



LIRNEasia
Pro-poor. Pro-market.

Influencing data governance policy in South and Southeast Asia

Online

10th -11th December 2024

Agenda (Day 2)

Time (in Sri Lanka time UTC+0530)	Topic	Resource persons
Day 2: 11th December Taking research to policy		
1.00 pm – 1.20 pm	Taking research to policy	Rohan Samarajiva, PhD
1.20 – 1.40 pm	Philippine Digital Policy: A Development Entrepreneurship Journey	Grace Mirandilla-Santos
1.40 – 2.30 pm	Successes, partial success, and failures - what led to the different outcomes? Q&A	Rohan Samarajiva and Grace Mirandilla-Santos
2.30 pm – 3.45 pm	Groupwork – 30 minutes Report back by groups and Q&A (5 min presentation by team; 10 min discussion/Q&A)	
3.45 pm – 4.00 pm	Wrap up	

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Research to policy

Rohan Samarajiva



Different forms of policy influence

Different forms of policy influence - easiest is on right hand side

Types of Policy Influence (Lindquist)

<u>Expanding Policy Capacities</u>	<u>Broadening Policy Horizons</u>	<u>Affecting Policy Regimes</u>
<ul style="list-style-type: none">• Improving the knowledge or data of certain actors• Supporting recipients to develop innovative ideas• Improving capabilities to communicate ideas• Developing new talent for research and analysis	<ul style="list-style-type: none">• Providing policy makers with opportunities for networking or learning within their jurisdiction or with colleagues elsewhere• Introducing new concepts to frame debates, putting ideas on the agenda, or stimulating public debate• Educating researchers and others who take up new positions with a broader understanding of issues• Stimulating quiet dialogue among decision-makers (and among, or with, those involved in knowledge production).	<ul style="list-style-type: none">• Modifying existing programs or policies• Leading to the fundamental re-design of programs and policies• Helping create a new policy regime in an emerging field.



Opportunities for taking research to policy process

Policy windows

- “**Unpredictable** openings in the policy process that create the possibility for influence over the direction and outcome of that process.”
- “These windows sometimes open regularly (e.g., cabinet shuffles and budget speeches), but who makes successful use of them or not is a **matter of chance and skill.**”
 - Kingdon, John W. 1995. *Agendas, Alternatives, and Public Policies*, 2nd ed. Ann Arbor, MI: University of Michigan Press.

Another way of seeing opportunities

- Opportunities arise when a discontinuity arises (demand side)
 - A new law or an amendment
 - Regulations or policies
 - Controversy
 - Court case
- Opportunities may, in some instances, be created (supply side)
 - Initiate a court case
 - Expose a problem in media, creating controversy
 - Campaign for changes in laws, policies, and practices
- Supply-side is hard; decision makers may not look too kindly on those who make them work



Opportunities cannot be seized by anyone & everyone

Udentes Fortuna Luvat

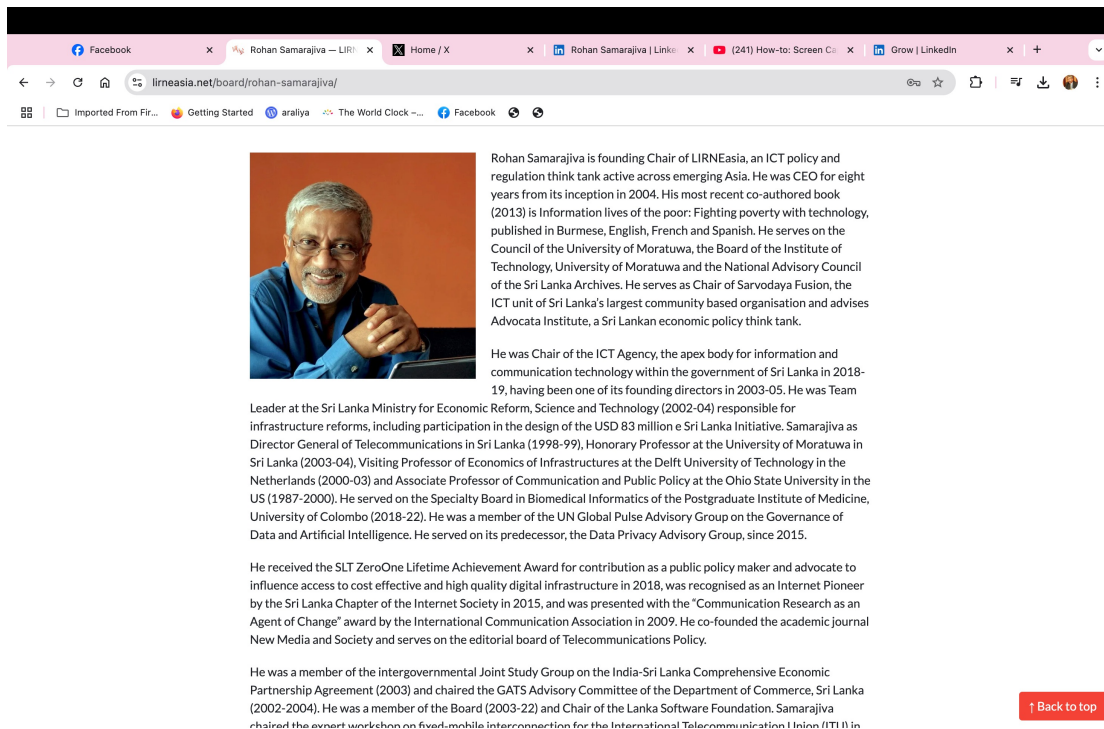
Fortune favors the bold (and the prepared)

