

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

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**REFERENCE FRAMEWORK FOR
HARMONIZATION OF
TELECOMMUNICATION AND ICT POLICIES
AND REGULATION IN AFRICA**

Meeting on HSSPA Organized by ITU

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INTRODUCTION

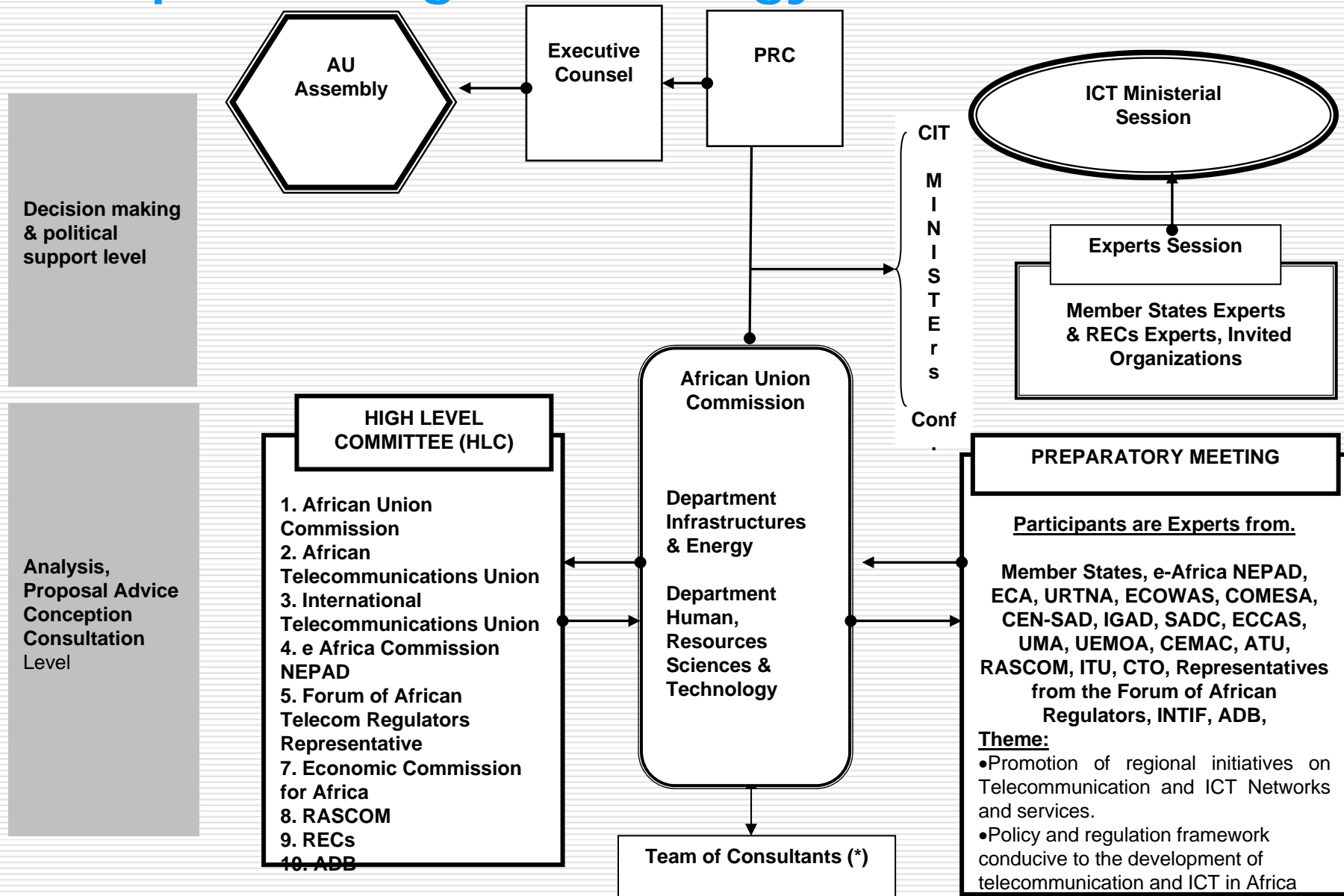
1. Justification of the study

Study undertaken by the African Union:

