



BRIEF COMMENTARY ON THE DRAFT BROADBAND POLICY (2017)

August 2017

Herewith, the ACTION Coalition make a submission on the draft Broadband Policy that was put out by the Ministry of Information and Communication Technology (MICT) for comment in mid-2017.

First off, though, the ACTION Coalition wishes to state that not nearly enough time has been afforded stakeholders to not only thoroughly acquaint themselves with the details of the draft policy, which is a relatively long and voluminous document, and which it has to be said resurfaced quite suddenly recently, in order to articulate and compile comprehensive comments and critiques of the statements of the draft policy.

That said, following are the brief comments of the ACTION Coalition on the draft Broadband Policy.

COMMENTS:

- As it is currently written or articulated, the so-called policy document reads more like a statement of intent rather than an actual policy statement. As such, it identifies the aspects that will have to be addressed, but regrettably, does not specify the actual ways and means by which these goals would be achieved;
- In particular, it is worth pointing out: The lack of budgetary or spending specifications, as well as the failure to identify how and who would be responsible for financing and implementing towards achieving the objectives set out in the policy. In a context where the Namibian government is fiscally constrained, and probably will be so for a while yet, it would seem rather important to further and clearly develop and include recommended budget allocations in the broadband policy. Will there be budgetary provisions directly aimed at BB policy objectives? How will ministries deal with it? This is particularly important to achieve a robust broadband ecosystem as mentioned in p. XVIII of the document. The need to “continually and harmoniously maintain[ed]” the ecosystem, can only be achieved by clearly defining budgetary and implementation responsibilities;
- It would be important to look both at regional and international experiences. The document focuses mostly on SADC and African experiences. In several places the document states, e.g. p. xxi, that Namibia's Broadband Policy would “also take into account regional broadband initiatives that have been approved at SADC level”. It would be useful to clarify what broadband initiatives are being referred to as examples;
- In this regard, on pp. 9-10, it would be useful to clarify which “studies on broadband strategies and plans in the SADC member states and literature from other regions such as the European Union (EU)” have been consulted;
- Additionally, other countries, further afield, have been able to develop and implement

successful broadband policy frameworks or have useful broadband policy development experiences worth considering and referencing;

- It is also important to note that the policy alignment commitments, as presented on page xix, should also make reference to the Sustainable Development Goals of the United Nations. See http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E for the SDGs. Also, at a high-level meeting of the UN General Assembly on December 16th, 2015, all UN countries, including Namibia, recognised ICT as an essential tool to achieve the SDGs (<http://www.un.org/sustainabledevelopment/blog/2015/12/countries-adopt-plan-to-use-internet-in-implementation-of-sustainable-development-goals/>). This needs clear articulation and incorporation in the policy document;
- The document correctly mentions the need for infrastructure development, but does not specify concrete needs or specifically how and what infrastructure development should be achieved;
- This is particularly important in relation to the educational aspects of broadband initiatives. Number 2 of the six minimum broadband targets for Namibia states: “Broadband connections and usage to **all primary and tertiary schools** in Namibia to allow e-learning by **2020**” (see also, p.15). A recently completed Unicef Namibia-specific study has found that it would be difficult, probably impossible, to achieve this target by 2020. However, a revised policy statement through better consultation presents an opportunity to secure Internet access in schools as soon as possible. In order to do that, and given the specificities of the Namibian case, it would be positive to add references to the Unicef study, for example in relation to the challenges faced by schools regarding ICTs. And in particular to avoid spending money and resources to again investigate ICT and Internet application and use in basic education;
- The broadband policy objectives, as presented on page xix, should have a certain order of priority. It is certainly ambitious and we can appreciate the interest of the Namibian government to want to implement all aspects of the policy at once and simultaneously, but the resource marshalling, investment needs articulation, aligning of a multiplicity of stakeholders and the different challenges faced by Namibian regions, make it highly unlikely that everything or anything would be implemented or achieved at the same time. It would thus be appropriate to have further discussions and consultations with stakeholders to establish priorities and work towards the implementation of 'low hanging fruit' goals first, as well as determining the overall feasibility of objectives, given prevailing fiscal conditions;
- In the same vein, the document does not say what specific business models would be applied to achieve objectives? This information is necessary and useful in this sort of policy document;
- Point 4.1. on page 8 enumerates laws and regulations on which the BB policy is based, but does not specify these laws and regulations. For example, it simply states “(vii) (i) ICT Sectoral Policies for Republic of Namibia and (viii) Relevant Laws and regulations”. The lack of specification makes it impossible to review and to understand what laws and regulations and ICT policies are being or have been taken into consideration;
- Regarding the importance of attracting international investment (p.12) to achieve significant policy objectives, it is unclear what consultations have been conducted with international ICT companies regarding the current investment law in Namibia. Studies have shown that the investment law does not provide adequate guarantees and incentives for investors and this may impair their participation in ICT investment in Namibia. This should be taken into account under subtitle 7.1.5 where the laws and regulations the government promises to revise are enumerated;
- Who will be in charge of establishing the Universal Service Fund and what is the time frame to achieve this?

GENERAL OBSERVATIONS:

- The policy document is poorly compiled. On the whole, the document is in need of proper and extensive editing;
- It is unclear which stakeholders were consulted during the policy development process;
- The implementation provisions/sections lack adequate timeframes, priorities and specific actions are poorly/vaguely articulated.

CONCLUSION

The draft Namibian Broadband Policy has some significant flaws that need to be urgently addressed. Significantly, as stated earlier, the document comes across more as a statement of intent rather than an actual policy statement, especially because it lacks clear definition of actions and timeframes.

It appears as if the document has been in development for some time and consequently some of its provisions might be outdated and thus in need of revision and adaptation to current realities.

RECOMMENDATIONS

The ACTION Coalition recommends:

- That in the spirit of the call for collaboration established on page xxii of the document, we request that relevant authorities reopen or reconvene a substantive consultation process;
- And that, in the spirit of the message of transparency and accountability which has become one of the core governance pillars of the current administration, we be granted access to the documents and information used during the policy development process detailed in p. 4.

Finally, we herewith make ourselves available to assist relevant Namibian authorities in any way possible in the drafting, redrafting or researching of the best possible broadband policy framework.

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