



Technical Assistance for the Policy and
Regulation Initiative for Digital Africa
(PRIDA)

(Contract No: DCI-PANAF/2018/399-388)



CONTINENTAL WORKSHOP

ICT harmonization in Africa - How to monitor and evaluate it? - What are the next steps to better adapt to the challenges of digital transformation?

2-6 September 2019

Addis Ababa, Ethiopia



(1) Strength, Weakness, Opportunities and Threats

(2) Political, Economic, Social, Technology, Legal and Environment

Experts' parallel work on the regulatory priorities

Once the short list of regulatory priorities has been defined, it is proposed to establish small groups of experts working on 1 or 2 regulatory priorities.

During the work to be done in small groups and per the selected priorities, the experts shall:

- Submit the priority to the SWOT ⁽¹⁾ & PESTLE ⁽²⁾ framework analysis to analyze the priority
- Fill a dashboard determining objectives, indicators and desired outcomes ;
- Establish a work plan

To do so, several templates are provided in order to feed into the same framework. Templates can be filled in French or English

Prior list of suggested priorities
Do you have other topics to
propose?

- *Conditions of entry into the market (authorization / licensing regime)*
- *Measures to reduce the cost of deploying broadband networks*
- *Quality of service and consumer satisfaction:*
- *Digital taxation*
- *Mobile Money*
- *Net Neutrality*
- *Protection of personal data and location of data*
- *Electronic waste*
- *Internet of Things (IoT)*
- *Over The Top Services (OTTs)*
- *Regulation by data*
- *Implementation of a cross-border dispute settlement mechanism*
- *Smart Cities*
- *Affordability / accessibility of services due to lack of competition*
- *International Roaming*
- *Others?*

Please remember that to be acceptable a priority requires to meet some criteria

CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	?
Opportunity to set specific and harmonized enabling legislation/regulation	?
Concrete results are expected and can be measured easily	?
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	?
Enough Members States are interested (>15 ?)	?

Cybercrime and Cybersecurity Score 35

CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Conditions entry into the market 22

CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Conditions of entry into the market

authorization / licensing regime

Relevance?

Criteria	Compliance	Comments
To avoid duplication with other similar initiatives on the continent	PARTIAL	One of the topics of the ICT Regulatory Watch Initiative (RWI) however limited to ECOWAS countries
Opportunity to set specific and harmonized enabling legislation/regulation	YES	Revision of legislation both at regional and national levels: i) authorization / licensing regime, ii) spectrum awarding and iii) if the case may be, regional authorisations
Concrete results are expected and can be measured easily	YES	New legislation adopted ; Competition: Number of operators Availability & affordability: infra coverage; tariffs, etc.
Relevant to the goal of creating a single African digital market	YES	Harmonized, lighter and transparent national regimes are one of the ways to allow the development of integrated network and service at regional level
Consistent with the policies or strategies developed by AU in this area.	YES	Create an enabling environment that attracts investment and promotes sustainable competition in Telecom / ICT regional markets, infrastructure, and increasing access
Enough Members States are interested (>15)		

Protection of
personal data &
location of data
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CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Protection of personal data and location of data

Relevance?

Criteria	Compliance	Comments
To avoid duplication with other similar initiatives on the continent	PARTIAL	See the initiative of the African Network of Personal Data Protection Authorities (ANPDPA)
Opportunity to set specific and harmonized enabling legislation/regulation	YES	Obviously current legislation could be improved and better implemented
Concrete results are expected and can be measured easily	YES	New legislations are adopted Data Protection Authority are operationalized Results based on demand side indicator could be difficult to measure
Relevant to the goal of creating a single African digital market	YES	Data and its corollary data protections beyond borders are key for electronic commerce
Consistent with the policies or strategies developed by AU in this area.	YES	Consistent with the objective of fostering digital usages and the cross-cutting theme of the Digital Transformation Strategy for Africa: cyber security, privacy & personal data protection
Enough Members States are interested (>15)		

QoS for
consumer
satisfaction
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CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Quality of service and consumer satisfaction

Relevance?

Criteria	Compliance	Comments
To avoid duplication with other similar initiatives on the continent	PARTIAL	Regional initiatives supported by ITU: <ul style="list-style-type: none"> • WATRA Guidelines on Quality of Service (QoS) and QoE (Quality of Experience) Management ; • CRASA QoS/ QoE Guidelines
Opportunity to set specific and harmonized enabling legislation/regulation	YES	Opportunity to set continental QoS/ QoE Guidelines which provides a reference for Members States as a guiding tool for the national regulatory agencies (NRAs) HOWEVER, there is already a lot of ITU initiatives and publications in this field
Concrete results are expected and can be measured easily	NO	Compatible technical output likely difficult to gather Complaints statistics not available or likely to be misleading
Relevant to the goal of creating a single African digital market	YES	<i>Telecommunication networks are interconnected on a national, regional, and global basis, and the QoS applied in one network or one country influences the end-to-end quality of that service, so the quality cannot be considered only at national or regional level, but also needs to be considered global. A harmonized and common approach to regulating QoS would enable greater quality prospects irrespective of the locations of the consumer and service provider (ITU)</i>
Consistent with the policies or strategies developed by AU in this area.	YES	Cf. General objective of promoting digital usages
Enough Members States are interested (>15)		

Universal access 16

CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Building digital economy and fostering innovation
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CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Regulation of new technologies

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CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

E.Gov 14

CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Affordability/accessibility due to the lack of competition
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CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

Affordability / accessibility of services due to lack of competition Relevance?