- Unless there is a formal, open process, those who are not invited will be at disadvantage
 - Even when able to participate, how much weight will be given?
- How to get invited? How to be taken seriously?
- **Ethos (Credibility)**, or **ethical appeal**, means convincing by the character of the author/orator
- Those who've held senior positions and some academics get ethos by default
- Others must work for it
 - Media and conference participation
 - Networking
 - Build a track record
 - Be visible on the Internet

How you show ethos these days: Have a good profile on the web; do ego searches periodically

- Excerpt:

“He was Chair of the ICT Agency, the apex body for information and communication technology within the government of Sri Lanka in 2018-19, having been one of its founding directors in 2003-05. 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. Samarajiva as Director General of Telecommunications in Sri Lanka (1998-99), 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 served on the Specialty Board in Biomedical Informatics of the Postgraduate Institute of Medicine, University of Colombo (2018-22). He was a member of the UN Global Pulse Advisory Group on the Governance of Data and Artificial Intelligence. He served on its predecessor, the Data Privacy Advisory Group, since 2015.”



Rohan Samarajiva is founding Chair of LIRNEasia, an ICT policy and regulation think tank active across emerging Asia. He was CEO for eight years from its inception in 2004. His most recent co-authored book (2013) is *Information lives of the poor: Fighting poverty with technology*, published in Burmese, English, French and Spanish. He serves on the Council of the University of Moratuwa, the Board of the Institute of Technology, University of Moratuwa and the National Advisory Council of the Sri Lanka Archives. He serves as Chair of Sarvodaya Fusion, the ICT unit of Sri Lanka's largest community based organisation and advises Advocata Institute, a Sri Lankan economic policy think tank.

He was Chair of the ICT Agency, the apex body for information and communication technology within the government of Sri Lanka in 2018-19, having been one of its founding directors in 2003-05. 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. Samarajiva as Director General of Telecommunications in Sri Lanka (1998-99), 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 served on the Specialty Board in Biomedical Informatics of the Postgraduate Institute of Medicine, University of Colombo (2018-22). He was a member of the UN Global Pulse Advisory Group on the Governance of Data and Artificial Intelligence. He served on its predecessor, the Data Privacy Advisory Group, since 2015.






He received the SLT ZeroOne Lifetime Achievement Award for contribution as a public policy maker and advocate to influence access to cost effective and high quality digital infrastructure in 2018, was recognised as an Internet Pioneer by the Sri Lanka Chapter of the Internet Society in 2015, and was presented with the "Communication Research as an Agent of Change" award by the International Communication Association in 2009. He co-founded the academic journal *New Media and Society* and serves on the editorial board of *Telecommunications Policy*.

He was a member of the intergovernmental Joint Study Group on the India-Sri Lanka Comprehensive Economic Partnership Agreement (2003) and chaired the GATS Advisory Committee of the Department of Commerce, Sri Lanka (2002-2004). He was a member of the Board (2003-22) and Chair of the Lanka Software Foundation. Samarajiva chaired the expert workshop on fixed-mobile interconnection for the International Telecommunication Union (ITU) in

[↑ Back to top](#)

Results of ego surfing

The screenshot shows a Google search results page for the query 'rohan samarajiva'. The browser tabs include Facebook, Rohan Samarajiva - LIRNEasia, Home / X, Dr. Nalinda Jayatissa appoint..., and rohan samarajiva - Google Se. The search bar contains 'google.com/search?sca_esv=72ad2c95dfb5ea62&sxsrf=ADLYWILHk-1n8oug89h0lh7K-wDuQ-gGcA:1732011306269&q=rohan+samarajiva&tbm=nws&source...'. The search results are as follows:

- FT.LK**: **Electricity sector: What Rohan Samarajiva didn't say**. By espousing and turning apologist-in-chief for a multibillion-dollar deal that is notoriously untransparent if not downright illegal, Professor... May 14, 2024. 
- Carnegie Endowment for International Peace**: **Rohan Samarajiva**. about. Rohan Samarajiva is a nonresident fellow at Carnegie India. Samarajiva is the founding chair of LIRNEasia, an information and communication technology (... Jul 4, 2024. 
- The Wire**: **What Greek Politics Tells Us About Sri Lanka's Political Shift**. As a tumultuous political season gets underway, it is important to understand the nature of the currently dominant political formation led by the new Sri... 1 month ago. 
- EconomyNext**: **Opposing Sri Lanka Telecom share sale on national security grounds baseless: expert**. Objections raised by a parliamentary committee to the proposed sale of Sri Lanka Telecom (SLT) on national security grounds hold no water and have no basis in... Jun 9, 2023. 
- Daily Mirror - Sri Lanka**: **IMF deal: We have a rigorous dose to be taken, otherwise country will slip back - Prof. Rohan Samarajiva**. IMF deal: We have a rigorous dose to be taken, otherwise country will slip back - Prof. Rohan Samarajiva · It is only first step of a long... Apr 10, 2023. 