- In line with his Strategic Plan of Action for the regional integration: Contribute and promote the development of infrastructures Harmonize sectorial policies (energy, transport, Telecom/ICT);
- Regarding many recommendations of African stakeholders of the Telecom/ICT sector and regional/international foras;
- Some African Stakeholders and partners of the Telecom/ICT Sector have expressed the need to have continental vision and policy framework to guide their action;
- A way to contribute in addressing challenges of the Telecom/ICT Sector

INTRODUCTION

2. Implementing Methodology



Background: Status of Africa Telecom ICT Sector

I: Network & services

1.1 Disparity between Africa and others Continents

- ✓ Differences in broadband and Internet services continue to widen
- ✓ Africa the least developed

Background: Status of Africa Telecom ICT Sector

I. Network & services

1.1 Disparity between Africa and others Continents

- ✓ Differences in broadband and Internet services continue to widen
- ✓ Africa the least developed

1.2. Disparity within regions

Southern Africa (10 States, 13.9% of continent pop.)

- Weight : 20.3% fixed lines; 23.96% mobiles and 21.4% of Internet users of the continent

East Africa (13 States, 28.7% of the continent popu.)

- Weight : 9.1% fixed lines; 11.4% mobiles and 3.1% of Internet users of the continent

Central Africa (9 States, 11.2% of continent pop.)

- Weight: 0.9% fixed lines; 4.7% mobiles and 1.9% of Internet users of the continent

West Africa (16 States, 29% of Continent popul)

- Weight: 11% fixed lines; 27% mobiles and 23% of Internet users of the continent

Northern Africa region + Morocco (7 States; 17,27% of Continent popu.)

- Weight: 58.5% fixed lines; 32.8% mobiles and 35% of Internet users of the continent

Background: Status of Africa Telecom ICT Sector

II. Regional and continental initiatives on Telecom/ICT Infrastructure

- Initiatives of the Regional Economic Communities (RECs)
- Initiatives under the aegis of ATU, ITU
- Initiatives coordinated by UNECA
- Initiatives coordinated by the African Union Commission
- NEPAD Programme
- Initiatives from International partners: World bank, European Union, etc
- Private initiatives

Background: Status of Africa Telecom ICT Sector

III. Policy and Regulatory Reform

3.1 Reforms at Countries Level

- Separation of policy, regulatory and operations functions and the creation of regulatory agencies;
 - ✓ Liberalization
 - ✓ Competition amongst network operators and service providers
 - ✓ Granting of a second fixed line license
 - ✓ Privatisation
- Formulation of National Information and Communication Infrastructure Plan (NICI-Plan)
- Universal access strategy..

Background: Status of Africa Telecom ICT Sector

III. Policy and Regulatory Reform

3.2 Reforms at RECs and continental Level

- Regional associations /Network of regulatory institutions
 - ✓ CRASA(SADC Countries), WATRA (ECOWAS Countries); ARICEA (COMESA Countries);
 - ✓ EARPTO, FRATEL, ARTEC
 - ✓ ATRN, Arab Network, AFUR
- Enables sharing of experience and emerging challenges
- Promote the sustainable development of the markets and new technologies on a global basis

Background: Status of Africa Telecom ICT Sector

III. Policy and Regulatory Reform

3.2.Reforms at RECs and continental Level

Regulatory Association/ Organization		
Name of Regulatory Association/ Organization	Region/ Sub-Region	Year of Establishment
Communications Regulators Association of Southern Africa (CRASA) former (Telecommunications Regulators Association of Southern Africa: TRASA) (SADC)		1997
Telecommunications Regulators' Association (WATRA) (ECOWAS)		2002
Association of Regulators for Information and Communication Services of Eastern and Southern (ARICEA) (COMESA)	Eastern & Southern	2003
East African Regulatory Post and Telecommunications Organization (EARPTO) (EAC)	Eastern Africa	2000
Réseau Francophone de la Régulation des Télécommunications (FRATEL)	Francophon e Countries	2003
Association des Régulateurs de Télécommunications de l'Afrique Centrale (ARTAC) ECCAS		2004
African Telecommunication Regulators Network (ATRN)		2003
Arab Network for Regulatory Commissions of Telecommunications and Information Technology Sector	Arab Countries	2003
Forum for Utility Regulation (AFUR)		2002

