15th Forum on Telecommunications/ICT Regulation and Partnership in Africa (FTRA 2016)

"Challenges of regulating in an information society with no boundaries"

Sofitel Hotel Ivoire, Abidjan, Côte d'Ivoire , 23 - 25 March 2016

Final Communiqué

I Introduction

The 15th Forum on the regulation of telecommunications / ICT and Partnership in Africa (FRTA-2016) was held in Abidjan, Côte d'Ivoire , March 23 to 25, 2016, on the theme: "Challenges of regulating in an information society with no boundaries. "

The Forum was organized by the International Telecommunication Union (ITU) in collaboration with the Republic of Côte d'Ivoire and the Regulatory Authority for Telecommunications of Côte d'Ivoire (ARTCI). The first day was dedicated to the work of the Working Party on Private Sector Issues. This first day has housed the first 5 sessions whose report was presented at the plenary session of the FTRA by the President of this Group.

II Opening Ceremony

The opening ceremony was led by Mr. Ali DIARASSOUBA (RTI journalist) who welcomed the various officials present namely:

- H.E. Bruno NABAGNE KONE, Minister for the Digital Economy and the Post , Spokesperson of the Government of Côte d'Ivoire;

- H. E. Moustapha DIABY, Minister of Posts, Telecommunications and Digital Economy of the Republic of Guinea;

- Mr. Brahima SANOU, Director of BDT/ITU

- Mr. Andrew RUGEGE, ITU Regional Director;

- Mr. BILE DIEMELEOU, Director General of ARTCI;

- Mr. TIACOH, Representative of the Mayor of the municipality of Cocody.

He then asked the assembly to observe a minute of silence for victims of Grand-Bassam; after which Mr. Diarassouba invited Mr. TIACOH to deliver his message on behalf of the Mayor of the Municipality of Cocody. The representative of the mayor of Cocody said that it was an honor for the City to host the 15th edition of the FTRA.

Mr. TIACOH also reiterated the recognition of the Mayor of Cocody in the place of Bruno S.E.M. NABAGNE KONE and ITU for choosing the Cocody commune to host this edition of FTRA. Following the Representative of the Mayor of the Municipality of Cocody, Mr BILE DIEMELOU Amon, Director General of ARTCI, delivered his message. Mr. DIEMELEOU sent cordial greetings and thanks to the personalities and the whole assembly. He also addressed special thanks to H.E.Bruno NABAGNE KONE for all of his work for the development of the Digital Economy and the Post in Côte d'Ivoire.

The Director General of ARTCI recalled the importance of FTRA in finding ways and solutions in an environment that will implement all the necessary guarantees to all players in the Digital Economy. After thanking the Secretary General of ITU Mr. ZHAO HOULIN, Mr. DIEMELEOU closed by wishing that this 15th edition of FTRA allow participants to acquire reinforcements so that they can help identify regulatory problems in an information society without boundaries, and tools to address them.

Mr. BRAHIMA Sanou, BDT Director, has meanwhile thanked the Ivorian authorities for their warm welcome, presented its condolences for the tragic events in GRAND BASSAM before noting that ICTs were a powerful vehicle to achieve sustainable development goals (SDGs) . He also said it was now time thinking in terms of ICT ecosystem and not in terms of vertical regulations. According to him, we must involve all stakeholders in the digital economy so that they can interact with each other. He also invited all stakeholders to innovate their respective way of thinking given the changes in the sector.

H.E. Moustapha DIABY, Minister of Digital Economy and the Post of GUINEA in his speech reiterated his compassion for the Ivorian people and the Government. He also expressed the regrets of his Malian counterpart who could not make the trip because of recent unfortunate events that occurred in Mali. He stressed the need to ensure convergence is made positive, that is to say not only the technical convergence but also taking into account the human aspect. He also stressed, speaking about roaming issues, that Africa spends about one billion US dollars per year. He welcomed the idea of removing roaming and the establishment of "one network area" which are major projects of the Smart Africa. According to him to deal with all these issues we need to adapt, anticipate and innovate beyond fear and questioning.

H.E. Bruno NABAGNÉ KONÉ, Minister of Digital Economy and the Post, spokesperson of the Government of Côte d'Ivoire thanked the various people present including official. He also congratulated

Mr. Toure HAMADOUN for all his work at the head of the ITU and for his new responsibilities as head of the Smart Africa. Mr. Bruno KONE introduced the interests of the Smart Africa initiative. Under this initiative the needs of Africa, to be fully connected are estimated at $ 300 billion. He also stressed that the challenge of the regulation on Telecommunications market is mainly based on scarce resources which need to be allocated and managed optimally and efficiently.

