

3.1 Publishable summary

The **ClusMED** project aims to **enhance EU – MED strategic partnership for exploring synergies and best practices on regulatory issues in ICT sector** as one of the key drivers of sustainable and inclusive growth to expand new economic and social opportunities.

It supports the international cooperation between EU and MED countries in the field of ICT Regulations in support of Societal Challenges through identification, analysis of national ICT regulations in five MED Countries (Algeria, Egypt, Lebanon, Morocco, Tunisia) and benchmark them with the EU model. It is essential to reach different stakeholders at Mediterranean and European level to share and validate projects results and to involve them in the regulatory and political debate on ICTs as Drivers of Development. Finally ClusMED coordinates its activities with other relevant EU-MED projects and initiatives in the ICT sector.

The project targets are also in line with the conclusions of the last *Union for the Mediterranean Ministerial Meeting on the Digital Economy* held on the 30th of September 2014 in Brussels, where it was highlighted that “Recent changes in the Arab world have marked a historical milestone in the Southern Mediterranean countries and opened up **new cooperation opportunities** which can be promoted at the Ministerial level. The opportunities at hand include but are not limited to the following areas: trusted services for the promotion of e-business, **strengthened regulatory cooperation**, Internet governance, exploring the benefits of open data, e-health and enhancing the opportunities of common research networks.”⁴

Thus specific objectives of ClusMED are: i. raise awareness on the relevance of regulations as enablers of ICT development; ii. create and reinforce strategic partnerships on regulatory issues; iii. identify and share best practices on ICT Regulations in support of Societal Challenges.

During the second reporting period the ClusMED partners reached good results on the specific objectives through the implementation of the following activities:

✗ **Analysis of ICT Regulations at country level**

An **analysis** of the **ICT National Regulatory framework** at national level in **five** MED Countries have been implemented. Identification of **strength, weaknesses**, and relevant differences in the regulatory framework related to four societal challenges have been highlighted: i. health, demographic changes and well-being; ii. Secure, clean and efficient energy; iii. Europe in a changing world - Inclusive, innovative and reflective societies; iv. Secure societies – Protecting freedom and security of Europe and its citizens.

The selection of the societal challenges has been agreed by project’s partners on the basis of **mapping** results of ICT Regulatory framework carried out by each MED Country during the first year of the project as well as for their **political relevance** for both European Union and Mediterranean Countries.

Some relevant messages of the analysis performed are highlighted below:

⁴ <http://ufmsecretariat.org/union-for-the-mediterranean-ufm-ministerial-meeting-on-digital-economy/>

Health, Demographic Change and Wellbeing

Strength of the ICT regulatory framework

Existence of several projects on E-Health in collaboration between different governmental institutions (Egypt); Creation of formal framework to study and define the effective environment for the introduction of ICT use in the health sector (Lebanon; Tunisia); Algerian Chifa card is an example of best practices in the establishment of a National Electronic Health System. (Algeria)

Weaknesses of the ICT regulatory framework

Lack of infrastructure; weak intra and inter-sectoral collaboration (Egypt); delaying procedure for approval legal texts (Tunisia); Lack of national policy and national plan (Lebanon) No related regulations found (Morocco) The implementation of the legal framework needs to be completed (Algeria).

Secure, Clean and Efficient Energy

Strength of the ICT regulatory framework

Good technological and legal monitoring by the major energy players in ICT applications for the energy sector (Tunisia); National Energy Strategy has put in place (Morocco); Use of information systems and smart cards to raise efficiency in the distribution of subsidized items (Egypt). Many ICT projects and programs has been launched (Algeria)

Weaknesses of the ICT regulatory framework

Lack of concrete initiatives for the definition and implementation of a comprehensive legal framework for the use of ICT in the energy sector (Tunisia); National Regulatory authority of energy not yet established (Morocco); The lack of enforceable ICT regulation for energy sector prevents a real reduction of energy consumption (Egypt). No related regulations found (Lebanon); No adequate legal framework was setting down to these projects and programs. (Algeria)

