Commentary on
"Policies for equitable access"

by Lishan Adam

Willie Currie, June 2008[1]

In Policies for equitable access, Lishan Adam has captured a contemporary perspective that is widely shared among many stakeholders as to what has been learned about policy implementation for equitable access to information and communications technologies (ICTs) over the past 20 to 30 years. He identifies the existing access gaps that are most stark in Africa, Latin America and Asia. Then, based on a thorough analysis of data and studies that have been made into why policy programmes to stimulate access in developing countries have had such poor results, Adam posits a number of reasons for the failure by policy-makers and regulators to address these access gaps:

- *Market-based approaches were not entirely effective in promoting equitable access – in particular regarding the failure to break fixed-line telecom monopolies and introduce effective competition in ICT networks and services.*
- *Regulatory institutions and frameworks remained rather weak – roles and responsibilities between policy-makers and regulators were often confused and regulators lacked the capacity to regulate effectively.*
- *Reforms in the broadcasting sector were slow and had mixed results – governments have largely failed to open up the broadcasting sector to public, private and community broadcasters.*
- *Global regimes were not responsive to the need for equitable access – developing countries lack the capacity to influence the shape of global ICT policy that cascades across regional and national domains.*

In addition, Adam notes a number of practical strategies that are being advocated and implemented by governments, civil society and international development institutions to promote equitable access, which include:

- *Universal access strategies*
- *National e-strategies*
- *Advocacies for content, applications and skills*
- *Advocacies for access rights*
- *Regional infrastructure strategies.*

He also proposes a number of interventions to address the need to bridge access gaps, which include:

- *Evaluating national e-strategies for their relevance in promoting equitable access.*
- *Integrating ICT policy with development strategies at the national and local level.*
- *Improving the awareness of senior policy-makers of developments in broadband and new wireless and internet technologies with regard to access.*
- *Building the capacity of regulators to take steps towards open access strategies.*
- *Promoting a regional approach to ICT infrastructure deployment and the coordination of policies and regulations across borders.*

There is a high degree of consensus among stakeholders from governments, the private sector, civil society and international development institutions regarding the lessons of the past and what needs to be done to improve equitable access. Adam has captured the contours of this consensus with respect to policies very well. The Association for Progressive Communications (APC) also identified aspects of this consensus on access to the internet among stakeholders at the Internet Governance Forum (IGF) in Rio de Janeiro in November 2007, which followed the Equitable Access workshop.[2] After analysing three IGF workshops on access and the IGF plenary session on access, APC identified convergence of views on access as follows:

- *There appeared to be agreement that the competitive (market) model[3] has been effective in increasing access in developing countries. There were therefore calls for policy coherence in the telecom sectors of developing nations – specifically "for the principles of competition to be consistently and evenly applied to all areas of the telecom sector."[4]*

- *There was recognition of the applicability of collaborative models for providing access in areas where traditional market models seem to have failed. Such areas include rural and other underserved areas where the participation of diverse network operators and providers – including municipal government authorities, co-operatives, and community operators – has contributed to increasing access. There were therefore calls for the review of policy and regulation, and the establishment of incentives to facilitate increased participation by this cadre of operators.*

- *There continues to be conviction and consensus on the potential of using ICTs as tools for development, particularly at the level of rural and local access. ICTs can be used in increasing accessibility to healthcare and education; they can help in decreasing vulnerabilities and improving citizen engagement with governments and their institutions. There was therefore a call for the promotion and adoption of a multi-sectoral approach in achieving universal, affordable and equitable access. This specifically referred to the integration of ICT regulation and policy with local development strategies, as well as the exploitation of complementarities between different types of development infrastructure (for example, transport networks, water pipes/canals, power/electrification, communication, etc.).*

[2] Jagun, A. (2008) Building consensus on internet access at the IGF. Montevideo: APC. www.apc.org/en/pubs/issue/openaccess/all/building-consensus-internet-access-igf

[3] One in which consumers are able to select, from a range of providers, the product that best matches their needs at a price they feel is acceptable.

