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Member of the European Parliament
Rue Wiertz 60
B-1047 Brussels, Belgium

Brussels, 26. January 2024

Subject: Industry Capture of Commissioner Thierry Breton

Dear Member of the European Parliament,

As civil society organisations we write you with concern about the undue influence of the telecom industry on European Commissioner Thierry Breton. Since he took office in 2019 we have seen from him many one sided attempts to favor the telecom industry to the detriment of European citizens and society at large. Should he be nominated for a second term after the election, we call on you not to reconfirm him as a Commissioner.

The fear of undue influence started when Mr Breton came to office¹ and manifested when in 2019 he attempted to withdrawal the ePrivacy reform², thereby fulfilling a key demand of the telecom industry³. Despite being former CEO of France Telecom the public would expect Commissioner Breton to keenly adhere to impartiality on matters relating to the telecom industry.

A key pillar of European success is regulating to ensure competitiveness. This approach has benefited consumers over decades in the form of affordable access prices and high service quality. Yet, Commissioner Breton proposes a drastic shift in the telecom regulatory regime that aims to curtail competitiveness for the benefit of fewer, even bigger telecom operators across Europe.⁴ With his announcement of a new `Digital Networks Act´and the declared objective to support the creation of a few “European champions”, he has officially sided with former monopolist telecom companies and their calls for market deregulation and reducing competition in the EU telecom sector.

In the network fee (aka. “fair share”) debate Commissioner Breton sidelined the Commissions own better regulation principles by attempting to launch a legislative proposal without public consultation or impact assessment. Against the public opposition⁵ of regulators, consumers, creative industries, public and private broadcasters, civil society and many governments, he pushed for a dangerous regulatory regime that would undermine net neutrality⁶ and already failed in other regions⁷. Commissioner Breton and his staff had more lobby meetings on the subject with the telecom industry than with all other stakeholder groups combined.⁸

Commissioner Breton is clearly not living up to European standards for public officials and sets a bad example of industry capture that deters trust in EU institutions. We urge you not to grant him a second mandate and to scrutinize any Commissioner-designate for their ties to the telecom industry. Lastly, we ask you to watch out for the upcoming white-paper from the Commission that aims to set the stage for the network fee discussion and further deregulation of the telecom market in the next term.⁹

Sincerely,
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CCC – Chaos Computer Club e.V.
Homo Digitalis

- 1 <https://corporateeurope.org/en/2019/11/thierry-breton-corporate-commissioner>
- 2 <https://netzpolitik.org/2019/eu-staaten-treten-eprivacy-in-die-tonne/>
- 3 <https://etno.eu/news/8-news/686-telco-eprivacy.html>
- 4 https://www.beuc.eu/sites/default/files/publications/BEUC-X-2023-146_Joint_Statement_on_the_future_of_EU_telecoms_regulation.pdf
- 5 <https://radiobruelleslibera.com/2023/04/11/the-fair-share-repository/>
- 6 BoR (23) 131d <https://www.berec.europa.eu/en/document-categories/berec/others/berec-input-to-the-ecs-exploratory-consultation-on-the-future-of-the-electronics-communications-sector-and-its-infrastructure>
- 7 <https://www.internetsociety.org/blog/2022/09/sender-pays-what-lessons-european-policy-makers-should-take-from-south-korea/>
- 8 <https://hostb.org/2500>
- 9 <https://www.bloomberg.com/news/newsletters/2023-11-09/eu-fair-share-setback-is-a-win-for-big-tech>