Europe in a changing world - Inclusive, innovative and reflective societies

Strength of the ICT regulatory framework

Satisfactory legal framework has already facilitated the establishment of major national projects (Tunisia); Many initiatives, decrees, and laws have been achieved. Laws are the most powerful regulatory (Morocco; Lebanon); Online Gov services and the establishment of Smart Villages Company as a public-private partnership technology clusters and business parks (Egypt). Many projects and programs where the legal framework has been launched at the same time as the project of ICT integration into the sector (biometric passport and identity card, the criminal record and the computerization of the registry office practices regarding "E-government" societal challenge.) (Algeria)

Weaknesses of the ICT regulatory framework

Non-consideration by the texts of aspects relating to the payment of the development of digital content has slowed the great effort to expand distance learning services Insufficient incentives for job creation (Tunisia); The Strategy Digital Morocco 2009-2013 came to its end, but failed to achieve all goals (Morocco); In terms of legal frameworks they are still to be translated into effective regulations (Egypt). Ambiguity in some texts, Lack of harmony among texts and Inappropriate use of technical concepts (Algeria)

Secure societies – Protecting freedom and security of Europe and its citizens

Strength of the ICT regulatory framework

Legal framework following well-changing uses and provide the necessary legal texts in time to help create confidence in the digital services (Tunisia); Several initiatives have been put in place on e-banking, e-payment, electronic commerce, on-line access to administrative documents, IT security audit (Egypt) As a repressive measure to actions related to cybercrime, Algeria has been equipped with a legal mechanism, more or less adapted, which needs to be implemented (Algeria).

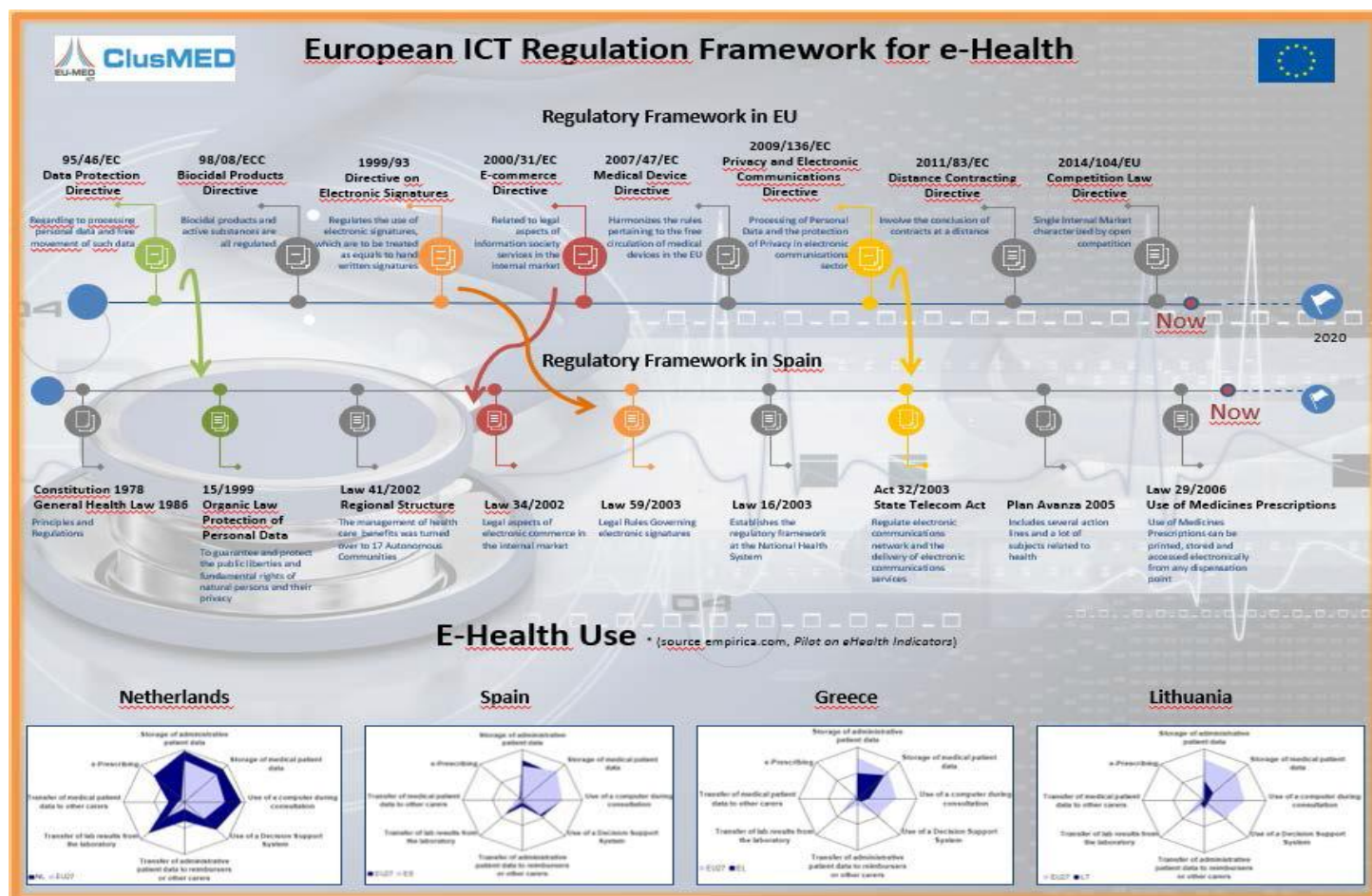
Weaknesses of the ICT regulatory framework