[4] See APC press release, "Convergence of views on access at international internet forum". Available at: africa.rights.apc.org/?apc=he_1&x=5316088

This observed consensus on access at the IGF and Lishan Adam's succinct outline of the current state of play regarding access policies does not mean that apparent contradictions do not appear. For example, there is (at least at face value) an inherent contradiction between acceptance of the "efficacy" of competitive models and their promotion in the telecom sector, and the call for increased participation of a more diverse range of network operators and providers to achieve wider access in rural areas, most of whom adopt non-market models. Will all stakeholders truly agree that in order to make universal access a reality, competitive models need to coexist with collaborative ones? One can see fault lines around the roll-out of municipal wireless networks running into opposition from private network operators in the United States. This may not be a problem in developing countries where there is still considerable involvement of the public sector in ICT network provision, and an increasing role in ICT services like e-government. Adam points out that in developing countries the attempts to privatise public telecom operators had negative consequences for the introduction of competition and for reducing access gaps. It is unlikely that there will be a pure market approach in developing countries where the notion of the developmental state is prevalent. So it is likely that the primary modification of the telecom reform model will be that there is a role for public sector and community network provision within a predominantly competitive environment, as long as it is transparent and non-discriminatory. Anyone can play, as the open access principle goes. What is needed is a modification of the mandates for Universal Access Funds in developing countries to support the roll-out of community wireless networks in rural areas, as well as for capacity-building programmes and local content development to enable citizens to use ICTs effectively in local languages. Policy-makers and regulators need to support this roll-out with enabling regulations liberalising voice over internet protocol (VoIP), community access to spectrum and simple licensing and interconnection regimes for community-based networks.

The major problem, however, is the state of governance in developing countries. Developing country governments are often the worst enemies of their citizens. They lack the capability to get things done, lack responsiveness to their citizens' needs and rights and are unaccountable for their actions. There may be all the consensus in the world as to what can be done to improve equitable access to ICTs, but it will be of little use if the state is dysfunctional. This is the major challenge when it comes to equitable access.

Fortunately, there is a growing awareness in most developing country governments of their shortcomings with regard to governance. The issue is on the agenda globally and nationally, with international agencies developing indicators to measure good governance, such as the World Bank Institute's Governance and Anti-Corruption programme, which produces a set of governance indicators for each country that reflect:

- *Voice and accountability*
- *Political stability*
- *Government effectiveness*

- *Rule of law*
- *Regulatory quality*
- *Control of corruption*

The indicators are a form of incentive for some developing countries to improve their standing, but they are also useful for civil society organisations to understand where the governance problems in a particular state lie, and what space there is for effective advocacy on equitable access. The indicators on regulatory quality and government effectiveness are particularly important here.5

The other dimension of working towards good governance is the extent to which developing countries take it seriously themselves, without the prompting of developed countries and international development institutions. Within Africa, the New Partnership for Africa's Development (NEPAD) has initiated a process of peer review mechanisms which examine:
- *Democracy and good political governance*
- *Economic governance and management*
- *Corporate governance*
- *Socio-economic development[6]*

Such steps are important, and help create a climate for good governance which in turn may enable effective ICT regulators to emerge as greater awareness of the value of good governance grows. More effective government may lead to a situation such as in Kenya. There the government is driving the expansion of broadband access in the country and across the region by taking the initiative to lay a fibre-optic submarine cable, TEAMS,7 and then applying the lessons for broadband delivery8 systematically and coherently with the enthusiastic support of all stakeholders. If the Kenyan government can pull this off, it will provide a powerful example for other countries in Africa to follow.

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[5]See:web.worldbank.org/WBSITE/EXTERNAL/WBI/EXTWBIGOVANTCOR/0,,contentMDK:20672500~menuPK:1740553~pagePK:64168445~piPK:64168309~theSitePK:1740530,00.html

[6] African Peer Review Mechanism: www.nepad.org/aprm/

[7] See: www.engineeringnews.co.za/article.php?a_id=120703

[8] At the IGF access plenary session, African ICT expert Mike Jensen summed up these lessons for achieving the goal of affordable universal broadband as follows:
- More competition and innovation in the internet and telecom sector, with effective regulation.
- Much more backbone fibre, national and international, with effective regulation of non-discriminatory access to the bandwidth by operators and service providers.
- More effort to build demand, especially by national governments in building useful local applications.
- Improved availability of electric power.
- Better indicators for measuring progress.

Adam has identified what has now become the consensus view on policies for equitable access worldwide. The problem is to overcome the governance deficit – to make dysfunctional states developmental and democratic – and then to forge the broad coalitions that we see in Kenya between government, the private sector and civil society to make the goal of equitable access to ICTs a reality.