

Course Report on ‘How to Engage in Broadband Policy and Regulatory Processes’

16th – 19th February 2019
Pokhara, Nepal



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Introduction

LIRNE*asia* is undertaking a multi-phase, research- and documentation-based initiative funded by the Ford Foundation to inform and engage decision makers and stakeholders in India, Nepal and Sri Lanka about good practices in policy and regulatory issues affecting broadband access. The intention is to promote learning among the stakeholders and the facilitation of a policy discourse that takes into account the interests of the poor. The project is assisted a series of short courses and structured conversations among policy makers and stakeholders.

The four-day residential course on ‘How to engage in Broadband Policy and Regulatory Processes’ held on 16th- 19th February 2019 in Nepal was the ninth of a series of short courses funded by Ford Foundation. Details about the courses are available [here](#).

LIRNE*asia* organized this course in collaboration with the Internet Society (ISOC) Nepal chapter and the Center for Law and Technology (CLT) Nepal. The goal of the course was to enable members of Nepal stakeholders in ICT matters marshal available research and evidence for effective participation in broadband policy and regulatory processes, thereby facilitating and enriching policy discourse on means of increasing broadband access by the poor and persons with disabilities.

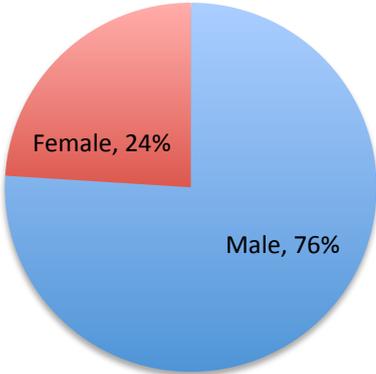
Participants

We received 75 applications for the course on “How to engage in broadband policy and regulatory processes in Nepal.”

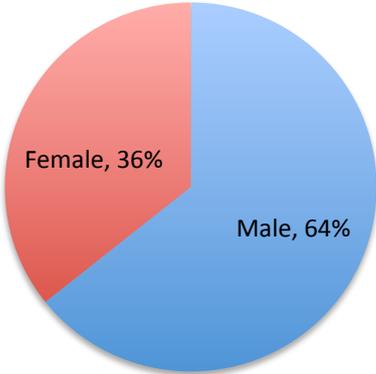
Out of 75 applicants, 26 participants were selected based on their potential to engage in broadband policy discourse, interest in the subject and previous experience. Diversity was also a factor that was taken into account, as this course is an interactive course where participants are expected to learn from each other. Two other participants, who were nominated by the National Telecommunications Authority, were also selected to attend the course.

Thus, a total of 28 participants took part in the course. The following charts show the applicants and participants according to their gender, district, sector and discipline.

