

## **WSIS Forum 2019**

### **Session 8: Inclusiveness – access to information and knowledge for all**

#### **Policy Statement**

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There are multiple facets to the concept of inclusiveness. I would highlight two main aspects that are essential to promote access to information and knowledge for all:

1. to bring networks and services to people, and
2. to bring people to the services and networks

The first one, which falls largely under the scope of the communications regulator, relies primarily in creating conditions for the deployment of infrastructure, in order to provide the users with good coverage of quality and reliable communications services.

But that is not all, the decision maker objective can only be fully realised if high quality access to communication networks and services is made available at affordable prices for all people and firms no matter where they live or who they are. Indeed, one cannot ignore that a number of divides exist in our societies including differences in access to broadband between rural/remote areas and urban areas, and divides along gender and age, among others. Policy makers need to set national targets and strategies to reduce those divides.

This involves promoting investment in communication infrastructures to address the increasing demand for data generated by the billions of devices coming online. In effect, meeting the fast growing demand for greater connectivity requires investment in fixed communication networks, including optical fibre.

Increasing competition and making it easier to roll out the needed infrastructure will encourage this investment. We believe that encouraging competition between network operators will drive investment, lower prices and so boost connectivity. In some circumstances, enhancing infrastructure sharing and reducing administrative barriers to investment could also expand coverage.

In this context, a number of regulatory and policy measures were introduced in the last decades in Portugal that created conditions for the deployment of new generation networks. In fact, our country ranks relatively well in Europe and worldwide in terms of broadband coverage, at least in large numbers, but we still receive a large number of complaints from municipalities and civil parishes concerning the lack of broadband coverage, fixed and mobile. Complaints may not necessarily be of lack of coverage but of unequal access to broadband of sufficient quality.

To expand coverage in lower density areas, one option is to encourage private investment through a variety of incentives, such as tax exemptions or lower spectrum fees.

In this context, especially in the event of forest fires (that hit Portugal very seriously in recent years), ANACOM proposed to the Government a reduction of the value of spectrum fees for radio links. A reduction of 50% in the value of the fee per radio link, when the location of at least one fixed station is within the territory of low populated areas of Portugal, which are particularly susceptible in the event of fire or other natural disasters.

This would allow operators with immediate savings in the order of 3.5 million euros per year and provide a strong incentive to invest in this solution, that was considered to provide a more resilient alternative to aerial communications cables and may also provide a solution to improve network redundancy.

If not commercially viable, governments could also invest directly or through public-private partnerships, in order to share the risks associated with the creation, development and operation of infrastructure.

I would also like to address one measure intended to promote inclusiveness and territorial cohesion.

ANACOM is deeply committed in facilitating the deployment of a new domestic submarine cable system, in cooperation with the Portuguese government and the regional governments of autonomous regions of Azores and Madeira, our islands in the Atlantic Ocean.

This system, intended to replace the current system and to be operational by 2023, interconnects mainland Portugal with the Azores and Madeira Islands via a fibre optic ring with landing points in the continent and the islands. This ring is fully located within the national exclusive economic zone and allows for the interconnection of all national territory without depending on transit via third countries.

The second aspect relates to bringing the users to networks and services available taking the most benefit from them.

It is relevant to mention that Portugal does not classify very well in terms of digital literacy, in particular within some disadvantaged communities, such as remote areas population or elderly people. This has had a negative impact in terms of communications services uptake.

In this context the promotion of improvements to the users' rights and media campaigns to explain those are part of the regulators toolkit.

A few examples of actions taken by ANACOM in this context:

- Recently ANACOM has sent a proposal to the Assembly of the Republic and to the Portuguese Government to amend various sectoral legislation items. This proposal includes relevant changes in the context of the protection of consumers and other end-users, in particular related to:
  - (1) protection of micro and small businesses and non-profit organisations;
  - (2) billing for services, unsolicited activation of services or additional services, suspension of services to consumers due to non-payment of bills and access to call

recordings and other records related to the signing, amendment or termination of contracts;

(3) protection of subscribers in the event of interruption of services contracted where this interruption is for reasons beyond their control;

(4) enhancement of subscriber mobility in the market, reviewing and clarifying the limits to be applied to charges payable by subscribers in the event of early termination of contracts with lock-in periods;

(5) promotion of greater transparency and easier access to information on charges arising from early termination of contracts during lock-in periods;

(6) clarification of the regime applicable to contractual amendments made unilaterally upon the initiative of service providers;

(7) the impossibility of extending lock-in periods through association of other contracts;

(8) enshrining the obligation that providers obtain express authorisation from subscribers before charging for services that do not constitute electronic communications services, such as “WAP Billing” services;

(9) clarification of the obligations of service providers and of ANACOM as regards the handling of complaints;

(10) better information for end-users of electronic communications services on the performance of providers;

(11) dissemination of information derived from the measurement of Internet access speeds;

(12) oversight of compliance with the rules governing contracts concluded at a distance and off-premises.

- Furthermore, ANACOM provides easily accessible tools for price and performance comparisons:
  - COM.escolha is an interactive tool that will help users to consult the tariffs for electronic communication services: (including television, Internet, fixed telephone and mobile). To consult the tariffs of service packages users just have to combine the options of their choice. They can also make a simulation to see which tariff is best suited to their needs. The information published by ANACOM in this tool is of the full responsibility of the service providers and was supplied by them.

- NET.mede is a tool that can be used to test parameters of Internet service quality (fixed and mobile) from a computer, smartphone or tablet, making it possible to measure an Internet connection's download and upload speeds. It also makes it possible to check whether there is evidence of the operator employing Internet traffic management through the application of restrictions on traffic and contracted speeds (traffic shaping).
- we conduct media campaigns through several forms to inform consumers of their rights; and
- we inform the users about the availability of affordable and simple conflict resolution mechanisms.