



The Americas Region

Enhancing competitiveness in the Caribbean
through the harmonization of ICT Policies,
Legislation and Regulatory Procedures – HIPCAR
(7RLA08006)



BACKGROUND

The Harmonization of ICT Policies and Legislation across the Caribbean (HIPCAR) project was a response to a request from the Caribbean Community (CARICOM) and the Caribbean countries to the International Telecommunication Union (ITU) and the European Commission (EC) for cooperation in harmonizing the ICT policies, legislation, regulatory processes and procedures within their respective territories. It focused on 15 Caribbean countries, and was implemented within the framework of the Caribbean Single Market and Economy (CSME), the CARICOM Connectivity Agenda, and the region's commitments to the WSIS and the Millennium Development Goals (MDGs). The HIPCAR project was officially launched in 2008, fully implemented and concluded in 2013.





WHY WAS THE PROJECT NEEDED?

Telecommunication laws were enacted in most CARICOM Member States between 1999 and 2002. They took the necessary steps to establish regulatory bodies and dismantle the existing monopolies, however, full liberalization was limited and differed across the different Member States. Each country had independently adopted different approaches, practices and methodologies for developing the ICT sector, with the exception of the Eastern Caribbean. Therefore, coordination within and across the regions was essential if the various policies, legislation, and practices resulting from each country's liberalization were not to become an impediment to the development of the competitive regional markets.

PARTNERS

The Caribbean Community (CARICOM)

www.caricom.org

The Caribbean Telecommunication Union (CTU)

www.ctu.int

European Commission

<https://ec.europa.eu>

With the financial support of the European Commission, the HIPCAR Project was conceived by ITU, the Caribbean Community (CARICOM) Secretariat and the Caribbean Telecommunication Union (CTU) in response to requests from CARICOM States (Antigua and Barbuda, the Commonwealth of the Bahamas, Barbados, Belize, the Commonwealth of Dominica, the Dominican Republic, Grenada, the Co-operative Republic of Guyana, Republic of Haiti, Jamaica, the Federation of Saint Christopher and Nevis, Saint Lucia, St. Vincent and the Grenadines, Republic of Suriname, Republic of Trinidad and Tobago) and other ICT stakeholders who saw the need for a more unified approach to the subject.

The project was part of the partnership between ITU and the European Commission covering the African, Caribbean and Pacific Group of States (ACP) regions. The aim of this project was the harmonization of ICT policies, legislations and regulatory procedures in the Caribbean Region concerning the identified priority areas that included the following:

OBJECTIVES

01

ICT legislative framework – information society issues:

- e-commerce – transaction;
- e-commerce – evidence;
- access to public information;
- privacy and data protection;
- cybercrime;
- interception of communications

02

Review of the telecommunication acts:

- universal service/access framework;
- interconnection;
- licensing in a convergent environment



RESULTS

The project's results were achieved by successfully assisting both the regional organisations as well as countries in CARICOM, on the development and promotion of harmonised ICT policies and regulatory frameworks, in relation to the region's ICT markets. The HIPCAR project supported the transposition of the model texts, as well as gave technical support to countries which requested assistance.

Countries benefited from this project at the national level, - through the delivery of support to Barbados, Grenada, Republic of Haiti, Jamaica, Saint Christopher and Nevis, Saint Lucia, St. Vincent and the Grenadines, Republic of Trinidad and Tobago, – as well as at the regional level, as the project fostered a more harmonized and enabling policy and regulatory environment for a competitive regional market.

The list of countries and activities is detailed in the Key Performance Indicator (KPIs) table.



The HIPCAR project

“Enhancing Competitiveness in the Caribbean through the Harmonization of ICT Policies, Legislation and Regulatory Procedures”



GLOBAL ITU-EC-ACP PROJECT ON HARMONIZATION



KEY PERFORMANCE INDICATORS

	Planned	Ongoing	Validated	Adopted (Ministers)	
Overall					100
1. Barbados					100
e-Commerce (evidence)	yes	yes	yes	yes	100
Privacy and Data Protection	yes	yes	yes	yes	100
Interception of Communications	yes	yes	yes	yes	100
Cybercrime /e-Crimes	yes	yes	yes	yes	100
Universal Access and Service	yes	yes	yes	yes	100
Interconnection	yes	yes	yes	yes	100
Licensing Regulations	yes	yes	yes	yes	100
Telecommunications Act	yes	yes	yes	yes	100

<http://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPCAR/Pages/default.aspx>

