Course Report on “Policy and regulation conducive to rapid ICT sector growth in Myanmar: An introductory course”

A five-day course was offered by LIRNEasia in collaboration with Myanmar ICT Development Organization (MIDO), with support from the Open Society Foundation and the International Development Research Centre of Canada (IDRC) at the Royal Kaytumadi Hotel, Taungoo, 28th September 2013 to 2nd October 2013. The course was offered in September at the request of MIDO, which also wanted the content expanded to cover Internet issues.

The course sought to enable members of Myanmar civil-society groups to marshal available research and evidence for effective participation in policy and regulatory processes, thereby improving policy processes and helping achieve the government’s objective of providing ICT access to all. The objective of the course was to produce discerning and knowledgeable consumers of research who are able to engage in an informed manner in ICT policy and regulatory processes in Myanmar.

In addition to participating in 20 lecture/discussion sessions over the five days, the 32 participants worked in teams to develop mock recommendations on topic areas that are being developed into regulations under the new Act: (i) Licensing and authorization regulations; (ii) Regulation of essential facilities and anti-competitive practices; (iii) Universal-service policy; (iv) Price and quality regulation; and (v) Independence of the regulatory agency. They were instructed on how to find and assess information and on how to communicate policy-relevant information effectively. The syllabus is given as Annex 1.

The course faculty were Rohan Samarajiva, PhD, (course director); Sunil Abraham; Helani Galpaya; Nilusha Kapugama, Rajat Kathuria, PhD; and Koesmarihati Sugondo. Three were from Sri Lanka; two from India; and one from Indonesia. Two were former members of regulatory bodies (Sri Lanka and Indonesia); one was a senior staff member of a regulatory agency (India). All three had experience with the establishment of regulatory agencies in their respective countries. Faculty descriptions are included in the syllabus in Annex 1.

Eighteen men and 14 women actively participated in the course. Among them were five officers nominated by the Director General of the Ministry of Communication and Information Technology (MCIT). Three persons from the National League for Democracy (NLD) and the 1988 Generation attended. Many civil-society organizations were represented. Two journalists participated. The participant list is given as Annex 2.

At the end of the course, the civil-society participants resolved to collectively develop and submit to government a “White Paper” on how provisions related to an independent regulatory agency should be operationalized.

Syllabus: “Policy and regulation conducive to rapid ICT sector growth in Myanmar: An introductory course”

A five-day course offered by LIRNEasia in collaboration with Myanmar ICT Development Organization (MIDO), with support from the Open Society Foundations and the International Development Research Centre of Canada (IDRC)

### Dates: 28th September 2013 to 2nd October 2013

### Location: Royal Kaytumadi Hotel, Taungoo, Myanmar <http://royalkaytumadi.kmahotels.com/>

# Goal

To enable members of Myanmar civil-society groups (including academics and those from the media) to marshal available research and evidence for effective participation in policy and regulatory processes, thereby improving policy processes and helping achieve the government’s objective of providing ICT access to all.

# Outcomes

The objective of the course is to produce discerning and knowledgeable consumers of research who are able to engage in an informed manner in ICT policy and regulatory processes in Myanmar. The course will benefit those working in government and operators as well.

At the end of the course attendees will:

* Have an understanding of telecom policy and regulatory processes
* Be able to find and assess relevant research & evidence
* Be able to summarize the research in a coherent and comprehensive manner
* Have the necessary tools to improve their communication skills

# Assignments

Participants will be formed into teams on Day1. Each group will work on an assignment that addresses both substantive and procedural aspects of law, policy and regulation. Teams will be assigned topic areas that are being developed into regulations under the new Act.  They will have to make presentations on what the desirable provisions should be.   We will emphasize the procedural aspects as well as the substantive. Disciplined and focused team presentations, preferably using slides, are required.

It is necessary to use the Internet for the assignments. All who have laptops are encouraged to bring them. Arrangements will be made for Internet connectivity at the hotel.

