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GSR-15 BEST PRACTICE GUIDELINES TO FACILITATE THE WIDESPREAD ADOPTION AND USE OF MOBILE APPLICATIONS AND SERVICES THROUGH TARGETED REGULATION



*Organized on the initiative of:
Mr Brahima Sanou, Director,
ITU Telecommunication Development Bureau (BDT)*

Ensuring digital inclusion and access for all citizens to the tremendous opportunities offered by mobile applications and services, such as health, education, agriculture and mgovernance, as well as online financial and commercial services, has become a priority in today's digital economy. I am convinced that these good regulatory practices will help to stimulate the introduction and dissemination of these services and applications in a safe, reliable and secure manner to the benefit of all.



*Coordinated by:
Mr Lin Mombo, Chairman of the Regulatory Board,
Electronic Communications and Postal Regulatory Authority (ARCEP), Gabon*

Let our choice, in adopting targeted regulation, be one that facilitates the widespread use of mobile applications and services. Mobile broadband is a pillar of development of the digital economy and is thus at the very heart of growth and competitiveness for countries and businesses. I am convinced that a coherent regulatory framework one that is not excessive, has flexibility, and protects users' security will enable us to meet the challenge of improving national economic growth and the social welfare of our populations.

**GSR-15 BEST PRACTICE
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Regulating the ever-changing ICT sector requires skills, foresight and innovation. Developing and using best practices is the best way to fast-track our efforts to adapt to change and embrace new technologies to foster development and business.

Access to, and the use of, mobile ICT services bring innumerable social opportunities and help stimulate economic growth of nations thereby benefiting the daily lives of all citizens. With such powerful technology and such unprecedented computing power in the palm of our hands it is imperative that we respond to the ongoing dynamic changes in ICTS and markets, craft new regulatory paradigms, and address the challenges relating to infrastructure, spectrum, and privacy. Such “fourth-generation regulation” will create a more enabling environment for the use of ICTs, while ensuring legal certainty and technical reliability thereby enhancing trust of end-users and allow people around the world to harness the opportunities yielded in health, education, public administration, agriculture, commerce, finance, and in

everything that will serve humanity and help us achieve sustainable development.

We, the regulators participating in the 2015 Global Symposium for Regulators, recognize that targeted fourth-generation regulation based on a light touch approach promoting healthy (active and sustainable) competition, innovation, consumer protection and empowerment can go a long way towards responding to the dynamic transformation of ICT markets and achieving social and economic goals. Therefore, we have identified and endorsed these regulatory best practice guidelines to facilitate the uptake and widespread use of mobile services (m-services) and applications (apps) in order to foster digital and financial inclusion.

STIMULATING DEMAND

Recognizing the potential of m-services and apps for improving the transparency, accountability and efficiency of public services, governments can benefit from the knowledge and experience of stakeholders to draw up holistic strategies to allow users to use m-services and apps. Governments should also innovate and become lead users in this field. Initiatives for connecting public administrations and institutions such as schools, libraries and hospitals can create significant market opportunities and stimulate both the supply of and the demand for m-services and apps.

We recognize the role regulators can play in supporting and encouraging partnerships to

facilitate the development of m-services and applications and raise awareness on how they can help increase economic productivity. In particular, social apps for the disadvantaged or unconnected populations can enhance quality of life across all sectors of the economy. Joint efforts with government agencies from other sectors could also generate win-win opportunities, inter alia for promoting education, digital skills, financial inclusion and integration in health-related programmes.

We further stress the importance of promoting the development and distribution of appropriate digital content, including multi-language content and content in local languages.

FACILITATING AVAILABILITY, ACCESS AND USE OF M-SERVICES AND APPS

New generation networks are the foundation of innovation in the ICT sector and the engine for the development of m-services and applications. Therefore, we believe that unified rules for facilitating infrastructure deployment and open access to networks at national and regional level can strongly contribute towards stimulating the development of m-services and apps. Cooperation among all public authorities involved at the international, regional, national, and local levels is key to rapid, smooth and efficient implementation.

