

CREATION OF A RAPPORTEURSHIP ON REGULATORY IMPROVEMENT

The 41 Meeting of the Permanent Consultative Committee I: Telecommunications/Information and Communication Technologies (PCC.I),

CONSIDERING:

- a) The challenges associated with reducing the gap between the rapid evolution of a sector of the economy and the processes implemented for the design and development of any applicable regulation thereto, as well as the challenges associated to the application of conventional regulatory frameworks that demand principles of simplification, flexibility and modernization, and the challenges of ensuring that regulatory benefits reach the entire population.
- b) The need to advance in strategic aspects of regulation such as the participation of all value groups, both ex ante and ex post analyses, and within the latter impact assessments, transparency, and the application of objective methodologies for the evaluation of regulatory alternatives, as fundamental pillars of the regulatory improvement approach.
- c) The regulatory challenges posed by emerging technologies that justify a paradigm shift in policy formulation and management².
- d) The opportunities offered by the innovation and adoption of new technologies as tools for the design and development of regulation, that enables the promotion of an intelligent regulatory framework, based on evidence, and aimed at the digital transformation of the regulator and the stakeholders.
- e) That regulatory improvement is an integral concept whose purpose is to ensure the quality of the regulations issued, since it involves the adoption of an approach based on evidence and identified risks. In this way, it involves a series of tools such as the Regulatory Impact Analysis - AIN methodology, public consultation, and ex post evaluation³.
- f) The mandate of the Working Group on Policies and Regulation is to promote discussions, exchange of information and actions on policy, regulation, and technical aspects regarding regulatory improvement, inter alia, in order to prepare studies, reports, recommendations, resolutions and best practice guides for the CITEL members.
- g) The terms of reference of the Working Group on Policies and Regulation include the study of the regulatory context, the exchange of best practices and experiences of CITEL members, and to consider alternatives intended for the continuous regulatory improvement, based on regulatory simplification and intelligent and innovative regulation.

RECOGNIZING:

¹ CCP.I-TIC doc. 5235/22 rev. 2

² OECD Regulatory Policy Outlook 2021

³ OCDE. Implementation of Regulatory Impact Analysis in the Central Government of Peru: Case Studies 2014-16, [online] Paris: OECD Publishing. [consultation date: May 28, 2020]. Available at: <https://doi.org/10.1787/9789264305809-es> ISBN 978-92-64-30580-9.

- a) The focus of the Member States on generating regulatory frameworks aimed at the well-being of users and tending to ensure optimal levels of competition.
- b) The progress that Member States have made in terms of regulatory improvement policies.
- c) The strengths of regulatory processes in terms of transparency, stakeholder engagement and streamlining of trade.
- d) The role of regulation in health emergency situations such as COVID-19 and the urgent need for a transformation in the way standards are designed and implemented.⁴
- e) An enhanced use and adaptation of regulatory management tools is essential to improve the agility, quality and coherence of the regulatory system, in order to help governments, face the challenges and opportunities presented by the transformative changes and to choose the right approach – regulatory or otherwise – to improve social welfare.⁵
- f) That the CITEL framework constitutes an enabling scenario for Member States and Associate Members to exchange information and good practices that promote and foster regulatory improvement as an essential component of the work of regulatory authorities.

RESOLVES:

1. To create the Rapporteurship on Regulatory Improvement within the Working Group on Policies and Regulation of the PCC. I, during the term 2022 - 2026, for the exchange of information and good practices on policies, approaches and processes associated with regulatory improvement.
2. To adopt the mandate, terms of reference and work plan for the term 2022 – 2026 included in Annex 1 hereof.

ANNEX TO THE RESOLUTION PCC.I/RES. 321 (XLI-22)

MANDATE, TERMS OF REFERENCE AND AUTHORITIES OF REGULATORY IMPROVEMENT REPORT.

Authorities: (open to the participation of all delegations from Member States and Associate Members)

Rapporteur: Colombia

Co-rapporteur: México, Telefónica de Argentina

Mandate:

To compile and disclose among CITEL members the practices and procedures pertaining to regulatory improvement, as well as to study the different aspects in regards to the pillars on which it is based, in order

⁴ Ibid

⁵ Ibid

to formulate guides and recommendations that promote actions intended to improve and modernize the regulation for the benefit of the telecommunications service users.

Terms of Reference:

- a) To identify and collect information applicable to regulatory improvement processes.
- b) To open spaces for training and sharing as a benchmark for Member States interested in initiating the process of adopting regulatory improvement methodologies.
- c) To open spaces for the exchange of information and experiences that serve as a reference for the Member States interested in implementing or updating the methodologies for the integration of the Ex Ante and Ex Post Regulatory Impact Analysis
- d) To encourage the development of activities that allow an updated knowledge of the digital ecosystem on which regulatory projects are developed.
- e) To identify collaborative practices between the ICT sector and other sectors, in order to consider them for the development of regulatory projects that encourage the efficient use of resources.
- f) To identify the best practices in digitalization and Electronic Government, in order to consider them as a reference for the Member States in their process of digital transformation and open government
- g) To carry out an exchange of information based on the knowledge, progress, and achievements of Member States.
- h) To prepare and compile the documentation, resulting from the different activities carried out as a result of the foregoing terms of reference.
- i) To review the work plan.

Performance indicators:

1. Number of contributions
2. Number of case studies/best practices reviewed
3. Number of workshops, seminars and trainings held
4. Number of studies, guides, recommendations, reports and resolutions issued
5. Number of shared posts

Work Plan

The following table provides a list of tasks that the Rapporteurship plans to develop during the 2022-2026 study term, supporting the activities described in the terms of reference. This work plan is subject to revision and update according to the needs that arise from the Rapporteurship and as required between PCC-I meetings.

Rapporteurship on Regulatory Improvement								
Activities	2022		2023		2024		2025	
	I Week 40	II Week 41	I Week 42	II Week 43	I Week 44	II Week 45	I Week 46	II Week 47
1. Identify and collect information applicable to regulatory improvement processes.								
Consult and consolidate the best practices applicable to regulatory improvement processes.			x					

Rapporteurship on Regulatory Improvement								
Activities	2022		2023		2024		2025	
	I Week 40	II Week 41	I Week 42	II Week 43	I Week 44	II Week 45	I Week 46	II Week 47
Identify emerging technologies that are useful in regulatory improvement processes.			X					
2. Open spaces for training and socialization as a benchmark for Member States interested in initiating the process of adopting regulatory improvement methodologies.								
Seminar on regulatory improvement and practices associated with the development of the supporting pillars.				X				
3. Encourage the development of activities that allow an updated knowledge of the digital ecosystem on which regulatory projects are developed.								
Present cases of research, studies and monitoring carried out by MS, which have been useful to have a better knowledge of the digital ecosystem.					X			
4. Identify collaborative practices between the ICT sector and other sectors, in order to consider them for the development of regulatory projects that encourage the efficient use of resources.								
To acknowledge collaborative practices used between the ICT sector and other sectors.						X		
5. Exchange information based on the knowledge, progress and achievements of Member States.								
Exchange information related to best practices and applicable cases to be used as benchmark for Member States.							X	
Exchange information associated with tools, methodologies, processes and experiences that feed the best practices within regulatory processes.							X	
6. Prepare and compile the documentation, resulting from the different activities carried out as a result of the foregoing terms of reference.								
Present the studies, guides, reports, recommendations, and resolutions, resulting from the different research, identification, exchange, development and socialization activities carried out as a result hereof.								X
7. Review the work plan.								
Review the current work plan		X	X	X	X	X	X	X

X: scheduled C: completed