Lack of key applications legal texts to enable to expand digital services to the applications that are very sensitive to security problems (Tunisia); No related regulations found (Lebanon); Lack of awareness and problems in implementing laws (Egypt); As a preventive measure to actions threatening the security of e-exchange, we regard the Algerian legal framework as ambiguous and incoherent (Algeria).

✗ Benchmarking analysis of ICT regulations with EU model

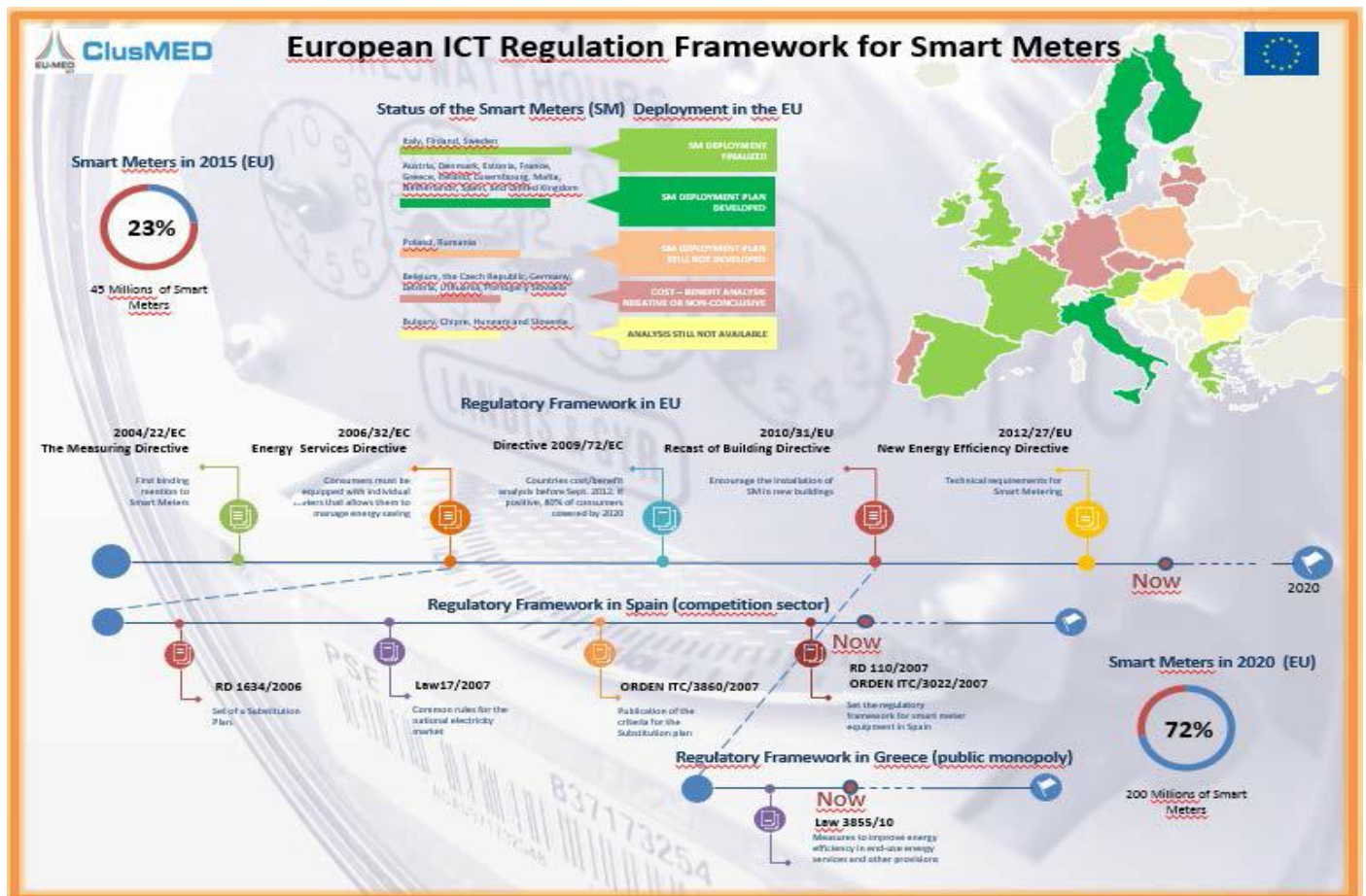
The European Commission's Digital Agenda for Europe has been identified as the European regulatory framework addressing Societal Challenges. The Digital Agenda for Europe⁵ presented by the European Commission forms one of the seven pillars of the Europe 2020 Strategy that sets objectives for the growth of the European Union (EU) by 2020. The Digital Agenda proposes to better exploit the potential of Information and Communication Technologies (ICTs) in order to foster innovation, economic growth and progress. Both quantitative and qualitative comparisons have been carried out. Good examples of ICT Regulations for societal challenges in MED Countries and in EU have been also highlighted.

