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Mr. Brahim Sanou
International Telecommunications Union
Place des Nations, CH-1211 Geneva 20
Switzerland

Dear Mr. Sanou,

TRR's Participation on Best Practices Guidelines Consultation on New Regulatory Frontiers to Achieve Digital Transformation – GSR18

We thank you for the invitation for TRR to be part of the GSR18 consultation process to identify new and innovative policy, regulatory and business measures that are needed to respond to the changing landscape, protect consumers and things, and ensure trust to enable the digital transformation to achieve its full potential.

As the ITU, through your Office has rightly pointed out, Governments and Regulators have a key role to play in extending regulatory frontiers to new horizons and to create an enabling and trusted environment to achieve digital transformation.

TRR agrees with the statement and the direction the ITU is taking in guiding regulators bodies to focus towards that objective. In fact, TRR is of the view that the role played by Governments and Regulators needs to be a *proactive and lead role*, to facilitate and enable the objective to be implemented appropriately and effectively maintained. Below is the list of Vanuatu's contributions on experienced best practices:

1. **Emerging technologies** - Preparing for AI, IoT, 5G, M2M communications to improve secure and reliable ICT infrastructure and access to and delivery of digital services:
 - a. At a national level, the Minister/Ministry responsible for Telecommunications/ICT to proactively monitor the expected outcomes of the Government's National Telecommunications/ICT Policy and consider biennial

review of that Policy and the need for other related/linking sectorial policy/policies;

- b. Building on from the approval of the biennial review of the National ICT/Telecommunications and other related sectorial Policies, the Government proactively promotes the critical need for community-wide telecommunications/ICT awareness and readiness, and establishes a mechanism for all respective, and appropriate, sectorial authorities to, work collaboratively with the Regulator and for them to promote and deliver increased, wide-spread educational and awareness campaigns on the need for understanding and the positive impact of the AI, IoT, 5G, M2M communications at the end user level that will assist with and contribute to a positive impact on and delivery of Development Sustainable goals. (See also item e);
 - c. Harmonization of existing related legislations such as the E-commerce legislation, Broadcasting legislation, Intellectual property Rights and other specific legislations that are linked to digital services, AI, IoT, 5G and M2M communications;
 - d. Harmonization of sectorial regulatory frameworks and consistency with application must be ensured, and any inconsistencies identified and acted on, where and when required;
 - e. Identify specifically required Capacity Building on knowledge and the application of, to leverage the benefits of using AI, IoT, 5G, M2M communications. The capacity building exercise be applied at the national level targeting decision makers, policy implementers, and those in the industry. This could be applied using both bottom-up and top-down approaches to ensure wide awareness, knowledge and a common approach, and key information is clearly and transparently passed on and understood before any decisions are taken.
2. **Economic and business approaches** - Addressing market access across the value chain, fostering innovative and sustainable business and investment models across platforms, and identifying economic incentives to support digital transformation:
- a. First and foremost, the national Universal Access Policy, the national ICT policy and other related policies must always be implemented by all respective parties, proactively monitored, reviewed and updated taking into considerations required improvements as required to ensure emerging technologies and technological pressures surrounding consumers are considered and provided for;