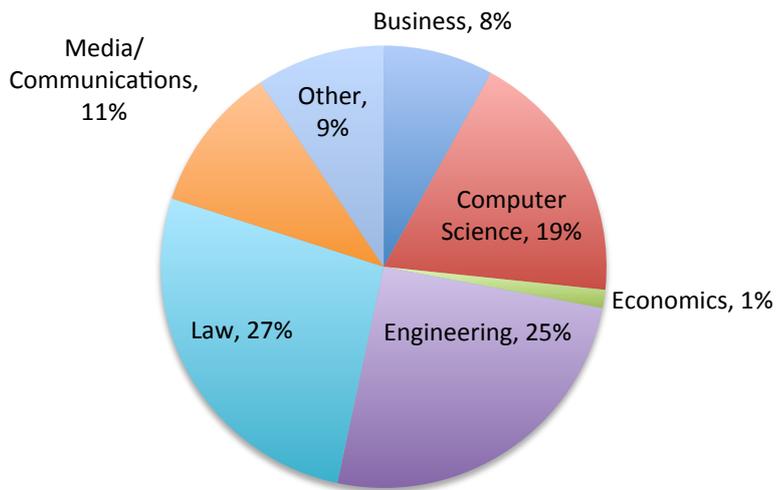
Gender: Applicants



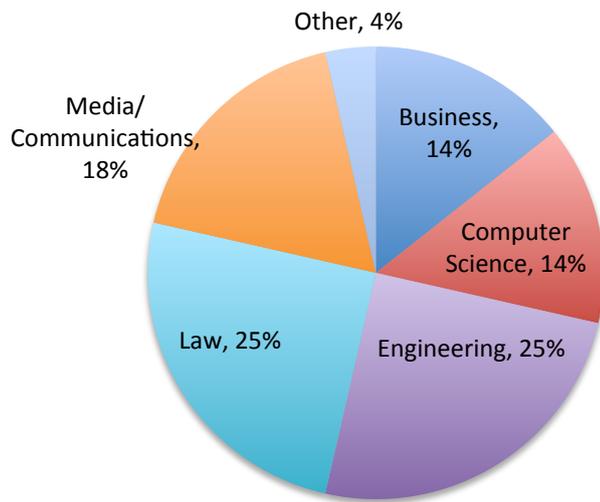
Gender: Participants



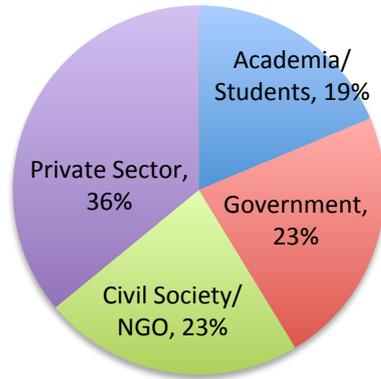
Discipline: Applicants



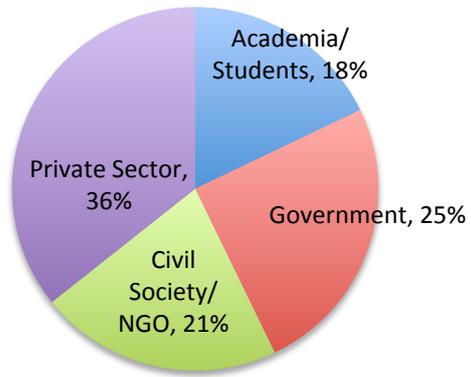
Discipline: Participants



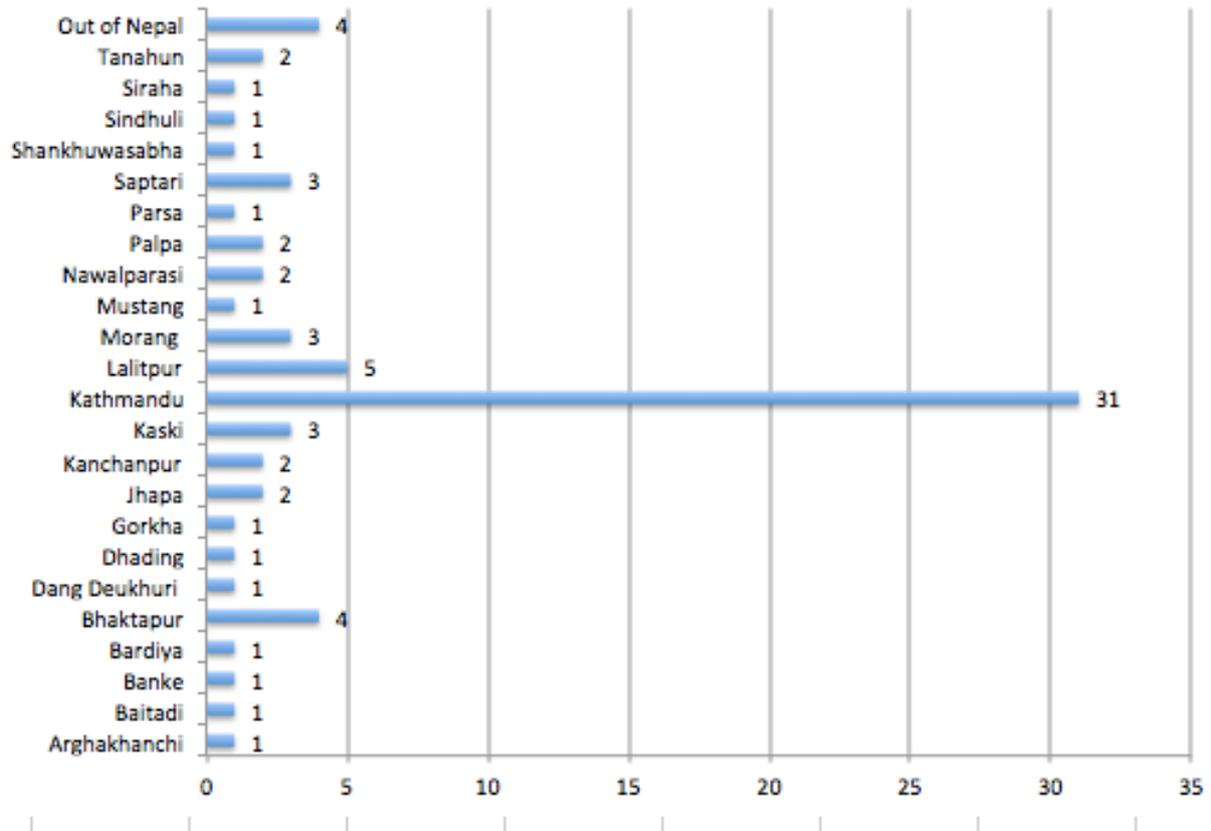
Sector: Applicants



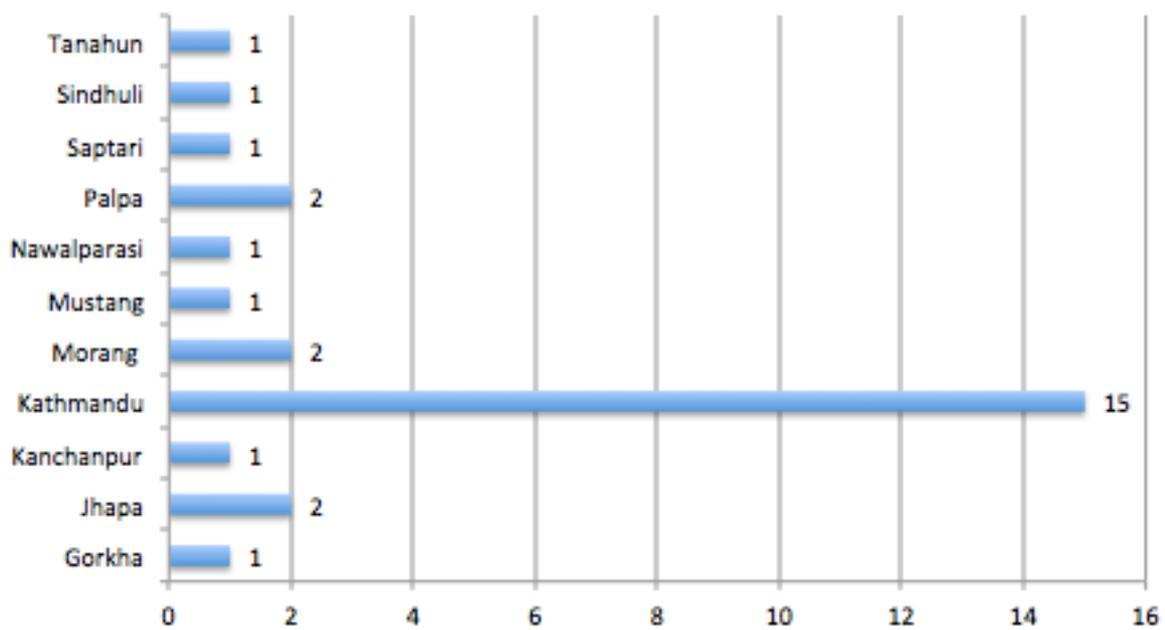
Sector: Participants



District: Applicants



District: Participants



Course Format

A combination of teaching formats was used to enhance collaboration and open discussion. Lectures and teamwork were utilized as teaching tools. Following is the Course Schedule and a brief summary of the 4-day course.

Course Schedule

| | Day 1 | Day 2 | Day 3 | Day 4 |
|-----------|---|--|--|--|
| 0900-1030 | S1 Introduction (Rohan Samarajiva RS and Santosh Sigdel SS) - Overall scope of the course - Objectives - Expected outcomes | S5 National Broadband Networks of India, Malaysia, Indonesia and Australia: Comparative study (RS) | S10 Broadband Content Regulation Regime in Nepal (Penal Code, Individual Privacy Act, Government Social Media Code, Online Media Regulation etc.) (SS) | S14 Implementation actions by the regulator (Ananda Raj Khanal ARK) |
| 1030-1100 | Break | Break | Break | Break S15 Supplier perspectives: Panel discussion: Roadmap for making Internet Accessible and Affordable in Sub-urban Nepal Moderator: BRA, Panelists: Min Prasad Aryal, Director, NTA Subhash Dhakal, Under Secretary, Government of Nepal Mr. Aswani Rana, Facebook Narendra Maharjan, Deputy Manager, Nepal Telecom Mr. Binay Bohra, MD, Vianet Communications Mr. Prabal Saakh, MD Hamrobazaar.com |
| 1100-1200 | S2 Communicating to policy influencers (RS) | S6 Broadband laws and Policy regime in Nepal (Electronic Transaction Act, Telecommunication Act, Draft IT law and other relevant policies (Babu Ram Aryal BRA) | S11 Policy and regulatory implications of the nationwide disabled survey (RS) | |
| 1200-1300 | A1 Group formation (RS); Fine-tuning and framing the six assignments as policy research | S7 Introduction to demand-side research, with examples from Nepal research (Isuru | S12 How Nepal makes and implements ICT policy (Manohar Kumar Bhattarai MKB) | Lunch (1230-1300) |

