A4AI-Nigeria
Multi-stakeholder Coalition

Break-out Groups
Discussion questions and themes
Break-out Groups

- A4AI has published a set of policy and regulatory best practices recommendations for achieving affordable access.

- Each group (of about 8-10 people) will be assigned a set of best practices and will discuss how Nigeria’s policy and regulatory framework reflects these practices. You are welcome to raise additional key issues for Nigeria and its reality.
Break-out Groups

• Each group has about 30-40 min. for the discussion

• Please assign someone to be the group rapporteur and provide a summary of the group’s discussion

• In the poster paper provided, write the answers to the following questions:
  – How does Nigeria’s policy and regulatory framework reflect the best practices recommendations you discussed?
  – What are the current challenges that need to be addressed to ensure that best practices are implemented?
  – How would you prioritize issues identified?
Nurture healthy market competition

- Streamlined licensing process with no legal barriers to market entry
- Ensure a competitive market structure, with limited or no national government ownership of end user service providers
- Available access at reasonable market rates to international gateway or cable
- Transparent disclosure of pricing and service options to end users
- Permit pre-paid and tiered pricing models
- Remove barriers to crossing national borders with network infrastructure and traffic
GROUP 1: Market Competition

- GATS: General Agreement on Trade by WB
  2.36GHz Bid followed transparent process
- Not as competitive as it should be:
  - NITEL: State Govt. owned still
  - GBB: Also Govt. owned
  - Competition still doesn’t lead to fair pricing & deep penetration
  - NIGCOMSAT also Govt. owned
- Access to Int’l Gateway still Ltd.
- No transparent pricing! LTB: clarity of service options
- Pre-paid & tiered models exist
- Partial success in removing roaming barriers

OSNS
- Framework does reflect best practice
- Challenge is implementation
- Enforcement
- Pricing transparency
- End user education & transparency

OSNS Ltd...

Prioritise from customer perspective
- Publish Price Comparison sites
- Publish also for network serv. providers
- Make easy to report any price discrimination
- Open access to primary infrastructure (Transport Layer) / Insist on access for $ Interconnect for All.

Open access in feast. Shamy
GROUP 2: MARKET COMP.

- Streamlined licensing process with no legal barriers to market entry
  - Does not reflect much due to
    - Gov bureaucracy
    - Cost of acquiring licensed frequency

On the scale of 1-10, we score them 3

Recommendation
- Should government regulations need to make licensed frequencies affordable for businesses that are qualified and capable to provide services instead of auctioning for high prices.
- A fast and robust process needs to be put in place for entry of market to be easier.
- Open up more frequencies (spectrum)

- Ensure a competitive market structure with limited or no national government ownership of end user service providers.
  - The regulations of the competitive market structure based on end user service providers is four and government ownership is low 6 out 10

Recommendation
- Encourage ISPs to support more ISP

- Available access at reasonable market rates to international gateway or cable
  - We rate it 3 out 10

Recommendations
- Taxation should be reduced
Group 2

Streamlined processes for infrastructure deployment and sharing

- Efficient and effective access to public rights of way and tower zoning
- Coordinated with other infrastructure projects (fiber or duct laid during road works)
- Facilitate sharing of backbone, ducting, right of way, and cell tower passive infrastructure
- Target public infrastructure investment to market failures, through consultation with market players and other stakeholders. Ensure that subsidized infrastructure is competitively and transparently procured and offers access or capacity to all market players in a non-discriminatory way, so as to achieve end user affordability.
Q1: Regulation WIP
- New Regulation should include LL, Leased Line of Backhulls
- Challenges: Awareness (State a Local)
- High Cost of ROW
- Govt at all levels needs to look Long-term benefits
  (Revenue, Job Creation, GDP$)
P=1 (High)

Q2: Legislation on paper / not enforced
- New Legislation should include all Stakeholder agency
  (Works, Comm Tech, Operators)
P=1 (High)

Q3: Work In Progress, stronger drive / enforcement needed
- Existing N/w are built for private use
  Challenges
- Poor Eng, documentation, Coordination among Stakeholders
Group 3

- **Effective spectrum management**
  - Ensure sufficient broadband-capable spectrum is made available and used efficiently
  - Open, transparent, and fair allocation and licensing mechanism
  - Harmonization of spectrum to global standards
  - Technology and service neutral licensing allowing flexible use

- **Enable innovative usage through unlicensed spectrum and opportunistic reuse within rules that avoid harmful interference (e.g. harmful interference with spectrum assigned to mobile operators). Established local and/or regional internet exchange point (IXP)**
  - Transparent and fair rules for participation
  - Support for local data caching
No luxury taxation or excessive customs/tariffs on telecom goods and services required for internet access

- Including handsets, set-top boxes, data/voice service, and infrastructure equipment
- Tax rate at comparable level to basic goods and services rather than luxury goods
GROUP 6: TAXATION

*QN 1: Current Policy & Regulation
  → Implementation
  → Harmonisation of taxes across different government tiers/agencies
  → Inadequacy of existing policies.
  → Duty waivers/exemptions on Telecoms equipment & infrastructure + Deniees.

