotely controlled measuring stations (CRCMS) will be continued in cities covered by the both MMCs. This will be carried out in accordance with the Feasibility study on the rollout of the system for continuous RF spectrum monitoring in urban areas, elaborated by the Faculty of Electrical Engineering of the Belgarde University in cooperation with the Innovation Center of the Faculty of Electrical Engineering.

### **Activity 3 Improvement of RF spectrum monitoring software paltform**

As the RF spectrum monitoring platform developed, it became clear that the data collected from remotely controlled MM stations, compact measurement stations in TDOA areas and other measurement stations needed to be properly aggregated, managed and analyzed. That is why the Monitoring Unit developed a unique platform designed to aggregate on one location the most significant aspects of the RF spectrum monitoring working process, such as measurement station and measurement equipment status tracking, automatic collection and analysis of the measurement data, record keeping of the measurement results and the management of monitoring activities. Further improvement of the existing functionalities and services is planned for 2023, along with the platform's integration with an information system for collection and processing of the measurement data, data analysis and graphical display.

### **Activity 4 Opening of Office „Užice“ in Sevojno, as part of the Monitoring and Measurement Center (MMC) „Niš“**

RATEL's RF spectrum monitoring system consists from two regional units situated in Belgrade and Niš, with their respective MMCs. In 2023, the opening of Office „Užice“ in Sevojno as an auxiliary office of the MMC „Niš“ is planned. At the beginning of 2023, an office space will be provided and the activities to enable an independent functioning of the office will start immediately.

## **5. PROTECTION OF ELECTRONIC COMMUNICATIONS AND POSTAL SERVICES USERS**

One of the postulates upon which market regulation rests is the provision of a high-level protection of consumers' interests in their interaction with operators. This is particularly reflected in making available clear and complete information on prices, access and usage to the customers, as well as in the efficient handling of complaints related to the work of operators. Constant efforts in improving the availability, accessibility and quality of public communication networks and services and postal services for all users remains to be the Agency's priority in 2023.

### **Activity 1 More efficient dispute resolution**

During the implementation of the Law on Electronic Communications („Official Gazette of RS“, Nos. 44/10, 60/13 – CC Decision, 62/14 and 95/18 – other law), it was noticed that most complaints about the work of operators were related to the received bill for provided services. Pursuant to Article 113 of the Law, the Agency carries out the procedure of mediation in a peaceful dispute resolution between the subscribers/users and electronic communications operators regarding the bill and/or quality of services. Once the new Law on Electronic Communications comes into force, the Agency will be authorized to resolve disputes between operators and subscribers in an out-of-court procedure, by means of a decision “on the merits”, in the best interest of both parties. This solution is already applied in the region, and it has been applied in the EU countries for years. In addition, the Agency analyses the electronic communications operators' General Terms and Conditions, for the purpose of giving orders, recommendations and suggestions on how to make changes and amendments to these Terms and Conditions and to align them with the regulations governing the domain of electronic communications and consumer protection as well as with other acts, all with the aim of providing a more efficient protection of electronic communications users. In exercising the authority related to the consumer protection, the Agency cooperates with other bodies and organizations, such as the line ministry, inspection services of the line ministry, authorities of the autonomous province in charge of inspection, the Ministry of Internal And Foreign Trade and the Regulatory Authority for Electronic Media and other relevant bodies.

In 2023, the Agency will continue to monitor the application of the regulations governing the area of electronic communications users' protection, as well as the relevant regulations. The Guidelines for telecommunication service users' protection – Information and education of electronic communications users/subscribers, available on the Agency's website, assist and educate the users by means of advice, instructions and guidance in order to minimize and avoid potential complaints.

Additionally, the coming into force of the Law on Electronic Communications will provide harmonization of the above guidelines with new legal solutions pertaining to the protection of electronic communications users.

### **Activity 2 Monitoring of regulated roaming charges in the Western Balkans region**

The Agency will continue to monitor regulated roaming charges and the application of the Agreement on the price reduction of the roaming services in the Western Balkans region, establishing a new roaming rule, the so-called *roam like at home* principle, which eliminates roaming charges for end users. As part of the above Agreement implementation, the Agency has adopted a General Act establishing detailed rules on the application of the appropriate use policy, the methodology of the sustainability assessment regarding the elimination of additional roaming retail fees and the requirements submitted by the roaming service provider needed for such assessment.

