



20th Global Symposium for Regulators (Virtual Event, 2020)
The Regulatory Wheel of Change: Regulation for Digital Transformation

Contributions from Regional and International organisations

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Global Symposium for Regulators (GSR-20) (Virtual Event, 2020)

**Contribution from the Association of Communications and Telecommunications Regulators of
CPLP (ARCTEL) for the GSR-20 consultation**

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Mrs. Doreen Bogdan-Martin

ITU BDT Director

Ref.: ARCTEL-SOO60/2020

Data: 26-06-2020

Assunto: Consultation for the GSR-20 Best Practice Guidelines Global Symposium for Regulators (GSR-20)

Dear Mrs. Director, first of all I would like to address on behalf of ARCTEL- Association of Communications and Telecommunications Regulators of CPLP, our sincere thanks for the invitation that our association has been addressed, and we express our desire to continue the collaboration that has always characterized our two organs.

Regarding your letter with ref : BDT / DKH / RME / DM / 150, referring to the annual consultation you make before the Global Symposium for Regulators to the managers of the regulators, in this case to the Presidents of the Associations of the Regulators of each Block.

We would like to share the following information on the best regulatory measures taken in 2020. Within the scope of "The gold standard for digital regulation". Based on the topics we describe below:

- **Demonstrate regulatory thinking leadership for digital transformation.**

All members of our association have been experiencing changes, both in terms of their organizational structure, the adequacy of the legislation; and the acquisition of equipment in order to adapt it to the current moment, the main emphasis is being placed on the training of staff in order to guarantee and ensure that the transformation process takes place safely.

- **Vectors of regulatory action: inclusion, agility and resilience.**

In this regard, the updating of regulations in many of the member countries has allowed for a greater opening of markets, thus creating opportunities for the emerging of new market players, with the capacity to invest in the various market niches, by simplifying the processes of licensing, of the various operators and thus increasing their capacity to act and to invest in other segments.

- **Collaboration between sectors, cross-border cooperation and engagement through the Directorates.**

In the field of sectoral collaboration, and across borders, it has been growing, as many of the bodies have been incorporating other attributions making them bodies with multisectoral

competences, as is the case of the regulator of Cape Verde, which in some measure facilitates the process, however, the challenge of progressively improving cooperation mechanisms in many of our bodies still prevails.

On the other hand, in the field of cooperation across borders, and as you know, we are a private law association that facilitates and enhances the sharing of information and knowledge between the various regulators, with the aim of contributing to the development of the market and the communications sector, in this context, at the level of ARCTEL countries, cooperation has been exemplar, both in terms of the initiatives taken from the Association, as well as the initiatives taken bilaterally that have deserved it, the due and reciprocal treatment, a fact that has contributed and facilitated collaboration between members in dealing with the various matters that concern our members.

- **Innovative digital tools during the Covid-19 Process**

During and at a time when our association was getting ready for its 10th Assembly, all members were experiencing a moment of uncertainty, but with the strength and determination it was possible to carry out the following achievements:

- a) In the period from 9 to 14 March the holding of the General Assembly, and counting on the participation at a distance using various tools to guarantee the participation of the Delegation of Portugal, which could not be moved due to the restrictions that were already registered at that time;
- b) Realization of the Communications Forum, with distance participation of one of the speakers using tools created by local companies.

We hope that this information meets GSR requests, and we look forward to attend the online event.

Best regards,

Leonel Inácio Augusto
Chairman of the Board
ARCTEL-CPLP



Global Symposium for Regulators (GSR-20)
(Virtual Event, 2020)

Contribution from the African Telecommunications Union (ATU)
for the GSR-20 consultation

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ATU CONTRIBUTION TO GSR 2020 CONSULTATION

Under the overall theme of “The gold standard for digital regulation”, you are therefore invited, as part of the GSR consultation process, to provide your ideas, views and experiences on:

- **Demonstrating regulatory thought leadership for digital transformation**

- What is the best policy approach in enabling and repairing the digital economy to grow sustainably and meet social goals?

Digital technologies have in recent years demonstrated their ability to create high added value and stimulate economies, but this requires a continuous digital transformation process because ICTs have rapid development cycles and affect all sectors, which constitutes a real challenge. especially for developing countries. The best policy approaches will be those that succeed in:

- o Adapt quickly to changes thanks to flexible regulatory mechanisms;
- o Integrate digital technology at the center of the national or even regional development strategy to stimulate the economy, doing business and create value in high-potential sectors and foster inter-sectoral relationships;
- o Promote innovation and research for the emergence of local digital industries and create jobs for young people;
- o Protect user data, secure critical infrastructures and economic enterprises;
- o Promote secure inter and intra-regional exchanges.
- What have we learned from the COVID-19 crisis?
 - o The key role of ICT and digital tools in mitigating the impact of the crisis, including enabling business activities through tele-work, online commerce and digital payments, but also education, social activities.
 - o The role of regulator in facilitating access to resources (frequency spectrum, bandwidth, equipment, ..) for emergency cases but also information and coordination with other sectors such as health, government, education and finance to take in charge of the needs of citizens.
 - o The importance of a resilient and secure infrastructure.
 - o An affordable Internet access and connectivity should be a universal right for all.
- What should we focus on in regulation to prepare for the next 20 years?
 - o Data protection and Privacy
 - o Cyber-security
 - o Collaborative regulation with the other sectors