*QN 2: Current Challenges
  → Excessive/Multiple Taxation
  → Enabling legislation
  → Implementation of existing legislation (ALGON).
  → Community Exploitation/Area Boys.

*QN 3: Prioritisation of Issues:
  2. Favourable legislative framework.
Group 5

- **Effective Universal Service Fund Administration (if one exists)**
  - Non-discrimination (fair collection and distribution of funds, including non-carriers)
  - Transparent and consultative processes, incorporating stakeholder inputs and priorities
  - Clear target goals and monitoring of effectiveness and impact of USF programmes and projects
  - Prioritize one-time infrastructure and other expenditures to enable access
  - Target any ongoing subsidies to individuals rather than providers
GROUP 7: USF

**BEST PRACTICE**

1. It is established by law
   - NIGERIA COMMUNICATIONS ACT (2003)
2. Procurement done in line with national framework
   - Adverts placed in papers
   - Time given to respond
   - Evaluation criteria known
3. Has a governing board
4. Has a published strategic management plan
5. Project types are “top-down” as well as “bottom-up”
6. Fixed tenure for leadership (i.e., executive secretary)

**CHALLENGES**

1. Procurement process discriminate against smaller players
2. Lack of collaboration with key stakeholders
3. Lack of ownership of programmes - negatively impact on sustainability of programmes
4. Poor coordination between ministries, departments and agencies (MDAs)
5. Inadequate funding for the scale of the problem
   - Exacerbated by:
     - Ineffective/inefficient use of funds
     - Government bureaucracy
6. Inadequate monitoring and evaluation
   - Low capacity: skills, manpower
7. Poor engagement with the public

- Lack of collaboration with key stakeholders (1st)
- Inadequate monitoring and evaluation (1st)
  - Low capacity: skills, manpower
- Poor engagement with the public (3rd)
- Inadequate funding for the scale of the problem (4th)
- Lack of ownership of programmes (5th)
- Poor coordination between MDAs (5th)
- Procurement process discriminate against smaller players (7th)
Group 6

➢ **Reasonable effort to systematize data collection of key indicators to measure effectiveness**
  
  – Pricing, speed, adoption rates, spectrum utilization, peering
  
  – Encourage participation in the ITU Partnership on Measuring ICT for Development
  
  – Collection and disaggregation (such as by gender) of usage statistics to identify gaps and opportunities
GROUP 8: DATA COLLECTION + INDICATORS

A. ICT4D, ITU Recommendation - AfTD
   - Enhancing participation ITU

B. Policy/Regulation:
   - NCC - Cable, Parking, Cost, Speed
   - No standard to define AF ske of spectrum
   - ITU - feasibility
   - VoIP Drop rates, No adoption ITU
   - Spectrum utilization - Utilization benchmark is min 70% ITU Required
     - No thing.

C. Nitsch (14/24)
   - Nitsch attends meeting on management forum in Nigeria - ITU
   - Nitsch (CNN) -> Education Awareness programme
   - Availability of good services
   - National ICT Policy for education (Nitsch) Curriculum

D. Local content development, Culture, Business, Personal needs & gender
   - Merging new roles & policies to manage criteria
   - No Services programme targeted at gender issues.

B.

A. How does Nigeria's Policy Framework/Regulatory Framework affect ICT4D but practice recommendations?
   - Our policy in compliance with global standards eg ITU
   - The agencies are working on policies eg tax reduction.

B. What are the current challenges that need to be addressed to ensure best practices are implemented?
   - Better More collaboration with oversea agencies
   - Awareness (lack)
   - Capability under development
   - Market, which is local, which invariably affects adoption.

C. How would you prioritize CBN issue?
   1. Tax reduction
   2. Awareness
   3. Capability development
   4. Local content development
REPORT BACK
ACTION PLAN
Priority themes

As per Group’s discussion:

• Pricing transparency
  o Safeguards for anti-competitive behavior
• Open access framework and infrastructure sharing
  o Infrastructure investment
• Harmonization and rationalization of taxes across local, state and national levels.
  o Community issues & concerns
• Spectrum policy: focus on the need for more spectrum, fair allocation and innovative uses, availability of free/unlicensed spectrum
• Data collection and indicators (M&E) – across areas, systematic natl. level effort
• USF efficiency and collaboration among stakeholders
Schedule of Activities

• Quarterly Face to Face meetings
• Policy proposals development by sub-groups
• Planned thematic workshops/seminars throughout the year
• Regional events
Coalition work tools/methods

- Moderated email discussion group for national stakeholders
- Smaller “drafting committees” to address specific policy and regulatory proposals
- Face 2 Face meetings for group discussions and decision making (quarterly and during workshops/seminars organized)
- Other?
Thank you!

Join the Alliance!

Contact:
Emilie Yam
Membership Coordinator
Alliance for Affordable Internet
emilie@webfoundation.org