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HOW CAN TECHNOLOGICAL DEVELOPMENT BENEFIT THE PEOPLE?

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The digital economy is now a vehicle for growth, productivity and competitiveness for businesses and countries. Its cross-cutting nature affects every sector of the economy and is the driving force behind new innovative sectors.

Despite a vast array of literature on the subject, there is, however, no precise definition of the digital economy.

It is not limited to a particular industry and comprises very different concepts. Although the digital economy derives from the widespread use of new, general-purpose technologies, primarily in the field of information and communication technology (ICT), it has now turned into a universal technology that has had implications that go far beyond ICT. It has affected all economic areas, the growth and productivity of States, the business environment, private individuals, households and their behaviour.

Internet use, for example, has brought people and resources together by removing physical distances so they can create, cultivate and share their ideas that lead to new concepts, new content, and as a result, the emergence of a new generation of entrepreneurs and markets.

The digital economy is the global network of economic and social activities that are enabled by platforms, such as the Internet, mobile and sensor networks, including e-commerce. These activities are also driven by efforts to achieve efficiency and productivity in the processes of production, and inventory and knowledge management.

Despite the difficulty in defining and the complexity in quantifying the digital economy, it is possible to identify three main economic sectors:

- An **ICT-producing sector** that brings together those businesses that provide goods and services that support the process of digitising the economy, or in other words, transforming used or provided information into digital information. This includes businesses operating in the field of information technology, such as hardware and equipment manufacturers, software designers and computing services; telecommunications; and electronics, such as hardware and components.
- The second sector can be regarded as an **ICT-using sector**, which mostly comprises businesses that operate in more traditional sectors, such as the primary, secondary and tertiary sectors.

These businesses use ICT as a driver of growth and improved productivity, for example, businesses operating in the fields of agriculture, health, automotive or banking.

- The third sector comprises businesses whose very **existence** is due to the **emergence of digital technology**. These **business offer an extensive range of digital content**, such as e-commerce, video games, online services etc., and could not exist without the infrastructure needed for the digital economy.

1. What trade policy framework is needed to respond to the changing global economy and its many quick transformation processes?

Amid economic changes brought about by the emergence and growth of ICT and a rapidly evolving digital ecosystem, States, together with public and private organisations, should adapt and develop harmonised, flexible, innovative and non-restrictive regulatory and legal frameworks. As such, decision makers, legislators and other regulators should embrace the digital world in all its forms.

To this end, commercial and regulatory research should be undertaken. It is essential for data on the evolution of the digital ecosystem to be analysed to ascertain the impact of ICT on the domestic and global economies.

In this regard, a global framework could be set up at the international level to provide for regulatory measures for the new digital ecosystem.

Possible regulatory measures could comprise structural solutions, such as amendments to or the adoption of legislation, by creating the conditions for ICT to play a significant role in the growth and resilience of the global economy.

The great transformative potential of the digital economy is within our reach. The digital world offers a multitude of opportunities in various sectors, such as agriculture, health, education, financial services, artificial intelligence and public governance. Digital services may enable economic growth and social development at all levels. Regulation has a crucial role to play in helping today's rapidly evolving markets grow, while preparing future markets for innovative, balanced and inclusive digital services. More inclusive, rewarding and collaborative regulation will not only benefit consumers and businesses, but will also be the driver of the digital future for billions of people who are still not yet connected.

At present, regulators have acknowledged that there is no single and comprehensive blueprint of best practice, but they have agreed that the experiences of countries could be instructive and provide guidance towards high-quality regulation. In an ever-increasingly complex and dynamic digital ecosystem, it is essential to adopt common guidelines and introduce clear and simple rules that safeguard product quality and consumer safety by protecting transactions. Competition and regulatory authorities will have to ensure that any economies of scale achieved are not unlawful.

2. Will the WTO and its member States be able to address the new challenges?

At present, it appears that the WTO is ideally suited to address the challenge of ensuring that ICT is beneficial to all. However, this will depend largely on the ability of the WTO to develop **interoperability** between the different member States so that information technologies are not an instrument for developed countries to exercise a degree of power over developing countries in their trade relations.