Background: Status of Africa Telecom ICT Sector

IV. Reasons for disparity between regions/countries

- Inadequate political will to develop ICT Policies
- legislative framework on paper but not in practice
- lack of awareness by policy makers/legislators of impact of ICT policy on market development
- Absence of clear strategic vision/framework;
- Capacity constraints to support policy formulation
Inadequate legal structure - not conducive for ICT
- Conflicting mandate/overlap of regulatory bodies
- Insufficient Investment - foreign exchange restrictions, high Tax levies and import duties);

Background: Status of Africa Telecom ICT Sector

IV. Reasons for disparity between regions/countries

- Small market size of many African countries ;
- Concentration of infrastructure in urban areas;
- Absence of convergence policy framework on ICT
- Lack of strategies on e-Commerce
- Inefficient spectrum utilisation
- Inadequate efforts on harmonization of policies and regulations at regional and continental levels;
- Unavailability of Reliable Statistics;
- Lack of an established mechanism for countries to share information and experiences;
- Weak Regional Cooperation/Coordination

Background: Status of Africa Telecom ICT Sector

V. Challenges by priority area to be addressed

PRIORITIES AREAS	CHALLENGES
Establishing Enabling Environments	<ol style="list-style-type: none"> 1. Level playing field for business/Regional telecommunication/ICT market 2. Enabling Telecommunication/ICT policy and regulatory frameworks 3. Innovative universal access policy 4. Integrative e-strategies 5. Relevant and valuable Telecommunication/ICT applications, services and content 6. Integration in the information society and exercise of citizenship rights 7. Management of scarce resources: frequencies, numbers right-of-way 8. Security and reliability 9. Convergence licensing
Technological Convergence and Inter Operability	<ol style="list-style-type: none"> 1. Convergence 2. Standardization 3. Interoperability
Building Broadband Infrastructures and Reinforcement of the African Internet Network	<ol style="list-style-type: none"> 1. Broadband Infrastructures 2. Reinforcement of the African Internet Network 3. Technology neutrality and sustainability

Background: Status of Africa Telecom ICT Sector

V. Challenges by priority area to be addressed

PRIORITIES AREAS	CHALLENGES
Capacity Building	<ol style="list-style-type: none"> 1. Training Institutions 2. Increasing the pool of available Telecom/ICT skills 3. Training a broader base of Telecom/ICT professionals 4. Encourage the deployment and utilization of Telecom/ICT across all socio-economic sectors in : especially: encouraging girls and women to use Telecom/ICT, encouraging the use of Telecom/ICT to increase access to lifelong learning 5. Increasing research and development capacity 6. Increasing financing levels for Telecom/ICT related capacity building
Mobilization and Efficient use of Financial Resources	<ol style="list-style-type: none"> 1. Developing universal access/service fund mechanisms 2. Developing cooperation, multi-stakeholder partnerships and seed financing 3. Improving coordination of Telecom/ICT initiatives and projects 4. Developing domestic finance and promoting foreign direct investment
Industrialization and Research and Development	<ol style="list-style-type: none"> 1. Encourage developing software and hardware in 2. Encourage R&D and industrialization of African ICT systems

Background: Status of Africa Telecom ICT Sector

VI. Effort deployed from all side to address the Challenges

To address the challenges of Telecommunications/ICT sector development, key activities are undertaken by Africa's major stakeholders.

6.1. Members states:

▪ Under the responsibility of Governments:

- ✓ Establishment of regulatory organs;
- ✓ Formulation of National Information and Communication Infrastructure Plans (NICI-Plan) and e-strategies ;
- ✓ development and implementation of ICT application projects ;
- ✓ Gradual opening up of ICT markets to competition.

