

GSOA Contribution to GSR 2026 Consultation
“Regulatory Governance Essentials: What’s the new core kit regulators need to make digital markets deliver?”

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?

A modern governance toolkit should be built outcome-focused and should be sufficiently flexible to allow each technology to contribute its full potential to the connectivity ecosystem, fostering investment, competition, and innovation rather than applying rigid or uniform regulatory frameworks.

In converged digital ecosystems, where terrestrial and non-terrestrial networks increasingly complement each other, regulators need a core set of instruments that enable different technologies to contribute to common policy goals in complementary ways, while respecting important differences between technologies that might contribute to a given network.

Connectivity is increasingly becoming a critical infrastructure for our economies and societies. Resilience and closing the digital divide should be explicit regulatory objectives.

Regulatory frameworks should recognise the relevant roles of the different technologies including satellite and be designed to incentivize network operators to build architectures that incorporate redundancy, resiliency, route diversity, and seamless service continuity, even in emergency situations.

In addition, they must also recognize that there are still territories where deployment is more complex, and different financial mechanisms and public policy instruments will be needed to extend the reach of connectivity by involving the necessary mix of technologies.

A modern regulatory toolkit should also rely on adaptive and experimentation tools while ensuring continuity of existing services. These include trial authorizations, sandboxes, and other approval mechanisms for emerging service models. As architecture evolves (e.g., hybrid terrestrial/non-terrestrial systems, software-defined networks), regulatory frameworks must be able to iterate to avoid creating structural bottlenecks.

Continuous dialogue with industry, users, and other public authorities, alongside coordination with regulators, regional and international bodies, provides feedback and forward-looking information that ensures that governance remains aligned with technological and market realities as well as policy objectives.

Taken together, the baseline toolkit is not just about rules, but about creating a regulatory environment enabling conditions for diverse technologies to deliver shared outcomes efficiently and on a scale.

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?

Key outcome indicators should serve a common overarching objective while accounting for the distinct characteristics and capabilities of different technologies, rather than applying a one-size-fits-all approach.

In order to ensure digital markets are successful, regulators should focus their enforcement efforts on ensuring that licensees meet their obligations. This includes meeting the technical and operational requirements (i.e., interference protection) for their systems, as well as the implementation of mechanisms that support innovation, and competition. By adopting a flexible licensing regime, regulators can stimulate innovation, investment, and competitiveness in digital markets while ensuring that licensees comply with the licensing conditions necessary to achieve efficient market outcomes. Such an approach supports market innovation and dynamism, while avoiding excessive administrative burden through targeted and proportionate monitoring mechanisms.

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?

Supervisory and enforcement can mostly rely on transparency and dialogue between regulators and operators. This is the case even in the most critical areas, e.g. to guarantee cybersecurity. There are situations and cases when regulators need to use enforcement tools for compliance. When operations are disrupted, or at serious risk of disruption, because operators are not complying with regulations or their license obligations, regulators should immediately act to correct. This is especially important in the cases where harmful interference occurs to licensees operating consistent with their authorizations. In each case, however, it is important that the regulator give appropriate notice to the licensee to ensure that due process is served as well.

4. Cross-cutting lens: Across all three questions, how can regional, subregional and international cooperation (shared metrics, mutual recognition, joint supervision, aligned remedies) reduce fragmentation and strengthen regulatory effectiveness in cross-border digital ecosystems?

As we have seen through role of the ITU and regional bodies, international cooperation can improve the digital marketplace for all and address the digital divide. To this end, it is critical regulators work together, in collaboration with industry stakeholders, to ensure that areas of common interest, such as circulation of user equipment and spectrum harmonization and coordination, are enabled, as well as to share best practices and adopt workable and efficient regulatory frameworks. International cooperation at any level should include all relevant parties, from both government and private sector. Working together we can best ensure that the digital marketplace thrives. To that end, continued work in forums, like the GSR, are critical to reaching our global goals on solving the digital divide.