- What are the key ingredients for effective, future proof policy leadership? What leadership skills are required for ICT regulators and policymakers?
 - to be visionary
 - open mind with the ability to anticipate
 - have a good knowledge of the ICT sector including, policy, market and technology trends
 - spirit of collaboration / negotiation

• **Vectors of regulatory action: Inclusiveness, agility, and resilience**

- What transformative regulatory approaches are at hand to enhance the inclusiveness, agility and resilience of digital networks, traditional and digital players' business models and access to digital services?
 - -
- How to boost the readiness of the digital sector to face unexpected events and emergencies and deliver up to the expectations despite the odds?
 - Anticipating on the unexpected catastrophe and their impacts and to develop emergency plans as appropriate using predictive technologies such AI
 - Make a periodic Simulation and exercises to improve the emergency plans
 - Learn from other countries experiences
 - Develop regional and international assistance chart to facilitate mutual assistance.
- What are the short, medium and long-term strategies for economic recovery and sustainable social development?
 - Establish national/ regional/ international funds to assist countries;
 - Relax taxes and financial charges
 - Promote job creation
 - Provide food and housing support to the poorest population.

• **Collaboration across sectors, cooperation across borders, and engagement across the boards**

- What are the channels and models of collaboration that can deliver positive market and consumer outcomes – broad and constant collaboration, structured and unstructured, across sectors and national borders?
 - Multilateral and bilateral trade conventions / treaties;
 - Regional single market (digital, ...)
 - free trade areas.
- Is there a seat for everyone at the consultation table and who's in the driving seat?
 - The consultation should be open to all using existing channels to avoid any missing aspect or negative implication when policy is applied and driven by respective governments;
- How do we ensure productivity and efficiency in the application of rules and regulations?
 - Rules and regulations must be developed in synergy with the national and regional development strategy in order to achieve the goals and objectives of sustainable development by using tangible indicators to measure the impact of their applications as well as periodic evaluation and an examination for adjustment when necessary.



Global Symposium for Regulators (GSR-20)
(Virtual Event, 2020)

Contribution from the Eastern Partnership Regulators for Electronic Communications (EaPeReg)
for the GSR-20 consultation

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Global Symposium for Regulators (GSR-20)**Best Practice Guidelines Consultations “The Gold Standard for Digital Regulation” Contribution of EaPeReg**

Eastern Partnership Electronic Communications Regulators Network (hereinafter referred to EaPeReg) is an independent platform that unites the National Regulatory Authorities (NRAs) for Electronic Communications Networks and Services from the Eastern Partnership countries¹, as well as from the EU Member States² and the Western Balkans³ countries that together are committed to progressing in implementation of various aspects of digital economy, society and regulatory policies, including strategies for the development of broadband, harmonized spectrum allocation, more harmonized international roaming pricing, as well as strengthened independence of national telecom regulators (NRAs) in the EaP region.

The EaPeReg’s above-mentioned targets are performed by its Expert Working Groups: Roaming Expert Working Group (REWG); Spectrum Expert Working Group (SEWG) and Independence of Regulators and Broadband Development Expert Working Group’s (IRB EWG).

REWG’s goal is to reduce roaming prices in EaP countries in order to ensure better pricing conditions for users while roaming, to achieve a harmonized approach on roaming regulation within EaP with the EU roaming regulatory approach and to explore the possibility of establishing a common international roaming space between EaP and EU.

After signing **the Regional Roaming Agreement (RRA)**, REWG will coordinate the implementation of the RRA in the EaP countries and assist EaPeReg in the fulfillment of responsibilities assigned by the RRA. In addition, REWG will conduct a Study aimed at exploring the possibility of a common international roaming space, including the economically sustainable reduction of roaming tariffs between the EaP countries and the EU Member States.

SEWG work is focused on matters related to coordinated frequency distribution strategies for releasing the 700 MHz band in the EaP countries. The approach adopted by the group is based on the EU best practices in the process of freeing up and the reassignment of the 700 MHz band for 5G.

Recently, SEWG, with the technical assistance under EU4Digital program⁴, has prepared roadmaps for freeing the 700 MHz band in all 6 EaP countries. In addition, SEWG has drafted **the Regional Spectrum Agreement (RSA)** that promotes a harmonized usage of second digital dividend and implementation of IMT technology in 3.4-3.6GHz and 3.6-3.8GHz frequency ranges in EaP region. This document envisages a

¹ Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine

² Austria, Croatia, Czech Republic, Germany, Hungary, Latvia, Lithuania, Poland, Portugal, Romania, Spain, Sweden, currently act as Advisors in EaPeReg – the scheme is open for the rest of the EU member states.

³ North Macedonia - currently acts as Advisor in EaPeReg – the scheme is open for the rest of the WB countries

⁴ <https://eufordigital.eu/>

coordinated usage of land mobile networks in the region based on the ITU, CEPT and EC recommendations. The signing of RSA is preliminarily envisioned for December 2020.

