

	<p>FORUM ON TELECOMMUNICATION/ICT REGULATION AND PARTNERSHIP IN AFRICA (FTRA-2008)</p> <p>"Connect Africa : Challenges for the Regulators and the Operators "</p> <p>4-6 June 2008, Hotel Le Méridien Président, Dakar, Senegal,</p>	
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Final Communiqué

The ninth Forum on Telecommunication/ICT Regulation and Partnership in Africa (FTRA-2008) was held in Dakar, Senegal from 4 to 6 June 2008. The Forum was attended by over 180 delegates from 43 countries. Participants included regulators, policy makers and ITU-D Sector members as well as representatives of regional and international organizations.

The Forum was officially opened by His Excellency Mr. Habib Sy, State Minister and Minister for Infrastructures, Land Transport, Telecommunications and ICT of Senegal. In his opening speech, he thanked ITU for the respect shown to Senegal by organizing the Forum in Dakar. He mentioned the importance that His Excellency Mr. Abdoulaye WADE, President of the Republic of Senegal, initiator of the Digital Solidarity Funds, and Coordinator of the ICT sector of NEPAD, places on ICT and continues inviting players of telecommunications and ICT sector to a dynamism and a synergy for the benefit of a modern and successful Africa, perfectly integrated in the information society. He further mentioned initiatives of Senegal at the President's behest such as e-Senegal, accelerated growth Strategy, Community multi-media Centres, Cyber village to mention few. He concluded by emphasizing the importance of ICT regulatory framework while indicating that it should be used as catalyst to encourage our fellow-citizens to be part of the ICT world.

In his introductory note, Mr. Yury Grin, Deputy Director of the Telecommunication Development Bureau (ITU/BDT), after presenting the apologies of Mr. Sami Al Basheer Al Morshid, Director of BDT who could not attend for reasons beyond his control, thanked the Government and the people of Senegal for their hospitality and in particular the ARTP and the whole Organizing Committee. Mr. Grin sets the holding of the Forum within the context of the Kigali Summit on "Connect Africa" where President Wade clearly stated in his speech that he had come to the Summit because he considered it as a Summit for action. He then wished that this statement of President Wade guides the Forum deliberations which will have to go beyond the general principles that everybody knows to result in concrete resolutions and achievable recommendations to guide the action of the African Officials of the Telecommunications/ICT sector. He concluded by emphasizing the ITU catalytic role and its availability to continue supporting African countries.

Mr. Daniel G Seck, Director General of ARTP, Dr. Jones Killimbe, Chairman of the African Regional Working Party on the private sector issues, Mrs. Peris Nkonge, Outgoing Chairperson of the African Telecommunication Regulators' Network (ATRN) and Mr. Akossi Akossi, Secretary General of the African Telecommunication Union (ATU) delivered opening remarks to the attention of participants after having thanked the Government and the People of Senegal for the brotherly welcome and hospitality extended to the participants of the Forum.

Election of the bureau and adoption of the agenda

Mr. Daniel G. Seck, Director General of ARTP was appointed Chairman of the Forum and of the ATRN. The secretariat was assumed by the ITU with the support of ARTP. The agenda was approved without modification.

Highlight of Sessions

The theme of the FTRA-2008 was as follows: "**Connect Africa: Challenges for the Regulators and the Operators**". A working document compiled from the 1st chapter of trends in the telecommunication and ICT sector reforms, Indicators of telecommunications/ICT for Africa for 2008 and the introductory report on the regulatory environment of the Kigali Summit was issued by ITU/BDT for the purpose of the Forum. Some panellists illustrated their remarks with slides. The working documents and the presentations are posted on the following address: <http://www.itu.int/ITU-D/afr>.

The first session was designed to frame the debate beginning with a presentation on the trends in telecommunications/ICT networks and services evolution in the world. The presentation highlighted the great potential for Africa's development and noted the three following characteristics of the evolution of the sector: the emergence of the mobile Internet, the profitability and the sustainability of monetization of Internet, and the industrial engineering of the sector by the consolidation of South-South partnerships. The second presentation, after giving briefly the background of the evolution of the telecommunication regional infrastructure, gave an overview on the main outcomes of the Kigali Summit and brought out some thoughts on the implementation of the Connect Africa initiative. During the discussions the participants noted that the African private sector does not have access to the international financial market and that it is necessary to think over the ways and means to boost the African private sector so that it can become competitive in order to have access to financial markets. Particular attention should be paid to the development of the micro, small and medium enterprises.

