

Telecommunication infrastructure sharing strategy in Mauritania

Within the framework of the liberalization of the telecommunication sector, Mauritania has gone through the following main stages.

- 1998: The government's sectoral policy declaration for posts and telecommunications is adopted.
- 1999: The telecommunications law of 11 July 1999 (law no. 99-019) is adopted.
- 1999: An independent regulatory body for the telecommunication sector is created, the *Autorité de régulation*.
- 2000: The first phase in opening the telecommunication sector for competition.
- 2000: An equity issue is held for the incumbent operator.
- 2006: The second phase in opening the telecommunication sector for competition, with the issue of a global licence.

The telecommunications law of 11 July 1999 (law no. 99-019)

Objectives of the law:

- a) set up an independent regulatory authority
- b) define competition rules for the sector
- c) ensure transparency in the regulatory processes for the sector
- d) create guarantees for interconnection
- e) work towards universal access to services

Some of the notable provisions of the law:

- In order to ensure effective and fair competition between operators, the regulatory authority makes sure that the conditions for access to networks and interconnection of the latter allow all users to communicate with users of other networks.
- The Regulatory Authority also ensures that interconnection with a major supplier is possible, at all network points where this is technically feasible, in timely fashion and under non-discriminatory terms and conditions.
- Public network operators and service providers have an obligation under the terms of their licence to publish an interconnection catalogue, including a reference set of technical specifications and tariffs for interconnection.
- All operators must study the possibility of sharing with other operators, on the basis of leasing, of infrastructure systems such as ducts, pipes, drains, and terraces of buildings, along with radio tower locations. Where there is infrastructure sharing, the regulatory authority monitors equality in the sharing conditions. The regulatory authority is to be provided with a copy of the sharing agreement.
- A request for interconnection may not be turned down if it is reasonable as far as the needs of the requesting body and the capabilities of the operator to meet the request are concerned. A refusal must be substantiated accordingly. The cost of providing the infrastructure must be borne by the entity making the request.

The decree of 31 December 2000 (decree no. 2000-163) regarding general interconnection conditions for telecommunication networks is intended to:

- a) Bring together all compatible public telecommunication networks and services within a national Mauritanian network, thereby allowing all users of compatible networks and services to communicate freely with each other.
- b) Ensure the technical viability of the national network under the best economic conditions.
- c) Promote the emergence of services that use the existing network infrastructures.
- d) Encourage the development of the telecommunication sector by setting up a transparent and non-discriminatory environment.

Notable provisions of the decree include the following:

- The regulatory authority ensures that there is interconnection with a major supplier, at all points where this is technically feasible, in timely fashion.
- Operators must study the possibility of sharing with other operators, on the basis of leasing, of infrastructure such as ducts, land, premises, elevated points and so on.
- Operators must examine other operators' requests for infrastructure sharing in an objective, transparent and non-discriminatory manner.

Results obtained

This legislative and regulatory framework, designed to make infrastructure sharing possible, has had the following results.

- Interconnection agreements have been signed between different telecommunication operators.
- Different telecommunication operators have interconnected their networks.
- Interconnection catalogues have been published with technical specifications and tariffs for interconnection offered by different telecommunication operators.
- Different operators are sharing infrastructures (transmission and power networks, elevated points, premises etc.) under infrastructure sharing agreements.
- Operators have access to submarine networks via the incumbent operator's optical-fibre link.