The Minister KONE also presented the FTRA interests consisting in getting the expertise and best practices in regulation in an information society without boundaries. The ICT sector is booming, Africa must not remain on the sidelines. That is why the Ivorian government has adopted a national development plan to be in line with the development of the Digital Economy. He reminded the new regulatory framework in force Telecommunications in Ivory Coast and functions of the new structures in charge of ICT development namely ARTCI, AIGF and ANSUT and proceeded to the official opening of FTRA-16.

III First Plenary Session: Election of officers and adoption of the agenda

The work of this 15th edition of FTRA-16 began with the election by acclamation of Mr. Amon DIEMELEOU BILE, DG of ARTCI, as President. Ms. Lindiwe Lorraine MALAZA Acting Director General of Swaziland Communications Commission (SCCOM), has been appointed Vice President of FTRA - 16. The secretariat is provided by the ARTCI with the support of the ITU.

Mr. BILE DIEMELEOU then gave the floor to Mr. Andrew RUGEGE to present the report of the outgoing Chairman of the 2013 FTRA-, Zimbabwe's Regulator (POTRAZ) that could not make the trip to Abidjan. The incumbent past chair activities have been presented with POTRAZ wishes for the continuation of activities in FTRA with efficiency and usability and the search for consensus.

Following Mr. Andrew RUGEGE, Patrick M'BENGUE, was invited to present the working Party report on questions relating to the Private Sector he is chairing. This report presents the proceedings of workshops held in 5 thematic sessions for the private sector group and makes some recommendations to the plenary of the FTRA.

IV -Works and sessions summaries

SESSION 6: Overview of trends in ICT, services and regulation

Moderator: Mr. Charles Tontama MILLOGO (Chairman of the Regulatory Board, Burkina Faso)

The moderator introduced the panelists.

Ms. Aminata DRAMA (Sonatel), first panelist for this session 6 FTRA maintained the meeting on regulatory challenges in the digital era. She said the market is changing with customer and regulatory requirements increasingly strong and a rise of OTT. Faced with this rise of OTT, the risks are:

-an imbalance that threatens the nature and purpose of investment by operators;

-capital flight;

-economic and security risks that should be of concern to all stakeholders;

-breach of personal data;

-breach of the secret of communications.

For Ms. DRAME, although OTT are not governed by the International Settlements it will be more convenient to put in place a thorough reflection framework to regulate because they are not subject to the same obligations as the operators.

Mr. Makhtar FALL (President IAMG), intervened in second position to maintain the assembly on trends in ICT markets in Africa. Mr. FALL briefly presented the context. For him, there is an average of 3 operators per country. Several countries have already surpassed the 100% penetration hence market saturation. It is therefore imperative to innovate and find new business models. He also stressed that political and social challenge of the digital economy is recognized and that there's a collective awareness strengthened by the adoption of ODD by nations. Africa must find ways to make broadband access a right for people as it is the case in developed countries. It must also adapt the regulatory framework and strengthening digital confidence. This will enable Africa to participate fully in the digital economy, including through a priority by the population literacy, infrastructure development, and reducing access costs. He also called for a study to determine the impact of OTT on the economy before making informed decision to decision makers.

Mr. Scott MINEHANE (ITU Consultant) 3rd panelist spoke on the Digital Economy emphasizing the digital impact on the daily lives of citizens, and the need for adopting methodologies to measure the real impact on populations.

The last panelist of this session, Mr. Assirou Kassim (Sales Manager and relations with operators VIPNET) spoke on the growth of IP traffic, applications and some trends, pointing out that traffic is changing dramatically worldwide with a predominance of multimedia content, all being facilitated by the multiplicity of media and uses.

Session 7: New trends in the sector of Telecommunications / ICT

Moderator: Mr. Abdoulkarim SOUMAILA (Secretary General of ATU).

The first panelist, Mr. Jean-Jacques MASSIMA (ITU Representative for Central Africa and Madagascar) has maintained the meeting on roaming and the need to establish a platform to discuss the problem of

roaming. He explained ITU initiative on International Roaming. According to studies made by ITU-T Study Group 3 , Roaming costs are not justified economically; so it is imperative to reduce prices and protect consumers. According to Mr. MASSIMA the problem of roaming cannot be solved at the continental level once but gradually passing at the sub regional level, in view of the difference and characteristics of markets and economic realities   in each sub region.

