



SAMENA Telecommunications Council

Contribution to GSR-26 Best Practice Guidelines

30 March 2026 — Dubai, UAE

Theme:

Regulatory Governance Essentials: What core capabilities regulators need to make digital markets deliver

BACKGROUND

SAMENA Telecommunications Council welcomes the opportunity to contribute to the GSR-26 Best Practice Guidelines. Representing telecommunications operators, digital infrastructure providers, and technology ecosystem partners across South Asia, the Middle East, and North Africa, SAMENA submits the following perspectives grounded in the operational, investment, and deployment realities of digital infrastructure providers across the region.

Digital transformation ambitions across SAMENA markets (from AI enablement and cloud-native public services to digital public infrastructure and smart cities) depend fundamentally on sustained private-sector investment in resilient connectivity, computing, and data infrastructure. Governance frameworks must therefore reinforce investment certainty, operational efficiency, and cross-border scalability.

The geopolitical context in which digital markets now operate has shifted significantly. Technology ecosystems are increasingly shaped by national security imperatives, supply chain realignment, and competing models of digital sovereignty. Strategic assets such as subsea cable systems, hyperscale data centres, AI compute facilities, and mobile networks are no longer viewed solely as commercial infrastructure: they are recognised as critical national assets underpinning economic security, societal continuity, and geopolitical influence. The GCC region is no exception: governments are making substantial sovereign investments in digital infrastructure. Examples include Saudi Arabia's NEOM digital city¹, its National Data Management Office (NDMO)², and Vision 2030 AI programmes³, as well as the UAE's cloud-first policy⁴, national AI strategy⁵, and G42's⁶ emergence as a globally significant AI infrastructure provider.

At the same time, operators across the region face structural economic pressures: margin compression in connectivity markets, rapidly increasing traffic volumes driven by hyperscalers and AI-intensive content, and escalating capital requirements for 5G, fibre, edge computing, and AI-ready infrastructure. The governance frameworks discussed at GSR-26 must address both the sovereign-strategic dimension of digital infrastructure and the commercial sustainability of the private-sector operators who build and operate it.

Respectfully submitted,

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¹ <https://www.neom.com/en-us/about>

² <https://sdaia.gov.sa/en/Sectors/NDMO/Pages/default.aspx>,

³ <https://www.sdaia.gov.sa>

⁴ <https://u.ae/en/about-the-uae/digital-uae/digital-transformation/strategies-policies-and-initiatives/National-Cloud-Security-Policy>

⁵ <https://staticcdn.mbzuai.ac.ae/mbzuaiwpprd01/2022/07/UAE-National-Strategy-for-Artificial-Intelligence-2031.pdf>

⁶ <https://www.g42.ai/>

BASELINE GOVERNANCE TOOLKIT — ENABLING INVESTMENT AND INNOVATION

Effective digital governance is defined less by the volume of rules than by whether frameworks create predictable conditions for long-term infrastructure investment and service innovation. Operators and digital ecosystem actors require governance environments that are outcome-oriented, technology-neutral, and proportionate to market maturity, while also being resilient to the geopolitical forces now reshaping global digital supply chains and infrastructure ownership patterns.

Investment-Enabling Regulatory Design

SAMENA members operate across highly diverse markets. These include advanced GCC economies with ambitious AI-led national strategies to developing connectivity markets still closing the basic access gap. In all of these, regulatory design has a direct bearing on the availability and cost of infrastructure capital.

- **Outcome-based approaches** remain preferable to prescriptive technical mandates. Clear policy objectives such as service reliability, meaningful connectivity, and affordability allow operators to deploy the most efficient technologies. The UAE's TDRA⁷ has introduced outcome-based frameworks, including annual benchmarking exercises and a Coverage Center for continuous network quality testing, to accelerate infrastructure deployment without overspecifying means.
- **Regulatory experimentation mechanisms** such as regulatory sandboxes are increasingly important as AI applications, satellite-terrestrial integration, and open RAN architectures evolve rapidly. Saudi Arabia's CST Emerging Technologies Regulatory Sandbox and India's TRAI sandbox framework⁸ offer regional models. Bahrain's TRA has similarly piloted innovation-friendly licensing approaches for fintech-telecom convergence⁹.