### **Activity 3 Taking actions to create conditions for reduction of roaming charges between the Western Balkans region and the European Union**

In line with the Western Balkans Region Declaration on Common Regional Market signed on 10 November 2020 during the Summit held in Sofia, as part of further arrangements made between the representatives of the European Union and the Western Balkans region, the Agency has taken necessary actions one of them being the Roadmap for the reduction of roaming charges between the Western Balkans region and the European Union, including proposed measures and policy reforms to be implemented by the Western Balkans governments and regulatory bodies in the coming period. The roadmap is part of the Declaration of October 2021 signed at the EU – Western Balkans Summit in Brdo pri Kranju. The Agency will, within its competence, continue to carry out all necessary activities aimed at the reduction of roaming prices between the Western Balkans region and the EU.

### **Activity 4 Cooperation with stakeholders involved in postal market competition protection**

In accordance with the Strategy for the development of postal services 2021-2025, the Agency has a national obligation to coordinate activities in order to efficiently protect and encourage postal market competition. Our plan is to carry out a number of activities in 2023 related to regular meetings and discussions with other interested parties such as: the line ministry, Serbian Chamber of Commerce (Postal service providers group) and the Commission for Protection of Competition.

### **Activity 5 Mediation in out-of-court dispute resolution between users and postal operators**

Pursuant to the Law on Postal Services („Official Gazette of RS“, No. 77/19), the Agency mediates in an out-of-court dispute resolution process between users and postal operators, by applying legal provisions pertaining to mediation, as well as other regulations governing the matter of out-of-court dispute resolution. In order to improve the efficacy of the above activities, the Agency has, in an internal act, regulated more closely the mediation procedure in an out-of-court dispute resolution between the postal service users (complainants) and postal operators, in line with the

suggestions received from the „PLAC 3” project experts, with the full application of the above procedure being expected as of 2023.

## **6. ENHANCEMENT OF COMPETITION IN ELECTRONIC COMMUNICATIONS AND POSTAL MARKETS**

One of the primary activities of the Agency, pursuant to the regulations governing the areas of electronic communications and postal services is to enhance competition in the electronic communications and postal markets. The main mechanism available to every regulator are market analyses and the Agency will continue with its activities in this area. Also, mobile network quality parameters benchmarking campaigns will be continued. In 2023, in addition to the measurement of quality of service of the PPO’s universal postal service, the measurement of quality of service of express services provided by other postal operators will begin as well.

### **Activity 1 Finalization of all activities related to new circle of relevant markets analysis**

It is the Agency’s responsibility to perform an analysis of relevant markets at least three times a year, therefore a new cycle of market analyses has begun in 2021-2022, in accordance with the Commission Recommendation on relevant product and service markets (2014/710/EU) and the Decision on the establishment of relevant markets susceptible to ex-ante regulation („Official Gazette of RS“, No. 78/18). Based on the market analysis results, a lack of effective competition on the relevant market has been detected, and an operator was designated who by itself or together with other operators has significant market power (SMP) in that particular market. Certain obligations for the SMP operator have been decreed by a decision, taking into account the type and nature of identified market failures, previous investments, incentivizing further investments and possibility of investment recovery at a reasonable rate, depending on the associated risks. In a subsequent procedure, monitoring of the alignment of the Standard offer with the mandated obligations of the SMP operator is also foreseen.

### **Activity 2 Implementation of Long Run Incremental Cost (LRIC) model**

The adoption of the Rulebook amending the Rulebook on the application of the cost-accounting principle, separate accounts and reporting by an operator with significant market power in the electronic communications sector („Official Gazette of RS“, No. 53/21) has enabled the application of a new cost-accounting model based on Bottom-up Long Run Incremental Costs (LRIC) in order to establish cost-oriented wholesale services’ regulated prices, with the aim of harmonization with the EC Recommendation of May 7, 2009 on the regulation of fixed and mobile call termination in the EU (2009/396/EC) and the EC Recommendation of September 11, 2013, on consistent non-discrimination obligations and costing methodologies to promote competition and enhance the broadband investment environment (2013/466/EU), whereby the BU LRIC+ methodology represents a recommended tool to determine regulated wholesale access service prices. A decision making on the establishment of prices in all regulated LRIC model based markets is planned as well. Taking into account the need to make changes to the existing LRIC model and considering the results obtained during the 2022 market analyses carried out by the

Agency, the hiring of an independent consultant is planned, who would update the current LRIC model and prepare it for the price accounting of selected regulated wholesale services.

