**REGIONAL**

**Development of the Comprehensive Broadband Policy**

**TERMS OF REFERENCE**

1. **Background**

While the situation of broadband is uneven across the Latin-America and Caribbean Region (LAC), much remains to be done in terms of designing and implementing strategic public policies. Competition concerns are present in most countries and the capacity of governments and regulators to enforce laws and regulations remains limited in many of them. Furthermore, significant challenges exist in extending broadband access, making spectrum resources available for the coming years and in dealing with technological convergence. Access to essential facilities ‒infrastructure bottlenecks such as local loops or backbone infrastructure‒ or the framework for permits or rights of way also remains of concern. At the same time, demand-side policies should also be addressed. Internet applications have the potential to foster social inclusion, to make businesses more efficient and to improve the delivery of public services. Demand-side policies are a key element for activating the “virtuous circle” that will boost connectivity and adoption of broadband services and the applications they enable.

Some international institutions have developed policy guidelines and/or toolkits addressed to governments and regulators building on Organisation for Economic Co-Operation and Development (OECD) work in these areas (e.g. the World Bank’s Broadband Strategies Handbook or the International Telecommunications Union’s ICT regulation toolkit). While these reports have been well received and are very useful for many purposes, the proposed toolkit for the LAC Region, main product of this project, aims to fill two main gaps, which are not sufficiently covered by past work:

1. The need to offer a comprehensive view of the policies required for broadband promotion: not only supply-side policies (e.g. competition, interconnection, spectrum issues) are needed, but a comprehensive, wide-ranging set of policies and regulation that touch upon the demand.
2. Capturing the current situation, existing or future constraints and needs of the LAC Region: none of the products already developed is targeted to the LAC Region specifically. LAC countries have particular social and economic constraints, different institutional and legal frameworks and unique cultural patterns, which would be taken into account in the analysis

Aware of the opportunity to develop a Broadband Toolkit that contains a set of actionable and useful policies, the Bank has already started to build that tool with the initial step of data collection. The project ATN/OC-14107-RG (RG-T2295), near to conclusion, has accomplished its main milestone: data gathering from Ministries/Vice-ministries and Regulatory bodies of the region, essential for the technical cooperation described in this document. More specifically, the project RG-T2295 has: (i) scoped and designed the initial structure of the toolkit itself; (ii) designed and disseminated a brochure advertising the project and its components and a letter of invitation to participate at the project have been circulated to all the Ministries/Vice-ministries of Telecommunications (or with telecommunications attributions) and Regulatory bodies; and (iii) collected data about the current status of broadband policies in the LAC Region via questionnaires, field missions (to Peru, Ecuador and Honduras) and conference calls with all focal points.

The work that is described in these ToR is the continuation of that of the TC RG-T2295, which is expected to conclude by the end of 2014. Additionally, it is noteworthy to observe that the work of both projects should be carried out sequentially since the activities described in this ToR (basically developing the content of the specific modules and chapters of the toolkit) are totally dependent on the outcomes of RG-T2295: (i) collection of data about the current status of broadband policies in the LAC Region; (ii) collection of information on best practices and lessons learned from other regions based on literature review; and (iii) scoping and designing the structure of the toolkit itself.

1. **Consultancy objective**

The main objective of this project is develop a broadband toolkit (i.e. chapters and modules) specific and customized to the LAC Region.

The project responds to the need to develop an enabling public policy environment as part of Inter-American Development Bank (IDB) strategy to accelerate broadband deployment, adoption and use by governments, businesses and individuals. It also addresses the Bank’s priority to strengthen the institutional capacity of governments to perform fundamental functions, such as the design and implementation of public policies. Therefore, it is fully in line with the Bank’s Broadband Initiative and its strategy to accelerate broadband deployment and use in the Region. In particular, this TC falls primarily under two of the pillars of the Broadband Special Program: (i) development of strategic public policies; and (ii) the institutional strengthening and capacity building.

1. **Main activities**

To carry out the work within the scope of this TC, the OECD will be hired under the fact that their economic and financial proposals fit with what is required in these ToR.

The OECD will conduct the activities described in the following components:

1. **Component 1. Data Analysis.** In this component the OECD will conduct all the necessary activities to carry out an in-depth analysis of the responses to the questionnaire and of publicly available information from other parts, information that was collected in the TC RG-T2295. The activities will include statistical and econometric analyses of the quantitative data.

