

GLOBAL SYMPOSIUM FOR REGULATORS 2019/9-12 JULY 2019 VANUATU

CONTRIBUTION FROM ARTCI / CÔTE D'IVOIRE

PROPOSED GUIDELINES

Summary:

This document contains proposed guidelines from the Telecommunications/ICT Regulatory Authority of Côte d'Ivoire (ARTCI) in response to the circular consultation letter from the Director of BDT concerning best practice guidelines on the general theme "Fast forward digital connectivity for all", on the occasion of the Global Symposium For Regulators 2019 (GSR-19).

I Background

The digital sector, which is constantly evolving, has been radically changing all aspects of today's society for two decades, particularly with the rise of the web and social networks and the advent of smartphones. Since then, the ever-increasing need for connectivity has revolutionized habits and the economy as a whole to the point where we are now talking about a digital economy.

Faced with the challenges of digital transformation and the imminent arrival of 5G, which will have an impact on all sectors of activity in society, traditional regulation must reinvent itself and adapt to this new environment.

In Côte d'Ivoire where the digital economy sector accounted for 10 per cent of GDP in 2017 and is expected to play an increasingly significant role, the management of such issues is vital for our nation both at present and in the future.

The 2019 edition of the Global Symposium For Regulators on the theme "Fast forward digital connectivity for all" is therefore an opportunity for the Telecommunications /ICT Regulatory Authority of Côte d'Ivoire to share its experience on the theme "Inclusive connectivity: the future of regulation" and at the same time to benefit from the experience of other Member States of the International Telecommunication Union (ITU).

II Proposed guidelines

II.1 Core design principles for collaborative regulation

In view of current developments in the telecommunications/ICT sector and the structure of digital markets at national and international level, a regulatory model based on collaboration between regulators and operators (in terms of the provision of services) is required in order to ensure market dynamism and the development of the digital economy.

In order to enable regulators to participate actively in this process, based on its experience, ARTCI proposes the following guidelines:

- Implementation of incentives for operators and service providers (e.g. imposing part of penalties or sanctions on operators) to invest in telecommunications/ICT networks and

services in order to ensure people universal, high-quality and cost-effective access to telecommunications/ICT services.

- Establishment/extension of sectoral and intersectoral consultation and collaboration frameworks on digital economy issues for inclusive development.
- Development of regional cooperation (consultation and collaboration frameworks) on issues relating to the interconnectivity of our States and the reduction of roaming and international communications tariffs, in order to create momentum towards the socio-economic integration of our States.
- Introduction of proactive regulation adapted to the new challenges arising from 5G, the Internet of Things (IoT), artificial intelligence, blockchain, etc. so as to ensure that these technologies are transformative for the economies of our States and society; furthermore, in the regulatory process nowadays it is necessary to consider the fact that the digital environment is strongly influenced by the presence of the Internet giants (GAFAM) on the market.

II.2 Benchmarks for regulatory excellence and market performance which can form the basis for digital infrastructure regulation

To assess regulatory efficiency and how the market functions, the following benchmarks are proposed:

- Introduction of monitoring files on regulatory obligations, in collaboration with operators and local authorities, in order to highlight the difficulties and constraints related to the implementation of such obligations, with the aim of drawing up a concerted action plan.
- Preparation of satisfaction surveys to collect information on public opinion with a view to possible readjustments of regulatory decisions or regulations.
- Development of indicators that are better suited to the current status of networks and related innovative services, for a better assessment of digital maturity in telecommunications/ICT markets.

II.3 New regulatory tools and approaches in the digital field

In the light of the fundamental principles and benchmarks proposed above, the following new regulatory tools and approaches should be considered:

- To have a more flexible regulatory framework through framework laws that promote innovation; innovation is an essential lever for the long-term growth of a sector. The possibility of decentralized innovation in networks is essential for the emergence of digital tools and services with innovative business models.
- To enable the regulator to exercise its powers in a proportionate, impartial and transparent manner: As a key player in the digital economy ecosystem, the regulator must have the powers to promote effective, fair, transparent, non-discriminatory and sustainable competition for the benefit of other stakeholders (operators, users); moreover, traditional regulatory principles must be versatile and geared towards the digital transformation.
- To take into account the need for technological neutrality in regulation.
- To harmonize regional regulatory policies with those of the telecommunications/ICT sector on emerging issues such as OTT and matters relating to GAFAM, infrastructure

sharing, IoT, number portability, rules for access to scarce resources (frequencies, telephone numbers, IP addresses etc.).

- To promote the deployment of next-generation backbone and access networks and the adoption of broadband applications and services by all.
 - To modernize and redefine universal service and access to include broadband, encourage public-private partnerships and extend universal service beyond network deployment alone by stimulating services uptake and access to online services and applications.
 - To promote digital financial inclusion: Ensuring digital financial inclusion is of the highest importance in a digital world. The absence of or limited access to financial services presents a barrier to socio-economic development in particular for developing countries. It would also be desirable to expand access to financial services for unbanked or underbanked people, particularly in rural, remote and disadvantaged areas. This should enable users in these areas to play a role in the global digital economy. In this context, digital financial inclusion must be the cornerstone of national financial inclusion strategies.
 - To devise measures to protect data, privacy and personal freedoms.
 - To establish guidelines to ensure that technological innovation is always for the benefit of humanity's well-being and not at its expense.
 - To develop national and regional collaborative approaches to address all due diligence matters related to digital trust.
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