- Only two telecom posts on first page
- One about being appointed as ICT Agency Chair
- One attack piece, right on top

After you get in the door . . .

- Logos (persuasion by the use of reasoning)
- You have voice because you have subject knowledge
- But we know high-quality research takes time and money to produce
 - If you are lucky, you would have started early
 - Sometimes, you have to go with imperfect (but not awful)
 - Sometimes, you have to repurpose from similar work
- Pathos (persuading by appealing to the reader/viewer's emotions)
- Keep it short
- Use analogies; tell stories
- Use pictures/graphics

Example from print/online channels during RTI enactment process, 2015

- “The issue hinges on the definition of “public service,” a term that is undefined in the draft and which I argue is undefinable. I am an expert on public utilities and infrastructure. In my field, utility and infrastructure services are commonly described as public services.^[3] They are subject to obligations that go beyond those that apply to ordinary companies. But they are not derived from general law, but are instead imposed by sector-specific laws, licenses or concession contracts. Does Laughs fall within the scope of RTI legislation by providing LPG as cooking fuel to households, arguably a public service? Does the micro entrepreneur ~~who uses two or three delivery~~ persons to transport gas cylinders to households also fall within the scope of the Act because he is an “organization providing a public service” even if not a company registered under the Companies Act? The only way to ~~avoid these ambiguities is to strike the entirety of sub-clause (g) under section 40~~ from the draft and restore the integrity of the Act as one that focuses on the special responsibilities of government entities.”

Invoking expertise

Using footnotes to show anchoring in broader knowledge

Using powerful analogies

Punch

This element of the intervention was partially successful

What does policy impact look like . . .

- Grace and I will tell you stories: of successes, partial successes, and failures
- Why failures and partial successes?
 - Policy is rarely about first-best
 - Multiple forces at play so do not expect to have only your position embodied in the final outcome (if that happens, all others would have failed)
 - Policy is more about avoiding the worst outcomes: rarely Plan A; usually Plan C or D

2

Philippine Digital Policy: A Development Entrepreneurship Journey

Grace Mirandilla-Santos



Philippine Digital Policy

A Development Entrepreneurship Journey

December 11, 2024

Personal Journey

2001-2004:

Work for donor-funded project as a junior researcher

2005:

Attend 10th LIRNE.NET Telecom Reform Course

2006:

Attend inaugural CPRsouth;
Work as mid-level researcher for policy project

2008:

Decide to be an independent consultant;
Applied for research grants (IDRC Canada)

2010-2011:

Author, co-write book chapters, journal articles

2012:

Conduct LIRNEasia Broadband QoSE study; Engage ICT community: *so many ideas yet no strategy and funding*

2014 & 2015:

Propose BB QoS standards to NTC; Immerse in policy and regulatory process

2016 - present:

Work with a team of experts: *a few key ideas, a good strategy, some funding!*



2005, 10th LIRNE.NET Telecom Reform Course



2015, NTC Public Hearing on Broadband QoS

Policy Reform Journey

- **2016:** BIP identifies **Open Access bill** and **satellite EO** as main reforms. Work begins.
- **2017:** BIP inserts satellite reform in Free Wi-Fi Act.
- **2019:** No traction; BIP parks satellite EO.
- **2020:** COVID-19 pandemic forces global lockdown; Filipinos can't go online; Team revives satellite EO, works with champions: doctors, central bank, business group.
- **2021:** President signs **EO 127** on **March 10**.
- **2021:** DICT issues IRR on Sept 28.

“Show me the dataaaa!”

- What data do you have? Is it true and accurate?
- Who is your audience? Is data in a format that your audience will understand?
- What key message do you want to say through your data?
- Does the key message resonate with your audience?