On the contrary, this branch of the economy should serve as a lever to foster fair trade by promoting the sharing of knowledge and the transfer of technologies among States. Agreements could therefore be negotiated to reduce barriers to international trade, to ensure a level playing field for all and to contribute to economic growth and sustainable development.

In this context, the WTO could play a significant role in strengthening the capacity of officials in developing countries on these key issues, while supporting and advising them in implementing suitable regulatory and legal frameworks. This is in addition to the important issue of stakeholder awareness.

Similarly, member States may have a crucial role to play nationally in conducting research on the impact of ICT, while implementing policies to foster the emergence of the sector, such as a national growth strategy for the sector, subsidies for equipment, investment in digital training, online training.

3. How can we ensure that technological advancement will benefit everyone?

In order to ensure that technological advancement benefits all, especially in developing countries, it is essential for the State, local and regional authorities, public institutions and private individuals responsible for a public service to ensure that access to and use of new information technologies allow their representatives to exercise their duties by making full use of the possibilities that dematerialisation and the digitisation of information offer.

This will only be possible through a robust policy of investment in hardware and software infrastructure, which are a prerequisite for a digital economy, as demonstrated by countries that are implementing robust structures to guide the digital policy of States, such as the *Agence de l'Informatique de l'Etat* (ADIE, information technology agency) and the *Autorité de Régulation des Télécommunications et des Postes* (ARTP, telecommunications and postal regulatory authority) in Senegal.

It is also important that the prerequisites for widespread use of ICT are reinforced, such as training, access to electricity and improved connectivity. States should also implement progressive legal frameworks that takes data security into account.

It is also essential to emphasise the importance of the role of the Internet in this democratisation process of technological advancement, as it is the cornerstone of e-commerce and to have access to the knowledge gained from digital information. Together with access providers, States should focus on charging policies that are aimed at promoting access to the Internet for the population as a whole.

4. How can members of parliament contribute to achieving this aim?

Members of parliament have a crucial role to play in the democratisation of information technology, as parliaments are a forum for setting out the general framework that covers several legislative aspects that promote the digital transformation of the economy.

By way of illustration, it should be noted that since 2011, the Parliament of Senegal has authorised the transposition of supplementary acts into Senegalese law, such as Supplementary Act A/SA.1/01/07 of 19 January 2007 on the harmonisation of policies and of the regulatory framework for the ICT sector, and directives, such as Directive No. 02/2006/CM/WAEMU on the harmonisation of the regimes applicable to network operators and service providers, adopted by the Economic Community of West African States (ECOWAS) and the West African Economic and Monetary Union (WAEMU).

At a plenary session held on Wednesday 28 November 2018, Senegalese members of parliament adopted the bill on the *Code des communications électroniques* (Electronic communications code).

The bill addressed the concerns of the willingness of public authorities to transform the digital economy into an engine of growth for Senegal.

The purpose of this bill was to:

- Strengthen the central role of telecommunications/ICT and the digital economy in the Senegalese development strategy;
- Contribute to the implementation of the digital Senegal strategy;
- Enable the seamless expansion of ecosystem actors by ensuring high-quality electronic communications services are provided.

Several aspects that fall under the scope of the Code include:

- Subjecting Internet service providers to authorisation as opposed to licensing, as was the case previously, to make the process more flexible, to facilitate access to and use of high-speed Internet services and to promote the growth of a competitive and inclusive digital economy;
- Strengthening the existing regulatory framework to continue promoting healthier and more effective competition in the sector, to further increase access to ICT for Senegalese citizens and businesses and to encourage the provision of better-quality services at reasonable prices;

- Strengthening the protection of the rights of users of these services, including both consumers and professionals, to guarantee their right to access these services and their security;
- Replacing the economic growth contribution (ECG) for an operators' contribution to the electronic communications universal service development fund;
- Reforming the governance procedures of the regulatory authority according to best practice internationally, with a view to greater efficiency;
- Strengthening the security and integrity of networks and combating fraud in international trafficking;
- Implementing specific measures to protect the personal data of users of telecommunications services according to security and public order needs.