### **Activity 3 Price control of regulated services and bundled services**

SMP operators with a mandated obligation of cost accounting separation continue to submit regulatory reports based on a current costs model. The Agency will go on with monitoring of the SMP operators' regulated services price formation, based on the provided regulatory reports for 2022, as well as by applying the LRIC model to establish regulated wholesale service prices in the relevant markets, as per the Commission Recommendation of May 7, 2009 on the price regulation of fixed and mobile call termination in the EU (2009/396/EC), and the Commission Recommendation of September 11, 2013 on non-discrimination obligations and costing methodologies to promote competition and enhance the broadband investment environment (2013/466/EU), by which the BU LRIC+ methodology is recommended for the establishment of regulated wholesale access service prices. To calculate call termination prices in fixed and mobile public communication networks, a plain LRIC model is applied. LRIC+ is applied for the calculation of the price of broadband access wholesale services and infrastructure access wholesale services.

In 2023, the Agency has planned to hire an independent auditor to review the SMP operators' regulatory reports for 2022.

Most EU countries and countries in the region have a developed methodology for identification of margin squeeze prices which is consequently implemented on bundled service prices. Since the share of retail bundled services offered by the operators is increasing, the control of bundled service prices represents a continuous task for the Agency in future. The Agency plans to update the existing model of margin squeeze assessment when establishing bundled services prices.

### **Activity 4 Verification of reference offers of operators with significant market power (SMP)**

In order to implement the decision on designation of an SMP operator, and in accordance with the Rulebook on the minimum content, level of detail and manner of publication of reference offers ("Official Gazette of RS", no. 36/19) and the Law on Electronic Communications („Official Gazette of RS“, Nos. 44/10, 60/13 – CC Decision, 62/14 and 95/18 – other law), the SMP operators are obliged to make and publish standard offers, at the request of the Agency, with 60 days of the day of reception of the request. As part of the monitoring of SMP operators' fulfillment of their obligations, the Agency performs, among other, verification of the compliance of SMP operators' reference offers with the Rulebook on minimum content, level of detail and manner of publishing standard offers. The operators with SMP, as decided by the Agency, are obliged to publish selected data and practice non-discriminatory behavior on the relevant market while providing services.

### **Activity 5 Benchmarking and analysis of quality parameters of other postal operators' services**

This activity, which is a novelty both in national and European postal markets, aims to promote competition through quality assessment of other postal services (OPS), mainly express services, using a new model of measurement of postal services quality out of the universal postal service (UPS) scope, created and tested in 2022. First results, following an analysis phase, are expected to be publicly available at the beginning of 2023, whereas the measurements are to be continued throughout the two following years. The results will help the postal service users choose an adequate OPS operator (based on a price vs. quality ratio), and assist the postal operators in identifying bottlenecks within the postal chain. These measures are expected to boost the quality of postal service provision.

#### **Activity 6 Applications for comparison of prices between OPS postal providers**

The purpose of this activity is to enable a single point of price comparison of express and courier services (from the scope of other postal services) provided by postal operators in national traffic. In 2022, an application for comparison of prices between OPS postal providers in national traffic started to operate. Further updates and development of the application, along with new functionalities are planned for 2023, especially as regards the prices in international postal traffic.

#### **Activity 7 Informing users about OPS availability via Agency's GIS portal**

The Strategy for the development of postal services in the Republic of Serbia 2021-2025 has foreseen the implementation of a GIS (geographic information system) portal, with the aim of displaying territorial availability of the postal operators' services (post offices, territorial service coverage and other), spatial data search, as well as search of other data enabling the users to view, in a simple way, the quality of postal operators' service availability. In relation to that, the Agency during 2022 developed a GIS portal offering a display of selected OPS market features (express and courier services) as well as those of universal postal service. Throughout 2023, the process of entering spatial data for the remainder of postal operators, along with an update of the existing data and expansion of the aggregated spatial data will be continued, in order to enable better analysis and decision making processes.

