

SPEECH BY MR. C. M. LEKAUKAU – EXECUTIVE CHAIRMAN OF BOTSWANA TELECOMMUNICATIONS AUTHORITY AND CHAIRMAN OF COMMONWEALTH TELECOMMUNICATION ORGANISATION (CTO) AT THE OCCASION OF THE OFFICIAL OPENING OF COMMONWEALTH TELECOMMUNICATION ORGANISATION/TELECOMMUNICATIONS REGULATORY'S ASSOCIATION OF SOUTHERN AFRICA TRASA/CTO COMPETITION POLICY WORKSHOP FOR THE SADC REGION: BOTSWANA, GRAND PALM HOTEL, 24 FEBRUARY 2003.

It is a pleasure and a privilege for me to welcome you all in your respective capacities to this workshop, on behalf of the Government and the people of Botswana. However, it is a special honour this time around to welcome you also on behalf of the Telecommunications Regulators' Association of Southern Africa (TRASA) as a member of the Executive Committee and on behalf of CTO as its current Chairman as these two organisations are joint sponsors of this workshop. Let me also welcome Mr. J. B. Galeforolwe, the Chief Executive Officer of the Public Enterprises Evaluation and

Privatisation Agency (PEEPA) and thank him for obliging to be our keynote speaker.

The crux of this workshop – ***Competition Policy***, lies at the very heart of the SADC Trade Protocol, a protocol, which TRASA is committed to promote through its various activities. As such it is an honour to officiate at such important gathering. By the way TRASA was created under the SADC protocol on Transport, Communications and Meteorology.

I wish to highlight from the onset that this workshop is being funded for the Regulatory Authorities, telecommunications operators and Ministries in the SADC/TRASA region by the CTO through its Building Digital Opportunities (BDO) Programme. The United Kingdom Government in turn finances the Building Digital Opportunities Programme through the Department for International Development (DFID). Exactly a month ago we

hosted another regional CTO sponsored workshop on Telecommunications Business Simulation. We as Botswana are humbled and encouraged by the challenges that these two organisations continue to present to us.

I must add that through its Building Digital Opportunities' (BDO) Programme, CTO undertakes a lot of commendable work on capacity building in policy and regulation. For instance, it offers core support for new regulatory institutions in developing countries; organises workshops for key policy makers; develops effective strategies for e-commerce and e-governance within developing countries; offers support for the development of national/regional ICT strategies and continues to support the development of institutions, which reinforce the regulatory process such as TRASA.

The 1990s ushered in the period of Globalisation. For the telecommunications industry, globalisation brought with it the concept of liberalisation. Liberalisation meant increased competition among telecommunications service providers that in turn called for the introduction of regulation. According to the International Telecommunication Union (ITU), one hundred and nineteen (119) countries had established regulatory agencies as at December 2002 compared to only thirteen (13) in 1990. This means that countries are rapidly introducing competition among national telecommunications service suppliers and/or foreign suppliers. The question facing regulators therefore is what defines effective competition? I believe that at the end of this workshop this question will have been answered. Ideally, competition should have no limitations - which raises the question **will effective competition ever emerge?** This is the question that the world is trying to answer through such efforts as competition policies. However, we need to

pride ourselves in the telecommunications sector to have emerged as “primus inter pares”³ or first among equals to introduce liberalisation and hence competition. The momentum has been particularly fast after the 1998 World Telecommunications Organisations (WTO) Basic Agreement on Telecommunications which set out the ingredients of liberalisation in WTO Reference Paper.

As regulators, we try to promote fair competition between telecommunications service providers where such competition is permitted, in conjunction with the country’s competition policy. We are also expected to allow service providers maximum freedom in pursuit of their commercial objectives, while simultaneously taking into account the telecommunications needs of the public and the policy objectives of government. This is by no means a simple task and we need all tricks in the book to achieve it. That is why I

personally thank both the CTO and TRASA for having found it necessary to hold this workshop.

I note that the workshop has quite a comprehensive programme covering such important areas as anti-competitive behaviour, abuse of dominant position, international aspects of competition, restrictive agreements just to mention but a few. I hope that the workshop can focus a lot on the issue of the abuse of the dominant position of the incumbent telecoms against new entrants which is a source of serious concern in competition world over in the telecommunications fraternity. I can only exhort you participants to make use of the opportunity to learn all there is to know. It is not often that you meet such internationally acclaimed authorities on all aspects of regulation such as Mr. William Wigglesworth or Bill as I affectionately call him and Mr. Edgardo Sepúlveda. Together they will provide you with an opportunity to explore issues of particular importance

in the Southern African Region as well as general issues of Competition Policy.

In Botswana, the liberalisation of telecommunications started in December 1996 when Botswana Telecommunications Authority was launched. The Authority is successfully grappling with the teething problems of regulation thanks to our earlier advisors like Bill Wigglesworth who is one of the resource persons for this workshop. By the way the other resource person Mr. Edgardo Sepulveda is also our advisor and is currently seized with a very important issue of an interconnection dispute. We expect to be delivering a landmark ruling in the competition area this week on this important issue which is daunting the regulators world over.

Before I conclude my speech, I wish to invite all those who are visiting Botswana to take time off during the course of

the week to explore what our modest Gaborone City has to offer but even spare a few days to visit some of our acclaimed tourist centres in the country.

With those few remarks it is now my pleasure to declare this **Competition Policy Workshop for the SADC/TRASA Region Regulatory Authorities, Ministries and Telecommunications Operators** officially open.

I thank you

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