| | | | | |
|-----------|---|--|--|---|
| | problems (Sujata Gamage SG) | Samaratunga IS) | | |
| 1300-1400 | Lunch | Lunch | Lunch | Lunch until 1330 A6 Mock public hearing & critique (Panel comprising BRA and SS) 1330-1530 |
| 1400-1500 | S3 More on assignments and comparative data and introduction to web resources (RS) | S8 Assessing & summarizing research (SG) | S13 Baseline knowledge available online and in English relevant to Nepal ICT Policy (RS) | |
| 1500-1530 | Break | Break | Break | |
| 1530-1700 | S4 Introduction policy/legal research, including case study on ICT policy & regulation in federal states (RS) | S9 Policy & regulatory implications of the 2018 nationwide ICT Access and Use Survey & qualitative research (RS) | A4 Group work | Leisure time (from 1530) |
| 1700- | A2 Group work | A3 Group work | A5 Group work Certificate dinner commences at 1900 hrs | |

Day One

The course commenced with a joint introductory session by Prof. Rohan Samarajiva (Director of the project and Chair of LIRNEasia) and Santosh Sigdel (President, ISOC) on the objectives of the course, methods of teaching, an introduction of faculty. The intention was to provide the context on the first day so that the activities of the next few days could be built on the first day's sessions.

Prof. Samarajiva took on the next session on 'communicating to policy influencers,' where he spoke about effective communication techniques, including pointers on engaging with media personnel. Dr. Sujata Gamage then conducted a session on fine-tuning and framing the six assignments as policy research problems before the participants broke for lunch.

In the group formation session, the course participants were formed into six groups with 4-5 members in each group. Each group had a diverse mix of participants from government, private sector, civil society and academia. The discussion about the assignments continued after lunch, with Prof. Samarajiva sharing on interrogating data available from government and web sources.

The last session of the day was on 'Introduction policy/legal research, including case study on ICT policy & regulation in federal states' by Prof. Samarajiva. He sought to help participants develop an awareness of the quality of information and sources, and help improve their ability to conduct legal and political analyses.

The participants continued their group work after the conclusion of the sessions for the first day.

Assignments

The assignment aimed to make evidence-based team presentations that could assist the government of Nepal to implement the National ICT Policy and Broadband Policy and perhaps improve it.

Five-person teams were assigned different aspects:

- Affordable broadband of adequate quality throughout Nepal
- Services and applications that are of value to Nepali users
- Measures to enhance and assure trust and security
- Free WiFi in locations such as government hospitals and offices, with particular attention paid to needs of the disabled
- Formation of skilled users
- Using smartphones to support independent living by disabled citizens

Each presentation aimed to identify the lead actor, the other entities it must work with, resources for the actions and measurable performance indicators including a timeline.

Day Two

The sessions for the second day commenced with a comparative study of the national

broadband networks of India, Malaysia, Indonesia and Australia with Prof. Samarajiva sharing the elements of effective broadband policy, based on regional experience

After the tea break, Babu Ram Aryal shared some insight on broadband laws and policy regime in Nepal (Electronic Transaction Act, Telecommunication Act, Draft IT law and other relevant laws. Isuru Samaratunga then conducted a session on 'Introduction to demand-side research, with examples from Nepal research,' where he outlined the keys steps of qualitative and quantitative research.

Dr. Sujata Gamage took the participants through a session on, 'Assessing and Summarising Research,' where she touched on the various types of primary and secondary data, and the types of data analyses that could be conducted, as well coding literature. Prof. Samarajiva conducted the final session for the day on, 'Policy & regulatory implications of the 2018 nationwide ICT Access and Use Survey & qualitative research.'

Day Three

The third day of the course commenced with a session by Santosh Sigdel. He spoke on Broadband Content Regulation Regime in Nepal. In the next session, Prof. Samarajiva shared Policy and regulatory implications of the nationwide disabled survey. Manohar Kumar Bhattaraj took the next session on, 'How Nepal makes and implements ICT policy.' He explained the policy emphasis on ICT in Nepal, IT/ICT Policy initiatives in Nepal so far, approaches to policy formulation in Nepal and key issues/challenges faced in Nepal in terms of ICT policy.

Prof. Samarajiva conducted the last session of the day. He spoke on baseline knowledge available online and in English relevant to Nepal ICT Policy. He presented participants with Nepal's performance on composite indexes comparing them against those of Bangladesh, Cambodia, Myanmar and Sri Lanka.

