

TWINNING PROPOSAL FOR PARTNERSHIP

Member State:	ITALY
MS Administration responsible for implementation:	Autorità per le Garanzie nelle Comunicazioni (AGCOM) Via delle Muratte 25 00100 Roma
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Acting with the following Mandated Body:	Studiare Sviluppo S.r.l.
Funding Programme	CARDS National Programme 2006
Beneficiaries	Communications Regulatory Agency of Bosnia and Herzegovina (RAK)
Partner Country:	Bosnia and Herzegovina (BiH)
Sector:	Media Reform
Twinning Reference title and number:	<i>“Support to independence and empowerment of Communications Regulatory Agency of Bosnia and Herzegovina”</i> BA06-IB-TR-01-TL
Duration of activities	8 months

The Italian Communication Authority (AGCOM) profile

The Autorità per le Garanzie nelle Comunicazioni (AGCOM) is a convergent National Regulatory Agency created in 1997 as an independent body in charge of regulating and monitoring each sector of the communication market (television, radio, fixed and mobile telecom operators, Internet and press).

Over these years Agcom has been actively involved in matters of international cooperation, becoming a strong voice in communication policy debates at international level. In fact, AGCOM takes part in several initiatives aimed at enhancing international cooperation and exchanging best practices both in field of electronic communications and audiovisual sectors, such as the European Platform of audiovisual regulators (EPRA), the European Regulators Group (ERG) and the Independent Regulators Group (IRG), the OECD and other international bodies.

Because of its thorough knowledge of the whole communication sector, AGCOM has developed over the years specific skills in training and teaching as it has often been asked to transfer its competences: AGCOM has established partnerships with many Italian universities taking part in the format planning stage as well as the teaching of many Master degree courses. AGCOM senior staff have been appointed in Scientific Committees in charge of designing the format of the courses whereas many AGCOM officers are teaching within the courses. AGCOM officers are currently lecturers at Master degree courses at the Tor Vergata University of Rome (Master in competition economics and the regulation of public utilities), Federico II University of Naples (Master in protection of competition and regulation economics), Bocconi University of Milan (Master in economics and management of public utilities) and University of Florence (Master in communications and business). AGCOM also organizes a yearly one week “summer course on communication regulation” in partnership with the Federico II University of Naples. The seminar has been attended by young graduates in different fields and is aimed at providing specialist training in different aspects of the communications regulation.

SERVICES PROPOSED BY MEMBER STATE:

This proposal is submitted by AGCOM in co-operation with Studiare Sviluppo that will act as Mandated Body and will be in charge of all financial, contractual and administrative details.

The Twinning Light Project Fiche calls for the organization of a considerable training activity for the officers of the Communications Regulatory Agency of Bosnia and Herzegovina (RAK) involving topics belonging to different fields of the communications sector (tariff policy, interconnection and LLU-Local Loop Unbundling, VoIP, Broadband, Transfrontier Convention, Public Broadcasting Service, frequency spectrum management, etc.). Such call is due to the diffusion of the digital technology and the consequent technical neutrality of the broadband networks, which are leading to dramatic changes of the regulatory landscape for audiovisual and telecommunications sectors, that are step by step getting closer to each other.

Given this landscape, we firmly believe that only a convergent authority such as AGCOM may provide the required comprehensive approach in transferring competences and know-how to the RAK officers. In addition to that, AGCOM has already been leading partnering with RAK in a previous Twinning Project which has taken place from July 2005 to September 2006, developing a thorough knowledge of the BiH communications environment and identifying RAK needs in terms

of training and harmonization with EU regulation and best practices. Such experience is the cornerstone on which this proposal has been drafted and has been crucial for the identification of the strategy and methodology to be applied to training courses.

TWINNING'S GENERAL AND SPECIFIC OBJECTIVES

The global objective set by the Project Fiche of the Twinning Light is to ensure proper regulation of the communications sector in BiH, fully implement the Public Broadcasting System (PBS) reforms, and to support the independence of RAK.

In particular, this Twinning Light Project is aimed at empowering and transferring know-how to its employees in areas of broadcasting, telecommunications and frequency spectrum management.