Broadband infrastructure* is inadequate

Total Internet Use
45%

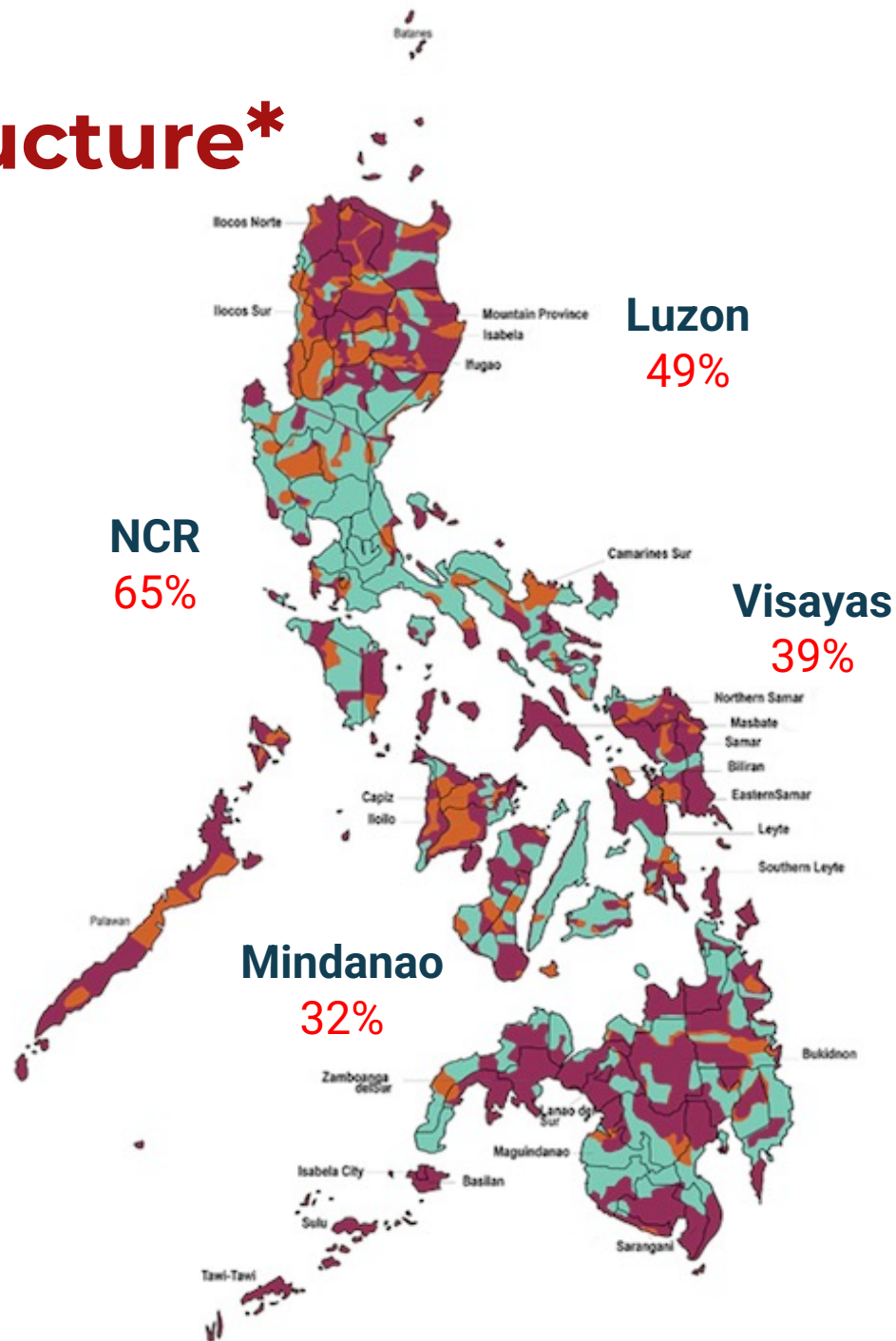
Legend:

- Unserved
- Underserved
- Served

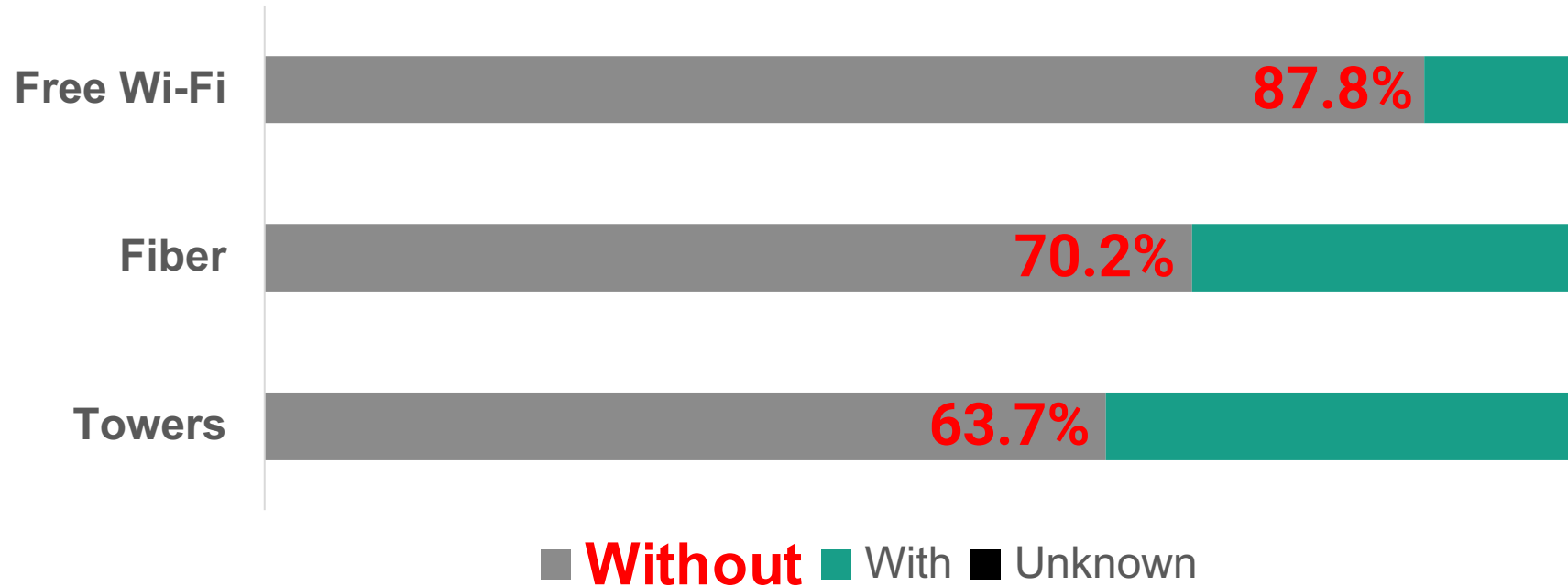
Source: National Broadband Plan, 2017
Updated by the Better Broadband Alliance