- **Structured industry dialogue** is essential in markets characterised by concentrated infrastructure investment. Early operator consultation ensures feasibility, sequencing, and cost realism in regulatory design. In the GCC, structured multi-stakeholder consultation is now embedded in standard regulatory practice: the UAE's TDRA¹⁰, Saudi Arabia's CST (in relation to D2D for example¹¹) and Bahrain's TRA routinely publish formal consultation documents and convene industry working groups before finalising significant regulatory instruments, from spectrum licensing to private network frameworks.
- **Regulatory durability** matters for investor confidence. Sunset clauses, phased obligations, and stable spectrum licensing frameworks reduce legacy compliance burdens and signal long-term commitment to rules-based governance.

Digital Infrastructure as Strategic and Sovereign Asset

As digital infrastructure increasingly becomes a sovereign-strategic asset, governance frameworks must evolve beyond traditional access and pricing regulation. Key SAMENA members (including STC Group, e&, Omantel and Zain) are directly invested in subsea cable systems, sovereign cloud platforms, and AI compute infrastructure that carry explicit national-security and strategic-resilience dimensions. STC's center3 subsidiary is a co-investor in the 2Africa cable system and is building 1GW of AI data centre capacity with Saudi Arabia's sovereign PIF-backed HUMAIN; e& operates the UAE's nationally endorsed sovereign cloud platform; Omantel and ZOI manage over 20 subsea cable systems and are constructing overland fibre alternatives in direct response to the 2024 Red Sea cable disruptions¹².

Several GCC governments are and have moved in this direction: Saudi Arabia's Cloud First Policy and Data

⁷ <https://telecomreview.com/articles/exclusive-interviews/8653-tdra-driving-uae-s-progress-as-a-global-model-for-ict-development/>

⁸ TRAI – Recommendations on Regulatory Sandbox in Digital Communication Sector (April 2024): <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2017749®=3&lang=2>

⁹ <https://www.tra.org.bh/en/category/regulatory-sandbox-innovation-license>

¹⁰ <https://telecomreview.com/articles/exclusive-interviews/27582-shaping-uaes-tomorrow-tdras-h-e-eng-al-ramsi-on-regulation-innovation-and-the-digital-future/>

¹¹ <https://www.cst.gov.sa/en/media-center/news/N2025101301>

Residency Framework, the UAE's National Cloud Policy, and Qatar's digital sovereignty strategy all reflect the view that data and compute infrastructure are strategic public goods, and that the operators who build and manage them are partners in national resilience, not merely commercial licensees.

From an industry perspective, governance frameworks for strategic infrastructure should:

- **Provide clear and predictable investment-screening and security-review frameworks** for critical digital assets, avoiding ad hoc intervention while ensuring transparent criteria for national security assessments of infrastructure ownership and supply chain composition.
- **Establish trusted value-enhancing infrastructure partnership models** between governments and private operators that reinforce resilience without constraining market competition or cross-border financing. The 2Africa consortium, in which STC, Omantel, and Ooredoo are co-investors alongside global partners, illustrates how GCC operators engage in large-scale shared-infrastructure models that carry both commercial and strategic dimensions.
- **Ensure that security and resilience mandates are implemented through transparent, technology-neutral obligations**, rather than through structural market restrictions that distort competition or discriminate against specific vendors without evidence-based justification. Trusted vendor frameworks, where applied, should be defined through open criteria and subject to periodic review.
- **Avoid digital fragmentation** that raises infrastructure costs and reduces economies of scale. Unilateral data localisation, network separation, or technology exclusion mandates risk creating a 'splinternet' that harms global connectivity and investment flows.

