
Guidelines on Access to Submarine Cables in West Africa

An input to pan-African definition and implementation of Open Access principle

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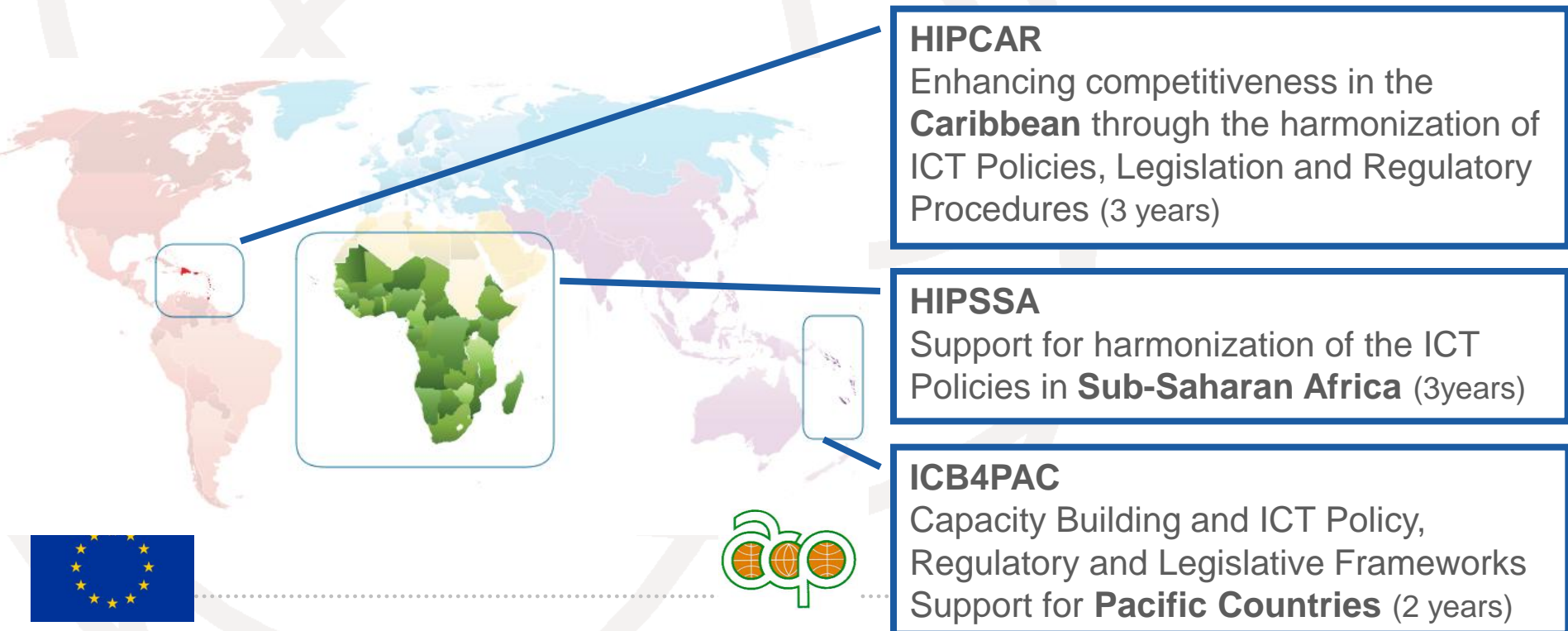
International Telecommunication Union (ITU)



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A global Project for the ACP countries

- An effectively functioning **ICT sector** is a key driver for development, growth and employment
- **ITU and European Commission** signed a global project to provide “*Support for the establishment of **harmonized policies for the ICT market in the ACP states**”* end 2007
- Component of “ACP-Information and Communication Technologies” programme (**@CP-ICT**) within the framework of the 9th European Development Fund
- **3 regional sub-projects** addressing specific needs of each region