SWS Survey among adult Filipinos,
December 2019

*** Pre-pandemic (2017-2019)**



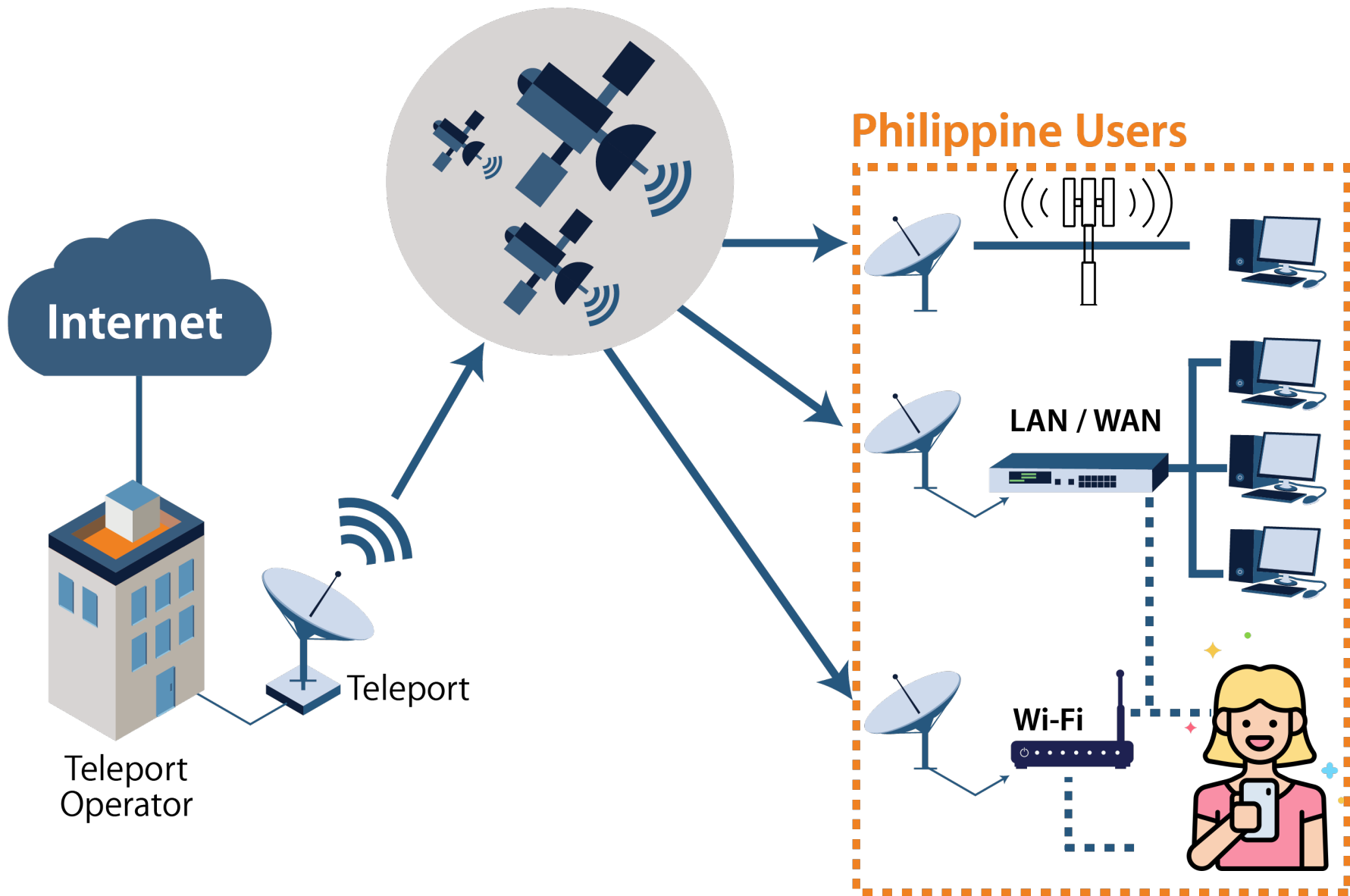
Barangays have limited internet (2019)



Regions with Poorest Access

	Telecoms Tower	Fiber Optic Cable	Free Wi-Fi
Eastern Visayas	16.0%	MIMAROPA 9.6%	CAR 3.3%
Bicol	15.8%	Cagayan Valley 8.6%	MIMAROPA 1.6%
BARMM	12.8%	BARMM 0.9%	BARMM 0.9%

How satellite broadband works



“What’s your problem?”