ACTIVITIES OFFERED BY MEMBER STATE

The project consists of 2 components:

1. COMPONENT ONE: ANALYSIS OF BiH COMMUNICATION SECTOR AND DRAFT OF A COMPREHENSIVE FINAL REPORT

The Project Fiche requires a screening of the current state of regulation and situation in BiH related to broadcasting sector, telecommunications sector and frequency spectrum management, the draft of a set of suggested regulatory improvements harmonized with EU standards and best practices, and a comprehensive report.

Following the fiche's requirements, therefore, our proposal splits this component in three different activities:

1.1. Analysis of BiH communication sector.

In the previous Twinning project, a working group formed by AGCOM and RAK experts had already implemented, during 6 month, a comprehensive market analysis ("Economic and legal analysis of the communications sector in BiH") that is currently available in the RAK website. A similar working group will therefore be set up in order to update the existing analysis within the Twinning Light. The newly formed working group will run the analysis through desk research on relevant rules and documentation, hearings with interested parties and interviews with RAK top management and experts.

Input man/days: the update should not require more than 7 working man-days in RAK premises and should be completed within 2 months from the beginning of the project.

1.2. Drafting a set of possible regulatory improvements:

The update of the analysis carried out in activity 1.1 will be the basis for a set of recommendations that RAK might consider in order to achieve a more complete harmonization with EU standards and best practices. Some of the recommendations will concern the implementation of the PBS law (and the tasks assigned to RAK) which was supposed to enter into force during the first half of 2006 and is still stuck due to bureaucratic

reasons. The analysis might also include some additional recommendations for the training sessions which will be implemented in Component Two.

Input man/days: This activity will require approximately 10 man-days in RAK premises and should be completed within 3 months from the beginning of the project.

1.3. Drafting an updated report:

This activity based on the analysis carried out in activities 1.1 and 1.2, describing the BiH communications sector and focusing specifically on:

- the current state of regulation concerning the PBS;
- the application of the Transfrontier Convention;
- the telecommunications sector (liberalization, tariff policy, interconnection and LLU-Local Loop Unbundling, VoIP, Broadband);
- frequency spectrum management

This report will also offer recommendations on possible regulatory improvements.

Input man/days: This activity will require approximately 7 man-days in RAK premises and should be completed within 3 months from the beginning of the project.

The aforementioned activities are crucial for the success of the whole Twinning, since they are aimed at identifying the areas on which the training sessions will be focused and –moreover- the strategy to implement the remaining activities.

A regulation for the introduction of the Register of the RAK Licensees has been drafted during the last Twinning between RAK and AGCOM that has ended on last September 4. This regulation should enter into force in January 2007. As it happens in Italy, the Register is likely to become an essential tool to enable RAK to run market analyses, monitor the Licensees' compliance with the regulation and ensure a high level of competition and pluralism. In addition to the regulation, the experts of both NRAs have also worked jointly on the development of the Register database software that is currently undergoing a test phase. After the test phase and the public consultation the Licensees will be asked to submit the required data in the first half of 2007. Before that, however, we believe that a specific training session for RAK staff will be highly beneficial to enable them to work with the Register database and fully exploit its functionalities.

AGCOM register experts will therefore be made available to schedule a full training-week for the whole RAK personnel. Resources of component 1 may be dedicated to this possibility.

Total input man/days: In total, component 1 absorbs about 24 man-days and around 13% of the resources of the whole project and should be completed within 3 months from the beginning of the project.

COMPONENT 2: TRANSFER OF COMPETENCE AND KNOW-HOW.

The second component of the Twinning dealing with the transfer of competence and is the core part of the Project. The Project Fiche identified 5 main areas of training, but we propose that the area originally identified as “G) *Training of RAK staff in tariff policy, interconnection and LLU-Local*

Loop Unbundling, VoIP, Broadband and Digital TV” should be split in two, since the topic of digital terrestrial television (DTT) - whose importance has been often highlighted by RAK and by the BiH DTT Forum - should be studied from several different points of view and not be limited only to the telecommunications field.

We have therefore renumbered the activities of this component (2.1 to 2.5) and introduced a new activity (numbered 2.6) dedicated to the training on Digital TV, which will offer the RAK officers an overview of the challenges awaiting them.

