

Telecommunications regulation in Vanuatu – in conversation with Dalsie Baniala



by Tess Newton Cain and Dalsie Baniala

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*Dalsie Baniala is the first ni-Vanuatu to hold the position of **Telecommunications and Radiocommunications Regulator (TRR)**. She sat down recently with Tess to discuss the work of her office and the challenges she and her team are facing, as part of the **Pacific Conversations** series. You can listen to a podcast of their conversation [here](#) and read a transcript [here \[pdf\]](#). For the highlights of what they discussed, read on ...*

Dalsie and I are old friends, since the days we worked together at the University of the South Pacific (USP). But I asked her to provide others with a synopsis of her background. She was educated in Vanuatu and Solomon Islands and is currently studying for an MBA through USP. USP was where her career started and then she moved to the office of the TRR in a senior administrative capacity before taking on the role of Regulator.

I asked Dalsie to provide a summary of the role of the TRR and why it is important for the telecommunications sector in Vanuatu:

...this office, the institution, is very, very important for development in telecommunications because its role is like a referee

and she went on to confirm that part of this role is ensuring that all of the ‘players’ have a good understanding of where the boundaries are:

...it’s very important for us today that we’re going out and making

awareness and education to all the people, not just the citizens for the services available but also for the servicers and also for the good use of the services that are currently available in Vanuatu.

We moved on to discuss the factors that have led to Vanuatu having one of the best regulated telecommunications sectors in the Pacific island region. Dalsie identified that this determination was an external one, as measured by entities such as the World Bank and the [International Telecommunications Union \(ITU\)](#). She pointed to the level of good governance that the TRR maintained, the fact that her office participates at the global level to provide knowledge of Pacific experience and:

...because an industry level playing field, this is what we are promoting. We work collaboratively with the stakeholders and in particular, the industry – the telecommunications industry to bring them on board and understand what their needs are, understand their challenges and understand what they're facing today, and then work with the government to address and make sure we are all happy when we are doing the promotion, the development in telecommunications.

She also made reference to the fact that the TRR is independent and this independence is an important signal to established and potential investors in the sector.

We then moved on to discuss some of the anticipated challenges for her office in the medium to longer term. The main challenge is one of financial sustainability. A small percentage of operators' licence fees (2.25%) goes towards funding the TRR office and operations and there is also donor project support from the World Bank and the Government of Australia. However, there is a need to source other, more sustainable, funding for the future. Other challenges arise from the rapidly changing nature of the operating environment. There is now the need to address regulation in a 'converged environment' – one where entities that have previously only provided telecommunications services are moving into broadcasting and *vice versa*. In addition, the proliferation of 'over the top' services provides a challenge:

Those app services like WhatsApp, Skype, Viber, those that, you know, you're using the applications to communicate the voice, communications through internet.

These services are accessed via operators' infrastructure but generate less (or no) revenue, so the TRR has to balance consumer demand for cheaper services with the industry's need to make a profit.

The fast-changing nature of the technology also provides a challenge, both in terms of ensuring consumer awareness and in maintaining the technical awareness within the office of the TRR. Increasingly the TRR is involved in addressing society's concerns about the impacts of internet access in Vanuatu:

And that's also one of the challenge because here we are, with the most beautiful ... values, the cultural values we have and our traditions, at the same time it's a Christian nation and we want to promote and maintain this. But the same time, now it's changing. The direction in terms of technology is changing and the people are turning around, our youth especially.

We then broadened our discussion to consider the possible benefits of adopting a regional approach to regulation in the telecommunications sector. Dalsie referred to the [Pacific ICT Regulatory Resource Centre](#), based at USP, which currently has a small number of Pacific island country members. I asked her how, if at all, this Centre contributes to the work of her office:

At the moment, I must say we are still on the establishment process. We haven't had a very good output of it. It's because we're still establishing the institution. So, by establishing the institution, they need the support, which is why we are providing support.

Whilst at present this resource is essentially an information sharing facility, the longer-term objective is for it to be upgraded to provide key services to national regulators:

That is an objective. That is what we want to achieve by establishing that Centre. It's the Centre that will provide all the resources we know we [will] not have if we don't have any money to get a consultant for the specific issue. So, that's the aim and we're going there. Already I could see we will achieve that.

Going back to the national scene, we also discussed the possibility of a converged regulator, such as operates in other Pacific island countries – one regulator for telecommunications, utilities and possibly other activities such as broadcasting. Dalsie confirmed that this was something under consideration by the government so we will be keeping an eye on further developments as they eventuate.

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Link:

<https://devpolicy.org/telecommunications-regulation-in-vanuatu-in-conversation-with-dalsie-baniala-20160809/>