

JOINT DECLARATION

FORO LATINOAMERICANO DE ENTES REGULADORES (REGULATEL) AND THE INDEPENDENT REGULATORS GROUP (IRG)

19 November, 2004, Cusco, Peru

Representatives of the authorities in charge of the regulation of telecommunications in the different countries of Latin-America and Europe, together within the *European Independent Regulators Group*, IRG, and the *Foro Latinoamericano de Entes Reguladores de Telecomunicaciones*, REGULATEL, met in Cusco, Peru on 19th of November 2004 for the Third Summit of European and Latin-American Regulators where Edwin San Román, president of Osiptel, the regulatory agency of Peru, becomes chairman of Regulatel for the 2004-2005 period.

As a result of the Summit, they declare:

The telecommunications regulators have the responsibility of facilitating the existence of favorable conditions for the economic development of their countries and the electronic communications sector, especially within the framework of the Information Society.

They are aware of the importance of the development of telecommunications and the broad possibilities fostered by the technological advances that contribute to the individual and collective progress of their societies and the growth of their economies.

For that reason, in their third joint meeting they have discussed several strategic issues of common interest such as:

Competition in telecommunications

Both organizations emphasized the need of a better coordination between the general competition authorities and the telecom regulatory agencies, regardless of the specific countries institutional arrangements, bearing always in mind that ex-ante analysis must consider general competition principles.

They also recognized that broadband promotion and regulatory intervention should take into account penetration and market shares of different technologies such as DSL and Cable.

Additionally, both groups consider necessary to underline the importance of guaranteeing the independence of regulatory agencies.

Voice over IP

IRG and Regulatel agree VoIP arise important issues for regulators. They recognize that the development of VoIP technology will enhance innovation and competition while bringing new challenges in specific topics such as numbering, access pricing, interconnection, emergency calls, etc.

Regulators role in the Information Society

While Information Society challenges exceeds the scope of telecommunications regulation, IRG and Regulatel are convinced that an adequate regulatory framework has to consider convergence of information and telecommunications technologies. This orientation sets the foundation to develop the Information Society, therefore, contributing to improve welfare and economic growth and avoiding the risk of the digital divide.

IRG-Regulatel further cooperation

Both groups reaffirm their commitment to facilitate and promote extensive cooperation among them and the exchange of information to assist in making their respective regulatory decisions.

IRG and Regulatel express their commitment to continue and intensify the co-operation where appropriate. Members of both organizations intend to participate in the organization and implementation of joint activities for mutual exchange of information, experience and technical assistance as much as possible.

IRG and Regulatel welcome the support that the European Commission has been giving to this co-operation in the context of the @LIS programme. In particular, they welcome the further development of co-operation in the framework of the policy and regulatory bi-regional dialogue that will be launched at the Ministerial Latin America and Caribbean – European Union Information Society Forum on 22 and 23 November 2004 in Rio de Janeiro.

IRG and Regulatel agree on a continuation of the co-operation program for the year 2005 entailing the following elements:

1. Information exchange on expert level. Members of IRG and Regulatel will be able to draw on the expertise and experience of their colleague organizations by way of queries about regulatory practice in the participating countries. The response to such queries will be made available to all participants.
2. Try to develop a program of regulatory courses, study visits to specific regulators and in-depth workshops for the exchange of expertise and experience on specific subjects. The Secretariats of IRG and Regulatel will draw up a draft program of these activities.
3. A fourth summit meeting between the Heads of the regulatory authorities of IRG and Regulatel, to be held in Europe towards the third quarter of 2005, in which the Heads will
 - a. Evaluate the implementation of the co-operation program of 2005
 - b. Decide on the elements for the co-operation program for 2006
 - c. Discuss highlights of their regulatory challenges with a view to mutual exchange of experience and identifying topics for mutual assistance where appropriate.

The Secretariats of IRG and Regulatel will make a joint proposal for the date, location and program of the fourth summit.

Closing remark

We are grateful for the initiative and support of the “Organismo Supervisor de Inversión Privada en Telecomunicaciones”, OSIPTEL, for enabling this Joint Summit to take place.

The significance of our relationship is such that we will do our best effort to consolidate the continuing dialogue between REGULATEL and IRG.

In Cusco, Peru, on 19 November 2004

The president of Regulatel,

The president of IRG Member of the Council of BIPT

Edwin San Román

Chaterine Rutten