



REPUBLIKA E SHQIPËRISË

**ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY
STEERING COUNCIL**

No. _____ Prot.

Tirana, __.__.2026

DECISION

No. 16, dated 08.06.2026

ON

**“APPROVAL OF THE DOCUMENT ‘GUIDELINE ON THE IMPLEMENTATION OF
OPEN INTERNET RULES’”**

The Steering Council (SC) of the Electronic and Postal Communications Authority (AKEP), with the participation of:

Mr. Gentian Sala, Chairman
Ms. Edlira Dvorani, Member
Ms. Diana Dervishi, Member
Mr. Bleron Dokle, Member
Mr. Armer Juka, Member

and with Ms. Dania Nallbani acting as Secretary, at the meeting held on 8 June 2026, in accordance with the procedure established by Law No. 54/2024 “On Electronic Communications in the Republic of Albania”, Law No. 8480, dated 27.05.1999 “On the Functioning of Collegial Bodies of the State Administration and Public Entities”, and the Internal Regulation on the Organization and Functioning of the Electronic and Postal Communications Authority (AKEP), approved by AKEP Steering Council Decision No. 11, dated 31.03.2026, upon the proposal of the Directorate of Consumer Protection, Statistics and Inspection, examined the matter concerning:

- Approval of the “Guideline on the Implementation of Open Internet Rules”.

LEGAL BASIS

1. Article 179(4) of Law No. 54/2024 “On Electronic Communications in the Republic of Albania” (Law No. 54/2024);
2. Regulation “On Public Notification and Consultation Procedures”, approved by AKEP Steering Council Decision No. 21, dated 07.12.2021.

THE STEERING COUNCIL

Having reviewed the documentary material consisting of:

1. Documentation prepared by the Directorate of Consumer Protection, Statistics and Inspection:

- a. Guideline on the Implementation of Open Internet Rules;¹
 - b. AKEP's Position on Stakeholders' Comments Submitted during the Public Consultation of the Draft Guideline on the Implementation of Open Internet Rules.
2. The draft decision, duly formatted and reasoned;
 3. The explanatory report accompanying the draft decision;

NOTES THAT:

1. The new Law No. 54/2024 "On Electronic Communications in the Republic of Albania", which entered into force on 20.12.2024 and repealed Law No. 9918/2008, as amended, has partially transposed into national legislation Directive (EU) 2018/1972 of the European Parliament and of the Council establishing the European Electronic Communications Code (hereinafter "EECC"). In addition to the transposition of the EECC, Articles 177–179 of Law No. 54/2024 establish the national framework for open internet access in Albania and have been drafted in full alignment with Articles 3–5 of Regulation (EU) 2015/2120, which lays down rules on open internet access applicable in all EU Member States. Article 179(4) of Law No. 54/2024 provides that AKEP, following consultation with interested parties and based on the relevant BEREC documents, shall issue guidelines aimed at ensuring the consistent implementation of open internet rules.
2. Pursuant to Article 179(4) of Law No. 54/2024, AKEP, by Steering Council Decision No. 3 dated 02.02.2026, approved for public consultation the document "Draft Guideline on the Implementation of Open Internet Rules". AKEP prepared the public consultation document based on the latest BEREC Guidelines on the Implementation of the Open Internet Regulation, as well as other BEREC documents referenced in the explanatory memorandum to the consultation document (Annex 1 to the Draft Guideline).
3. The document "Draft Guideline on the Implementation of Open Internet Rules" was published for public consultation on AKEP's official website during the period 03.02.2026 - 05.03.2026. At the conclusion of the consultation process, the following interested parties submitted written comments through official channels:
 - One Albania sh.a., by letter No. 425 Prot., dated 05.03.2026 (registered by AKEP under Protocol No. 352, dated 06.03.2026);
 - Vodafone Albania sh.a., by letter No. LEA/020/LR/EM (registered by AKEP under Protocol No. 352/1, dated 06.03.2026);
 - Albanian Fiber Telecommunications sh.p.k. (MADCOM), by letter No. 064 Prot., dated 05.03.2026 (submitted electronically via e-mail).
4. Following the assessment of stakeholders' comments on the "Draft Guideline on the Implementation of Open Internet Rules", AKEP prepared the following documents:
 - a. "Guideline on the Implementation of Open Internet Rules", constituting the final AKEP Guideline following the public consultation process; and

¹ Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and retail charges for regulated intra-EU communications and amending Directive 2002/22/EC and Regulation (EU) No 531/2012.