There are some major steps and stream actions already outlined by SEWG to focus on further, such as extension of European 5G corridors towards Eastern partnership countries, technical framework on improvement and control of IMT networks, emission control issues and cross border coordination to ensure symmetrical, non-discriminable usage of radio spectrum.

IRB EWG's main targets are to strengthen the independence of NRAs in EaP countries and to ensure a proper background for the development of the secure and very high capacity Gigabit broadband infrastructure in the EaP region.

Consequently, the IRB EWG has adopted **the Methodology for the Assessment of the independence of NRAs for the EaP countries** - an instrument, created for the Eastern partner countries under the EU4Digital program, to establish an independent national regulatory authority (NRA) for electronic communications where such body is not in place, or to assess the independence of the existing NRAs, which will serve as guidelines for a self-assessment of the independence of the NRA every time such an evaluation is needed.

Recognizing the global changes and vitality of enhanced broadband infrastructure for countries, the IRB EWG launched a **study on broadband mapping** that will help the EaP countries to assess the already existing infrastructure and the potential of its development, as well as the investments in new, secure and very high capacity Gigabit broadband infrastructure in the region. As a model, EaP countries will also rely on EU best practices on building their national broadband mapping.

Based on the results of the study on broadband mapping, EaPeReg is planning to organize a multi-country Workshop aimed at sharing knowledge, experiences and solutions for building a broadband infrastructure and services map. During the 3-day workshop, foreseen to be held by the end of 2020, the EaP countries experts, in cooperation with the experts from EU member states, will develop their own example of the instrument (a pilot map), using open source applications and data in the technical format available in each EaP country. The workshop will give the participants the opportunity to make several simulations and see live demonstrations of such an instrument, necessary to promote infrastructure investment (key for closing gaps in digital divide), competition and innovation.

Considering the similitude between EaPeReg's broadband initiatives and ITU's project on "*Supporting investment opportunities mapping system in Broadband Infrastructure for South Eastern Europe*", EaPeReg undertakes the cooperation with ITU for the successful results of its project that addresses three EaP countries (Georgia, Moldova and Ukraine).

Taking into account EaPeReg's mandate in the EaP region (i.e. the alignment of the EaP legislative framework and practices with the EU's), EaPeReg is closely cooperating with BEREC and sharing its practices with EMERG.

Recognizing the essential role of ICT and digital sectors, and that digitalization can play a fundamental role in mitigating the effects of the pandemic, it is important that policy makers, regulators and all stakeholders involved take action to improve the performance of certain components of the digital ecosystem, but most importantly enable and support emergency communications, connectivity sustainability and the deployment of infrastructure in urban and rural areas.

Considering that as a result of the lockdown generated by the pandemic of COVID-19, vulnerable people have become even more vulnerable, the NRAs jointly with all stakeholders involved are to make progress in accelerating the deployment of broadband networks, ensuring their resilience and providing **access for all consumers**. In this regard it is vital to facilitate the assignment of the digital dividend in the spectrum

bands (700/800 MHz) in order to address the digital divide as these bands are considered the fastest and most affordable method to provide broadband services.

Consequently, the regulatory measures and joint actions of all the stakeholders are crucial for the continued provision of vital services.

With reference to the continued provision of services, the NRAs should have the appropriate powers and independence to take regulatory measures in order to allow the proper functioning of the electronic communications markets in the region and:

- Execute their tasks competently and in a timely manner by exercising their powers impartially and transparently,
- Enforce the regulation and issue binding decisions, in order to ensure that the undertakings are bound to follow the requirements of the legislative framework,
- Ensure productive cooperation between the state authorities, stakeholders and cross-sector, in some cases through the consultation process, where it is mandatory to receive input from other national authorities,
- Possess adequate financial and human resources to implement their functions competently and in a timely manner,
- Facilitate sharing of relevant information and expertise, in order to find effective solutions to emerging problems by learning from international experiences and best practice, thus recognizing the importance of international cooperation and common actions in meeting new challenges in the future.

The EaPeReg's main priority is to have NRAs with the necessary regulatory powers to allow the proper functioning of the electronic communications markets in the partner countries, able to make progress in the extension of secure and very high capacity Gigabit broadband infrastructures, particularly in remote or less densely populated areas, and to foster its use. At the same time, the NRAs are to take measures to ensure that services are available at affordable prices to maximise the impact for the EaP population.

Hence, EaPeReg welcomes the initiative of adopting the best practice guidelines at the GRS 2020. The guidelines should address the topics such as consumer protection and meeting their needs, promotion of implementing innovation in electronic communication markets to bridge the "digital divide", in a manner that will stimulate administrations to adopt them and thus make the necessary changes faster and efficiently.

There were many valuable initiatives to maintain connectivity and share information on measures and solutions taken on national, regional and international level during the pandemic. One example is BEREC with its practices, including the precautionary measures taken during the lockdown (e.g. monitoring the traffic during the lockdown) that proved to be very efficient on the EU level and should be also included in the guidelines. Another one is REG4COVID - an ITU platform for exchange of best practices and initiatives to find effective solutions during the pandemic.