### **7. ANALYSIS OF PPO's ACTIVITIES IN TERMS OF QUALITY, COSTS AND UPS SUSTAINABILITY**

Fast changes on the postal services market regarding shifts in users' needs have resulted in decreased volumes of letter-post items and increased parcel volumes, putting the UPS financial sustainability under pressure, since the income growth from parcels does not manage to surpass the negative letter-post income growth with the majority of universal service providers across Europe. With that in mind, it is of utmost importance for the PPO to apply correctly the cost accounting methodology for UPS, in order to enable price corrections and perform a UPS sustainability study. Monitoring of quality of service will be the Agency's priority in 2023, particularly in view of an unsatisfactory level of the postal service provision quality over the previous years.

### **Activity 1 Analysis of quality of universal service provision by PPO and service provision costs audit**

In order to provide access, prescribed quality and affordability of the universal postal service to all citizens of the Republic of Serbia, the Agency in 2023 plans to continue to examine the UPS quality. One of the main tasks of the Agency will be to monitor and analyze the quality of UPS provided by the PPO, as well as to audit the costs of this service, pursuant to the Rulebook on the manner of accounting separation application and reliability review of public postal operator's regulatory reports („Official Gazette of RS“, No. 126/20).

### **Activity 2 Analysis of UPS sustainability**

Taking into account the evident drop in the volume of UPS and increase of costs per service unit on one hand, and basic postulates such as affordable prices and guaranteed (usually high) quality on the other, the question of sustainability has gained more importance than ever before. The Strategy for the development of postal services in the Republic of Serbia 2021-2025 has identified this activity as crucial and designed the Agency as a lead institution responsible for the execution thereof. The UPS sustainability requires a complex analysis, which is currently in the focus of all European postal administrations (line ministries and regulators), while the first steps in this area in the Republic of Serbia were made in the second half of 2022. The realization of this project is foreseen over the period 2022-2024, and the results of the analysis will be used as an input for the amendment of the Law on Postal Services.

## **8. DEVELOPMENT OF SYSTEM FOR COORDINATION AND RISK PREVENTION IN ICT SYSTEMS**

Pursuant to the amended Law on Information Security and adopted bylaws, activities from the scope of competence of the National CERT will be carried out according to the prescribed schedule.

### **Activity 1 Campaigns and promotion of information security**

Promotion of information security will be carried out by producing video and printed materials and making reports on incidents identified by operators, generated reports for operators, by implementing cyber threat detection system, by holding seminars, workshops and lectures with the purpose of raising awareness on cyber security.

The Strategy for the development of information society and information security 2021-2026 and the accompanying Action Plan stipulate that the National CERT will provide a platform for raising citizens' awareness and build knowledge on the matter of cyber security. In accordance with this Strategy requirement and as a means of enhancement in this area, a platform intended for all types of users has been implemented. Its content is to be continuously developed and adapted to different levels of users' knowledge.

### **Activity 2 Taking part in cyber security trainings**

The Cyber Security Division will participate in the work of conferences, attend courses and seminars, aiming for constant professional improvement in the area of information security.

### **Activity 3 Cooperation with domestic, regional and international organizations in the area of cyber security**

The National CERT cooperates directly with the national authority in charge of the ICT system security, special CERTs in the Republic of Serbia and similar organizations in other countries, public and business entities, CERTs of independent ICT system operators and the republic bodies' CERT. The National CERT will continue to enhance the existing cooperation with international organizations in the field of cyber security by actively participating in conferences and regional and international projects, including collaboration with other members of the national CERT community on the territory of the Republic of Serbia.

### **Activity 4 Implementation of cyber threat detection system**

A cyber threat detection system will enable assessment and monitoring of the information security situation in the Republic of Serbia, which will provide the grounds to plan and implement proactive and reactive measures, with the purpose of enhancing defence capacities in the cyber security area. The implementation of this system on the territory of the Republic of Serbia will be carried out gradually, within the possibilities of the system itself.

### **Activity 5 Implementation of *CyberRange* cyber attack simulation system**

The cyber attack simulation platform is intended for the strengthening of the staff capacities of the Department of information security and technologies, as well as those in the relevant national institutions. The platform offers 23 real scenarios and a feature simulating the working environment of the employees tasked with cyber security activities. The attendees at the training sessions acquire knowledge and skills necessary for the detection of and recovery from cyber attacks.

### **Activity 6 Early warning system development**

The National CERT, in accordance with the Law on Information Security, provides early warnings, alerts and announcements, and informs relevant parties about cybersecurity risks and incidents on the national level.