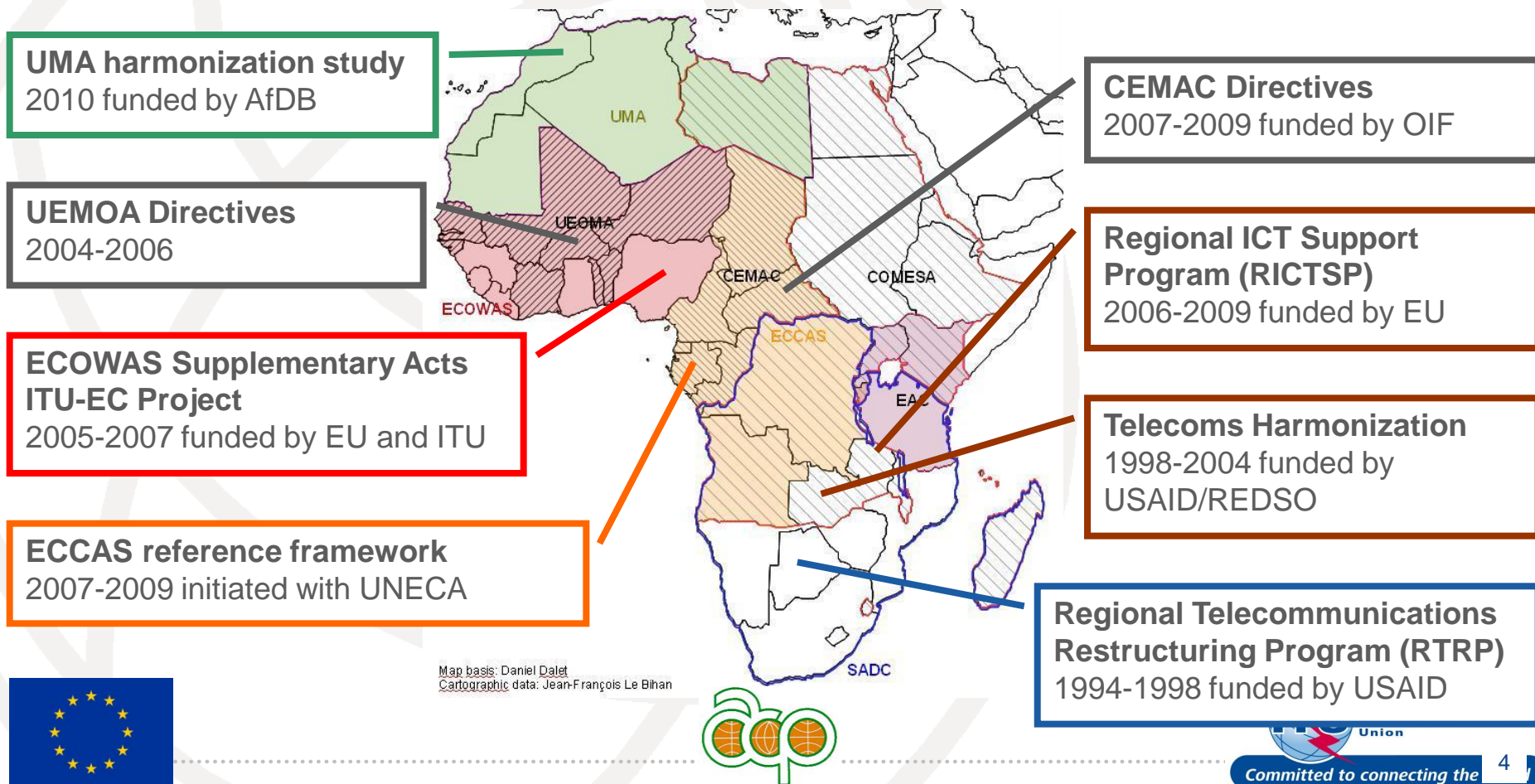


- **Global objective** of this project is to provide support towards creating harmonised policies for ICTs and an efficient regulatory environment, conducive to massive investments required by ICT infrastructures and applications in the ACP countries;
- **Detailed objectives** are as following :
 - Developing and promoting ICT market policies and guidelines for individual ACP Countries
 - Supporting the regional organizations and the sub-regional economic groupings to develop and promote the use of harmonized ICT market policies and regulations in the area concerned
 - Building human as well as institutional capacity in the field of ICT through a range of targeted training, education and knowledge sharing measures
- This Project urges for a **demand-driven bottom up approach**;
- The methodology will facilitate and consolidate the **ownership** of the project by the beneficiary countries;
- In general terms, this project will pay specific attention to link the substance of policy and regulation to **Capacity Building**.