- What is the binding constraint that you’re trying to address?
- Can you explain the problem in simple terms?
- What is the policy solution?
- Is the solution technically correct and politically feasible?



Binding Constraints

1. Outdated satellite policy

- EO 467 s. 1998 focused on voice, broadcast
- Satellite accessible to telcos only
- Congressional franchise takes 2-3 years
- NTC authorization goes through quasi-judicial process, takes months to years

2. Satellite use in PH very limited

- Low use case; PH was not seen as a market

Policy Reform

- Allow non-telco ISPs and VAS providers direct access to satellites for Internet connectivity and build/operate broadband networks
- **Key strategy:**
Influence President to issue **new Executive Order** to update:
 - (1) old satellite EO; and
 - (2) regulatory requirements for satellite use.

“Tell me who your friends are...”

- Do you have champions willing to spend their political + social capital on the policy?
- Are you co-creating with others and getting commitments from key partners to the reform?
- What’s in it for them?

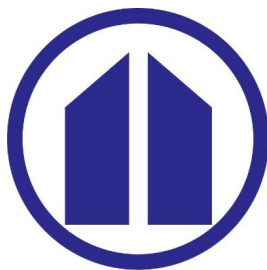
Coalitions and Champions



Doctors want to expand **TELEMEDICINE** today and beyond the pandemic. Poor Internet connectivity is a major barrier to timely and accurate information for pandemic response and carrying out e-health.

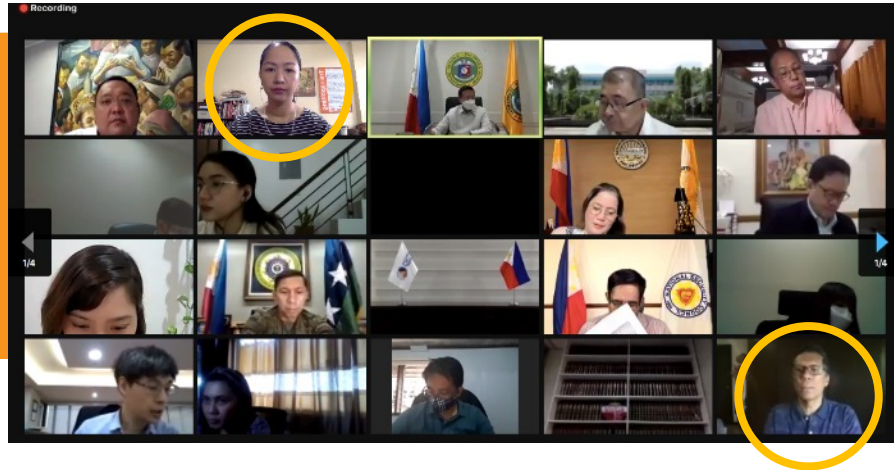


BSP is pushing for **FINANCIAL INCLUSION** through digital platforms. Poor Internet connectivity is a major barrier to harnessing digital technology.



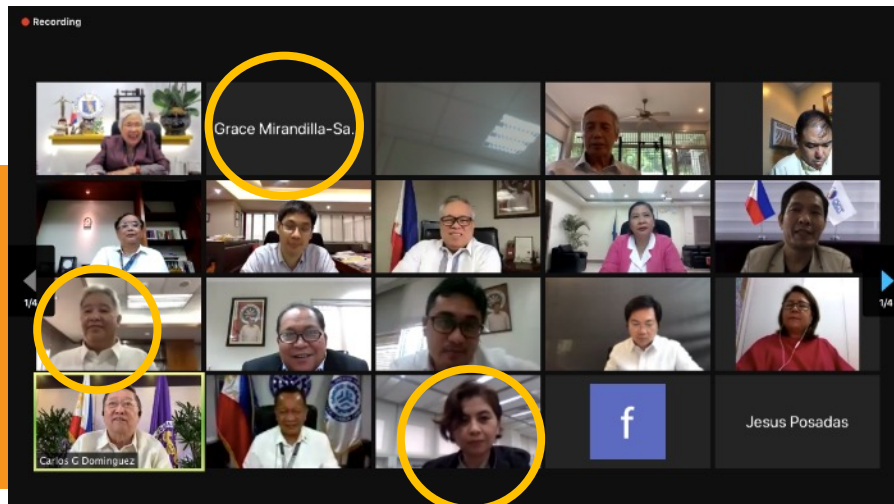
PCCI wants to support MSMEs in **E-COMMERCE**, especially during the lockdowns, but many businesses did not have internet facilities in their communities.