Tentative topic areas

1. Licensing and authorization regulations
2. Regulation of essential facilities and anti-competitive practices
3. Universal-service policy
4. Price and quality regulation
5. Independence of regulatory agency

# Course schedule

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Day1 (28 Sep)** | **Day2 (29 Sep)** | **Day3 (30 Sep)** | **Day4 (1 Oct)** | **Day5 (2 Oct) (optional)** |
| 0900-1030 | S1 Introduction to course: What have been the results of reform & rationale for regulation Rohan Samarajiva (RS) | S5 Regulatory legitimacy, including independence and procedural legitimacy (RS, with contributions by RK) | S10 Challenges of monitoring complex license commitments (HG) | S14 Challenges faced by nascent regulatory agencies (KS & RS) | S16 Internet governance The big picture Sunil Abraham (SA) |
| 1030-1100 | Break | Break | Break | Break |  |
| 1100-1200 | S2 Importance of demand-side research (RS) | S6 Essential facilities and anti-competitive practices (RS) | S11 Quality regulation (HG and NK) | A3 Mock public hearing (KS, RS and HG) | S17 Economic & technical interface with telecom industry (RS) |
| 1200-1300 | S3 Finding information on the web. Nilusha Kapugama (NK) | S7 How policy and regulatory processes work (panel discussion: Koesmarihati Sugondo KS and RK moderated by RS) | S12 Presenting evidence in slides & written submissions (HG) | A4 Mock public hearing & critique (KS, RS and HG) | S18 How Internet is governed within India (SA) |
| 1300-1400 | Lunch | Lunch | Lunch | Lunch | Lunch |
| 1400-1500 | A1 Group formation; Assignment explained Helani Galpaya (HG and NK) | S8 Current status of telecom law and policy in Myanmar (RS) | A2 Midpoint check on assignment/group work (HG and RLG) | What next? | S19 Surveillance & privacy (RS & SA) |
| 1500-1530 | Break | Break | Break | Break | Break |
| 1530-1700 | S4 Licensing and authorization (RS) | S9 Price regulation (RS) | S13 Universal service subsidies: Theory & practice (HG & KS) | Outing | S20 Content regulation (SA) |
| 1700- | Group work | Group work | Group work |  |  |
| 1900 | Welcome dinner preceded by speaker: Rajat Kathuria (RK), Director & Chief Executive, Indian Council for Research on International Economic Relations (ICRIER) |  |  |  |  |

# Faculty

**Rohan Samarajiva, PhD, (course director)** is founding Chair of LIRNEasia, an ICT policy and regulation think tank active across emerging Asian and Pacific economies. He was Team Leader at the Sri Lanka Ministry for Economic Reform, Science and Technology (2002-04) responsible for infrastructure reforms, including participation in the design of the USD 83 million e-Sri Lanka Initiative. He was Director General of Telecommunications in Sri Lanka (1998-99). In this capacity, he established the Telecom Regulatory Commission of Sri Lanka; conducted the first public hearing and public notice proceedings; successfully concluded a license-violation proceeding; and laid the foundation for a competitive market. He was also a founder director of the ICT Agency of Sri Lanka (2003-05), Honorary Professor at the University of Moratuwa in Sri Lanka (2003-04), Visiting Professor of Economics of Infrastructures at the Delft University of Technology in the Netherlands (2000-03) and Associate Professor of Communication and Public Policy at the Ohio State University in the US (1987-2000). Dr. Samarajiva was also Policy Advisor to the Ministry of Post and Telecom in Bangladesh (2007-09).

**Sunil Abraham** is the Executive Director of Bangalore based research organization, the Centre for Internet and Society. He founded Mahiti in 1998, a company committed to creating high impact technology and communications solutions. Today, Mahiti employs more than 50 engineers. Sunil continues to serve on the board. Sunil was elected an Ashoka fellow in 1999 to 'explore the democratic potential of the Internet' and was also granted a Sarai FLOSS fellowship in 2003. Between June 2004 and June 2007, Sunil also managed the International Open Source Network, a project of United Nations Development Programme's Asia-Pacific Development Information Programme serving 42 countries in the Asia-Pacific region.