Sustainable Contribution Models for the Digital Ecosystem

The structural imbalance in the digital economy, where connectivity providers bear the overwhelming share of infrastructure investment costs while an increasing proportion of digital value creation is captured by other ecosystem layers, has intensified at precisely the

moment when demands on operators are multiplying. Governments increasingly expect operators to function as instruments of national resilience and sovereign digital infrastructure. This has become critically evident during times of crisis, civil conflicts or even pandemics. Governments impose security mandates, redundancy requirements, and AI-ready capacity obligations that carry significant capital costs. Operators cannot be both the guarantors of national digital resilience and the sole bearers of its cost.

SAMENA has been advocating on this issue for many years, including through co-chairing the UN Broadband Commission's Working Group on 21st Century Financing Models alongside Zain Group, which established a solid analytical foundation for broadening the base of contributors to digital infrastructure sustainability. The debate has advanced furthest in Europe, where the EU conducted formal consultations on 'fair share' mechanisms between 2022 and 2024, and South Korea has gone furthest in implementation through its sending-party-pays model. For SAMENA markets, the immediate priorities are:

- **Modernising contribution models** beyond traditional telecom levies and universal service funds, to reflect the full digital value chain and include large traffic generators — particularly given the scale of AI-driven traffic now flowing across regional networks.
- **Directing resources toward shared digital commons**, including network resilience, rural connectivity, cybersecurity capacity, digital literacy, and online safety — areas that deliver broad societal and sovereign value but are inadequately funded under current models.
- **Designing mechanisms that preserve the open internet** and are neutral with respect to traffic type and service category, avoiding any approach that could introduce discrimination or fragmentation.

Principle for the Guidelines:

Governance frameworks should prioritise investment predictability, innovation flexibility, and proportional obligations across the full digital ecosystem, ensuring that regulation supports, rather than constrains, infrastructure development, and that the sovereign and resilience demands now placed on network operators are matched by a sustainable and equitable funding architecture.

¹² <https://zainweb-data.s3.amazonaws.com/media/documents/Zain-IR-DeckQ12024.pdf>; <https://www.subseacables.net/exclusive-interviews/empowering-connectivity-omantel-s-evolution-in-the-digital-era/>; <https://www.submarinenetworks.com/en/systems/asia-europe-africa/2africa>; <https://restofworld.org/2026/gulf-overland-data-cables-europe-war/>; <https://www.thenationalnews.com/future/technology/2025/12/18/stc-unit-and-humain-to-build-data-centres-in-saudi-arabia/>; <https://www.subseacables.net/exclusive-interviews/empowering-connectivity-omantel-s-evolution-in-the-digital-era/>

MEASURABILITY AND ENFORCEABILITY — FOCUSING ON WHAT MATTERS

SAMENA members operate across markets with significantly different levels of digital maturity, from among the world's most connected and AI-advanced economies to markets still closing the basic broadband gap. Measurement and reporting frameworks must be adapted to this diversity and avoid imposing compliance costs that divert resources from network investment.

- **Meaningful connectivity metrics** are more relevant than just coverage statistics. ITU's Universal and Meaningful Connectivity (UMC) framework¹³, which is built around six dimensions of quality, availability, affordability, devices, skills, and security, provides the right foundation. As AI-intensive applications become standard, SAMENA recommends incorporating latency and compute proximity considerations into future iterations of connectivity measurement standards.
- **Balanced ecosystem-wide observability** is essential. As digital platforms, OTT services, and AI providers assume larger market roles, governance frameworks should ensure visibility across the full value chain, not only at the connectivity layer. Current asymmetries in reporting obligations between network operators and large digital platforms are neither equitable nor analytically sound.
- **Data-driven regulatory tools** can enhance real-time network monitoring and market oversight, provided safeguards address algorithmic bias, data integrity, and transparency. The UAE's TDRA, through its QoS benchmarking framework and Coverage Center for continuous network quality testing, provides a relevant regional reference point.¹⁴
- **Harmonised measurement frameworks** support regional comparability and reduce duplication. Voluntary alignment with tools such as the ITU ICT DataHub and the ITU Unified Framework enables operators and regulators across diverse SAMENA markets to benchmark progress against common reference points, thereby strengthening the evidence base for regional digital governance without prescribing national reporting approaches.

