Question 1: What is the baseline toolkit for digital governance – beyond rules? What core set of instruments should regulators have in place as 'governance essentials': core duties and outcome-based obligations, incentive levers, oversight and assurance mechanisms; adaptive and experimentation tools; and engagement and coordination practices?

Digital governance has long been equated with rulemaking. But rules alone, particularly rules designed around yesterday's market structures, are insufficient, and in some cases actively counterproductive. The real question for regulators today is not what to prohibit, but what to enable.

The baseline governance toolkit must start with outcome-based obligations that define what society expects from digital connectivity, including universal access, reliability, affordability, interoperability and the conditions for innovation, without prescribing the technology or business model through which those outcomes are delivered. Technology-neutral, performance-defined frameworks lower barriers to entry and allow emerging approaches to compete on merit rather than regulatory familiarity.

Spectrum and licensing reform is where this principle is most urgently needed and most frequently delayed. Licensing frameworks built around incumbent operators and conventional services were designed for a different era. Today's connectivity landscape, characterised by global coverage, complementary technologies, shared spectrum use, network interoperability and cross-border service delivery, demands frameworks that create opportunities for all stakeholders: citizens, industries, operators and regulators alike. Rigid adherence to frameworks not designed with current and future technologies in mind risks turning regulation into a barrier rather than an enabler. Regulators should assess whether a proposed use poses any genuine risk to existing services through open collaboration with stakeholders, and where no such risk is demonstrated, the regulatory default should be enablement, not prohibition. Spectrum governance that defaults to restriction in the absence of demonstrated harm is not caution; it is incumbency protection by another name. Regulatory frameworks must therefore actively incentivise innovation and new entry, not merely tolerate them. Reducing the cost of participation, recognising new business models and ensuring interoperability are not optional refinements; they are the instruments through which genuinely contestable markets are built.

Oversight and assurance must be reoriented around outcomes rather than obligations. The question regulators should ask is not whether an operator has ticked every procedural box, but whether the intended societal benefits, namely connectivity, inclusion and resilience, are being delivered. Compliance-focused oversight that applies uniform scrutiny regardless of market power or risk profile does not protect the public interest; it protects the status quo. Ex-ante obligations should be reserved for operators with demonstrated market power; proportionate ex-post mechanisms are sufficient elsewhere.

Adaptive tools such as sandboxes, pilot authorisations, staged implementation and mandatory periodic review are not experimental luxuries. They are essential infrastructure for governance in a period of rapid technological change. They allow evidence to be built before frameworks are locked in, and they create legitimate pathways for new entrants to demonstrate compliance with outcomes that existing rules were never designed to assess.

Coordination and engagement must be substantive. Cross-border digital services cannot be governed effectively through fragmented national frameworks alone. Regional harmonisation, mutual recognition and structured multi-stakeholder dialogue are operational necessities, not aspirational ideals. Regulatory processes that are opaque, slow or captured by incumbent interests do not merely disadvantage new entrants; they defer the connectivity benefits that these frameworks are supposed to deliver.

The common thread across all instruments is this: governance frameworks derive their legitimacy from the outcomes they produce for society, not from the stability they provide to those already inside the

market. Regulators who internalise this principle will build toolkits that open doors. Those who do not will find themselves administering barriers.

Question 2: How can governance essentials be made measurable and enforceable across sectors? What outcome metrics and evidence standards should anchor these essentials (e.g., meaningful connectivity, affordability, accessibility, reliability, consumer harm reduction, market contestability), and how can reporting and observability models provide effective oversight proportionately and without excessive burden, across sectors?

Measurability is not a technical exercise; it is a governance choice. What regulators choose to measure signals what they value, and how they measure it determines whether oversight serves the public interest or merely generates compliance paperwork.

Outcome metrics should extend beyond consumer-facing indicators such as affordability, accessibility and reliability. Efficient spectrum use must be recognised as a core measurable outcome in its own right, given its direct and material influence on all other metrics. Efficient spectrum use should be understood as maximising socio-economic value from a finite resource while respecting interference-protection conditions. Tools that advance this goal, including spectrum sharing frameworks and the reallocation of underutilised assignments, are therefore primary instruments for supporting competition, reducing entry barriers and enabling diverse use cases across sectors. A framework that treats spectrum as a fixed resource to be protected rather than a dynamic input to be optimised will consistently undercount the societal value left unrealised. Metrics should capture not only interference protection but the opportunity cost of unused or underutilised spectrum, particularly where shared access models could enable broader participation.

More broadly, outcome frameworks should be grounded in a technology-neutral and internationally harmonised approach. Licensing models that enable spectrum sharing, supported by global policy alignment, reduce market fragmentation, lower entry barriers and generate new opportunities, contributing directly to improvements in affordability, accessibility and reliability across sectors and borders.

Question 3: What should a predictable, graduated supervisory and enforcement pathway look like when risks rise or harms occur? How should regulators move from guidance and targeted remedies to more directive interventions, and how should the pathway be designed to ensure due process, cross-agency consistency, and clear criteria for scaling back measures when conditions improve?

A predictable and graduated supervisory pathway may be designed as a structured, risk-based framework, starting with guidance and monitoring, then moving to targeted remedies, and finally to formal enforcement where needed. Each step should be based on clear criteria such as the severity of harm, duration of non-compliance, and level of cooperation. Regulators should also provide clear notice to operators, explain the concerns, and allow time to respond, ensuring due process and fairness at every stage.

In the context of spectrum management, efficient use of spectrum should be a key consideration, as spectrum is a limited public resource that needs to deliver maximum value to society. Cases such as harmful interference or long periods of unused spectrum may justify faster or stronger intervention. At the same time, measures may be scaled back once issues are resolved and efficient use is restored, ensuring a balanced approach that supports both compliance and innovation.