The development of a system for the provision of early warnings should enable a more efficient collection, distribution and use of early warnings. The early warning system consists of a system segment dedicated to multi-source information consolidation and another one related to the distribution of early warnings.

The National CERT is committed to a continuous search for the data able to be shared as early warnings with ICT system operators.

## **9. ENHANCED INTERNATIONAL PRESENCE AND NATIONAL VISIBILITY OF THE AGENCY**

The Agency will continue to participate in the work of international organizations and institutions in the field of electronic communications, postal services and information security. In addition,



further cooperation with regulatory and expert bodies of the neighbouring countries, the EU member states and other countries is planned, in the aim of harmonizing the practices and implementing the regulations. A particular focus will be placed on the stronger presence in the work of the organizations gathering the European regulators for electronic communications and postal services, as well as on the cooperation with the NRAs of the neighbouring countries.

**Activity 1 Participation in working groups of the International Telecommunication Union (ITU), European Conference of Postal and Telecommunications Administrations (CEPT), European Institute for Standardization of Information and Communication Technologies (ETSI), Radio Spectrum Policy Group (RSPG), Body of European Regulators for Electronic Communications (BEREC), Independent Regulators Group (IRG), European Union Agency for Cybersecurity (ENISA), Universal Postal Union (UPU), European Committee for Postal Regulation (CERP) and European Regulators Group for Postal Services (ERGP)**

In 2023, the Agency will continue to participate in the work of international organizations and institutions in the field of electronic communications, in the activities of standardization bodies and European conferences and it will keep up the cooperation with the regulatory and expert bodies of the EU member states and other countries, in order to harmonize practices and implement regulations in the area of electronic communications.

Through a continuous participation and involvement in the activities of the expert working groups of the International Telecommunication Union (ITU), European Institute for Standardization of Information and Communication Technologies (ETSI), Body of European Regulators for Electronic Communications (BEREC), Independent Regulators Group (IRG), European Union Agency for Cybersecurity (ENISA) and European Conference of Postal and Telecommunications Administrations (CEPT), the Agency's representatives will contribute to the preparation and drafting of documents, guidelines, strategies and development plans for the purpose of enhancing the electronic communications area. In cooperation with other interested countries, the Agency initiated and submitted a contribution to the ITU WP4A working group to amend the Appendix 30B regulation regarding the coordination and recording procedure pertaining to the FSS satellite network plan. The activities related to the submitted contribution will continue and the proposition is expected to be accepted and adopted at the next World Radiocommunication Conference WRC-23.

The Agency will take part in the WRC Conference Preparatory Meeting (CPM-23), where a CPM Report is to be drawn up, under all items of the Agenda. CPM-23 is set to be held in the period March 27 – April 6, 2023.

The Agency will also participate in the World Radiocommunication Conference WRC-23, planned for November 20 – December 15, 2023, which is held every four years and sets the course in the field of radio frequency spectrum management.

In 2023, the Agency will take part in the work of the Radio Spectrum Policy Group (RSPG), a high-level advisory group that assists the European Commission, through strategic advice, in the

development of radio spectrum policy in the areas of RF spectrum use, coordination of policy approaches to the RF spectrum use and alignment of conditions necessary for the establishment and functioning of the internal market. Serbia has an observer status in RSPG and the advantages of Agency's participation in its work involve access to strategic documents, such as opinions, position papers and reports, enabling an efficient policy application specific to our conditions.

In 2023, the Agency will continue the cooperation with the EU member states, EFTA members and EU candidate countries within the Body of European Regulators for Electronic Communications (BEREC) and Independent Regulators Group (IRG), above all through participation in CN meetings and WGs formed according to different topics. The activities will focus mainly on the application of the new regulatory framework for electronic communications in the EU and its implementation in the national legislation.

Based on the Memorandum on Cooperation in the area of QoS monitoring among the European signatory countries' NRAs, the Agency will continue in 2023 to cooperate and exchange experiences in this area through the organization and participation in regular annual meetings (QoS Meeting 2023).

The Agency participates in the work of international organizations and institutions in the field of postal services and cooperates with the regulatory and expert bodies of the EU member states and other countries in order to harmonize the postal regulators' practices and implement postal service regulations.

