Contribution to the October 2016 Open Consultation of the ITU CWG-Internet

March 2016

Alternative "Best Practices" for the A4AI (to be renamed Alliance for an Accessible Internet)

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Abstract

This paper provides an alternative approach to possible "Policy and Regulatory Best Practices" of the Alliance for an Affordable Internet (A4AI's) and draws heavily from a blogpost providing an extensive discussion of the A4AI.

In particular, we argue that the overall objective must to ensure access and use of the Internet by those currently not being able to achieve such access and use. Thus the issue is **universal** access and not affordable access.

In our view, the A4AI recommendations are too heavily influenced by neo-liberal dogmas and insufficiently sensitive to local conditions in which market-based solutions are not likely to be effective.

We propose changes to the A4AI recommendations to align better with the realities of conditions in developing countries.

Background

On 18 February 2016 the Council Working Group decided that Open Consultations would be convened on the following topic:

Building an enabling environment for access to the Internet

The Alliance for Affordable Internet Access has published "Policy and Regulatory Best Practices"[1]. Those policy and regulatory recommendations are heavily influenced by neo-liberal dogma and do not correspond well to the needs of many developing countries. We draw heavily from a blogpost providing an extensive discussion of the A4AI[2] to propose changes and revisions to A4AI's recommendations.

Thus we present below the elements of an enabling environment to promote Internet connectivity, and the role of governments in building an enabling environment.

A4AI Policy & Regulatory Best Practices

The Alliance for an Affordable Internet seems to be starting off from the wrong question. It would appear from other parts of the A4AI's work that the overall objective is to ensure access and use of the Internet by those currently not being able to achieve such access and use. This being the case, the defining issue of the Alliance (and including in its name) should be the rather less restrictive and stipulative Alliance for Enabling Internet Access and Use (by the currently un or under-served). (The acronym for this could of course be foreshortened to retain the A4AI while providing a rather broader and more inclusive way of identifying itself.)

Using the term 'affordable access' instead of traditional term 'universal access' in the very heading lays out the neoliberal bias of the A4AI recommendations. Universal is public policy/normative and denotes egalitarian principles of inclusion that go beyond 'affordability'. Affordable is more of a bottom-of-the-pyramid kind of business principle, replacing a long held egalitarian public policy principle with a pragmatic business (for new bottom of the pyramid markets) in the very framing of the issue is not appropriate.

Note specifically refer to the big community broadband movement in the US[3] and other developed countries which is supported by political leaders (including US President Obama). Given support in developed countries for their national community broadband movements, one would expect a similar level of support for comparable movements in developing countries where private resources are far less available than in developed countries.

~~*A4AI's advocacy efforts and on-the-ground work are guided by a set of policy and regulatory best practices that have been shown to drive down the cost of Internet access.*~~

The failure to obtain access to and use of the Internet has been found in Developed Countries to be a somewhat complex issue including matters of cost, skill, fear of technology, lack of interest; and physical (and geographical) barriers.[i] While some 60% of the world's population is not

[1] http://a4ai.org/best-practices/

[2] https://gurstein.wordpress.com/2016/03/20/a4ai-who-could-oppose-a-more-affordable-internet-the-alliance-for-an-affordable-internet-a4ai-and-the-neo-liberal-stealth-campaign-to-control-the-internet-throughout-the-developing-world-and-make/

[3] http://muninetworks.org/

currently accessing or using the Internet no comparable information concerning reasons for this would appear to be currently available.[ii] An objective of this Alliance will be to undertake research to determine the reasons for this lack of access and use including for example a determination of the role that cost of Internet access might play in this but also examining other issues such as lack of interest due to a lack of appropriate content in local languages/scripts, lack of access to electricity, lack of literacy skills and so on.

~~*These practices have all been endorsed by the Alliance's diverse membership, and are all grounded in our guiding principles:*~~

This research will draw on the expertise and experience of the Alliance's diverse membership and will inform the interventions and advice that the Alliance provides to its members and others.

- ~~***Internet freedom and the fundamental rights of , assembly, and association online must be protected***~~

Principles of human rights should apply in the provision of access to and use of the Internet and particularly to ensure that access and use are not restricted on the grounds of race, religion, gender, location or political affiliation.

Further, networks for marginalized groups should uphold net neutrality and any efforts to make a trade off between universal connectivity and full net neutrality should be rejected. In particular, zero-rating cannot be allowed.

- ~~***Access to the Internet is a significant enabler of economic growth and human development***~~

We take it as a statement of fact that access to the Internet is a significant enabler of economic growth and human development. However we also recognize that additional research documenting this relationship is necessary and we also recognize that the Internet has a broad range of other contributions to human well-being including social, cultural and political. As well there are significant potential negative consequences and costs of the Internet to those living in certain local communities and that these need to be recognized, researched and responded to. Most importantly we recognize that the benefits and costs are most acutely experienced at the local level and any assessment of benefits and costs needs to be undertaken from the perspective of the grassroots end users alongside other possible perspectives.

- ~~***Open and competitive markets are the most effective way to drive reduced delivery costs, affordable consumer pricing, and new innovations***~~

There is a role for competition in the provision of Internet access and use to the under-served and marginalized populations. However, there are equally a range of ways through which these services may be provided including state support for local infrastructure and content, locally/community owned and driven infrastructure and access provision, private sector provision and a wide range of mixed approaches. No single approach will be suitable in all instances and care will be taken to ensure that local and national requirements and resources are taken into account in any access and use provision.