	Planned	Ongoing	Validated	Adopted (Ministers)	
2. Grenada					100
e-Commerce (evidence)	yes	yes	yes	yes	100
Interception of Communications	yes	yes	yes	yes	100
Cybercrime / e-Crimes	yes	yes	yes	yes	100
3. Haiti					100
e-Commerce (transactions)	yes	yes	yes	yes	100
e-Commerce (evidence)	yes	yes	yes	yes	100
Interception of Communications	yes	yes	yes	yes	100
Cybercrime (e-Crimes)	yes	yes	yes	yes	100
4. Jamaica					100
Privacy and Data Protection	yes	yes	yes	yes	100
Cybercrime	yes	yes	yes	yes	100
Interconnection	yes	yes	yes	yes	100
Licensing	yes	yes	yes	yes	100
Access to Public Information (FOI)	yes	yes	yes	yes	100
5. St. Kitts and Nevis					100
e-Commerce (transactions)	yes	yes	yes	yes	100
e-Commerce (evidence)	yes	yes	yes	yes	100
Privacy and Data Protection	yes	yes	yes	yes	100
Interception of Communications	yes	yes	yes	yes	100
Cybercrime	yes	yes	yes	yes	100
Access to Public Information (FOI)	yes	yes	yes	yes	100

	Planned	Ongoing	Validated	Adopted (Ministers)	
6. Saint Lucia					100
Interception of Communications	yes	yes	yes	yes	100
Access to Public Information (FOI)	yes	yes	yes	yes	100
Universal Access and Service	yes	yes	yes	yes	100
Interconnection and Access	yes	yes	yes	yes	100
Licensing	yes	yes	yes	yes	100
Privacy and Data Protection	yes	yes	yes	yes	100
Cybercrime	yes	yes	yes	yes	100
7. St. Vincent and the Grenadines					100
e-Commerce (transactions)	yes	yes	yes	yes	100
e-Commerce (evidence)	yes	yes	yes	yes	100
Privacy and Data Protection	yes	yes	yes	yes	100
Cybercrime	yes	yes	yes	yes	100
Access to Public Information (FOI)	yes	yes	yes	yes	100
8. Trinidad and Tobago					100
e-Commerce (transactions)	yes	yes	yes	yes	100
Cybercrime	yes	yes	yes	yes	100
9. ECTEL Electronic Communications Bill					100
Universal Access and Service	yes	yes	yes	yes	100
Interconnection And Access	yes	yes	yes	yes	100
Licensing	yes	yes	yes	yes	100

MAIN ACTIVITIES

01

In collaboration with the regional organizations and beneficiary countries, a draft regional model legislation was developed for each of the identified priority areas.

02

The draft regional model legislation was reviewed, discussed and adopted by broad consensus at three regional workshops.

03

The draft regional model legislation was presented to the CTU 13th General Conference of Ministers and to the 5th CARICOM Regional ICT Steering Committee meeting in 2010.

04

HIPCAR outcomes and developments were brought to the attention of the heads of government and the Regional Legal Committee

05

As from 2011, HIPCAR focused on providing in-country assistance for the transposition of the model texts into national jurisdictions and also gave technical support to countries which requested such assistance.



LESSONS LEARNED

The Project received significant regional support and had an overwhelmingly positive impact, due to the methodology applied throughout the CARICOM region and in each individual country. It also generated a tangible and positive dynamic between the different countries, as stakeholders were motivated by their shared commitment and agreed priorities.

As specific attention was given to linking the substance of policy and legislation with capacity-building initiatives, the beneficiary countries and regional organizations were given the skills they needed to effectively implement and manage the project's outcomes, especially at national level.

This project underlined the significant contribution that ICTs can make to poverty reduction and the achievement of the Millennium Development Goals. It demonstrated the necessity of beneficiary countries and regional organizations to take ownership of development projects such as this one and the catalytic and supportive role that the international community can play.

CONCLUSION AND RECOMMENDATIONS

- The first HIPCAR Steering Committee in 2009 identified the key priorities and their links with existing regional issues. Over the following four years of project implementation, each of these priorities has been assessed, worked out and finalized in the form of model legislation, guidelines, or recommendations that can be implemented by each country individually and by the region globally.
- The project provided support to the Caribbean countries in improving their competitiveness by harmonizing approaches to ICT development. It brought together the Caribbean governments, regulators, service providers, civil society, private sector, regional and international organizations involved in ICT.
- The Project also provided guidelines for harmonized policies and legislations that were specifically elaborated for the identified areas of regulation. Model ICT policies and legislation have been developed at a regional level with the full support of all relevant stakeholders
- Countries are in the process of adopting or updating existing ICT frameworks. With these recommendations incorporated into their national economic and social activities, these countries are now in a position to take full advantage of being part of a harmonized ICT legislative landscape.