Health, demographic change and wellbeing



The integration of ICTs can improve many of the structural failures of the health system in ClusMED countries. Indeed, the ICT application can increase the efficiency of health care systems, improve the quality of life and promote innovation in the health market. Algerian Chifa card is an example of best practices, revealed in the ClusMED findings, in the establishment of a National Electronic Health System.

Secure, clean and efficient energy



ICT supporting energy is a subject that arises significant interest in ClusMED countries, but no relevant developments, initiatives or laws have been identified. This shows a gap that should be filled with national strategies led by each National Administration, with the consensus of all stakeholders, with clear goals and fixed steps, obligations and incentives for all actors implied. Thus, before laying the foundations of smart grids, the following steps should be taken into account:

- Consolidation of a local country energy matrix,
- Increase of energy grid integrity and energy penetration to country residents,
- Establishment of a green energy utilization plan,
- Establishment of renewable energy plants,
- Planning and evaluation of possibilities on smart grid implementation.

Europe in a changing world - inclusive, innovative and reflective societies

EU Best Practices identified were related to:

2006 Riga Ministerial Declaration on eInclusion (IP/06/769) A pan-European drive to use information and communication technologies to help people to overcome economic, social, educational, territorial or disability-related disadvantages was endorsed by ministers of 34 European countries in Riga (Latvia) today. "e-Inclusion" targets include halving the gap in internet usage by groups at risk of exclusion, boosting broadband coverage in Europe to at least 90%, and making all public web sites accessible by 2010.

i2010 eGovernment Action Plan: Accelerating eGovernment in Europe for the Benefit of All (SEC(2006) 511) The Action Plan stresses the importance of accelerating the introduction of eGovernment in Europe to respond to a number of challenges and requirements: (i) modernize public services and make them more effective; (ii) provide better-quality and more secure services to the general population; (iii) respond to the requests of businesses which would like less bureaucracy and more efficiency; (iv) ensure the cross-border continuity of public services, crucial for sustaining mobility in Europe.

Europe 2020 Strategy (COM(2010) 2020 Final) Europe 2020 sets out a vision of Europe's social market economy for the 21st century. Europe 2020 puts forward three mutually reinforcing priorities: (i) Smart growth: developing an economy based on knowledge and innovation. (ii) Sustainable growth: promoting a more resource efficient, greener and more competitive economy. (iii) Inclusive growth: fostering a high-employment economy delivering social and territorial cohesion.