The second session looked into the issue of the "Financing Public/Private Partnership Mechanisms and opportunities". The panellists gave an overview of the financing opportunities at regional level. Mid-Atlantic Broadband Cooperative presented a model of wireless network in the rural area of Virginia in the USA, showing how a modern broadband network can be used in a poorly served rural area by resorting to a combination of solution using physical and wireless supports. Mention was also made of perceptions and motivations of the public/private and private/private sectors partnerships between non-African companies and those located in Africa. It appears that some ICT companies choose to invest in Africa because they are considering, more and more, that African Regulators and Governments have improved the business environment while others are still hesitating to invest in Africa because they continue to consider that the policy and regulatory framework is still too risky to start business. Some successful criteria of partnership between an African company and its counterpart outside Africa were evoked. The interest of harmonized legal and regulatory framework that guarantees technology-neutral framework, independence and transparency of regulatory authorities within the framework of Regional Economic Communities such as ECOWAS was reaffirmed.

The third session on the "Best practices on infrastructure Public/Private Partnerships", made it possible to exchange on regional practices, in particular on those of Kenya and Sudan and recommended the strengthening of the public and private sectors partnership for the building of broadband infrastructures (optical fibres, wireless broadband, etc.) in order to promote access, at affordable costs, to diversified services, in particular Internet and IP telephony (VoIP).

During **the fourth session** dedicated to the "Round table on Public/Private Partnership mechanism and financing to support Connect Africa initiative", the panellists who came from African financial institutions informed participants of the Forum of the various possibilities available for the public sector and the private sector to finance telecommunication/ICT projects. The other panellists emphasized on the need to harmonize regulatory frameworks at regional level and the need to clearly define the role of each player.

The fifth session relating to "ITU Sector Membership and opportunities" made it possible to present a general survey of ITU, the various categories of Sector Members and the related mutual advantages. It was noted that Africa region is underrepresented among Sector Members, and that a strategy should be developed in order to increase the participation ratio of the African countries to the activities of the three ITU Sectors. Particular emphasis was put on such partnership opportunities with the ITU as well as on the admission requirements and the financial contributions of the ITU Sector Members. It was recommended that policy makers (Ministries and Regulatory Agencies) from African countries should elaborate a strategy so that the various Operators and Telecommunication/ICT service providers become Sector Members of ITU.

The sixth session relating to "Trends on telecom/ICT Regulatory Reforms in the world" brought out the two underlying waves of reforms behind trends: the first wave of reforms having led to the liberalization and setting up of regulatory bodies and the second wave under progress which takes into account technological neutrality, liberalization of international Gateways and the convergence of networks and services. Basic questions related to regulation were raised such as harmonization of the regulation at the regional level, the scarce resources management, and regulation within the context of Connect Africa. The panellists broached some aspects of their experiences as regards to regulatory reforms. The liberalization process in Ireland started in 1996 which generated competition and allowed a rapid growth of the broadband market to 46% per year and an increase in the number of subscribers to the high speed connectivity thanks to the frequency spectrum management policy. The status of ICT in Senegal and in some countries of the region was presented as well as a comparison with Europe. Constraints related to the management of frequency spectrum as well as to the migration at 2015 horizon were mentioned. A presentation on the regulatory status of VoIP in the world was made. It was noted that information is not available to draw up a comprehensive chart of the situation in Africa. The outstanding questions are those related to the issue of the consumer protection, the issue of emergency numbers, the autonomy of the regulator and the control tools at the disposal of the regulator. Participants supplemented the presentations by recalling the asymmetrical regulation which allows the new comer to be able to settle in the market. They also brought up the issue of interconnection between operators.

The seventh session focussed on "Connect Africa objective 3: Regulatory Requirements for Building Regional Backbone Infrastructure". Presentations were made on the experiences of CRASA (Communications Regulators' Association of Southern Africa) and of the West African Economic and Monetary Union (WAEMU/UEMOA). The Commission of African Union (AU) informed the Forum of its approach for a harmonious development of infrastructures in general and of telecom/ICTs in particular, on the continent, the specific objectives of which are structured around the implementation of the Connect Africa initiative and the bridging of the digital divide. The experience of India as regards migration towards NGN and regulatory challenges resulting from it were mentioned.

The eighth session dealt with "Regulatory Requirements for Universal Access". This session was introduced with the experiences of Nigeria and Ethiopia. Discussions stigmatized the non-utilization of Universal Service Funds. Several frameworks for the universal service implementation were brought up, in particular the possibility for the operators to invest directly rather than contributing to the Universal Service Funds, the need to extend contribution to the Universal Service Funds to all the players beyond the fixed and mobile operators. It was also mentioned the possibility to expand the field of intervention of the Universal Service Funds to other sectors of public utility such as ICT infrastructures for e-education, e-research and e-health.