Regional harmonisation efforts since the late 90's

- Regulatory harmonisation to facilitate regional integration and common markets with larger volumes to attract required investments



Pan-African initiatives

- ITU African Green Book (1996), a reference and a guide in the late 1990's

First wave of policy reforms

- ▶ Sector liberalization
- ▶ Establishment of National Regulatory Authorities

Rationale

- ▶ Required capital beyond the means of Governments alone
- ▶ Return on investment to be attractive for private sector
- ▶ Market size → regional markets → economic integration

Capacity building through extensive consultative process

- African Union's Reference Framework (2008), a new plan of action
 - ▶ Updated policy objectives and operational road map for pan-African ICT policy and regulatory harmonization
 - ▶ Coordination framework for regional economic communities' ICT activities
 - ▶ Set up a conducive environment for the interconnection of network and interoperability of services at national level



Regulatory harmonization cycle

List of 8 common subjects or priorities

Licensing

Universal service

Spectrum management

Numbering

Interconnection

Including Sub Marine Cable

Cybersecurity

Analog to Digital
Broadcasting Migration

Statistics

1. Regional Acts

- Policy objectives
- Legal framework
- Regulatory guidelines
- Regional training

2. National Implementation

- Advocacy
- Technical assistance
- Validation and adoption
- National training

3. Monitoring and evaluation

- Implementation status
- Regulatory benchmarking
- Impact analysis of regulation on ICT markets



3 WATRA guidelines on access to submarine cables

HIPSSA and WATRA are currently working on developing regional policy and regulatory guidelines on the harmonization of access to submarine cables in West Africa

1. First Assessment and Policy Objective:

- workshop held in Accra, Ghana on 17 and 18 November 2009
- Participation open to any interested participants
- in collaboration with Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)

2. Preparation of draft Policy and Guidelines

- West Africa Best Practices: a review of Open Access in WATRA Member States focusing on licensing - interconnection - wholesales issues
- African Best Practices: a review of regional regulatory initiatives in Africa focusing on submarine cables - landing stations - backbone and backhaul
- international best practices ("Front Runners")
- Redaction of Draft Guidelines based on policy objective identified in Accra.



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3 WATRA guidelines on access to submarine cables

3. Circulation to country focal points for preliminary comments

4. Validation

- Workshop in Monrovia, Liberia 7-9 December 2010
- Participation open to interested parties – Final decision to WATRA members
- Presentation, discussion via case studies and validation of the Comparative Analysis and draft Policy and Guidelines

5. Adoption: WATRA General Assembly Q1 2011

All the process is supported by a **pluridisciplinary team of experts** combining legal, economic, technical know-how related to sub marine cables

6. Input for Pan African Guidelines under the African Union aegis



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3 WATRA guidelines on access to submarine cables

Current Draft Policy and Guidelines

Competition: appropriate regulation of bottlenecks in order to increase investment, digital uses, growth and therefore economic and social development

draft Model-Guidelines: generic model for appropriate regulation (remedies) and enable WATRA regulators to make the same positive impact on the telecoms markets and the economic development of their countries: Licensing - Access and collocation Charges – SLA - Backhaul services - Dispute resolution

In a second stage, development of common regional Cost Accounting.
In the meantime, WATRA to monitor the market price (benchmarking) on submarine cables connecting Africa.

Implementation of these Guidelines involves completing transposition into national law of the ECOWAS Supplementary Acts for those countries which have not yet done so.



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The Global ITU-EC-ACP Project is a platform for sustainable regulatory harmonization

- Project with a global scope, a common list of priorities for each region and a bottom up approach
- Incorporation of past and current projects of other international and regional organizations (synergies)
- Link substance of policy and regulation to human & institutional capacity building
- ...is progressively creating a harmonization dynamism and improve exchanges of best practices
 - Tonga Declaration, 18th June 2010
 - Abuja Declaration, 6th August 2010



Thank you for your attention

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http://www.itu.int/ITU-D/projects/ITU_EC_ACP/index.html



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