



SAMENA Telecommunications Council Contribution to GSR-25 Best Practice Guidelines

Theme:

“What does it take for regulators to become digital ecosystem builders?”

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Background

SAMENA Telecommunications Council welcomes the opportunity to contribute to the Global Symposium for Regulators 2025 (GSR-25) Best Practice Guidelines. As a regional private-sector-led association representing telecom operators, digital economy enablers, and technology providers across South Asia, the Middle East, and North Africa, SAMENA is committed to advancing sustainable and inclusive digital transformation through collaborative and forward-looking regulatory dialogue.

We fully support the evolving role of regulators as digital ecosystem builders and offer the following consolidated insights.

Respectfully submitted,

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1. Fostering Innovation in Regulatory Approaches

To foster an innovation-driven regulatory culture, regulators must adopt adaptive, forward-looking approaches to regulation that provide regulatory parity and are outcome-based, promoting both fair competition and innovation-friendly oversight. In combination with well-defined outcomes (including tiered outcomes, transitional periods and sunset clauses) and effective and robust monitoring systems, these approaches allow for experimentation with emerging technologies while managing associated risks.

Many regulators have introduced regulatory sandboxes. For example, India's Telecom Regulatory Authority (TRAI) released recommendations in April 2024 for establishing a regulatory sandbox to encourage innovative technologies and business models in the telecom sector.¹ This initiative aims to provide a controlled environment for testing new services and technologies. In Asia, Singapore's Infocomm Media Development Authority (IMDA) has implemented regulatory sandboxes in areas such as AI and 5G use cases. IMDA also operates a collaborative data exchange model and a real-time regulatory dashboard, enabling

iterative engagement with service providers and technology developers.^{2,3} In Saudi Arabia, the Communications and Information Technology Commission (CITC) launched the first phase of its Regulatory Sandbox in 2021, aiming to create a flexible environment for telecom service providers to develop and employ smart and innovative solutions.⁴ An example of outcome-based regulation is the UK's broadband universal-service obligation, which sets outcome targets for download speeds and coverage, leaving the choice of technology mix to providers.

Furthermore, SAMENA Council emphasizes the importance of multistakeholder collaboration and public-private dialogue to foster better understanding of diverse market perspectives (and understanding of technologies and their market and societal impact and associated risks), and their reflection in regulatory approaches. Developing future-ready and innovative mindsets requires not only regulatory agility but also capacity-building programs that enhance digital literacy, systems thinking, and data governance expertise within regulatory institutions.

2. Adapting and Enhancing Regulatory Capacity

As digital technologies become central to national development strategies, regulators must evolve structurally and strategically to meet the complex demands of a fast-changing digital landscape. This transformation involves

three interrelated processes: adapting existing mandates, enhancing institutional capabilities, and augmenting regulatory functions through strategic partnerships, tools, and technologies where meaningful.

Adapting regulatory mandates and models

Adaptation requires regulators to revisit their traditional roles and realign mandates with emerging technologies, sectoral convergence, and cross-border service delivery. Regulatory frameworks must embed regulatory parity, be outcome-based, become more anticipatory and principles-based, enabling proactive responses to innovation while ensuring long-term resilience and public / societal value.

For instance, Brazil's telecommunications regulator Anatel revised its regulatory mandate under the General Telecommunications Law (Lei Geral de Telecomunicações, LGT) to shift from a service-based model to a more flexible, goals-oriented framework. This included a stronger focus on digital transformation, investment facilitation, and rural connectivity expansion.⁵ In the MENA region, Saudi Arabia's Communications,

¹ https://www.trai.gov.in/sites/default/files/2024-08/PR_No.19of2024.pdf

² <https://www.imda.gov.sg/how-we-can-help/data-innovation/data-regulatory-sandbox>

³ <https://www.imda.gov.sg/resources/press-releases-factsheets-and-speeches/press-releases/2024/sg-first-genai-sandbox-for-smes>

⁴ <https://www.cst.gov.sa/en/mediacenter/pressreleases/Pages/2021062901.aspx>, https://www.samenacouncil.org/samena_daily_news?news=85166