The objective will be to identify trends, challenges, available instruments and current broadband policies in the Region and best practices and relevant cases outside the Region. In particular, best practices will be highlighted and benchmarked against existing OECD documentation as well as previous regional studies carried out by the Bank.

This component will also include a fact-finding mission to two countries different from those of the missions conducted as part of the TC RG-T2295. The objective will be to collect more input information and validate assumptions and conclusions. The selection of countries for the fact-finding mission will be based on the following criteria (the same used in selecting countries under RG-T2295):

* Comprehensiveness: large countries or countries with a significant variety of issues will be preferred against countries with more specific situations. It will also be considered whether the country has prioritized broadband (i.e. it has or plans to have a broadband national plan).
* Diversity: the countries chosen need to be sufficiently diverse, in terms of institutional framework, broadband development, cultural factors, and so forth. The two countries will be from two different sub-regions of the Bank.
* Established contact network: countries where the OECD and/or the Bank have an established, reliable institutional network will be preferred.
* Questionnaires completion: countries that have a high level of completion of the questionnaires delivered in phase 1 (RG-T2295) will be prioritized.

In that regard, the final selection of the countries will be the result of the decision of the IDB with the collaboration of the OECD based on the previous criteria. Any fact-finding mission will involve significant preparatory work: reaching out to local authorities to identify the right counterparts, setting up a comprehensive agenda that covers most of the issues to be addressed in the toolkit and defining discussion topics to maximize the outcomes of the meetings.

As a result of this component, there will be a clearer picture of what policies are underway, what is lacking and what could be recommended with regard to broadband policy in the Region. All this will serve as an input for Component 2.

1. **Component 2. Development of the modules of the toolkit and training materials.** In this component, the OECD will conduct all the necessary activities to develop the content of all the modules and chapters of the toolkit according to the structure defined in the TC RG-T2295.

Additionally, the OECD will develop training materials for public officials for use of the toolkit (the training sessions are not part of this project). Using the developed training materials the OECD will organize a webinar to conduct a virtual training session.

1. **Component 3. Dissemination of the results.** In this component, the OECD will conduct all the necessary activities for the publication and edition of the toolkit and its modules and chapters as well as the translation of all the content into Spanish (the final publication will be uploaded into the Broadband web platform – [www.iadb.org/digilac](http://www.iadb.org/digilac) - as a stand-alone publication)

Additionally, the OECD will also be responsible for the organization of a workshop in the Region (location to be agreed between the OECD and the Bank) to disseminate the results of the toolkit. As for the organization of the event, the OECD will coordinate the agenda, venue and invitees with the Bank.

1. **Reports / Deliverables**

The expected deliverables of this project are:

1. As a result of Component 1, a summary of the findings on the status quo of public policies in the Region, as well as a summary of best practices from other parts of the world based on literature review.
2. As a result of Component 2, a comprehensive document containing the toolkit with all the modules and chapters and the training materials for use of the toolkit. Those materials will be in the most appropriate format determined by the Bank: pdf document, powerpoint presentation and video. Any other possible and user-friendly formats are also welcome.
3. As a result of Component 3, an event in the Region to disseminate the results of this TC and the necessary dissemination materials.

The deliverables of Component 1 and Component 2 will be separate. Every report must be submitted to the Bank in an electronic file. The report should include cover, main document, and all annexes. Zip files will not be accepted as final reports.

1. **Qualifications**

To carry out the work within the scope of this TC, the OECD will be hired under the fact that their economic and financial proposals fit with what is required in these ToR. It is required that the OECD’s team members have at least 5 years of experience in the telecommunications field (policy, engineering, legal or regulatory) and that they speak fluently, at least, Spanish and English.

1. **Characteristics of the Consultancy**

* Consultancy category and modality: Firm
* Contract duration: 12 months, starting in January 2015
* Place(s) of work: remote with two field visits
* Maximum budget: US$500,000

1. **Coordination**

The supervision and coordination of this consultancy will be the responsibility of Félix González (IFD/CMF), Team Leader of this operation ([felixg@iadb.org](mailto:felixg@iadb.org)).