The participants continued their group work after the conclusion of the day's sessions. The certificate gala dinner was held on the third day of the course at Hotel Bihari, Pokhara. The chief guest for the event was the Mayor of Pokhara. In his speech, the thanked

Day Four

Day four commenced with a session on implementation actions by the regulator which was conducted by Ananda Raj Khanal. He spoke about existing policy, legal and regulatory frameworks for broadband in Nepal, as well as additional initiatives taken in understanding broadband requirements, and spoke about the current status of national telecom infrastructure.

A panel discussion was held after the tea break on the topic, 'Roadmap for making Internet Accessible and Affordable in Sub-urban Nepal: supplier perspectives.'

The final session of the course was a mock public hearing and critique. The groups presented their findings and opinions before Babu Ram Aryal and Santosh Sigdel

Please follow this [link](#), for presentations and photos.

Faculty

Rohan Samarajiva

Rohan Samarajiva PhD, Course Director, was the founding CEO (2004 - 2012) and is Chair (2004 –) of LIRNEasia. Since April 2018, he has served as Chair of the ICT Agency of Sri Lanka. Previously he was the 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), 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). He was Policy Advisor to the Ministry of Post and Telecom in Bangladesh (2007-09). He serves on Privacy Advisory Group of UN Global Pulse and as Senior Advisor to the ICT Unit of Sarvodaya (Sri Lanka's largest community based organization). Samarajiva is a Board Member of Communication Policy Research south, an initiative to identify and foster policy intellectuals in emerging Asia. He serves on the editorial boards of five academic journals.

Ananda Raj Khanal

Ananda Raj Khanal is Director at Nepal Telecommunications Authority. Before joining NTA in April 2006, he was with the Department of Electrical and Electronics Engineering at Kathmandu University in Nepal in the capacity of Assistant Professor and Department In-Charge. He continues to be a visiting faculty at different universities in Nepal and teaches subjects related to Telecommunications and ICTs. He holds a Bachelor of Engineering degree in Electronics and Communications, Master of Engineering degree in Optical Communication. He is a gold medalist in Bachelors of Law (LLB). Mr Khanal has taken a number of training courses related to policy, regulation and management of Telecommunications/ICTs conducted by different international institutes of repute including ITU, ACMA, PURC, APT, TEMIC, USTTI and other regulatory agencies. He has also participated in a number of seminars, workshops, meetings, and symposia dealing with Telecommunications/ICTs/Broadband. He is very active in the ITU plenipotentiary conferences, WRCs , WTDCs and ITU-D study groups, GSRs, WSIS and APT and SATRC activities.

Ashwani Rana

Ashwani Rana is the Head of Connectivity Policy, (India, South & Central Asia) for Facebook. He has extensive experience of working with top telecom companies. Previously, he worked with Bharti Airtel as their Chief Regulatory Officer (Operations). He holds a Masters in Business Law from the NLSIU, Bangalore in addition to Master in Public Policy, PGDBA and B.Tech. He is also a Fellow member of IETE.

Babu Ram Aryal

Babu Ram Aryal is a practicing lawyer with focus on Telecommunication, Cyber Security, Cyber Crime, Media Laws and Intellectual Property laws. He founded Centre for Law and Technology Private Limited (CLT), a dedicated ICT and Media law think tank in Nepal and the CEO of Delta Law Private Limited, the pioneer TechLaw Firm in Nepal. Some of his research contributions

are: "Drafting Unified Information Technology Bill-2013" (2013), "Reviewing Information Technology Laws in Nepal" (2013), "Analysis of Nepali Legal System from E-Governance perspective and Drafting E Governance Bill, 2011" and "Information, Education and Communication strategy for Local Government and Community Development Project, 2009". He was Lead Researcher in the research "Use of Criminal Laws to Curb Freedom of Expression Online in Nepal" (2012), and advisor to the research "Mapping Position of Internet and Freedom of Expression in Nepal with reference to UN Special Rapporteur's Report to UN General Assembly" (2012).

Binay Bohra

Binay Bohra is the Managing Director of Vianet Communications Pvt Ltd, one of the leading Internet service providers (ISP) of Nepal. Binay Bohra believes in living by creativity and feels proud to be able to give something back to the society through his contribution to the IT sector. A computer engineer by profession, Binay likes to explore the tremendous potential of the Internet. Having completed his higher studies in India from Bangalore University in 1995 in Computer Engineering, he returned to Kathmandu and joined Mercantile Communications. While working for three years at Mercantile, he developed the confidence to do something on his own. The Internet boom was gradually catching up in Nepal, however, there was few ISPs to cater to the growing demand of the Internet. Vianet was one of the pioneers to offer dial-up Internet in the Kathmandu valley and pioneered in the FTTH segment and it is a huge success in the following years. Bohra who is also the President of Internet Service Providers' Association of Nepal (ISPAN) feels that this is the age of the Internet as our lives revolve around it.