**Helani Galpaya** is LIRNEasia’s Chief Executive Officer. Helani leads LIRNEasia’s 2012-2014 IDRC funded research on improving customer life cycle management practices in the delivery of electricity and e-government services using ICTs. She recently completed an assessment of how the poor in Bangladesh and Sri Lanka use telecenters to access government services. For UNCTAD and GTZ she authored a report on how government procurement practices can be used to promote a country’s ICT sector and for the World Bank/InfoDev Broadband Toolkit, a report on broadband strategies in Sri Lanka. She has been an invited speaker at various international forums on topics ranging from m-Government to ICT indicators to communicating research to policy makers. Prior to LIRNEasia, Helani worked at the ICT Agency of Sri Lanka, implementing the World-Bank funded e-Sri Lanka initiative. Prior to her return to Sri Lanka, she worked in the United States at Booz & Co., Marengo Research, Citibank, and Merrill Lynch. Helani holds a Masters in Technology and Policy from the Massachusetts Institute of Technology, and a Bachelor’s in Computer Science from Mount Holyoke College, USA.

**Roshanthi Lucas Gunaratne** is a Research Manager at LIRNEasia and is currently managing the Ford Foundation Funded project on Giving Broadband Access to the Poor in India. She is also contributing to the IDRC Customer Lifecycle Management Practices Project by conducting research on customer lifecycle management practices in telecommunication sector in Bangladesh. Before joining LIRNE*asia*, Roshanthi worked at the Global Fund to fight AIDS, Tuberculosis and Malaria, Geneva, Switzerland as a Strategic Information Officer. She contributed to the process of defining the Global Fund Key Performance Indicators, and also worked on improving the performance measurements of their grants. Prior to that, she worked as a telecom project manager at Dialog Telecom, and Suntel Ltd in Sri Lanka. At Suntel she managed the design and implementation of corporate customer projects. She holds a MBA from the Judge Business School, University of Cambridge, UK and a BSc. Eng (Hons) specializing in Electronics and Telecommunication from the University of Moratuwa, Sri Lanka.

**Nilusha Kapugama** is a Research Manager at LIRNEasia and manages the electricity component of the 2012-2014 IDRC Project on ‘Achieving e-inclusion by improving government service delivery & exploring the potential of “big data” for answering development questions’. She is also working on a systematic review looking at the economic impacts of mobile phones. Previously she managed the Knowledge Based Economy project at LIRNEasia, which looked at the information and knowledge gaps in agriculture supply chains. She also worked on [CPRsouth](http://www.lirneasia.net/projects/current-projects/capacity-and-field-building/), LIRNEasia’s capacity-building initiative to develop Asia-Pacific expertise and knowledge networks in ICT policy regulation. She has also done research on broadband quality indicators and national regulatory authority (NRA) website indicators. She has also worked on LIRNEasia’s [Virtual Organization Project](http://www.lirneasia.net/projects/current-projects/virtual-organization/).  She has experience organizing international conferences and training courses. She holds a master’s degree in development economics and policy from the University of Manchester, UK.

**Rajat Kathuria, PhD**, is Director and Chief Executive at Indian Council for Research on International Economic Relations (ICRIER), New Delhi. He has over 20 years experience in teaching and 10 years experience in economic policy, besides research interests on a range of issues relating to regulation and competition policy. He worked with Telecom Regulatory Authority of India (TRAI) during its first eight years (1998-2006) and gained hands on experience with telecom regulation in an environment changing rapidly towards competition. The role entailed analysis of economic issues relating to telecom tariff policy, tariff rebalancing, interconnection charges and licensing policy. Market research and questionnaire development and analysis formed an integral part of this exercise. It also involved evaluation of macro level initiatives for transforming the telecom industry. He wrote a number of consultation papers which eventually formed the basis of tariff and interconnection orders applicable to the industry. He has an undergraduate degree in Economics from St. Stephens College, a Masters from Delhi School of Economics and a PhD degree from the University of Maryland, College Park.

**Koesmarihati Sugondo** is currently the Special Advisor to the Directorate General of Posts and Telecommunications (DGPT) in current Regulatory issues and the coming Convergence issues. She was a former committee member (Commissioner) with the Indonesian Telecommunications Regulatory Authority for two terms. During this time she focused on guiding the telecommunications sector from a Monopoly to a competitive market. She was also involved with the formulation of interconnection regulation between the operators. She was the President and CEO of PT TELEKOMSEL (1995-1998) and the director of development (1993-1995) of TELKOM of Indonesia. Ms Sugondo is an Engineer by training and has received her degree from the University of Tasmania in Hobart, Australia. She received her ASEAN Professional Engineer certificate from AFEO (ASEAN Federation of Engineering Organizations) in 2003. Ms. Sugondo has also worked on strengthening the relationship between Indonesia and Australia She has received the “Distinguished International Alumni Award” from University Tasmania for her professional achievement and in promoting friendship between Australia and Indonesia.