▪ By Governments and particularly Operators and Services Providers:

- ✓ Development of national and international networks and implementing new technologies
- ✓ Development of services

Background: Status of Africa Telecom ICT Sector

VI. Effort deployed from all side to address the Challenges

6.2. At Regional level

RECs and Inter-Governmental Organizations (IGOs) are deploying efforts towards:

- ✓ Harmonization of Telecom/ICT sector policies and creation of Regional Regulatory Associations ;
- ✓ Formulation of integrated Telecomm/ICT regional programs and projects ;

6.3. At continental level

- ✓ Broadband infrastructure and RASCOM projects
- ✓ Creation of African Telecom Regulator's Network (ATRN);
- ✓ Establishment of the African Association of Internet Service Providers (AfriSPA) and AfriNIC for the management of Domain Names;

Background: Status of Africa Telecom ICT Sector

VI. Effort deployed from all side to address the Challenges

6.2. Contribution of specialized Agencies & Development Partners

- Contribution of the African Telecommunications Union;
- Contribution of the International Telecommunication Union;
- Contribution of the United Nations Economic Commission for Africa.
- Contribution of the World Bank;
- The World Summit on the Information Society and African Regional Action Plan on the Knowledge Economy (ARAPKE)
- Donors' Initiatives and major partnership: Infrastructure Consortium for Africa (ICA); Europe-Africa Infrastructure Partnership; AU-Japan Partnership (TICAD), AU-United Nations Partnership, AU-South American States Partnership, AU-China Partnership, AU-India Partnership.

Background: Status of Africa Telecom ICT Sector

VI. Effort deployed from all side to address the Challenges

6.3. Contribution of the African Union

- The establishment of the African Union (AU) was accompanied by the elaboration by the AU Commission of a Strategic Plan 2004 – 2007 to guide its actions towards the ultimate goal pursued by the African Union, which is the regional integration. The vision of the African Union is to « Build an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena ».
- The vision of a united and integrated Africa will inevitably take time to realize. That is why one of the priority strategic objectives pursued by the African Union is to « *Develop integration infrastructure* ».
- The following specific objectives were retained under the strategic objective “Develop Integration Infrastructure” in its strategic Plan 2004-2007:

Background: Status of Africa Telecom ICT Sector

VI. Effort deployed from all side to address the Challenges

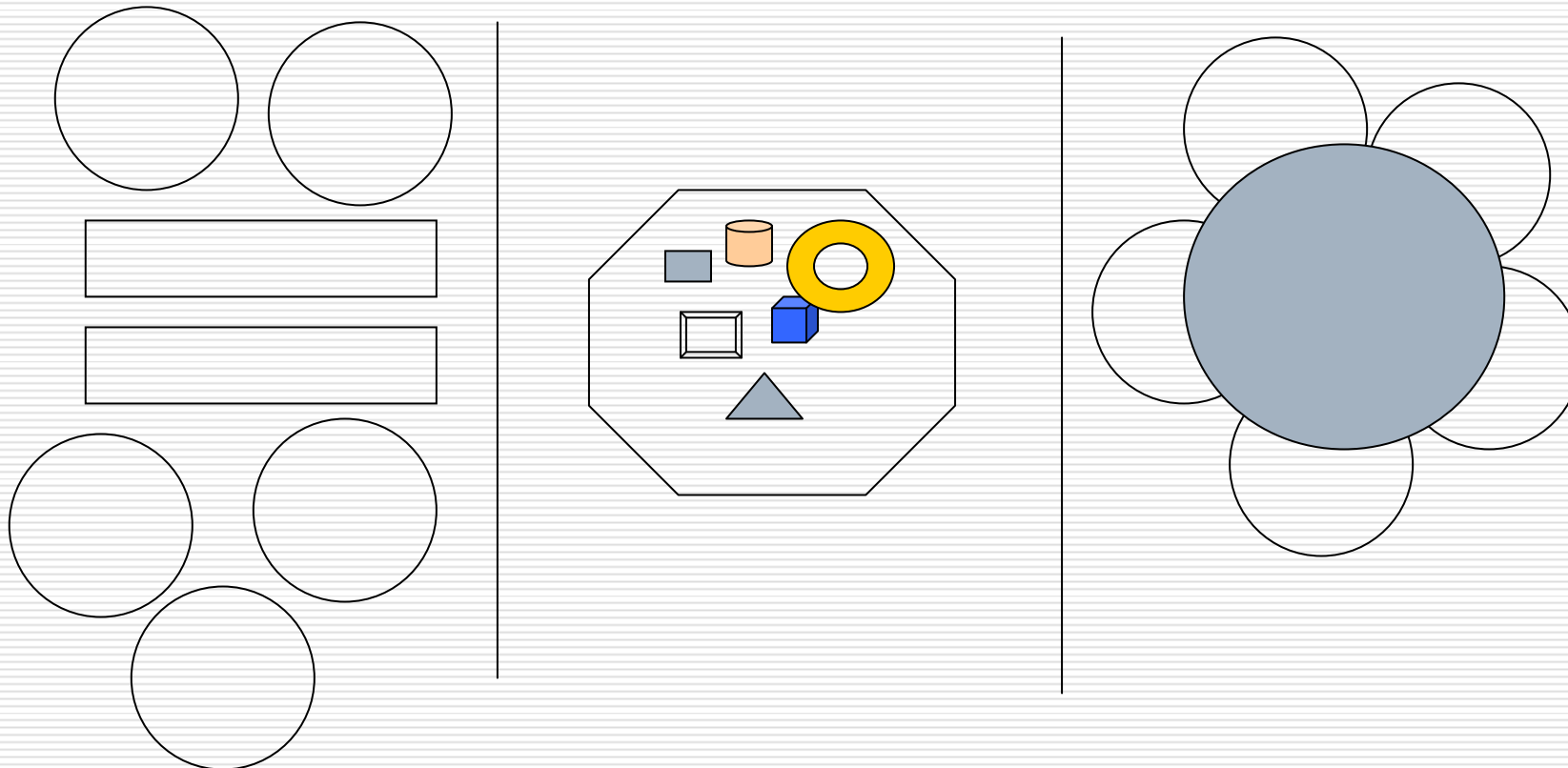
6.3. Contribution of the African Union (Cont.)

- Establish integrated transport, energy and telecommunications infrastructure systems that are reliable, efficient and affordable;
- Carry out all the necessary actions for the harmonization of policies, strategies and regulation (transport and tourism, energy, telecommunications and postal services).

The following actions are the major on going contributions of the African Union to the development of Telecommunications and ICT sector:

- The AU/NEPAD programme : Africa Union's response to infrastructure development.
- Elaboration of Master Plan;
- Implementation of concrete projects: Creation of Pan African e-Network, Unified Numbering Project, Creation of Pan African TV and Radio Channel.

The reference framework



The reference framework

I. Guiding Principles for Reference framework

- Solidarity between African Member States and peoples;
- Cooperation between the AUC, RECs; and other African organizations;
- Partnerships between and amongst African peoples;
- Link to PRSP, MDGs and other continental development goals, such as ARAPKE;
- Goals of Connect Africa Summit (Kigali, Oct 2007)
- Principles of the WSIS);
- Finance viability, technical feasibility and political acceptability;

The reference framework

2. Broad Objectives

- **Establish harmonized policy, legal and regulatory frameworks** at the regional and continental levels to create an enabling environment that will attract investment and foster the sustainable development of competitive African Telecom/ICT regional markets, infrastructures, and to increase access;
- **Develop integrated infrastructures and access networks as** the cornerstone of the e-access, with efficient cross-border interconnectivity to provide increased access to Telecom/ICT services for the greatest number of populations in Africa, including the improvement of connectivity of the African continent with the other continents.
- Support the development of **industrialization** and research on sciences and technology related to Telecom/ICT.