- b. Establish and implement a Digital Economy Policy outlining high-level objectives, scope of services and KPI's and strategies for achievement of objectives. The Policy would need to give a mandate to all sectors to consider and provide for building and locking in of mechanisms and budget for the required digital services that will transform lives from poor to rich, from unhealthy to healthy and from uneducated to educated population. The digital economy policy will trigger disruption and innovation in multiple sectors within local communities;
 - c. Building on from the Digital Economy Policy, establish legislation and required Regulations ensuring that each has a clear link to all other sectorial policies on the need for and application of using AI, IoT, 5G, M2M communications;
 - d. Effectively apply and promote regulatory adaptation responding to rapid technological changes that impact infrastructure competition and the related downstream and upstream markets. And the regulatory powers that apply to the telecommunications sector, within the background of a wider competitive landscape that now includes Over-The-Top players, Internet of Things, AI, 5G and M2M machines;
 - e. The Government needs to identify, establish and implement incentives that are attractive to both the public and private sectors and that will promote uptake and effective utilization of digital services across the nation; particularly in rural and remote areas where the population is;
 - f. Apply and promote consultative and monitoring approach at all levels of Government Agencies/sectors and the Regulatory regime to promote good governance, integrity, balance, fair and appropriate decisions;
 - g. The Regulators need to be involved in consultations and meetings on trade development so regulatory views are considered and incorporated as deemed necessary. (This enables consideration of past and current experiences on what is workable, and is or may not be workable in respect of market competition and consumer choice).
3. **Regulatory frameworks for digital transformation** - Identifying new and evolving collaborative approaches, developing cross-sectoral digital policies and strategies, and defining innovative regulatory tools and sandboxes:

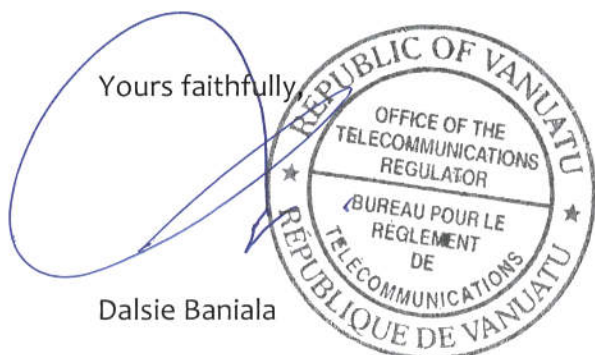
- a. Given there is a desire in many countries to reduce regulatory frameworks on the anticipation that it will improve economic development, there is a critical need to undertake a review on which sectors might/will need regulatory frameworks into the future in the digital age, and ensure that those remain in place, or be established;
- b. Apply and promote independent and, where required, specific Sectorial Regulatory Regimes to cater for all levels and layers of players in the development of the widened business community and economy;
- c. Adapt and develop clear, concise and cross-sector national consumer protection and privacy directives to account for internet and mobile based communications and services, and encourage sector specific approaches to build on the telecommunications/ICT Policies and any general policies if stricter requirements are required;
- d. Responsible Regulators can partner with appropriate bodies/agencies by establishing working relationships or a taskforce to work closely with Government and other required stakeholders (such as other regulatory agencies) to support the use, availability, and access to telecommunications/ICT services. In so doing, so, it is important to consider establishing mechanisms such as a Memorandum of Agreement or Memorandum of Understanding and to work cooperatively and obtain input to and advice on relevant developments, harmonization and common implementation of approaches, consultation and monitoring exercises where and when required;
- e. Discuss the challenges with Government, stakeholders and the respective service providers on determine how Regulators can best position themselves and take appropriate approaches/actions to facilitate and support understanding of the wide economic and human impact the change evolution of the digital economy is having, and will continue to have; to, desirably ascertain win-win situations;
- f. The Government needs to take the lead and provide for increased uptake of online services and inclusive digital services, and for responsible institutions and authorities to be aware of and educated on digital transformation and its impacts in order to assist awareness, understanding and stimulation of uptake;
- g. Building synergies and fostering collaboration among telecom other sectorial regulators at the national level, regional and international levels;
- h. Discussions on and consideration of a common understanding of digital transformation and its social and economic impacts, and identification of

potential regional approaches across Pacific nations to provide for Regulations that ease the way of doing business in each country;

- i. Harmonization of the Telecommunications/ICT Act with relevant Financial legislation(s) and Rules, including Cybercrime Act and Financial Intelligence rules and regulations and other required Digital Services;
- j. Regulators need to ensure tighter mechanisms are in place to secure trust and development of digital means other sectorial services and facilitation of uptake.

We hope the above provides some interesting approaches that could be considered for the best practice guidelines, and look forward to discussing them with ITU Members.

Yours faithfully,



Dalsie Baniala

Telecommunications and Radiocommunications Regulator