Policy makers and regulators must be mindful of the importance of designing flexible, incentive-based and market-oriented policy and regulatory frameworks with

regard to spectrum allocation and assignment for mobile broadband services, so as to create trust and provide the necessary conditions for m-services and apps markets to thrive.

The development of new markets and the industry for mobile devices need to be sustained through adequate regulatory measures, in particular in developing countries.

Revisiting and reviewing, where necessary, current Government policies to make sure that they are still valid and appropriate for the new environment and ensuring privacy and security of government, business and consumer data may be necessary while open and collaborative regulatory frameworks are needed to promote

the development of cross-cutting services such as m-commerce, m-banking and mobile money, as well as m-health.

We recognize that creating a converged reference framework for competition, interconnection and interoperability can effectively facilitate the relationships among the various providers of infrastructure and services, as well as among them and apps and content providers.

Recognizing that it may be commercially attractive to share network elements between service providers to avoid duplication costs, and provide opportunities for more m-services to be made available, regulators may consider promoting network sharing practices in all network and value chain layers while maintaining healthy competition between network providers.

We believe that innovative, out-of-the-box measures should be put in place to stimulate the take-up of m-services and the

We recognize the importance of adopting cross-sectoral regulatory frameworks which address the specificities and requirements of m-services and apps providing for consumer protection, freedom of choice as well as the proper exercise of consumer rights.

We recognize the importance of educating and empowering consumers by various measures and initiatives, including through providing platforms for user-friendly and up-to-date

creation of locally-relevant apps in remote and rural areas. Among other measures, universal service strategies can be defined and the appropriate mechanisms used to create ICT incubators or for funding local developers and locally-relevant apps.

We call for regulatory measures, private initiatives and partnerships to reduce the cost of m-services and apps in order to ensure equal and universal access.

We further recognize that acquiring digital skills is essential for the wide take-up and efficient use of m-services and apps, and inclusive training programmes for different target groups need to be established.

We reiterate the relevance and value of the GSR13 Best practice guidelines on the evolving roles of both regulation and the regulators in a digital environment; and of the GSR14 Best practice guidelines on consumer protection in a digital world.

comparisons of service offers and tariffs; informing consumers about legal provisions and complaint/redress procedures as well as by promoting a culture of cybersecurity. Furthermore, consumers should not be bound to a specific m-service provider or app, and should retain their ability to choose and switch between providers.

We further recognize that regulators should encourage the adoption of measures aimed

IV ROLES OF ICT STAKEHOLDERS

at enhancing the security of m-services and apps, creating reliable digital identities, using subscriber identification and registration to protect consumers, to safeguard consumer personal data, protecting minors and vulnerable groups, and promoting transparency of online communications and transactions in particular. Multi-stakeholder collaboration is therefore essential

for ensuring that the rights and best interests of both consumers and suppliers are protected.

In addition, we recommend the adoption of a privacy policy with enhanced measures to alert users and give them control over data practices that are not related to the app's basic functionality or that involve sensitive information.

Regulators and policy makers should work with government agencies, private sector and non-governmental structures to mainstream ICTs, and m-services and apps in particular, into their national social and economic strategies and design holistic policies and regulations allowing for synergies and cross-pollination to occur between the m-services and apps economy and the other sectors. Such policies and regulations should focus on increasing the social well-being of consumers while facilitating the coordination and partnerships among government agencies, private sector and non-governmental structures.

ICT regulators should adopt targeted regulatory measures to promote the development of broadband networks and services and provide for affordable and widespread access to m-services and apps by consumers, guarantee healthy competition between market players while promoting innovation, and ensure consumer protection in a digital environment.

M-services and apps providers should strive to innovate and diversify the range and content of services and apps on offer and make them affordable and accessible to large segments of the population.

Consumer associations also have a role to play in defining a framework for dialogue with other stakeholders, conducting independent research and getting involved in awareness raising campaigns, so as to contribute to the elaboration of informed policies and strategies for the digital economy.

Given the global nature of online services and apps, cross-border harmonization of relevant regulatory policies as well as enhanced collaboration among national government agencies, regional and global organizations is essential for creating a global digital ecosystem while putting in place effective safeguards against fraud and abusive practices.





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