⁵ Anatel mandate modernisation Law No. 13 879/2019 amends the General Telecommunications Law (LGT, Law 9 472/1997) to allow migration from concession to authorisation, enable spectrum-trading and investment-for-obligations swaps, and broaden Anatel's objectives toward broadband expansion. https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/lei/l13879.htm

Space and Technology Commission (CSTC) broadened its mandate to include responsibilities in space governance, digital entrepreneurship, and national data strategy implementation. This reflects a shift toward proactive digital ecosystem stewardship.⁶

To support such evolution, SAMENA Council recommends that regulators adopt outcome-based regulatory models that integrate regulatory parity, leverage strategic foresight (such as horizon scanning), and co-develop national digital policy visions in coordination with industry and civil society.

Enhancing institutional capacity and competence

Enhancement entails investing in people, systems, and processes to ensure that regulatory bodies are equipped to manage growing technical complexity and cross-sector interdependencies.

A key example is the United Kingdom's Digital Regulation Cooperation Forum (DRCF), which brings together four regulators (Ofcom, ICO, CMA, FCA) to coordinate oversight of digital markets. The DRCF launched an AI and Digital Hub in 2024 to offer innovators coordinated regulatory advice while simultaneously

building shared institutional knowledge around data governance, algorithmic auditing, and AI ethics.⁷ In Africa, Rwanda's regulator RURA has partnered with international organizations such as GIZ to deliver targeted training in cybersecurity, AI, and digital policy for its staff.⁸

Regulators are encouraged to establish in-house training academies, create agile policy labs or digital units, and build long-term partnerships with academia, technical bodies, and think tanks to foster sustained competence development.

Augmenting regulatory capacity through partnerships and technology

Augmentation refers to expanding regulatory capability by leveraging external data platforms, analytical tools, and collaborative infrastructure to monitor markets and deliver timely, targeted interventions.

Globally, there are many best practice resources that can support regulatory capacity augmentation such as ITU's Digital Regulation Platform, the ITU's ICT DataHub, and the ITU's Unified Benchmarking Framework, which offer access to regulatory best practices, comparative data sets, and self-assessment tools to support institutional development and evidence-based policymaking.⁹

As regards the use of technologies in regulation, through its National Kenya Computer Incident Response Team – Coordination Centre (KE-CIRT/CC), the

Communications Authority of Kenya (CA) highlights that "Artificial intelligence (AI) technologies have become an integral component to enhancing cybersecurity systems through automation, machine learning and threat detection." The CA's Q1 2024/25 Cyber-Security Report details how KE-CIRT/CC detects, prevents and responds to millions of cyber-threat events using AI-enabled analytics, thereby supporting regulatory oversight of critical information-infrastructure operators.¹⁰

SAMENA Council therefore encourages regulatory authorities to explore the use of modern, data-enabled supervisory approaches (where relevant and meaningful) and to cultivate partnerships that strengthen analytical capacity, streamline compliance processes and enhance the overall agility and responsiveness of regulatory oversight.

⁶ <https://www.cst.gov.za/en/aboutcst/Pages/Strategy.aspx>

⁷ <https://www.drcf.org.uk/ai-and-digital-hub>

⁸ https://www.rura.rw/fileadmin/Documents/docs/report/Annual_Report_for_2021-2022.pdf, pp.51-53

⁹ <https://digitalregulation.org>, <https://datahub.itu.int>, https://app.gen5.digital/UnifiedFramework_ScoringMethodology_2024.pdf

¹⁰ <https://ca.go.ke/sites/default/files/2024-10/Cyber%20Security%20Report%20Q1%202024-2025.pdf>

3. Harnessing Transformative Technologies for Regulatory Excellence

Emerging technologies offer considerable potential to enhance regulatory oversight, improve agility, and strengthen evidence-based decision-making. Regulators can benefit from the use of AI-powered analytics, big data processing, IoT monitoring systems, and blockchain-based recordkeeping to modernize regulatory functions—ranging from dynamic spectrum management to service quality monitoring and automated compliance. However, it is essential to acknowledge that the use of such technologies, particularly Artificial Intelligence, also introduces non-trivial risks, including algorithmic bias, lack of transparency, and potential exclusion. Regulatory bodies must therefore ensure that any digital technology leveraged in oversight processes is auditable, explainable, and inclusive in its design and application. For instance, machine learning models used for fraud detection or spectrum optimization may be trained on biased or incomplete datasets, resulting in unfair or discriminatory outcomes, especially for underserved communities or smaller market players. Without rigorous oversight, these tools could inadvertently amplify systemic inequities rather than reduce them.

