

Digital Transformation

Agency for Digital Transformation and Telecommunications
Mexico

Telecommunications Regulatory Commission (CRT)

Subject: Questionnaire for the 2026 ITU Global Symposium for Regulators (GSR-26)

Response from the Telecommunications Regulatory Commission to the questionnaire for GSR-26 on the topic of "Regulatory Governance Essentials: What's the new core kit regulators need to make digital markets deliver?"

- 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?**

The most important tools include those that foreground multistakeholder participation in the development of proposals and establishment of agreements that will favour the productive development of the digital economy as a whole, on both a national and an international level. Examples include non-binding multilateral committees; implementing open public consultation processes; developing codes of practice, guidelines and recommendations; training and refresher courses for decision-makers; and information exchange and collaboration between governments.

Moreover, for regulatory action to be effective, two key aspects must be considered. Firstly, the basic principles underpinning the governance framework should be clarified through a legal mandate on the powers and reach that give the regulatory body the authority to operate, as well as through rules of procedure that establish the distribution of responsibilities. Secondly, incentives for participation and compliance should be established, which could involve reducing regulatory burdens for operators with a good track record of compliance or imposing sanctions to deter proscribed behaviours.

The proposals above could be combined with the organization of forums for providing feedback to regulators and/or legislators, or with the introduction of regulatory sandboxes to test innovative solutions in a real-world context with close supervision and administrative flexibility to encourage their use.

- 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?**

On the one hand, it is necessary to develop methodologies for measuring performance of working parties at the regulatory body, as well as for assessing the impact, benefits, and costs of regulatory instruments, or, where applicable, their shortcomings. For example, generating automatic reports through application programming interfaces (APIs), which give

regulators direct access to the systems and databases of regulated entities in order to extract predetermined performance metrics, thereby eliminating information capture errors and saving time and money. On the other hand, enforcement can be achieved through coordination among the authorities responsible for competition, data protection and telecommunications, thereby avoiding duplicate sanctions and ensuring effective supervision.

Relevant metrics for these elements include:

- Meaningful connectivity: metrics for latency, effective upload/download speed, consumption habits and digital skills among the population.
- Affordability: based on, *inter alia*, basic price baskets and costs vs the income of the lowest decile of the population, calculation of the proportion of total household income spent on services, and changes in service pricing.
- Accessibility: metrics for vulnerable groups, such as number of people with access, their characteristics or platforms which have accessibility functions.
- Reliability: quality of service metrics or standards, taking into account availability percentage, disruption time, resilience to critical events, etc.
- Contestability: monitoring competition indexes.

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?

When risks or harms occur, soft law – e.g. recommendations, remediation plans, coaching and monitoring – is considered a useful tool. Equally, thresholds for identifying risks that should be addressed with preventive action, or pre-existing problems that should be resolved, can be introduced.

Regarding regulatory interventions, these should be more restrictive if the measures implemented have not been effective and an impact assessment has identified a persistent market failure or unmitigated systemic risk. In such cases, institutional consistency is safeguarded only if due process, clear and transparent rules, and participation mechanisms are guaranteed for the regulated entities.

Moreover, regulators can determine levels of action depending on the specific case. For instance, the first level would involve issuing regulations *ex ante* based on principles that define what is expected of the regulated entity. Subsequently, precautions or formal demands for compliance would be issued and, at the highest level, sanctions would be imposed for non-compliance, in accordance with the Law.

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?

Essential elements include: establishing a common language for definitions and metrics, adopting open standards and harmonizing common regulatory frameworks. Regarding, *inter alia*, certification, standards or compliance assessment, mutual recognition arrangements (MRAs) serve as a tool for streamlining procedures without sacrificing security or proper functioning.

Likewise, it is necessary to promote the adoption of regional or bilateral or multilateral international agreements for collaboration on topics of interest. It is also important to encourage participation in the foremost international forums, such as those of the International Telecommunication Union (ITU) or the Inter-American Telecommunication Commission (CITEL), so that countries come together to debate and reach a consensus.