Principle for the Guidelines:

Measurement frameworks should be outcome-focused, interoperable, and proportionate, which can help strengthen regulatory accountability while avoiding administrative overload, and ensuring that observability obligations apply equitably across all layers of the digital ecosystem.

¹³ <https://www.itu.int/itu-d/sites/projectumc/home/aboutumc/>

¹⁴ <https://telecomreview.com/articles/exclusive-interviews/8653-tdra-driving-uae-s-progress-as-a-global-model-for-ict-development/> and https://tdra.gov.ae/-/media/TDRA-Media/Brochures/2024/Media-Report-2024_English.ashx

PREDICTABLE SUPERVISORY PATHWAYS — PROTECTING INVESTMENT CONFIDENCE

In capital-intensive infrastructure sectors, regulatory predictability is a core investment variable. Sudden, opaque, or politically-driven enforcement actions can materially affect financing conditions, sovereign credit perceptions, and deployment timelines. This risk is heightened in the current geopolitical environment, where infrastructure assets may be subject to overlapping oversight from telecommunications, competition, data protection, national security, and AI regulators simultaneously.

- **Graduated supervisory models** are preferable to abrupt enforcement. Sequenced pathways (from guidance and engagement, through corrective remedies, to stronger measures where warranted) support compliance while preserving market stability. Operators need assurance that escalation and de-escalation criteria are clearly defined and consistently applied.
- **Published enforcement frameworks** enhance due process and investor confidence. Transparency on escalation criteria, timelines, and appeal procedures provides operational clarity. SAMENA encourages regulators to adopt and publish such frameworks, drawing on the published regulatory principles and enforcement guidelines developed by international regulators such as Ofcom.¹⁵
- **Cross-agency coordination** is increasingly critical as telecommunications intersects with competition law, data governance, AI regulation, cybersecurity, and national security policy. Fragmented oversight materially increases compliance risk and cost. An emerging international norm of formal cross-agency coordination

forums, first established by the UK's Digital Regulation Cooperation Forum (DRCF)¹⁶, Australia's Digital Platform Regulators Forum (DP-REG)¹⁷, and similar bodies in Canada and the Netherlands, all coordinating through the INDRC network offers practical models worth examining in different regional contexts, adapted to each country's institutional architecture and regulatory tradition.

- **Cybersecurity governance** should align with international standards, actively support cross-border threat intelligence sharing, and be sequenced to avoid imposing costs that outpace organisations' implementation capacity. SAMENA members support resilience mandates but note that overlapping or poorly sequenced cybersecurity obligations across multiple authorities can significantly increase operational costs.
- **Symmetry between escalation and de-escalation** is essential. Remedial measures must be lifted in a predictable and timely manner when conditions normalise and regulatory frameworks should include explicit review mechanisms to that effect.

Principle for the Guidelines:

Supervisory systems should be transparent, risk-based, and procedurally predictable, thereby reinforcing compliance while safeguarding long-term investment conditions, and ensuring coherence across the multiple regulatory domains now relevant to digital infrastructure.