Isuru Samaratunga

Isuru Samaratunga is a Researcher at LIRNEasia. He is currently engage in ICT-related research projects on low-income market segments and communities of persons with disabilities in Asia. He has experience in social impact assessment and retail industry as a researcher. Isuru's main interest is enhancing the value of qualitative data in research projects. Isuru holds an MSc in Sociology from the University of Amsterdam, The Netherlands, and post-graduate qualifications from University of Cambridge, United Kindom and University of Kelaniya, Sri Lanka.

Manohar Kumar Bhattaraj

Manohar Kumar Bhattaraj is former Vice Chair, High Level Commission for Information Technology, Government of Nepal. Mr. Bhattaraj's involvement in the Information and Communication Technology sector spans nearly three decades encompassing varying responsibilities in various functional and leadership roles. Mr. Bhattaraj led the drafting of the Broadband Policy recently approved by Nepal Telecommunication Authority and due for final approval from the government. Mr. Bhattaraj also played a lead role in drafting Nepal's first IT Policy in the year 2000 as part of a team formed by National Planning Commission. Mr. Bhattaraj is credited with the initiative to usher in the concept of rural telecentres in Nepal as a means of bridging digital divide and expanding community access to Information and Communications Technologies. Mr. Bhattaraj has also been instrumental in preparing revised IT Policy of the Government of Nepal which has since been announced, as well as drafting 3-year integrated action plan (IAP) for the development of ICT sector in Nepal. In addition, he also played a key, leadership role in formulating e-Government project which has since

culminated in a comprehensive eGovernment project being executed by Government of Nepal. Mr. Bhattarai is also credited with the achievement of having provided leadership on delivering on one of the key, foundational components of eGovernment initiative namely the development of Government Enterprise Architecture/ Government interoperability framework.

Min Prasad Aryal

Min Prasad Aryal is an engineer with specialization on IT Technology Services, Policy and Regulations, Radio Communication and Management Issue. He did his Masters as well as Bachelors from Institute of Engineering, Pulchowk Campus (Tribhuvan University). He also holds Master's Degree Course in Innovative Communication Technologies and Entrepreneurships from Aalborg University, Copenhagen Branch, Copenhagen, Denmark. He has over decades of experience as Deputy Director/Head of Research & Development Unit and Numbering and Standardization Unit, an Engineering Section of Technical Department of Nepal Telecommunication Authority (NTA). Similarly, Six years of experience, as an Assistant Director in Technical Department Engineering Section of NTA. Prior to his affiliation with Nepal Telecommunication Authority(NTA) succeeding the position of Teaching Assistant he had worked as a Head of Electronics and Communication Department of Nepal College of Information Technology(NCIT). He is an affiliated member of IETE Nepal Chapter, Nepal Engineering Council, Nepal Engineering Infrastructure Development Society and Society of Electronic Engineers of Nepal

Narendra Maharjan

Narendra Maharjan has two decade of experience in telecommunication service, currently Deputy Manager, Nepal Telecom. He went to Sent Luis University in Phillipines (1994) and holds eMBA degree from ACE institute of Management in Nepal. He significantly contributed in the regulatory department for long period in Nepal Telecom and Planning and Procurement of Mobile Service Directorate.

Prabal Saakha

Prabal Saakha is the Managing Director of the Hamrobazar.com, a FREE online classified which enables individuals as well as companies to list wide variety of new or used product online. Saakha started HamroBazaar after finishing his Masters degree in marketing and advertising at Webster University, Thailand. Being from a prominent business family – the Saakha Groups, the then twenty-three year old did have options. As he was working on the online platform, he also pursued another venture aligned with an old passion of his – automobiles. He brought a few Sandstorms– convertibles – to Nepal and started selling them. With a more quintessential 'business' to show for himself, he continued his work on the online platform.

Santosh Sigdel

Santosh Sigdel is a President at Internet Society Nepal. He is a lawyer and human rights professional mainly involved in information technology law and human rights. He has worked with a number of international and national organization including the Article19, International Center for Transitional Justice (ICTJ), CARE Nepal, Freedom Forum in last decade on different human rights issues. He has also involved in a number of research and studies relating to freedom of expression. He also led a study on "Freedom of Expression on the Internet in Nepal: Mapping the Internet Environment in Nepal Using Recommendations by the United

Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression". Mr. Sigdel is also a member of International Media Lawyers Association (IMLA). He has published a number of articles and booklets on Freedom of expression and Right to Information.