Coalitions and Champions



HPAAC presents to IATF with all key cabinet secretaries and representatives

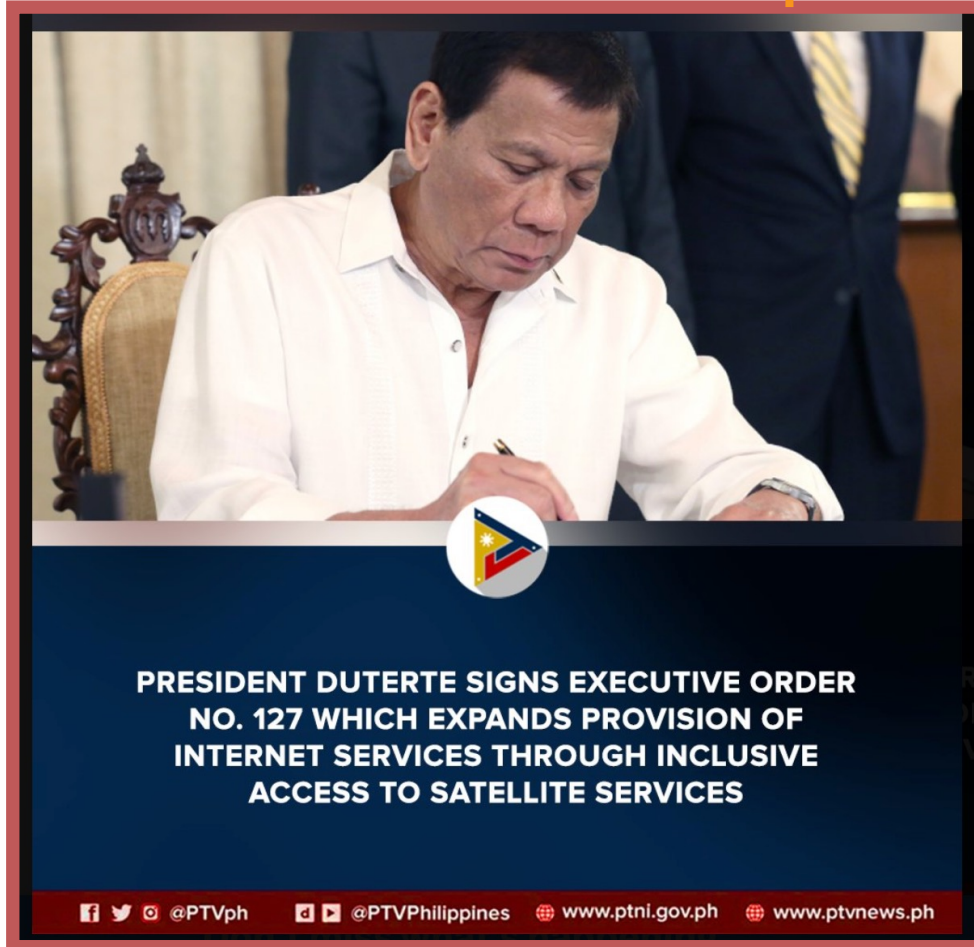
- Doctors now carry the satellite broadband reform and make presentations to IATF and the President.



Informal + formal meetings + briefings to **BSP Monetary Board** member and **FISC**

- Gathered support from key Cabinet members.
- Economic Development Cluster unanimously voted to endorse the EO to the President.

The President signs EO 127



On March 10, 2021, President Duterte signs EO No. 127 on “Inclusive Access to Satellite Broadband Services”

**PRESIDENT DUTERTE SIGNS EXECUTIVE ORDER
NO. 127 WHICH EXPANDS PROVISION OF
INTERNET SERVICES THROUGH INCLUSIVE
ACCESS TO SATELLITE SERVICES**

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Starlink operates in PH



May 27, 2022 – NTC approves Starlink’s registration as a value-added service (VAS) provider

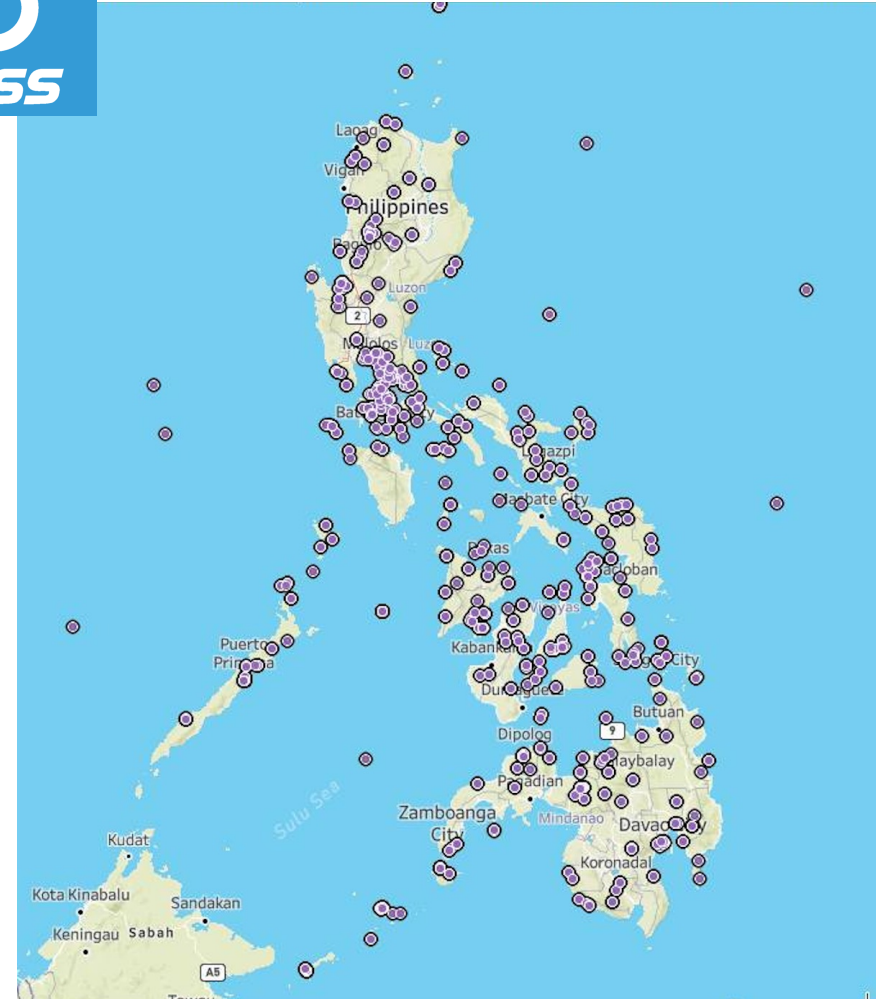
Feb 22, 2023 – Starlink becomes commercially available in the Philippines