Recent Examples:

- Ofcom (UK), in its 2024 strategic approach to AI¹¹, emphasized the need to adopt “explainable AI” and to monitor its usage across regulatory tasks to avoid opaque decision-making processes that could undermine public trust and regulatory legitimacy.

- The European Commission's AI Act introduces explicit risk classifications for AI systems used in law enforcement and public service, requiring human oversight for all high-risk applications, including those used in public-sector regulation.¹²

In the SAMENA region, while Saudi Arabia has embraced AI as part of its digital transformation strategy, the Communications, Space and Technology Commission (CST) has called for “responsible AI regulation” that aligns innovation with ethical safeguards—an approach codified in the National Strategy for Data & AI (NSDAI).¹³

Accordingly, SAMENA Council encourages regulators to adopt guiding principles for the ethical use of emerging technologies, including:

- Data quality assurance and bias audits;
- Public consultation and transparency protocols;
- Risk-based technology classification frameworks;
- Mandatory human-in-the-loop (HITL) mechanisms for critical regulatory decisions.

In doing so, regulatory authorities can leverage transformative tools not only to enhance efficiency and responsiveness, but also to build public trust, ensure fairness, and guard against the negative externalities that emerging technologies can generate when applied without adequate governance.

¹¹ <https://www.ofcom.org.uk/siteassets/resources/documents/consultations/category-2-6-weeks/273274---ofcoms-proposed-plan-of-work-for-2024-25/associated-documents/ofcoms-strategic-approach-to-ai.pdf?v=321367>; <https://aistandardshub.org/guidance/ofcoms-strategic-approach-to-ai-2024-25/>

¹² https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4123

¹³ <https://sdaia.gov.sa/en/SDAIA/SdaiaStrategies/Pages/NationalStrategyForDataAndAI.aspx>

4. Cross-Border Cooperation for Building Digital Ecosystems

Regional cooperation plays a critical role in fostering regulatory convergence, enabling cross-border data flows, and facilitating integrated digital infrastructure. SAMENA Council supports the establishment of regional forums, joint spectrum planning initiatives, and cooperative models for infrastructure sharing.

Emerging offerings such as satellite-based direct-to-device services introduce new cross-border regulatory considerations. In regions like Africa, regulators are exploring how to promote a level playing field between terrestrial and satellite providers. Although satellite networks can help reach underserved areas, their operating frameworks can differ from those of mobile operators—particularly with respect to local

presence, taxation, data protection and lawful-intercept rules.

A pragmatic approach is therefore useful: one that supports innovation while gradually aligning key obligations for all connectivity providers. Regulators may also wish to assess how shared spectrum arrangements affect both satellite and terrestrial investment incentives.

On roaming, many regions have progressed toward broader free-roaming agreements, yet practical issues remain around fair-use conditions, price structures and SIM verification. Further convergence—such as consistent fair-use limits and mutually agreed interconnection arrangements—could strengthen the long-term sustainability and competitiveness of these frameworks.

Conclusion

Digital transformation is reshaping economies and societies. For regulators to act as digital ecosystem builders, they must be equipped with tools, institutional resilience, and inclusive processes that foster long-term innovation and public trust. SAMENA Council reiterates its commitment to supporting in designing responsive, forward-looking regulatory environments.

We encourage the adoption of holistic and harmonised regulatory practices—grounded in technology neutrality, investment incentives, regional cooperation, and ethical oversight—as essential pillars for inclusive and sustainable digital development.

We thank the ITU for leading this important consultation and look forward to the adoption of bold and practical Best Practice Guidelines at GSR-25.