Subash Dhakal

Subash Dhakal is the Under Secretary of Government of Nepal who joined the service in 2004. He has led various key government projects and the latest responsibility is the director at the National ID Management Center, the ambitious project of Government of Nepal. Mr. Dhakal has been involved in implementing Electronic Voting System in Nepal, Establishing Government Network. As a director, in DoIT, he is playing crucial role in developing five years IT Roadmap of Nepal and drafting new umbrella IT Act of Nepal. He is also a team member for formulating DNS Policy for .np CCTLD, IPv4 to IPv6 migration plan of Nepal along with promoting and expanding use of Trans-Eurasia Information Network (TEIN) in Nepal. He have participated in different international events like, Asia Pacific Regional Internet Governance Forum (APriGF), ICANN and GCCS. Mr. Dhakal holds Master in Computer Engineering.

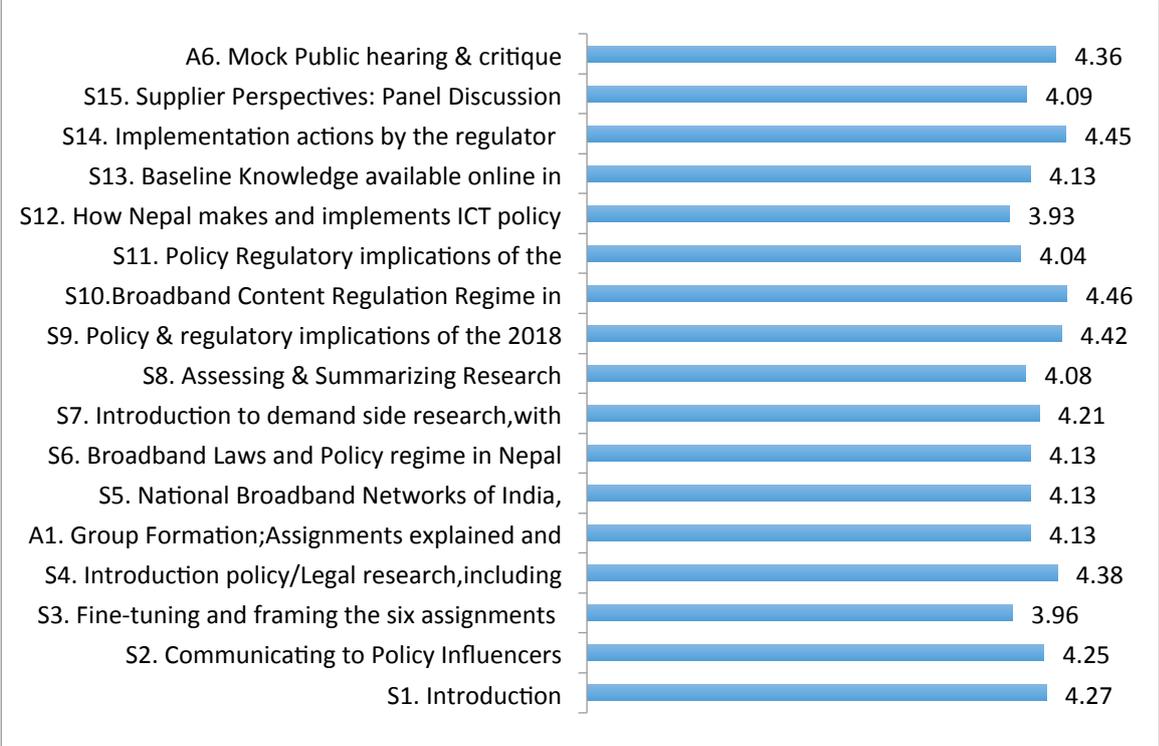
Sujata Gamage

Sujata Gamage, PhD MPA, specializes in planning, evaluation and capacity building in public policy using data analytics, institutional research, performance evaluations, scoping studies, systematic reviews, statistical methods, and simulations – with a focus on education and training, ICT in education, research, research networks and public sector performance. She is currently a Senior Research Fellow at LIRNEasia, a regional think tank based In Colombo, Sri Lanka. Her recent research includes open data for transparency in electoral demarcations, Indicators of workforce readiness for the 21st century in the context of ICT-enabled freelance work, ICT for development education at institutions of higher learning in Asia, and Factors affecting the use of ICTs in the classroom by teachers. In a formal capacity as a public policy professional Sujata has served as (a) Director General of the Tertiary and Vocational Education Commission of Sri Lanka, revitalizing the implementation of an ADB funded project on a national vocational qualification framework for Sri Lanka (b) Consultant to the University Grants Commission of Sri Lanka developing faculty quality ranking for the system (c) Analytic Director of a team of consultants at QRC Macro International in Bethesda, Maryland, USA, responsible for conducting and reporting on science resources for the US National Science Foundation and (d) Strategic Planning Specialist at the Ohio State University, USA, developing an academic quality scorecard for that university, (e) Administrator of Research Support Programs at the Ohio Board of Regents, Ohio, USA. In her previous career as a university teacher and researcher in Chemistry, she has served as a member of the faculty in the University of Sri Jayewardenapura and the University of Colombo. Sujata holds a Ph.D. in chemistry from the University of British Columbia and a subsequent Master's in Public Administration from the Ohio State University of USA.