The ninth session dedicated to the "Round Table on Regulatory Requirements to Support Connect Africa Initiative " made it possible to exchange views on the enabling regulatory environment for the implementation of the Connect Africa initiative, on sharing of infrastructure and other resources, on the need to consider vocational training, education and research as segments of universal service, on the need to make the "Connect Africa" vision a reality, and the will and commitment of the political authorities and other Telecom/ICT players, including the private sector. It was recommended to:

- encourage building of broadband infrastructure by setting up in African countries regulatory frameworks and conducive environment (flexibility of the tax system, liberalization of gateways, etc.) for the required investments for the "Connect Africa initiative";
- Define the methods of using the Universal Service Funds in order to boost or catalyse investments in broadband infrastructures, including the creation of a national backbone;
- Revise the African Green Book or manual clearly defining the key roles of the various actors, that is, the Ministries, the Regulation bodies, the Operators and Telecommunications/ICT service providers in the new environment characterized by convergence.

The tenth session dealt with "the establishment of African telecommunication and ICT Regulators Assembly". After the presentation of the report of the ad hoc Group on the issue, which met in Abidjan on 3rd and 4th December 2007, CRASA recalled the position of the SADC (Southern African Development Community) Member States which had been introduced in Yaoundé in 2005 and Nairobi in 2006. In their interventions at the time of the debates, the regulators and associations of regulators raised the following points:

- any structure to set up should not cause unreasonable financial burden for the national regulation Agencies (ANR);
- the strengthening of sub-regional associations regulators is a necessity and the structure to set up will have to take that into account;
- some regulators think that it is premature to create a continental Regulators Assembly while others think it is necessary to move forward with the transitory structure of the starting period suggested in the ad hoc Group report;
- As regard to hosting the transitory structure some indicated their preference for joining UAT, others the national regulatory Agency that would volunteer to bear the costs. Interventions also called upon the Commission of African Union (UA) to support the transitory structure, including at the financial level;
- Some regulators suggested that ARTP of Senegal be the host of the secretariat of the structure during the start up time;

- ARTP expressed its readiness to host the secretariat of the structure during the start up period if the Forum chose this approach.

Following discussions, the Forum decided:

- to start the process of creating an African telecommunications and ICT Regulators Assembly by the suggested structure during the start up period (first phase) where the secretariat will be hosted by a national regulation authority on a voluntary basis;
- to welcome the proposal of ARTP of Senegal to be the national regulation authority hosting the secretariat on a voluntary basis;
- The ARTP of Senegal will work with the African union, the current Coordinating committee of the ATRN, and will submit a report to the next session of the FTRA in 2009 for the purpose of starting the second phase on the basis of the action plan suggested by the Ad hoc Group.

The session eleven focussing on the “Conclusion and the way forward” dealt with the following.

a) Outcomes of the FTRA - 2008

Considering the time constraints, the conclusions and the recommendations of the FTRA have been presented orally to the participants. The copy of the final communiqué will be available on the ITU Web site for comments.

b) Potential themes for FTRA-2009

Participants of the Forum expressed their preferences for communication in rural area, the Universal Service Funds, VoIP, NGN and convergence with a majority in favour of access, service and Universal Service Funds. ITU will undertake further consultations and will make a proposal of a theme in close collaboration with the Coordination Committee of ATRN.

c) Venue and date of the FTRA–2009

At the kind invitation of the Communication Authority of Zambia (CAZ), the tenth FTRA (FTRA-2009) will take place in Lusaka (Zambia) in 2009.

The new Coordination Committee is thus made of Senegal (Current Chairman), Kenya (outgoing Chairman) and Zambia (Upcoming Chairman at the next session).

With regard to dates, ITU will make proposals following further consultation with the Coordination Committee and consideration of calendar constraints of the host country and other events scheduled for 2009 such as the Regional Preparatory Meeting for Africa to the WTDC–10.

d) Any Other Business

The Forum accepted and heard a presentation on ictNetSim and the ICT challenges.

Recommendations

Exchanges during the various sessions led to the following recommendations to support the Connect Africa initiative:

- Strengthen the African private sector, in particular micro, small and medium enterprises in order to give them the means of entering the international financial market;
- Encourage infrastructures sharing on a commercial basis with the objective to lower the cost of infrastructure, including local loop unbundling;
- Use judiciously the Universal Service Funds for the rural and isolated areas as well as the national backbone. The Universal Service Funds could be also used to build the ICT infrastructure for the education and research networks, in

particular the network of universities and the networks of health. The funds could also be used to subsidize the cost of the bandwidth in some cases;

- Harmonize regulations at the sub-regional and regional levels in order to create critical mass of market;
- Revise the Green Book or manual, clearly define the key roles of the various players, including, the Ministries, the Regulation bodies and the Operators, Telecommunication/ICT service providers in the new environment characterized by convergence;
- Call upon Policy makers (Ministries and Regulation Agencies) of the African countries to develop a strategy so that the various Operators and Telecommunications/ICT service providers become ITU Sector Members.

Closing session

Participants thanked Senegal and the ARTP for the hospitality, the good organization of the Forum and the excellent facilities made available to them.

The President of the FTRA and the Regional Representative of the ITU closed the meeting and thanked participants for their active participation.