Representatives of the Agency are continuously and actively involved in all working groups of the European Regulators Group for Postal Services (ERGP) and participate in the plenary meetings in an observer status. The Agency's representatives will continue to follow the activities of ERGP and participate in the three of its WGs: Consumers and Market Indicators WG, Regulatory Framework WG and Regulatory tools WG, as well as in the ERGP CN meetings and ERGP Plenaries. A representative of the Agency is actively involved, as part of the drafters team, in the elaboration of the ERGP Market Indicators WG report.

In line with the set priorities of the Republic of Serbia in the field of postal services, the Agency will follow the activities of the Universal Postal Union (UPU) and its Council of Administration (CA) in charge of the matters of postal regulation worldwide, including the Extraordinary UPU Congress planned to be held in Riyadh, Saudi Arabia, from 1 to 5 October, 2023. These activities will be coordinated with the Ministry of Information and Telecommunications of the Government of the Republic of Serbia.

As regards the European regulation, further steps are expected to be made in terms of drafting, adoption and implementation of the new EU postal directive. A prominent role in these activities has been conferred to the European Committee for Postal Regulation (CERP), with the Agency's representative acting as its Vice-Chair.

## **Activity 2 Enhanced regional cooperation**

Regular cooperation among electronic communications and postal NRAs of Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia is planned to continue as usual, with meetings among the the four regulators' experts in selected areas being intensified.

Further cooperation between the regulators of the signatories to the Agreement on reduction of roaming charges is planned in order to monitor the implementation of the foreseen activities and facilitate regional dialogue.

### **Activity 3 Elaboration of communication plan**

Design and implementation of activities intended to increase the visibility of the Agency will continue, to approach the Agency's role and results to the general public, increase the number of visits to the website and further improve the interaction with the users and community.

A communication plan is scheduled to be designed in 2023, to clearly define the goals of the Agency's presentation and set the timeline for objectives, by developing an elaborate plan of monthly campaigns, animated videos, posters and films dedicated to pre-selected topics to be presented in the digital media with the purpose of informing and educating the general public and promoting a positive public image of the Agency.

By creating multimedia content, enhancing its own visual identity, promoting and producing new animated videos, films, brochures, photos and posters, the Agency plans to boost its visibility on social media and enhance visits to its website, putting an effort to explain the scope of its work and actual projects, through different means of increasing its interaction with the citizens/users (by prolonged visits to the website, interactions on social networks, use of applications such as RATEL NetTest, price of services etc).

The communication plan for 2023 foresees a further creation of animated video clips, films, brochures, photos, posters, short interviews and social network campaigns explaining the Agency's competencies.

### **Activity 4 Increasing Agency's visibility across media**

With an aim to enhance the Agency's visibility and presence across the media, the following means of presentation are planned: media support to international and national meetings, communication with citizens and companies about topics of interest in the fields of electronic communications, postal services and information security via the user's help desk, setting up of a more accessible and comprehensive website for business and private users and the media, and creation of short films and video clips with educational and informational content.

The annual National CERT Conference is planned to be organized in October, the Cyber Security Month, and it will be dedicated to the promotion of the importance of cyber security.

## **10. INTEGRATION WITH E-DESK AND E-ARCHIVES**

A transition of the state administration bodies and local self-government units to a software solution titled Electronic Desk (e-Desk) is currently under way, which is about to enable record

keeping of documents (forming of files) and office management in electronic form, pursuant to the Decree on office management for state administration authorities („Official Gazette of RS“, Nos. 21/20 and 32/21) applicable as of February 1, 2022 and the Instructions on office management for state administration authorities („Official Gazette of RS“, No. 20/22). The Agency plans in 2023 to adapt its existing DMS (Document Management System) and fulfill organizational and technical requirements as prerequisites for the integration with Central e-Desk Counter. That way, the files will be assigned appropriate reference numbers in line with the Decree, allowing them to be smoothly exchanged between other public administrations through e-Desk.

Along with the e-Desk solution, the Office of Information Technology and eGovernment will, in cooperation with the Archives of Serbia, be developing and testing a software solution titled eArchives. Electronic archiving is a new way of file archiving of source electronic documents to be logged via DMS in accordance with the new Law on archival material and archiving industry („Official Gazette of RS“, No. 6/20). In the second half of 2023, the Agency will take part in the software solution testing, with the implementation of eArchives being scheduled to start on January 1, 2024.