



**Emirates Integrated Telecommunications Company, PJSC. response to ITU's online open consultation on the "Public Policy considerations for OTTs"**

**1. What are the opportunities and implications associated with OTT?**

Globally, OTTs have elevated the pace of innovation - creating new opportunities (including by disrupting existing markets) and expediting societal change. The disruptive effects of OTTs is also being experienced within the communications industry – where OTTs have become popular substitutes to traditional communication services, whilst at the same time playing an important role in bringing people online.

OTT substitution of traditional communication services is intensifying the pressure on Operators' revenues, putting at risk their investment capabilities in future network development and service innovation. Market concentration in the hands of dominant OTT players presents risks to the privacy of consumer personal data and require a comprehensive regulatory framework across borders.

**2. What are the policy and regulatory matters associated with OTT?**

Asymmetric economic conditions between Operators and OTTs require a review, as the latter is able to reap incremental revenues without the necessity of directly paying for the telecom infrastructure/connectivity. In addition, the imbalance in taxation/licensing obligations between Operators and OTTs require an evaluation too.

There is a need of a powerful forum to bring together the considerations of the different stakeholders (Consumers, Operators, OTTs, Regulators, Governments etc.). ITU is one of the best forum to take the lead in such discussion.

As we emerge into a more digital economy, the role of a 'Telecom Regulator' needs to evolve into a broader based 'Digital services Regulator' ensuring all public policy become digital in its construct whilst at the same time safeguarding end user concerns to privacy, safety and security.

### **3. How do the OTT players and other stakeholders offering app services contribute in aspects related to security, safety and privacy of the consumer?**

Lawful Interception is an obligation for Operators to grant access to their network and services, however such provisions are not the same for OTTs. There needs to be a common framework to address all aspects relating to security, safety and privacy of the consumer. This is quite essential considering the open architecture of the Internet. For example, common applicability of standards on both Operators & OTTs such as the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679), ETSI LI standards etc. may address security and privacy concerns.

### **4. What approaches might be considered regarding OTT to help the creation of environment in which all stakeholders are able to prosper and thrive?**

The regulatory framework currently in place requires a re-evaluation - a light-touch model that protects competition and consumers without stifling OTTs' innovative power and facilitates reasonable economic returns for all stakeholders proportional to the investment risks undertaken. Alternative business arrangements (e.g. Revenue sharing / payment for network usage by OTTs) sharing the burden of infrastructure investments between the stakeholders should be explored.

Addressing Operator partnerships at a consortium level (regional/global) can help to bring market specific flavors to services (video, music, gaming etc.) and together with global OTT offerings can provide relevant and compelling benefits to consumers at large.

### **5. How can OTT players and operators best cooperate at local and international level? Are there model partnership agreements that could be developed?**

Open market dynamics should create an active eco-system. However, the eco-system will only thrive within the right context – which requires a fairer playing field for all market participants.

Innovative services and content has transformed Internet to be a "Media Platform" resulting in an expected shift from "Best effort service" to "Quality of Service". This is an opportunity for the Operators to move towards being a smart pipe. Telecom network infrastructure can be a differentiator and quality of service based on application will encourage OTTs to partner with Operators to ensure optimal service delivery.

Globally, nations intend to continue to expand and invest in higher speed wireless broadband networks as a national asset enabling growth, but by implication, this also means that a new model has to be defined to fund the expansion in a profitable way for Operators and OTTs.

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