¹⁵ <https://www.ofcom.org.uk/about-ofcom/policies-and-guidelines>

¹⁶ <https://www.drcf.org.uk/about-us>

¹⁷ <https://dp-reg.gov.au/>

CROSS-BORDER COOPERATION — ENABLING REGIONAL SCALE IN A FRAGMENTED WORLD

SAMENA markets are deeply interconnected, and the GSR Best Practice Guidelines process is in itself an effective conduit for regulatory methodology / principles harmonisation that supports effective cross-border cooperation. SAMENA supports this process. SAMENA would like to take the opportunity to highlight two areas that could benefit from cross-border cooperation:

- **Connectivity-layer governance of cross-border AI and platform services.** AI governance has featured in both GSR-24 and GSR-25, but discussion has focused on general principles of responsible AI deployment and on regulators using AI as a supervisory tool. The GSR Guidelines have not yet addressed the specific regulatory coordination questions that arise for telecom operators: how to treat traffic from cross-border AI services under national QoS and net neutrality frameworks; which regulator holds jurisdiction when a cross-border AI service causes consumer harm in a market where it has no local presence; and how interconnection and access obligations should evolve as AI-native services increasingly bypass traditional service layer boundaries. These are telecom regulatory questions that require GSR-level guidance.¹⁸
- **Regional spectrum alignment for NTN and direct-to-device satellite services.** WRC-27 preparatory work is active within ITU-R, and ITU-D has published analytical material on D2D regulation. Moreover, several developments are underway, with satellite operators deploying significant space- and terrestrial-based infrastructure in hopes of creating opportunities for collaboration with terrestrial network operators. However, the GSR Best Practice Guidelines have not addressed how national telecom regulators should approach NTN licensing frameworks, coexistence rules protecting terrestrial operators' investments, or the formation of coordinated regional positions ahead of WRC-27 spectrum decisions. SAMENA-region regulators are currently preparing for WRC-27 individually rather than through aligned regional approaches. This is the gap the 2026 Guidelines should help close.¹⁹

Principle for the Guidelines:

The GSR framework is well-established on connectivity fundamentals. The 2026 Guidelines should fill two specific gaps where telecom regulators currently lack guidance: the connectivity-layer implications of cross-border AI and platform services, and regional spectrum alignment for NTN ahead of WRC-27.

¹⁸ International AI governance activity is extensive, including OECD AI Principles (updated 2024, <https://oecd.ai/en/ai-principles>), the UN Global Digital Compact (2024), the G7 Hiroshima Process, UNESCO's AI Ethics Recommendation, and ITU's AI for Good work, but focuses on ethics, safety, and general governance rather than telecom-layer regulatory coordination. GSR-24 addressed responsible AI broadly (https://www.itu.int/itu-d/meetings/gsr-24/wp-content/uploads/sites/24/2024/08/GSR-2024_BestPracticeGuidelines.pdf); GSR-25 continued this under its digital ecosystem builders theme (<https://www.itu.int/hub/2025/09/gsr-25-guidelines-and-the-conversations-driving-regulatory-action/>). Neither addressed the connectivity-layer regulatory asymmetry between network operators and cross-border AI/platform providers.

¹⁹ WRC-27 Agenda Items 1.12, 1.13, and 1.14 are studying D2D spectrum allocations; ITU-R is considering new MSS allocations in the 700–2,700MHz range under Agenda Item 1.13. 3GPP Releases 17 and 18 provide the NTN technical standards framework. In September 2025 the GSMA published practical regulatory guidance for individual governments on D2D spectrum frameworks (<https://www.gsma.com/newsroom/press-release/gsma-releases-guidance-to-support-new-direct-to-device-d2d-satellite-services/>), drawing on a task force of over 50 operators, and ITU-D has published a D2D regulatory overview at <https://digitalregulation.org/satellite-direct-to-device-services/>. Saudi Arabia's CST launched a D2D public consultation in October 2025: <https://www.cst.gov.sa/en/media-center/news/N2025101301>. The gap identified here is not the absence of national-level guidance but the absence of a coordinated regional approach among SAMENA regulators feeding into WRC-27 preparatory studies — a gap the GSR Best Practice Guidelines are well placed to address.



SAMENA Telecommunications Council thanks ITU for its leadership in facilitating this consultation and looks forward to contributing constructively to the GSR-26 outcomes.