The reference framework

2. Broad Objectives (cont.)

- Develop African human resource and increase awareness to ensure active participation of Africa in the global information and knowledge-based economy;
- relevant and valuable applications to encourage the deployment and utilization of Telecommunication/ICT across all socio-economic sectors in Africa in order to improve efficiency and productivity;
- Promote and develop African content to increase global presence of African values, cultures, languages and indigenous knowledge;
- Mobilize financial resources by strengthening regional cooperation and multi stakeholder partnerships and promotion of public and private partnerships.

The reference framework

3. Strategies to achieve Objectives

1. Establishment of harmonized policy and regulatory framework

- Engage highest level authorities to enhance political will
- Develop harmonized regional and continental e-strategies.
- Develop regulatory guidelines at regional and continental levels.
- Establish mechanisms to strengthen stakeholder participation in the harmonization process

2. Support to Industrialization, Research & Development

- Encourage developed software and hardware in Africa; .
- Encourage research & development and industrialization of African to develop Telecommunication/ICT systems.
- Establish regional common research centres.

The reference framework

3. Strategies to achieve Objectives (Cont.)

4. Development of Integrated Infrastructures and Access Networks

- Promote regional and intra-continental connectivity.
- Promote open access to infrastructure
- Promote infrastructure sharing.
- Promote digital broadcast infrastructures/networks.
- Promote infrastructure/networks convergence, in particular migration to IP/NGN networks;
- Promote appropriate and innovative technologies that can improve universal access/service and affordability.
- Implement technologies/networks that complies to internationally accepted and widely spread standards, taking into account regional interconnectivity and interoperability.
- Promote African participation in the development of standards at the regional and international levels.

The reference framework

3. Strategies to achieve Objectives (Cont.)

4. Development of Human Resources and Increase of Awareness

- Promote attitudinal change and confidence for the adoption of Telecom/ICT in the economy as a mode of life.
- Increase Telecom/ICT awareness among political leaders and policy makers at the highest level.
- Increase the pool of African professionals in all areas of Telecom/ICT competencies; encourage their mobility and their retention within Africa.
- Develop mass e-literacy and promote wide usage of Telecom/ICT.
- Establish and develop centres of excellence and Telecom/ICT research institutions, and promote effective cooperation among them,
- Establish and develop institutions for capacity building for Telecom/ICT at various levels, particularly for regulators and policy makers.

The reference framework

3. Strategies to achieve Objectives (Cont.)

5. Development of Telecommunication/ICT applications

- Encourage the deployment and utilization of Telecom/ICT across all socio-economic sectors; with focus on priority areas : e-Government, e-Education. e-Commerce, e-Health, e-Culture.
- Build confidence in the development and use of Telecom/ICT applications, taking into consideration better management of the cyberspace, from the producer as well as from the consumer point of view.
- Promote the development and use of open source software, and build applications on such platforms.

The reference framework

3. Strategies to achieve Objectives (Cont.)

6. Development of African Content

- Preserve the African heritage in digital format, and its relevant Intellectual property rights.
- Encourage the creation of African content in diverse languages.
- Promote global presence of the African heritage, cultures, and indigenous knowledge;

The reference framework

3. Strategies to achieve Objectives (Cont.)

7. Mobilization of Financial Resources

- Raise political awareness to consider Telecom/ICT as a priority sector in social economic development.
- Allocate public resources for Telecom/ICT development.
- Promote public private partnerships and other multi-stakeholders partnerships.
- Create incentives for foreign investments and coordinate its usage,
- Promote the development of domestic finance by providing support to local entrepreneurs and investors.
- Develop innovative approaches for the creation and management of universal access/service funds.
- Increase awareness, mobilization, coordination and efficiency on regional, continental and international initiatives and projects of Telecom/ICT development

The reference framework

4 Priority programme

National level
1. Formulation, adoption and implementation of national Telecom/ICT policies taking into account inputs from stakeholders (including consumers);
2. Creating an enabling environment taking into account the convergence of technologies, networks and services;
3. Deployment of Telecom/ICT broadband (backbone and access) infrastructures;
4. Formulation, adoption and implementation of national e-strategies.
5. Continuation of the deployment of public Telecom/ICT access points in rural and remote areas;
6. Building Telecom/ICT skills and high-level institutions;
7. Measuring and monitoring the development of growth of Telecom/ICT industry

