



Recent developments in the ICT landscape have necessitated a paradigm shift in the development and enactment of related ICT policies and regulations. Proactive sector steering and guidance prescribe that both national policymakers and regulators must fully understand and encompass the global and regional regulatory-gearred macro-trends. With some variation across regions and countries, these underlying trends may be summarized as follows:

- **All-IP ecosystem:** alignment of typical regulatory levers (e.g. interconnection, licensing, ex-post competition etc.) with the advent of migration to an all-IP convergent ecosystem
- **Harmonized spectrum policy:** assessment of adequate inventory of spectrum needs across spectrum bands (cost-benefit analysis), treatment of digital dividend (DSO / 700 to 900MHz bands) – spectrum re-farming and opening up higher bands (e.g. 3.5GHz for LTE-Advanced) to serve data growth
- **Infrastructure Sharing / PPP schemes:** coherent passive and active infrastructure sharing models through the deployment of next generation fiber access NBN and applied PPP schemes on infrastructure sharing
- **Net neutrality:** prioritization and treatment of IP traffic (blocking of illegal use, throttling, etc.) and development of a custom-fit regulatory framework for OTT players
- **Data protection and privacy:** data retention, protection and privacy regulations - customer treatment and service compliance regulations
- **National digitization plans:** national digital policies that cascade into regulations across economic verticals (e-health, e-education, etc.) / creation of converged, unified policymaker and regulator

Policymakers and regulators are requested to thoroughly review and adjust their regulatory enactment plans and align their regulatory levers accordingly. In parallel with managing the more traditional regulatory levers (e.g. competition safeguards, fixed/mobile specific levers, consumer protection, and convergence regulations), regulators are also required to develop distinct capabilities and skillsets within the next-generation regulatory domain.

Eventual migration to the next-generation regulatory landscape greatly varies from market to market, depending on its different contexts and demographics, as well as on consumer digital literacy and competitive dynamics. Nevertheless, regulators need to effectively prioritize their efforts and focus on certain prescribed actions that will accelerate migration

to the digital ecosystem. Key examples of next-generation regulatory interventions include:

- **All-IP interconnection regimes:** alignment of reference offers (RIO/RODA, RUO) as well as cost-models (e.g. LRIC, TD-FAC, etc.) based on the transition to all-IP networks and seamless all-IP interconnection
- **Net neutrality & OTT:** in the wake of OTT market proliferation in most markets, there is now a need to balance policies and regulations in fostering market innovation while protecting and sustaining sector value growth
- **Spectrum re-farming and trading:** revamping of spectrum allocation, management and spectrum financing models related to spectrum re-farming, spectrum trading/swap and spectrum agnostic treatment/liberalization (for more details please refer to our whitepaper “The Role of Effective Spectrum Management”)
- **New wholesale PaaS/laaS models:** application of new wholesale Platform/Infrastructure as a Service (Paas/laaS) model, focusing on resource sharing, wholesale pricing, quality assurance, equality of inputs/outputs
- **Green ICT regulations:** development of full-suite regulatory agenda related to smart cities, smart buildings, green ICT (ICT role in emissions, carbon footprint reductions etc.)
- **Cyberspace regulations:** enactment of regulations related to cyber-security, data privacy and data ownership; modernization of consumer protection regulations in the new cyberspace era
- **Relevant markets & remedies:** review and alignment of the definition and boundaries of relevant markets, imposition of ex-ante remedies and removal of unnecessary regulatory barriers

Undoubtedly, national policymakers and regulators have a predominant role to play in best protecting consumer interests and enhancing their welfare, whilst safeguarding sector value growth and fostering innovation in the marketplace. Therefore, an effective understanding of key underlying market trends and most importantly the adaptation of enacted policies and regulations is of paramount importance in achieving these objectives.

Euromena Consulting actively supports both national policymakers/regulators, as well as telecom operators’ regulatory teams in addressing opportunities and challenges within the next-generation regulatory landscape. More specifically, our team provides support in further studying and exploring key policy macro-trends and their impact on the marketplace, assessing the necessity to revamp existing regulatory portfolios or develop and enact new regulations, defining implementation roadmaps and enacting the required lobbying and stakeholder engagement plan.

You can find more information on our ICT Policy Making & Regulatory Management perspectives, credentials and client references at [provide exact link to website].

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