# Resource material

infodev, *ICT regulation toolkit*. <http://www.ictregulationtoolkit.org/en/Index.html>

infoDev. *Broadband strategies toolkit*. <http://broadbandtoolkit.org/en/toolkit/contents>

infoDev (2011). *Tenth anniversary telecom regulation handbook*. <http://www.infodev.org/En/Publication.1057.html>

ITU (2011). *The role of ICT in advancing growth in least developed countries: Trends, challenges and opportunities*. Geneva: ITU. <http://www.itu.int/ITU-D/ldc/turkey/docs/The_Role_of_ICT_in_Advancing_Growth_in_LDCs_Trends_Challenges_and_Opportunities.pdf>

Samarajiva, Rohan (2000). The role of competition in institutional reform of telecommunications: Lessons from Sri Lanka, *Telecommunications Policy*, 24(8/9): 699-717. <http://www.comunica.org/samarajiva.html>

Samarajiva, Rohan (2002). Why regulate?, chapter 2 of *Effective regulation: Trends in Telecommunication Reform 2002*. Geneva: International Telecommunication Union.

Samarajiva, Rohan (2006). Preconditions for effective deployment of wireless technologies for development in the Asia-Pacific, *Information Technology and International Development*, 3(2): 57-71. <http://itidjournal.org/itid/article/view/224/94>

Samarajiva, Rohan & Zainudeen, Ayesha (2008). *ICT infrastructure in emerging Asia: Policy and regulatory roadblocks*, New Delhi & Ottawa: Sage & IDRC <http://www.idrc.ca/en/ev-117916-201-1-DO_TOPIC.html>

Smith, Peter & Wellenius, Björn (1999), *Mitigating Regulatory Risk in Telecommunications* <http://www.wto.org/english/tratop_e/serv_e/telecom_e/workshop_dec04_e/mitigating_regulatory_risk.pdf>

# CONTACT INFORMATION

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# Annex 2 – Participant List

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Name** | **Gender** | **Organization** |
| 1 | Aung Phyo Wai | M | UNT Law |
| 2 | Aye Aye Than | F | MCIT |
| 3 | Hein Aung Zaw | M | Virtual Resource Center |
| 4 | Hla Hla Khine | F | MCIT |
| 5 | Hla Myo Win | M | NLD |
| 6 | Htaike Htaike Aung | F | MIDO |
| 7 | Htet Aung | M | 88 Generations |
| 8 | Kaday Thu | F | Myanmar Development Partners |
| 9 | Myo Kyaw Thu Myint | M | Digital Alternatives/SEED |
| 10 | Khin Thu Zar Kyaw | F | MCIT |
| 11 | Kyaw Win | M | Internet Journal/7 Days Media |
| 12 | Kyaw Wanna | M | Redlink Communications |
| 13 | Myat Min Han | M | Rebbiz |
| 14 | Nang Nyi | F | MIDO |
| 15 | Nay Phone Latt | M | MIDO |
| 16 | Nay Tun | M | Digital Alternatives |
| 17 | Nyunt Aung | M | NLD |
| 18 | Phyu Phyu Thi | F | MIDO |
| 19 | Seint Seint Aye | F | MCIT |
| 20 | Su Wai Phyo | F | Myanmar Development Partners |
| 21 | Thida Tun San | F | MCIT |
| 22 | Tin Nyi Nyi Latt | M | Myanmar Development Partners |
| 23 | Tin Sandi Koe | F | UNT Law |
| 24 | Wai Myo Htut | M | MIDO |
| 25 | Yatanar Htun | F | MIDO |
| 26 | Ye Tun Aung | M | MyanSar |
| 27 | Zar Chi Aye | F | Modern Media |
| 28 | Zaw Thurein Tun | M | MCPA (Monywa) |
| 29 | Zaw Zaw Myo Lwin | M | MBS |
| 30 | Khin Nwe Win | F | MCPA (Taungoo) |
| 31 | Paw Oo | M | MCPA |
| 32 | Min Thu Kyaw | M | MCPA (Pyay) |