



Regulating in a broadband world

ITU Global Symposium for Regulators

The sixth annual ITU Global Symposium for Regulators (GSR), held in Yasmine Hammamet, Tunisia, on 14–15 November 2005, brought together 390 participants representing regulators, policy-makers and service providers from 110 countries to develop a new vision of a regulatory framework to promote the deployment of broadband communication services, and access to them, in developing countries.

Just a few years ago, ITU's main challenge for the developing world was articulated by the Maitland Commission, which sought to identify the missing link to bring basic voice services to all the world's people. In 2002, mobile cellular communications were heralded as the voice missing link, bringing this service to more people in the developing world than the Maitland Commission could ever have imagined possible. Today,

the goal is to ensure that all the citizens of the world have access to affordable broadband services. The necessary technology and business models are available to make this possible. But the pace of broadband take-up hinges on the regulatory framework. According to the Director of the ITU Telecommunication Development Bureau, Hamadoun I. Touré, "in many countries, today's broadband missing link is the regulatory framework."

GSR 2005 Best Practice Guidelines

Recognizing that wireless broadband technologies have great potential to help bridge the digital divide, the 120 CEOs and board members of national regulatory authorities who participated in the GSR agreed to a set of best practice guidelines on spectrum management to promote

broadband access. The guidelines articulate the following ten main principles: facilitate deployment of innovative broadband technologies; promote transparency; embrace technology neutrality; adopt flexible measures for spectrum use; ensure affordability; optimize spectrum availability on a timely basis; manage spectrum efficiently; ensure a level playing field; harmonize international and regional practices and standards; and adopt a broad approach to promote broadband access.

The details of the guidelines recognize that promoting broadband through regulation will entail making local communities and non-governmental organizations aware of new technologies and opportunities to provide broadband services. Also, there must be coordination with other government and public institutions in order to increase demand for



health, education and administrative services that are based on broadband technology. The guidelines embrace practices including:

- minimum necessary regulation;
- minimizing barriers to entry;
- allowing broadband providers to begin operations on a small scale rather than requiring national rollouts;
- allocating spectrum for community or non-commercial use;
- adopting lighter regulatory approaches in rural and less congested areas (such as flexible regulation of power levels and the use of simple authorizations for market entry);
- recognizing the role that both licensed and unlicensed spectrum can play.

The symposium was chaired by Ali Ghodbani, Chairman of Tunisia's national regulatory agency for telecommunications. According to Mr Ghodbani, "the 2005 GSR best practice guidelines are an important contribution to the World Summit on the Information Society." This global view was echoed by Ernest Ndukwe, CEO of the Nigerian Communications Commission, who emphasized that "the need to accelerate broadband deployment should be embedded in all national ICT policies."

Participants at the symposium also heard presentations on promising broadband technologies for use in developing countries, especially in rural areas. Presenters included representatives from Cisco Systems, the GSM Association, Intel Corporation, the International Telecommunications Satellite Organization, Qualcomm, Skype, TE DATA and Verizon.

The symposium was given an introduction to the *ICT Regulation*

Toolkit developed by ITU and InfoDev (a multi-donor programme managed by the World Bank) as an online resource for regulators, particularly those in the developing world. A series of five discussion papers was issued during the meeting to help participants form a common understanding of the key regulatory issues in today's broadband environment. These papers focused on broadband provisioning for developing countries, the role of regulators in promoting broadband, spectrum management for wireless broadband, combating spam through managed self-regulation of Internet service providers, and voice over Internet Protocol (VoIP) services.

VoIP and regulation

ITU predicts that VoIP is expected to account for at least half of all international calls by 2008, and many carriers worldwide will have entirely IP networks by then. If present trends continue, VoIP is likely to replace other telecommunication systems, reported the GSR discussion paper *VoIP and Regulation*, presented by authors Olli Mattila, Senior Advisor, Finnish Communications Regulatory Authority and Russell Southwood, the CEO of Balancing Act. Today, implementation of the service is unevenly spread. This arises from the "starkly contrasting global perceptions of VoIP," Messrs Mattila and Southwood said, with some countries aiming to protect national carriers by declaring VoIP services to be illegal, while others have permitted them as part of liberalized markets. "Creating an enabling environment for VoIP must be seen in the context of creating a

competitive environment for ICT," Tracy Cohen, Councillor, Independent Communications Authority of South Africa, and the third author of the report said in moderating one of two GSR VoIP sessions. "We need to address the high cost of calls in developing countries. Otherwise, regulating VoIP is just treating a symptom, not the condition of the historic monopoly situation," she added.

VoIP services are changing the business models for telecommunication services, especially amidst the convergence taking place between voice, data and television programming. Increasingly, operators are offering all three as a "triple-play" service over broadband platforms. Beyond looking at the question of whether VoIP should be legalized or not, regulators, recognizing that VoIP cannot be stopped over the long term, looked ahead to the more challenging issues of interconnection between PSTN and IP-based networks, universal access, numbering and access to emergency services. Numbers for VoIP subscribers are no longer an indication of geographical location as they are with fixed line telecommunications. This affects not only pricing policy, but also how to handle emergency calls.

"The transition to VoIP has been rapid and far-reaching," said the authors of the discussion paper, and "a vital task for regulators and policy-makers is to manage the transition to the new world of IP networks."

All GSR Discussion Papers, presentations and the 2005 Best Practice Guidelines are available on TREG <http://www.itu.int/ITU-D/treg/> ■