~~***LIBERALIZED MARKET WITH AN OPEN, COMPETITIVE ENVIRONMENT***~~

IN CONJUNCTION WITH LOCAL OFFICIALS AND COMMUNITIES IDENTIFY FROM THE RANGE OF POSSIBLE POLICY OPTIONS WHICH IS THE MOST APPROPRIATE TO ENABLE ACCESS AND USE OF THE INTERNET FOR THE PARTICULAR LOCAL UNDER-SERVED POPULATION.

~~***Nurture healthy market competition***~~

Support the local identification of locally appropriate policy and regulatory interventions

~~*Streamlined licensing process with no legal barriers to market entry*~~

Streamline and update various licensing and regulatory processes so as to ensure the most effective and efficient activities and interventions for enabling Internet access and use by marginalized and non-accessing populations and communities.

~~*Ensure a competitive market structure, with limited or no national government ownership of end user service providers*~~

In conjunction with national authorities and representatives of local underserved communities identify the appropriate mix of publicly supported access provision, nationally regulated infrastructure initiatives (potentially including private initiatives, public private partnerships and publicly owned infrastructure and service providers).

Available access at reasonable market rates to international gateway or cable

Transparent disclosure of pricing and service options to end users

Permit pre-paid and tiered pricing models

Remove barriers to crossing national borders with network infrastructure and traffic

Regulator established as an effective and independent expert agency

Structural independence from other governmental entities and telecom providers

Sufficient and predictable funding stream

Creates regulatory certainty with clear, transparent regulations

Authority, jurisdiction, accountability and capacity to enforce regulations

Effective regulation of anti-competitive behavior when necessary

~~*Advocate for consumer interests including both immediate service and sustainability*~~

Advocate for end user interests including immediate service, sustainability, content in local languages and reflective of local interests among others

Support local initiatives for community owned facilities and services

Promote evidence-based policymaking and regulatory processes that include meaningful public participation

POLICIES AND PRACTICES TO ENCOURAGE LOWER COST STRUCTURE FOR INDUSTRY

Streamlined processes for infrastructure deployment and sharing

Efficient and effective access to public rights of way and tower zoning

Coordinated with other infrastructure projects (fiber or duct laid during road works)

Facilitate sharing of backbone, ducting, right of way, and cell tower passive infrastructure

~~*Target public infrastructure investment to market failures, through consultation with market players and other stakeholders. Ensure that subsidized infrastructure is competitively and transparently procured and offers access or capacity to all market players in a non-discriminatory way, so as to achieve end user affordability.*~~

Identify infrastructure needs in consultation with national governments and underserved local communities, including in the context of a prioritization of infrastructure expenditure in relation

to other needs for public investment and including the social and electrical infrastructure required to support local access and use within this investment envelope.

Effective spectrum management

Ensure sufficient broadband-capable spectrum is made available and used efficiently

Open, transparent, and fair allocation and licensing mechanism

Harmonization of spectrum to global standards

Technology and service neutral licensing allowing flexible use

Enable innovative usage through unlicensed spectrum and opportunistic reuse within rules that avoid harmful interference (e.g., harmful interference with spectrum assigned to mobile operators). Established local and/or regional Internet Exchange Point (IXP)

Transparent and fair rules for participation

Support for local data caching

No luxury taxation or excessive customs/tariffs on telecom goods and services required for Internet access

Including handsets, set-top boxes, data/voice service, and infrastructure equipment

Tax rate at comparable level to basic goods and services rather than luxury goods

Effective Universal Service Fund (USF) administration (if a USF exists)

Non-discrimination (fair collection and distribution of funds, including non-carriers)

Transparent and consultative processes, incorporating stakeholder inputs and priorities

Clear target goals and monitoring of effectiveness and impact of USF programs and projects

~~*Prioritize one-time infrastructure and other expenditures to enable access*~~

USF's to be understood as potentially providing support to the range of means to ensure Internet access and use by under-served populations including social support and training, literacy development, public access facilities, infrastructure development, provision of electrical service (particularly sustainable local service) as required, content development in local languages and scripts among others

~~*Target any ongoing subsidies to individuals rather than providers*~~

On-going subsidies where necessary should be recognized as a fundamental contribution to enabling access and use at the local level and thus should be available to whatever agency is providing this access including public entities such as municipalities, community based NGO's, local authorities and so on.

Reasonable effort to systematize data collection of key indicators to measure effectiveness

Pricing, speed, adoption rates, spectrum utilization, peering

Encourage participation in the ITU Partnership on Measuring ICT for Development

Collection and disaggregation (e.g., by gender) of usage statistics to identify gaps and opportunities

[i] http://www.pewresearch.org/fact-tank/2015/07/28/15-of-americans-dont-use-the-internet-who-are-they/ ; http://oxis.oii.ox.ac.uk/blog/why-do-some-people-not-use-internet/ ; http://www.statcan.gc.ca/daily-quotidien/131126/dq131126d-eng.htm

[ii] http://www.digitaltrends.com/web/4-billion-people-lack-internet-access/