

COMESA BUSINESS COUNCIL - POSITIONS OF THE ICT BUSINESS SERVICES WORKGROUP

**Developed at the 1st COMESA ICT Services Industries Public- Private Dialogue
under the theme: It's an ICT world: Access – Innovation- Policy for Business
Competitiveness, 20th -21st April, 2016 in Nairobi, Kenya**

JUNE 2016

The COMESA Business Council convened the 1st COMESA ICT Services Industries Public-Private Dialogue under the theme: It's an ICT world: Access – Innovation- Policy for Business Competitiveness, 20th -21st April, 2016 in Nairobi, Kenya.

The Dialogue focused on harmonizing common positions of the businesses and regulators in the ICT services industry, in an effort to provide strategic direction to governments on public-private sector solutions to advance ICT for business competitiveness in the region.

The Public- Private Dialogue brought together the ICT Regulators together with private sector Associations, leading Corporates, Multinational Companies, Startups, and Innovation Hubs from the ICT industry from 14 COMESA Member states. The meeting saw the formation of the CBC ICT Business Services Workgroup whose objective is to coordinate the preparation of positions of ICT industry that are to be tabled within the various COMESA policy organs meetings.

The two Day Dialogue made the following Key Recommendations and positions.

On Policy and Regulatory Issues

- Most regulatory frameworks; including on licensing do not cater for cloud and issues of trust, privacy and confidentiality. These affect the use of cloud services and the confidence in the market. The Dialogue urged the Member States to prepare and adopt cloud policies covering areas like data protection, data security; amongst others.
- Regulators to promote fair competition. Licensing frameworks for ICT Operators should address market entry barriers and unfair competition for example where incumbents restrict access to new entrants, by denying shared infrastructure, etc.
- Member states are urged to provide a % preferential of public procurement to local ICT enterprises.
- Member states are encouraged to ensure regional harmonization of ICT policies, including data protection and privacy.
- Member States are urged to work on harmonization of standards and the development of regional standards to promote access to markets and skills transfer between the COMESA member countries.
- Member States are urged to harmonize regulatory frameworks in ICT and for COMESA to act as a Centre for Model Legislation with the ability to provide guidance on international best practices.
- Member States are urged to strengthen mechanisms for collection of data and sharing of data and statistics.
- Member States are urged to adopt regulatory policies including licensing and taxation frameworks that facilitates not hinder the growth of ICT businesses in the region for example with respect to mobile money transactions.
- Regulators are urged to establish predictable periodic consultative processes and platforms for the review of policies.

On Awareness

- Member States are encouraged to increase awareness on ICT; for example through carrying out clinics in all areas including remote areas to increase awareness on ICT, innovation and Intellectual Property protection.

On Infrastructure Development

- Member states are encouraged to prioritize ICT infrastructure development and access to ICT infrastructure (net neutrality).
- Member states to adopt regional frameworks for promotion of, and trade in ICT enabled services. Member states are encouraged to adopt policies to address affordability of ICT services.

On Access

- Accelerate the adoption of Innovative technological advances that provide access to rural areas. Member States are urged to create the Regulatory frameworks that allow utilization dynamic spectrum allocation technologies (television white spaces) to promote access to the internet including in the rural areas.
- Energy has a huge bearing on ICT access and usage. Member States are urged scale up investment in energy; including in alternative forms of energy.
- Existing Indexes on Network and Cloud Readiness are centered on the developed countries and do not fully cater for the African region. Member States are urged to work with Centers of Excellence to ensure the development of Indexes that speak to the peculiarities of the African environment.

On Innovation

- Member States are implored to put in place a financing mechanism or Innovation Fund to facilitate innovators and youth entrepreneurs.
- Member States are encouraged to dedicate a certain percentage of their budget to supporting innovation.
- The Private sector is also encouraged to dedicate a certain percentage of their Corporate Social Responsibility funds to finance to innovation.

- Member States are urged to increase entrepreneurial support to promote innovation including the establishment of safe places like innovation hubs, where people can share their ideas and get legal assistance.

On Security

Security and privacy issues are essential in the development of ICT policies and frameworks that enable innovation.

- Member States are urged to work on harmonization of regulations on privacy and security; including alignment of national frameworks with international and regional frameworks
- Member States are encouraged to increase awareness on ICT legislative frameworks and cyber security regulations amongst all stakeholders on national, regional and international legislation on privacy.
- COMESA is urged to work with Member States on the development of regional standards for managing relationships between corporates and governments focusing on managing data hosted in various countries.
- Member states are urged to develop Data protection authorities or oversight in line with regional and continental cyber security frameworks.
- COMESA Secretariat is encouraged to work with the Member States to facilitate the increased uptake of COMESA Cyber Security legislation and to put milestones in place to ensure ratification and implementation of instruments.

On Skills Development

- Academic and technical colleges are urged to partner industry in skills development programmes, and on national skills standards including industry certification schemes.
- The institutions of learning are encouraged to introduce ICT into the school curriculum at an early stage and mechanisms for long life learning. Furthermore, to facilitate teacher training, volunteerism and exchange programmes to foster capacity building.

On Financial Services Innovations

- Member states are urged to put in place a policy that allows the flow of cross border transactions within the COMESA Countries.
- Member states are urged to harmonize the regulations that are adopted by both the banking and telecommunication authorities in the region, to allow inter- operability of companies in more than one country or at the regional level.

On Intellectual Property Protection for Innovation

- Member States are urged to create laws and frameworks that encourage commercialization of innovation which also protects indigenous knowledge and practices.
- Member States are encouraged to create National IP Policies and strategies that act as a basic guidance for fostering and protecting innovations and also include a strong mechanism for enforcement of IP laws.
- Member States are encouraged to increase awareness on the importance of intellectual property and to establish Technology Transfer offices in institutions of higher learning to increase awareness, guide innovation, protect inventions and promote commercialization.

On Access to Finance

- The financial institutions are urged to utilize more information available through Information Technology to allow them to access finance and more businesses (More information for example included farming transactions for financial readiness).
- Member States are urged to explore alternative financing mechanisms including measures like Tax incentive for businesses, seed capital for entrepreneurs, and universal access fund for ICT industrial development.

On Private Sector Participation

- Member states are urged to ensure the involvement of the Private sector in the review processes of the cyber security related bills and other regulations at a national and regional level. In the same breathe, the private sector is urged to participate in workshops organized by Regulators.
- The private sector is encouraged to strengthen its involvement in the formation of the policies and to increase its advocacy at national level.
- Member States are encouraged to promote collaboration with private sector and academia to share ideas, knowledge and strategies for the development of the ICT industries.

On Transparency and Accountability

- COMESA Secretariat is urged to put in place a monitoring and evaluation mechanism that clearly evaluates the implementation of instruments and puts in place deadlines and milestones of achieving the same. The Monitoring Index will facilitate in understand the gaps and the remedial actions that need to be undertaken..
- The COMESA Business Council is urged to develop a Log frame for the ICT Business Services Workgroup to monitor the progress on the action taken for the recommendations.
- The COMESA Secretariat is urged to follow up on the impact of the COMESA innovation awards and also on the innovations by the awardees to see how they have developed over the years.