The activities of this component will therefore be the following:

2.1. Training of Agency's staff for successful implementation of the PBS Law and relevant regulatory reforms and analysing and developing PBS regulatory package:

The PBS reform in BiH is still pending due to the recent decision of the BiH Constitutional Court and therefore we propose that the staff of the RAK Broadcasting Division will benefit from a specific training regarding the obligations and the role of PBS in Italy and in Europe.

Input man/days: A minimum of 15 man-days will be devoted to this course.

2.2. Training RAK experts in monitoring the broadcasters' compliance to the Transfrontier Convention provision, to the PBS Law provisions and the related RAK rules:

BiH signed the Transfrontier Convention last year, but no significant regulation has still entered into force with regards to the provisions of the Convention. In the last Twinning project RAK and AGCOM experts have revised the Advertising Code and introduced new obligations in line with the Convention, but the quotas for the European works and the independent producers (as long as new obligations to protect minors and right of reply) still wait to be introduced. In addition to that, RAK is acquiring new equipment to be able to monitor the TV channels more efficiently. This course will therefore focus on the monitoring procedures in use in Italy and on the additional obligations of the Transfrontier Convention.

Input man/days: A minimum of 20 man-days will be devoted to this course.

2.3. Training of Agency's staff in market analysis with focus on economic analysis of communications sector and financial operations of PBS:

The activities of the last Twinning project between RAK and AGCOM (and in particular the drafting of the Report named “Economic and Legal Analysis of the BiH communications sector”) have shown that market analyses is a field in which the transfer of know-how would be more beneficial since it is a critical skill to adopt proper regulation. This course will therefore be focused on the procedures for data gathering, market definition and analysis, in accordance with the principles of competition law and EU best practices. Regarding the PBS, the course will provide a comparative analysis among PBSs financing schemes in Member States in order to suggest a “business model” that can be useful for the pending reform of PBS in BiH.

Input man/days: a minimum of 15 days (instead of the 10 originally planned by the Project Fiche).

2.4. Training of RAK staff in tariff policy, interconnection and LLU-Local Loop Unbundling, VoIP, Broadband:

A training course regarding the telecommunications sector has already been provided to the RAK experts by AGCOM in the last Twinning project activities, which showed that the RAK staff is already well trained as far as telecommunications are regarded. Therefore, apart from the aforementioned topics, this course will also focus on some of the forthcoming challenges (such as the universal service obligations and the price cap) for a market that is starting the liberalization process right now such as that in BiH..

Input man/days: A minimum of 15 man-days will be devoted to this course.

2.5. Professional support to Spectrum management in revising and updating the BiH frequency allocation table, the BiH Frequency Utilization Plan and in the management of DTV market in BiH:

The experience of the last Twinning project has shown that very often the topics of interest for the RAK officers working on frequencies are also attention-grabbing for the broadcasting and telecommunications staff. Therefore the activities 2.5 will be closely coordinated with activities 2.4 and 2.6, especially when dealing with such topics as wireless broadband, new generation networks & new means of transmission or best practice on how to manage the transition to Digital television.

Input man/days: A minimum of 15 man-days will be devoted to this course.

2.6. Training of RAK staff for successful implementation of Digital TV in Bosnia and Herzegovina:

On March 2006 RAK, together with AGCOM, has organized an international conference to stress the importance of the introduction of Digital TV in BiH and to pave the way to the creation of the BiH DTT Forum. This training course, therefore, will focus on the implementation of DTT in BiH and on the problems that RAK might have to face during the transition period.

Input man/days: A minimum of 15 man-days will be devoted to this activity.

ORGANIZATION AND METHODOLOGY OF THE TRAINING SESSIONS:

A training course may be organized and structured in several ways and may be targeted to several groups of people. The third component of the past Twinning project was aimed at providing all the RAK employees, regardless of their specific area of work, with an overview of the European regulation and best practice for the whole communications sector. The aim was to make sure that each employee would have a general idea about all the competences and tasks assigned to RAK and all the issues at stake in the communications sector in Europe. Such objective was to be accomplished through a number of lectures open to all RAK employees and through workshops designed to ensure a certain degree of interactive to a limited number of expert in a specific area.

Following the experience of previous Twinning Project with RAK, although the results of the whole component were generally good, it was clear that the workshops were the type of training methods obtaining more success and resulting more beneficial to the RAK staff. Due to their interactivity and the specificity of the topics discussed, the workshops were strongly supported both by the RAK employees and their Directors and Heads, since they gave the audience the opportunity to face the problems arising in European Countries, compare them with the situation in BiH and discuss together the possible solutions.