  Mr. Ousmane Ndiaye then, ARTP Representative of Senegal has maintained the Assembly on issues of technological neutrality policy, regulation and investment. He insisted that the legislation is difficult in view of the increasing transformation of the Digital Economy sector. For him, the sector regulation is no longer adapted to the ICT environment; The establishment of a joint working group composed of operators and regulators as was the case in Senegal, could give answers to appropriate regulation.

The intervention of Dr. Boudal NIANG (ESMT, Dakar), focused on the theme of quality of service and quality of experience and in particular the result of the invasion of Sim box on the degradation of the quality of service. Mr. Niang has first presented ESMT as a center of excellence of the ITU represented in several countries and specialized in capacity building. The center's main mission is, the initial training, research expertise and continuing education. He also defined the QoS according to international standards (ISO and ITU) and has given six key indicators to measure it.

Still on the same theme, Mr. Hughes AHOUNOU (Financial Manager at Grenn, Ivory Coast) presented the issues related to the use of SIM boxes; these include saturation of the network, the transmission of false information, bad customer experience, lower revenues for operators and losses for governments. To fight against this scourge must be developed according to Mr. AHOUNOU a deterrent regulation. As for operators, they must strengthen internal controls.

To conclude this session, and speaking about   fraud, Aminata DRAMA (Sonatel, Senegal) said that the telecommunications market is changing with several issues including OTT, the price war, the transformation of the economic model, new entrants, all this becomes conducive to fraud. On the fight against fraud, including the use of the Sim Box, Mrs. DRAMA recommended:

- The establishment of testing and periodic tracking of incoming calls;

- Network monitoring to detect possible fraud attempts;

- The involvement of authorities in the anti Sim Box struggle;

- Reduction of taxes that encourage fraudsters to find alternate roads

INFORMATION SESSION on SMART AFRICA

The President of FTRA-2016, Mr. Bile DIEMELEOU (DG ARTCI) gave the floor to Dr Hamadoun Touré for the information session which focused on Africa and the Smart "One Area Network." After thanking the

Ivorian authorities to organize the FTRA-2016, Dr Hamadoun Touré, introduced the Smart Africa initiative as an innovative project born from the "Transform Africa." Summit. According to him, the founding principles of Smart Africa are 5 in number and recorded in the Smart Africa manifesto approved by the Heads of State and Government in Kigali, October 29, 2013 and endorsed by the AU Summit.

Dr Touré stressed the importance of attracting investment to the continent, targeting the $ 300 billion required over the next 10 years. Smart Africa currently comprises 11 countries but discussions are ongoing with at least five other countries. It is up to these countries to make financial commitments and select flagship initiatives to support the Smart Africa initiative. Membership is open to the private sector; he announced the entry of INMARSAT as GOLD sector member in the Smart Africa joining other members of the sector already registered as ICANN and GSMA. Concluding his remarks, Dr Touré stressed that under the mobilization around the FTRA-2016 and the quality of exchanges, the future is bright for the continent but it is imperative to find ways to develop the Digital Economy; i.e., support training and innovation, develop the culture of entrepreneurship and the sharing of information and risk appetite which are essential commitments for this purpose. Finally, he hoped that Africa generates future geniuses of the Digital Economy in the image of Bill Gates, Mark Zuckerberg, Larry PAGE, etc.

After informing the Assembly of a coming closed session for regulators, Mr. Bile DIEMELEOU, President of FTRA-16 has suspended work while inviting all participants to the gala dinner hosted by H.E. Bruno NABAGNÉ KONE, Minister of Digital Economy and the Post, Spokesperson of the Government of Côte d'Ivoire to Latrille Events Area.

Session 8: closed African Regulators session, moderated by Mr. DIÉMÉLÉOU BILE.

Session 9: Some technical challenges in Africa

Moderator: Omar Said KOULIBALY, DG, ARPT, Guinea

Mr. Koulibaly opened his session by presenting the various themes that will be developed and evoking the practical difficulties for travelers regarding the exorbitant costs of access to their data from abroad.

The first Panelist this session, Mr. Jean Baptiste MUTABAZI, RURA, the Regulator of RWANDA has kept the meeting on international mobile roaming and the case of "One Network Area" known as the Northern Corridor in East Africa . He said that because of the high cost of roaming customer complaints became more and more numerous. In response, the Assembly of Heads of State of the eastern Region asked legislators May 31, 2014 to implement a single network for customers when they travel in the region. The Ministers in charge of the Digital Economy different countries should put this recommendation into practice. Regulators should also work on the harmonization of roaming. Thus it was decided to limit additional call charges on roaming, and set a limit retail costs.