The reference framework

4 Priority programme

Continental level	Regional level
1. Development and adoption of policy and regulatory Guidelines.	1. Development and adoption of policy and regulatory regional Guidelines;
2. Supporting deployment of regional and continental broadband infrastructures/networks and promoting their interconnection;	2. Promoting interconnection of national networks;
3. Promoting development and interconnection of governmental Telecom/ICT networks;	3. Initiating and supporting fora for sharing of knowledge, resources and experience among Telecom/ICT -development stakeholders;
4. Initiating and supporting fora for sharing of knowledge, resources and experience among Telecom/ICT development stakeholders;	4. Providing expertise to Governments aimed at translating Regional Policy and Regulatory Guidelines into national frameworks.
5. Providing expertise to RECs/Governments aimed at translating continental Policy and Regulatory Guidelines into regional/national frameworks.	5. Measuring and monitoring the development of growth of Telecom/ICT industry
6. Measuring and monitoring the development of growth of Telecom/ICT industry.	

The reference framework

5. Studies identified

Field of Study	Study	Deliverables
A. Policy Guidelines	<ul style="list-style-type: none"> ▪ Develop model of policy guidelines for the continent on: <ul style="list-style-type: none"> ▪ Liberalization & Privatization. ▪ Creation of effective Regulatory Body. ▪ Competition ▪ Convergence. ▪ Universal access/service. ▪ Digital Migration. ▪ Process of Consensus building in international foras. 	<ul style="list-style-type: none"> ▪ Comparative analysis of Country and Regional Policies. ▪ Model Policy. ▪ Harmonization methodology. ▪ Consensus building mechanism. ▪ Digital migration strategy.
A. Model Legislation and Regulatory frame work	<ul style="list-style-type: none"> ▪ Develop model Telecom/ICT Bill of Law ▪ Develop model Telecom/ICT Regulations. ▪ Assess the need for a Continent-wide Regulatory Body. 	<ul style="list-style-type: none"> ▪ Comparative analysis of Countries and Regional Telecom Act. ▪ Model Telecommunication/ICT Bill. ▪ Model Regulatory Institutional structure. ▪ Model Telecom/ICT Regulations. ▪ Model License ▪ Recommendation on the creation of a continental Telecommunication/ICT Regulatory Body/Regulators Association.
A. Infrastructure Master Plan	<ul style="list-style-type: none"> ▪ Development of Telecommunication/ICT Infrastructure Master Plan 	<ul style="list-style-type: none"> ▪ Analysis of current National and Regional Telecommunication/ICT infrastructure and missing links. ▪ National Regional and Continental Master plans.
	<ul style="list-style-type: none"> ▪ Assess the existing institutional capacity ▪ Assess professional human resource capacities and skill ▪ Develop continental policy and implement strategy on capacity building. 	<ul style="list-style-type: none"> ▪ Database of existing Capacity Building Institutions and assessment of their capabilities. ▪ GAP analysis comparing the actual use of resources with the potential resources, including the expertise of the African Diaspora. ▪ Policy and Implementation Plan.
A. Mobilization of Financial resources	<ul style="list-style-type: none"> ▪ Identify potential sources of funds ▪ Establish Coordination mechanism for Pulling of resources and common projects including PPP. 	<ul style="list-style-type: none"> ▪ Mechanism for pulling of resources for common projects. ▪ Incentives for raising domestic and foreign investment.

The reference framework

6. Implementation of the Reference Framework

Steering Committee :

- RECs, NEPAD, AfDB, ATU, RASCOM, African regional/international Organizations UNECA, ITU,) and other observers as may be decided by the AUC;
- Chaired by the AU Commissioners responsible for Telecommunication/ICT.
- Ccoordination among the RECs
- Takes input from the other participants and observers.
- Submit its reports to the AUC for consideration and input for the report of the AU to the African Ministerial Conference on ICT
- Meets at least twice yearly

THANK YOU