

In Brief

International Telecommunications Regulation Revisions Planned

In December 2012 the International Telecommunication Union (ITU) held the World Conference on International Telecommunication (WCIT). The conference took place in the context of worldwide discussions and formal conferenced concerned with Internet governance. Internet governance issues became prominent in preparations for the 2003 World Conference on the Information Society. A key issue facing the conference was establishing the role of ITU's role in Internet public policy.

Among the issues that were raised at the conference were: mandated applications of ITU-T which should be compatible with Internet standards; countermeasures against spam and related issues such as phishing, malware malicious code, etc., appropriate use of billing and payment models, personal data protection, online child protection and Internet addresses allocation/distribution.

International Telecommunication Regulations (ITRs) developed in 1988. The purpose is to facilitate “global interconnection and interoperability” of telecommunications traffic between borders. The regulations, while broad and high level, are intended to impose mandatory regulation of all aspects of the international exchange of telecommunications traffic – they provide a framework for international cooperation in which global interoperability is achieved. The regulations currently address high-level issues such as charging and accounting, safety of life, liability and taxation. There is also provision made for “Special Arrangements” (Article 9). That text has been important in the rapid growth in the exchange of Internet Protocol (IP) traffic, the use of virtual private networks and the provision of value added services.

According to the Internet Society, “ITRs in 1988 provided a high level context in which telecommunications

traffic could be exchanged globally. In the pre-Internet era where many telecom enterprises were state-owned, an international treaty among governments was useful, even necessary, to ensure that telecommunications operators could interconnect around the globe. As an example of the scale involved, at the time of the treaty negotiations in 1988, American telecommunication carriers alone exchanged \$12 billion in traffic annually over the fixed network. Having clear rules that guaranteed market access was essential to operating global telecom networks. The treaty gave private telecom carriers a baseline global framework that ensured interoperability (rather than having to obtain country-by-country agreements or licenses), and guaranteed that revenues would flow to national governments and private carriers via settlement payments.

“While the ITRs were negotiated in an era of state-run telecom monopolies, there are provisions that have proven essential to the growth of global Internet (from business and legal perspectives). One involves Article 9 Special Arrangements that allow the exchange of certain kinds of traffic outside the provisions of the ITRs.

The amount of international (fixed-line voice) traffic that is subject to settlements has diminished significantly since 1988, putting a strain on revenue streams for telephone carriers, whether state-owned or privately owned. For many developing countries whose traditional revenue sources state-owned or privately owned, revenue also has diminished. Revision of ITRs can be helpful to putting telecom into a more realistic legal framework.

SMEs Key to ASEAN Economic Community 2015 Success

The Association of South East Asian Nations (ASEAN) is focusing priority attention to the develop-

ment of Small and Medium Enterprises (SMEs) in anticipation of the 2015 single market. (www.aseansec.org/SME) The significance of the SME sector to the economies of the 10 ASEAN country members has been underscored by studies showing that 95% of all enterprises in the region are SME and they provide between 50–95% of all employment.

A conference The SME Sector in the ASEAN Economic Community 2015 – Ensuring Growth, Competition and Sustainability, was organized by the Chula Global Network in Bangkok and the German Konrad Adenauer Foundation. Speakers pointed out that opening of markets between ASEAN members can be expected to increase competition since almost all countries rely on similar products (e.g. rice or seafoods) or services (e.g. trade and tourism). In the case of Thailand, a recent survey showed that SMEs have dropped in their competitiveness as compared to neighbor countries. A labor-quality policy to strengthen the productivity and competitiveness of Thailand's SMEs has been recommended.

The two-day event featured speakers presenting an overview and significance of SMEs in ASEAN and the European Union. Several country reviews were presented on the current status of SMEs in their economies. One session was directed to topical issues of SMEs in ASEAN that involve access to finance, labor skills and cross-border business. A panel of experts presented views on what should be the economic governance approach for the SME sector in ASEAN.

SRI Lanka to Modernize Information Sharing and Business Registration

The Department of Registrar of Companies in Sri Lanka is modernizing its document management system with an objective to increase efficiency in business registration and to improve the quality of data being shared across government agencies and the general public. The document management system will be made available online. In addition, a dedicated call center will also be established to answer queries and feedback from the Department's stakeholders.

According to an official statement, the Department will be using a new Oracle-powered online system to upgrade the department's automation system with an

estimated cost of US\$1 million and in October 2012 was in its final stages of development. Once the system is in place, it can handle the total company registration process through online payments and issue certified copies online by accepting international credit card payments. This system is also expected to reduce the time it takes to do business registration and filing of statutory information.

Singapore Adopts Personal Data Protection Bill

The Singapore Parliament adopted the island's first bill to protect consumer data on October 15, 2012. The legislation aims to govern the collection, use and disclosure of personal data by private organizations, and will be implemented as law in January 2013. The bill provides for the creation of a Personal Data Protection Commission (PDPC), and a national Do-Not-Call Registry. The commission will be the country's main data protection authority, and will be responsible for administering and enforcing the bill and promoting awareness of data protection in Singapore.

Individuals can register their Singapore phone numbers on the Do-Not-Call registry to prohibit private organizations from contacting them for commercial reasons. If they still receive marketing calls or messages, they can lodge complaints with the PDPC, which is responsible for keeping and maintaining this registry. Further, organizations must seek the consent of customers before collecting and storing their data, and inform the customer about the purpose of the data collection. They also have to ensure a comparable standard of protection for personal data, if they transfer it outside Singapore through measures such as contractual agreements.

Companies found in violation of the rules can be fined up to US\$800,000 for every data protection offense, and up to US\$8,200 per consumer complaint. Businesses will be given 18 months from implementation in January 2013 to comply with the rules. The Do-Not-Call Registry is expected to be set up in mid-2014.

Dr. Yaacob Ibrahim, Minister for Information, Communications and the Arts, introduced the bill in Parliament "A data protection regime to govern the collection, use and disclosure of personal data is necessary to address individuals' growing concerns over the use of their personal data and to maintain individuals' trust

in organizations. A data protection law will enhance Singapore's competitiveness and strengthen our position as a trusted business hub. It will put Singapore on

par with the growing list of countries that have enacted data protection laws and facilitate cross-border transfer of data," he stated.