The second speaker, Brice Abba BEOU of AFRINIC maintained the meeting on migration state from IPv4 to IPv6 in Africa. For him, IPv4 is exceeded, it is imperative to migrate to IPv6 because of the much

availability that this protocol provides. The non-migration to IPV6 will result in harmful consequences for the development of the digital economy in Africa.

Lamarana Mamadou BAH, Director of Networks and Services, ARPT, Guinea, has delivered GUINEA experience on monitoring incoming traffic. Mr. Bah said that the establishment of a liability system allowed GUINEA with the tools to carry out the mission of regulation. This passive system also allowed certifying the tax returns of the operators and gaining visibility into the traffic.

Following him Mr. Alpha Abdoulaye THIAM, of Senegal ,spoke on the same subject stating that Senegal has used GUINEA model to establish a liability system that allowed him to fight against fraud, and to have a clear vision of traffic operators.

Session 10: Regulation on technical and economic development

Moderator: Mr. Jean Baptiste MUTABAZI (RURA, RWANDA)

The first panelist for this session Mr. Jean - Jacques MASSIMA (ITU Representative for Central Africa and Madagascar) spoke of the digital dividend by defining it as a spectral quantity that allows efficient management of the frequency spectrum. The size of the digital dividend therefore depends on the amount of spectrum. The allocation of the digital dividend allows the development of many services such as 3D, mobile TV, interactive television. He also said that the digital dividend requires completing the migration from analog to digital Broadcasting. He recalled some subsequent decisions of the last World Radio communications Conference (WRC-15).

Following him, Mr. Armand Pierre NOUDEGBESSI, Manager Enterprise Business Group, presented the challenges of 5G in insisting that it offers a more connected world with the development of several services including intelligent energy, a new business model. There should be no opposition between OTT and operators. Operators must understand that they are not losers because everything which seems lost regarding the voice, SMS, etc. may be compensated in the multi-media level.

Finally, Mr. Scott MINEHANE, ITU consultant spoke on the regulation which, for him, must adapt to technological changes. He also said that there are new areas to be regulated. New economic models must then be regulated differently. Regulators must become fully digital regulators.

Final Plenary Session:

The President of FTRA gave the floor to the Vice President for driving debates on themes for the next session of FTRA. Ms. MALAZA (Swaziland) has circulated the floor and 3 following proposals were registered for finalization by the ITU:

1. Collaborative Regulation/ Incentivized Regulation

2. IP Interconnection and the impact on Cost Modeling; Voice over LTE

3. Regulatory Framework for a Smart Africa

The Chair then opened the AOB agenda item, and informed the meeting that the African meeting of the Multi-sectoral regulators, AFUR (Insurance, Transport, Energy, Computer, ICT etc …) was held in Johannesburg, South Africa and that coordination of the ICT sector was entrusted to the regulator of the Ivory Coast in his quality.

FTRA-2016 concluded with a series of recommendations to all actors of Telecom / ICT sector as listed in the Annex of this report, with a speech by the ITU Regional Director for Africa, by the reading of a motion of thanks of the participants read by Senegal and finally by the speech of the Director General of ARTCI. The President of FTRA-16 welcomed a friendly working environment for the success of a rich and intense meeting. He then wished good return to all participants in their families and in their respective countries and declared closed the fifteenth edition of the FTRA.

Annex1

Recommendations

1. FTRA-2016 prompts regulators to undertake a collaborative regulatory approach involving all stakeholders and to legislate in the mutual interest of the players Telecoms / ICT and OTT structures.
2. FTRA-2016 encourages regulators to harmonize and coordinate their efforts in order to take full advantage of the digital dividend
3. The FTRA-2016 further invites regulators and all other stakeholders to pool their efforts to fight against all forms of fraud which hampers the revenue of the telecom / ICT sector.
4. FTRA-2016 recommends the actors to be open to dialogue and consultation with the Governments by banding together in associations instead of individually and bilaterally and particularly urged them to publish their data for the public.
5. The FTRA-2016 recommends that countries work to establish IXPs both to national, regional, sub regional level to maintain traffic locally and improve the QoS while reducing costs.
6. FTRA-2016 urges countries to undertake the migration from IPv4 to IPv6 for greater satisfaction of users' needs while conforming their networks with global standards.
7. FTRA-2016 calls upon States to promote and support the startups incubations centers to showcase the innovation and creativity of young Africans .
8. Finally, the FTRA-2016 appeals to African Regulators to participate in FTRA at the highest level to allow for joint decision-making on urgent concerns of regulation and to present joint proposals for meetings of the GSR which they are invited to participate massively, especially the GSR-2016 in May in Egypt.