Starlink use in the Philippines

March 2023



November 2024



Reform Journey to date...

- **2022:** NTC OKs Starlink VAS license on May 27.
- **2023:** Starlink goes live in PH on Feb 22.
- **2024:** Starlink applies for Congressional franchise to build earth stations in PH.
- **2024:** BIP continues to push for Open Access, now called “Konektadong Pinoy,” bill that aims to remove franchise...

Development Entrepreneurship

1 Just start

Start with

- what you have
- what you know
- whom you know

2 Make small bets

- Make small bets to manage risks and costs
- Learn by doing
- Failure as a prerequisite for learning

Development Entrepreneurship

3 Expect and exploit surprises

- Welcome the surprise factor
- Interpret “bad” news and surprises as clues and opportunities for new possibilities

4 Harness the power of networks and coalitions

- Build partnerships with self-selecting stakeholders

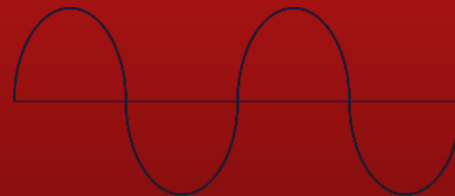
5 The future can be influenced with action

- The future is neither found nor predicted
- Can be shaped by focusing on things within your control



Thank you.

Mary Grace Mirandilla-Santos
Better Internet PH
Secure Connections



3

Successes, partial success, and failures - what led to the different outcomes?

Rohan Samarajiva

Grace Mirandilla-Santos

4

Groupwork

Scenario for group work tomorrow

- Your assigned country has a policy window that is opening up
- A significant law related personal data/privacy is going to be amended in the 6 months
- You have the opportunity to give input, frame the debate
- Question: **how can the law be improved/designed to ensure data can be used for machine learning for developmental purposes?**
- **What research will you do to identify solutions that could work (to enable the above)?**
 - Legal/policy analysis? User research? Identify best practices? What are benchmarks you will look at?

You have been assigned to a group and each group will focus on a country

Sri Lanka (Group -1)	India (Group - 2)	Philippines (Group - 3)
Abu Nazam Md Tanveer Hossain Ambika Sharma Anudi Nanayakkara Chathushika Wijeyesinghe Fahim Aslam Froland Tajale Hamza Nizam Kazi Lakna Dasanayake Mousumi Baruah Nuwan Waidyanatha Saqlain Muhammad Tithi Neogi	Ajay Kumar Amra Ismail Ashmita Thapaliya Avash Mainali Cristina Signo Faith Oren Gayathri Karannagoda Heshali Weeratunga Lasith Gunawardena Muhammad RohanGhazi Samaya Anjum Sehan Soyza Waruni Rajapakshe	Aman Shrestha Ankita Rathi Azmat Ababakirov Darshatha Gamage Fjordan Allego Gyan Tripathi Keerthi Nagappa Mohamed Zaheer Fathima Zameera Nathalia Louise Ablaza Sandini Rajapaksha Tasnuva Shelley

Remember – you had home work !

- You are now familiar with the existing laws related to personal data protection and AI in the country (if any)
 - Can data be used by machine learning?
- Thought about the trade-offs involved in sharing personal data by researchers and algorithms
- Thought about questions that need to be answered before you can propose anything to the government
- Thought about HOW you will answer these questions – research methods.

30 mins as a group; 5 mins report back

- As a group figure out
 - What changes are needed in the law?
 - What is the basis for saying these changes are what is needed?
 - How will you create that evidence base?
 - Realistically what is possible
- Rohan, Grace, Pranesh, Helani available as resource persons in the breakout rooms.
- Appoint one person to speak (don't waste time on this!)
- After 30 mins, back to plenary
- Make 5 min presentation – no slides required, unless it helps you. But strict on time
- Your group can answer questions from the audience

Next steps

- Please fill out the evaluation
 - We take evaluations seriously.
 - Helps us improve
 - And plan further events
- Indicate exactly how the name should be mentioned in the Certificate of Completion
 - This will be sent to you directly
- Tell us if we can share your email with others
 - The idea is to be able to contact each other
- Join us for future events
- Reach out to us if you are interested in working on data governance further and need assistance

Thank You!