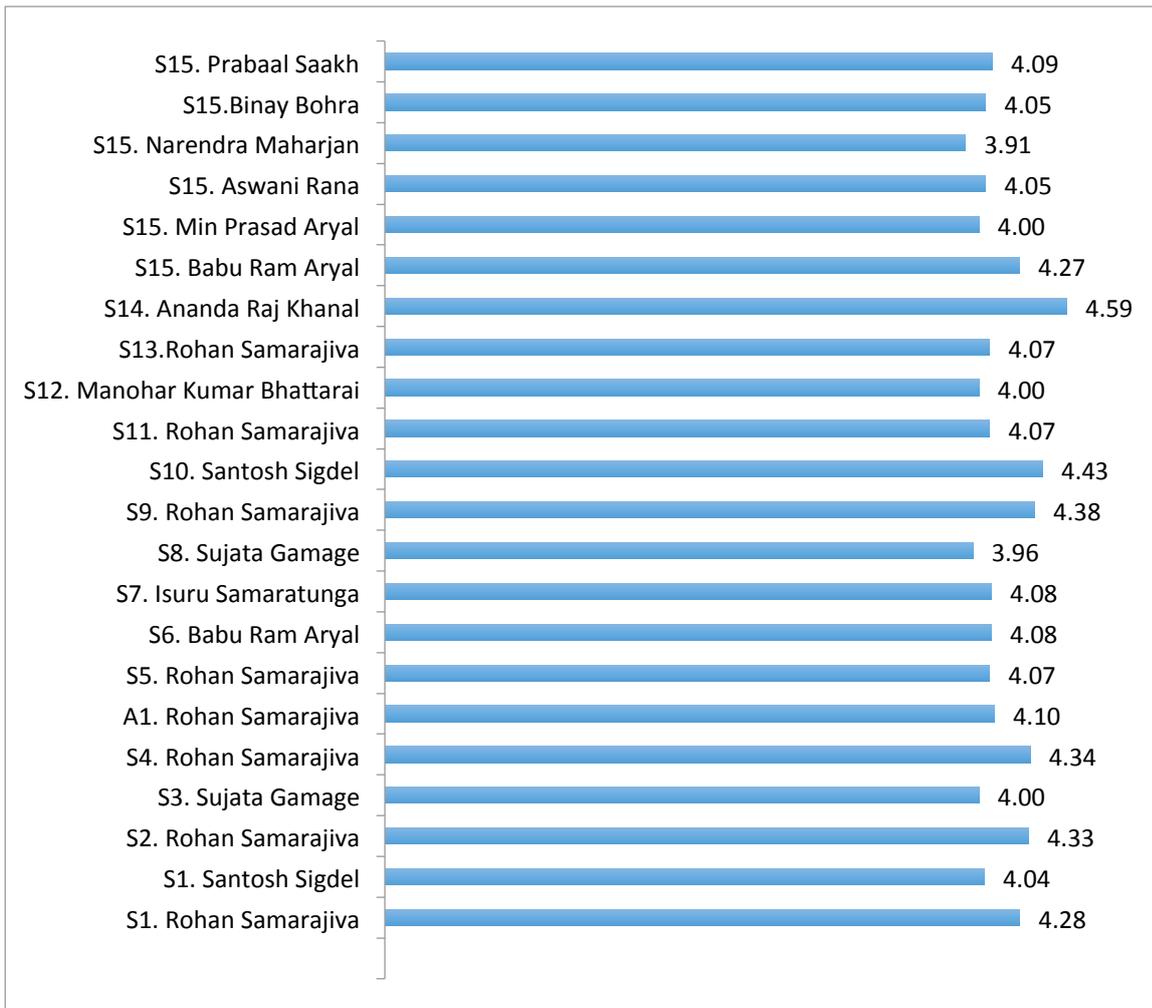
Evaluations

The course evaluations can be seen from the figures below. The rating was based on a five point scale ranging from 1-abysmal to 5-excellent. All the topics, speakers and logistical arrangements were rated as being satisfactory.

Session Ratings



Speaker Ratings



Logistical Ratings