All ClusMED countries seem to have developed a plan about matters related with SC6, which is a best practice itself. Some good examples are highlighted below:

- ◆ Moroccan Digital Morocco program addresses a number of good use cases just as "Gateway, Genie and Civil Status Projects"
- ◆ Algerian biometric Passport and ID card approaches with e-Government considerations
- ◆ The Lebanese e-Government implementation plan is worth considering its implementation
- ◆ Egypt has a number of interesting initiatives in the field of e-learning, e-government and e-employment

Secure societies - protecting freedom and security of Europe and its citizens

EU Best Practices identified were related to:

Budapest Convention on Cybercrime First international treaty concerning cybercrime, which sought to streamline legislation and online law enforcement efforts, increasing international cooperation, and encouraging online trade through increased security parameters. There are 50 signatories and 47 parties to the treaty.

Additional Protocol to the Convention on Cybercrime The purpose of this Protocol is to supplement, as between the Parties to the Protocol, the provisions of the Convention on Cybercrime, opened for signature in Budapest on 23 November 2001 (hereinafter referred to as "the Convention"), as regards the criminalization of acts of a racist and xenophobic nature committed through computer systems.

Directive of the European Parliament and of the Council: Concerning measures to ensure a high common level of network and information security across the Union (2013/0027 (COD)) The aim of the proposed Directive is to ensure a high common level of network and information security (NIS). This means improving the security of the Internet and the private networks and information systems underpinning the functioning of our societies and economies. This will be achieved by requiring the Member States to increase their preparedness and improve their cooperation with each other, and by requiring operators of

critical infrastructures, such as energy, transport, and key providers of information society services (e-commerce platforms, social networks, etc), as well as public administrations to adopt appropriate steps to manage security risks and report serious incidents to the national competent authorities.

Different Mediterranean approach were identified:

Algeria: Entities in charge in Algeria are The National Centre of Fight against ICT-related crimes, the Post and Telecommunication Regulation Authority (ARPT) and the Ministry of Interior. The Algerian set of regulations have to target the following areas: personal data protection (during transactions as well) and the fight against cybercrime.

Egypt: In Egypt, Ministry of Communications and Information Technology (MCIT), in charge of the issues related with all societal challenges, launched the National ICT strategy. In addition other Ministries are involved: Ministry of Social Solidarity, Ministry of Energy, Ministry of Interior, Ministry of Agriculture and Ministry of Internal Trade and Ministry of Irrigation, Ministry of Transport.

Lebanon: The General Directorate of State Security is the Lebanese National Security Agency. In November 2012, the General Security announced the launch of its website on which all laws, decrees and strategies were published along with guidelines for submitting passports applications.

Morocco: The National Control Commission for the Personal Data protection (CNDP) was established by the Law No. 09-08 of 18 February 2009 . Law 09-08 on the protection of individuals with regard to the personal data processing.

The CNDP mission can be summarized in five main areas, namely: 1. Information and awareness raising, 2. Council and proposal (in legal matters), 3. Protection (regulation), 4. Control and investigation, and 5. Legal and technological monitoring of events.

Tunisia: all roles are handled by different ministries and actors: The Presidency of the Government, the Ministry of Defence, the Ministry of the Interior, the Ministry of Justice, the Ministry of Technology and Communication and digital Economy, the National Digital Certification Agency (ANCE), the National Agency of Computer Security (ANSI), and the National authority for the Protection of National data.

- ✗ **The second round of Multi-stakeholder workshops have been organized in five MED Countries** (Algeria, Egypt, Lebanon, Morocco, Tunisia) mobilizing the most relevant ICT parties and organizations at country level (academics, ICT professionals, associations, ICT regulations experts and lawyers). A total of **145** people participated to ClusMED national events. Benchmark results have been shared with national stakeholders and discussion on recommendations to improve the ICT regulatory framework in the MED region have been highlighted. Some interesting findings from national workshops are listed below:



"It was an occasion to highlight the importance of ICT Regulations in support of Societal challenges. We have to deal with it especially at the present time when governmental institutions are more and more interested in the matter."