Criteria	Compliance	Comments
To avoid duplication with other similar initiatives on the continent	???	
Opportunity to set specific and harmonized enabling legislation/regulation	YES	e.g. : market analysis guidelines , Broadband pricing guidelines, Broadband cost models etc.
Concrete results are expected and can be measured easily	YES	Supply side indicators as network coverage, tariff on wholesale and retail market could be used
Relevant to the goal of creating a single African digital market	YES	Affordable an accessible broadband services are required to foster the e-commerce and any kind of business through the Continent
Consistent with the policies or strategies developed by AU in this area.	YES	Affordable an accessible broadband services are the foundation of the digital transformation of Africa
Enough Members States are interested (>15)		

Free roaming 14

CRITERIA	COMPLIANCE
To avoid duplication with other similar initiatives on the continent	
Opportunity to set specific and harmonized enabling legislation/regulation	
Concrete results are expected and can be measured easily	
Relevant to the goal of creating a single African digital market	
Consistent with the policies or strategies developed by AU in this area.	
Enough Members States are interested (>15 ?)	

International roaming Relevance?

Criteria	Compliance	Comments
To avoid duplication with other similar initiatives on the continent	NO	AUC Guidelines Smart Africa Initiative ECOWAS initiative
Opportunity to set specific and harmonized enabling legislation/regulation	YES	Regional tariff and QoS regulation on transborder communications
Concrete results are expected and can be measured easily	YES	e.g. The last results published by Smart Africa for Northern Corridor) <ul style="list-style-type: none"> • Revenues increase by 58% • Costs reduction by 45% • Margin increase by 218% • Roaming traffic increase by 911%
Relevant to the goal of creating a single African digital market	YES	Obvious
Consistent with the policies or strategies developed by AU in this area.	YES	Cf. General objective of promoting digital usages
Enough Members States are interested (>15)		

Framework for Analysis of Priority Issues template

- Use SWOT & PESTLE Analysis to analyze selected priority issues
Digital Taxation in the Digital Economy (As an example)

	Strength	Weakness
Political issues around Digital Taxation		
Economic issues around Digital Taxation		
Social issues around Digital Taxation		
Technology issues around Digital Taxation		
Legal issues around Digital Taxation		
Environment issues around Digital Taxation		

	Opportunities	Threats
Political issues around Digital Taxation		
Economic issues around Digital Taxation		
Social issues around Digital Taxation		
Technology issues around Digital Taxation		
Legal issues around Digital Taxation		
Environment issues around Digital Taxation		

- (1) Digital Taxation in the Digital Economy (As an example) Strength, Weakness, Opportunities and Threats
 (2) Political, Economic, Social, Technology, Legal and Environment

Use this Dashboard Template to define objectives/indicators/expected outcomes

“Conditions of entry into the telecommunications template” (As an example)

Regulatory priority	Conditions of entry into the telecommunications market
Regional or national champion	Designate a REC or country
Sub domains	<ul style="list-style-type: none"> — Authorization — Special incentives (eg tax) — Other
High level objective	Reduce barriers to market entry
Specific objectives	<ul style="list-style-type: none"> — Development of Competition: — Geographical and tariff accessibility — -Quality of services, particularly in terms of available throughput — -Development of uses
Indicators for measuring results	<p>1) Harmonization / implementation in national law: Adoption of (the) measures to reduce the barrier to market entry</p> <p>2) Harmonization / impact</p> <ul style="list-style-type: none"> — Competition: Number of operators present on the national market (correlated or not with GNI population, etc.); — Accessibility: infrastructure coverage; tariffs (notably lower prices recorded over the last 3 years), etc. — Quality of services, especially in terms of available throughput — development of utilization: penetration rate of services (different types and levels of services to be defined)
Desired outcomes (résultats attendus) based on the above indicators	<p>On the horizon of</p> <ul style="list-style-type: none"> — The telecommunications activity regime has been modified on the basis of the principle of a general authorization. The licenses are reserved for the right to use the spectrum — At least one wholesale operator and two ISPs have entered the market — An average rate of X Mbit is available for X% of the population — Retail offer rates for X Mbits are below X — The penetration rate of offers (3G, 4G, Adsl, Ftth ...) is greater than X%

Use this Work plan template

Priority area	Operational objectives	Strategy / Flagship projects	SMART ¹ Targets (expected results)	Priority Actions	Priority 1=high, 3= low	Estimated start date (year)	Leading implementing partner (only one lead)	Supporting implementing partners (Multiple support)	Ongoing / planned projects	Estimated costs (EUR)

^[1] Specific, Measurable, Achievable, Realistic and Timely.