¹ [BoR \(22\) 81 BEREC Guidelines on the Implementation of the Open Internet Regulation, 9 June 2022](#)

- b. “AKEP’s Position on Stakeholders’ Comments Submitted during the Public Consultation of the Draft Guideline on the Implementation of Open Internet Rules”, containing the comments received during the consultation process and AKEP’s positions thereon.
5. Through the document “Guideline on the Implementation of Open Internet Rules”, AKEP has provided detailed guidance and clarifications for the implementation of open internet obligations in Albania, with the aim of ensuring:
 - a uniform interpretation of Articles 177–179 of Law No. 54/2024 and their consistent implementation by all Internet Access Service Providers (ISPs);
 - the promotion of the continuous availability of internet access services on a non-discriminatory basis and at quality levels reflecting technological progress;
 - enhanced protection of consumers/end-users of internet access services;
 - transparency and predictability for Internet Access Service Providers (ISPs) in the implementation of Articles 177–179 of Law No. 54/2024;
 - full harmonization of the implementation of open internet rules in Albania with the latest BEREC practices (BoR (22) 81) and their application within EU Member States; and
 - AKEP’s approach and implementation plan concerning specific issues/aspects (Annex 1 to the Guidelines) related to:
 - the specification of minimum, normally available and maximum internet speeds (Article 178(1)(ç));
 - the interpretation of “significant, continuous or regularly recurring discrepancy” between declared internet speeds and the actual speeds experienced by subscribers/end-users (Article 178(2)(d) and (3));
 - the provision/making available by AKEP of a certified internet quality/speed monitoring mechanism (Article 178(3));
 - the publication by AKEP of annual periodic reports on open internet matters, starting from June 2026 (Article 179(2)).
6. The document “Guideline on the Implementation of Open Internet Rules”:
 - constitutes an important regulatory document prepared within the framework of AKEP’s development of the secondary legislation required for the implementation of Law No. 54/2024;
 - contains AKEP’s guidance regarding the consistent implementation by all internet access service providers of the open internet rules established under Articles 177–179 of Law No. 54/2024;
 - from a legal standpoint, complies with the provisions of Articles 177–179 of Law No. 54/2024;
 - in accordance with Article 179(4) of Law No. 54/2024, has been prepared following consultation with interested parties and taking into consideration BEREC guidelines, opinions, recommendations, common positions, best practices and methodologies, as well as relevant decisions of the European Commission, based on the latest BEREC Guidelines on the Implementation of Open Internet Rules (BoR (22) 81) and other BEREC guidance/documents referenced therein concerning the implementation of open internet rules within EU Member States, adapted to the Albanian market conditions and the stage of implementation of such rules in Albania.

7. Based on Articles 44 and 45 of Law No. 54/2024 and the Regulation “On Public Notification and Consultation Procedures”, approved by AKEP Steering Council Decision No. 21 dated 07.12.2021, the document approved through this decision shall be subject to public consultation for the purpose of obtaining the views of interested parties.

FOR THESE REASONS:

Considering the importance of approving the above-mentioned document, and based on Article 14(1) and Article 15(1) of Law No. 54/2024, the AKEP Steering Council,

DECIDES:

1. To approve:
 - a. “Guideline on the Implementation of Open Internet Rules”;
 - b. “AKEP’s Position on Stakeholders’ Comments Submitted during the Public Consultation of the Draft Guideline on the Implementation of Open Internet Rules”, in accordance with the attached documents.
2. This Decision and the documents approved under point 1 shall be published on AKEP’s official website at www.akep.al.
3. The Directorate of Consumer Protection, Statistics and Inspection shall be responsible for the follow-up and implementation of this Decision.

This Decision shall enter into force immediately.

Chairman	Member	Member	Member	Member
Gentian Sala	Edlira Dvorani	Armer Juka	Bleron Dokle	Diana Dervishi