National workshop held on the 5th November 2015 in Algiers, Algeria

"It has been agreed that it is crucial to raise the awareness of the national decision makers about the importance of the ICT technologies as enablers of socio-economic development, especially in the four discussed societal challenges, in order to foster innovation, economic growth and progress."

National workshop held on the 20th October 2015 in Beirut, Lebanon



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National workshop held on the 30th October 2015 in Casablanca, Morocco

"The work of this 2nd workshop allowed a better understating of existing regulatory framework and the level of application of multiples released legal texts."

National workshop held on 21st October 2015 in Tunis, Tunisia

"The discussion activities have given rise recommendations but also good practices to improve the regulatory framework for ICT in Tunisia, to societal challenges, and serve to strengthen vector of strategic cooperation with European countries in the ICT sector."





*“The main actions needed in the near future to develop active multi-stakeholders groups to study the issues from all aspects (social – economic – technical – legal) to determine value proposition of ICT in different sectors, and the need to have the methodology & instrument...
...We need not to stop at this stage but to make it first step to build a proper ICT regulation framework that enables ICT for the near future of the digital society”*

National workshop held on 21st October 2015 in Cairo, Egypt

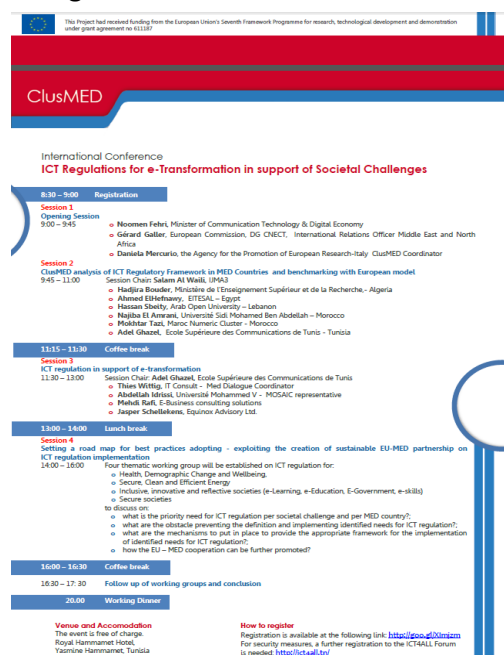
✗ ICT Regulations for e-Transformation in support of Societal Challenges ClusMED International Conference

17th of November 2015 – Hammamet, Tunisia

“ICTs offer a potentially powerful mechanism for promoting competitiveness, economic growth and social development. Particularly, ICTs can be considered as platform to open economic and social opportunities.

[ClusMED findings]

This was the leitmotiv of the International Conference held in Tunisia on the 17th November 2015. 60 relevant EU and MED stakeholders participated to the event where main findings of ClusMED project have been presented. All participants then took the opportunity to bring their experiences, knowledge and expertise into a fruitful discussion on the definition of a road map for best practices on ICT regulation implementation exploiting the creation of sustainable EU-MED partnership.



- ✗ Finally a **series of dissemination activities** were put into place. A ClusMED conference package has been developed, including beamer, pen-drive, agenda, video. Two newsletters have been elaborated, published on the ClusMED website and distributed among national stakeholders. ClusMED visibility at international level was also ensured via an ex ante identification of suitable dissemination events, and thanks to the engagement of partners which have participated and presented the project at a variety of European and international events. The project public website (<http://www.clusmed.eu/>) has been constantly updated with public reports produced in the frame of ClusMED initiative and other relevant news related to regulation and political issues.
- ✗ Synergies and collaboration with **other relevant EU – MED projects** and initiatives in the ICT sector has been exploited: MOSAIC, MED Dialogue, EMERG and other thematic initiatives funded by the EC in the FP7 (ETRERA_2020, MAGHRENOV, FP4BATIW, MARE, SI-Drive).

The ClusMED Consortium

“ClusMED project has been appreciated as offering an efficient platform for collaboration work not only between national stakeholders but also sharing the experience with similar MED countries and benefit from the knowledge of best practices and return of experience from EU countries”



Project Steering Committee Meeting held on the 8th September 2015 in Rome, Italy