For that reason, the training courses of this Twinning Light should target a very limited amount of people (namely the employees of a single Division/Department) and focus mainly on the forthcoming challenges for their sector. Owing to ensure the most efficient allocation of the Twinning resources, therefore, the courses have been structured in 2 modules, each lasting about one week. A short term coordinator (STC), with at least 5 years of experience in the targeted area, will be in charge of each of the 6 courses, will schedule the workshops and choose the topics in accordance with the needs identified by the RAK Project Leader and by the results of analysis of component 1. He will also coordinate the work of the other short term experts (STE) involved in its own activity and will make sure that the RAK experts take the maximum benefits from the course. During each module/working week, the coordinator will bring to Sarajevo one or two AGCOM or international STEs and will schedule a minimum of 2 workshops.

Standard Module for training course*						
	Monday	Tuesday	Wednesday	Thursday	Friday	Man-days
STC	Travel	1	1	1	0,5+Travel	3,5
STE n1	-	Travel+0,5	1	0,5+Travel	-	2
STE n2	-	-	Travel+0,5	1	0,5+Travel	2
Total man-days						7,5

** The example shown in the table above is indicative.*

As detailed in the GANTT chart, the first module of each course will take place approximately between the 3rd and the 4th month, while the second module will take place between the 6th and 8th month. Between the first and the second module of each course another crucial part of the Project will take place: the training activities in the Member State. The goal of the study tours is to show practically how AGCOM is dealing with the issues discussed in each workshop and how the market is developing. By spending some days in Rome and Naples, the RAK experts will work closely to the officers in AGCOM headquarters and will visit the premises of the main Italian broadcasters and telecommunications operators. In addition, the STCs will be able to schedule one or more additional workshops to complete the training program. The resulting activity will be named “Study tour”, will be numbered 2.8 included in the second component of the Twinning.

We believe the training activities in Italy should involve the biggest possible number of RAK experts taking part into the training courses in BiH; thus 30 RAK experts will take part into a number of study tours, each lasting 8 days, six of which spent in training activities. The total number of days spent in the Member State (MS) by the RAK experts will therefore be 240, 180 of which spent in training activities.

Study Tours*		
Days in MS	Days spent	Working days
Wednesday	1	Travel + 1
Thursday	1	1
Friday	1	1
Saturday	1	0
Sunday	1	0
Monday	1	1
Tuesday	1	1
Wednesday	1	1 + Travel
Total	8	6
No of RAK experts	30	
Total days in Italy	240	
Total Training days		180

* The example shown in the table above is indicative.

In addition to the study tours for the RAK experts, at the beginning of the Project we believe it will be highly beneficial to arrange a Strategic meeting between the Directors and Heads of the RAK Divisions and Departments involved into the Twinning Light with the AGCOM Directors and personnel participating to the training sessions of Component 2, in order to fine-tuning dates, topics and strategies of the transfer of know-how.

The outcome of the Strategic meeting will be summarized in the first report as forecasted in activity 1.3. In order to optimize the resources of the Twinning, the Strategic Meeting should take place in Italy (Rome or Naples), so as to make the RAK Directors and Heads to meet Italian broadcasters and/or operators and experience first-hand the issues that will be discussed at the training courses. The resulting activity, that should take place within 60 days from the beginning of the project, will be named “Strategic meeting High level Study tour”, will be numbered 2.7 and will be included in the second component of the Twinning.

Seven Directors/Heads will participate in the activity 2.7, each lasting 5 days. The total number of days spent by the RAK Directors/Heads in strategic meeting and training activities will therefore be 35.

The overall number of study tours days spent by RAK Directors, Heads and experts in the Member State will amount to 215.

GANTT Chart

Twinning components and activities	Months							
	1	2	3	4	5	6	7	8
Component 1: Reporting								
Activity 1.1: <i>updated analysis of BiH communication sector</i>								
Activity 1.2: <i>identification of possible regulatory improvements</i>								
Activity 1.3: <i>updated report</i>								
Component 2: Training sessions								
Activity 2.1: <i>PBS Law and relevant regulatory reforms</i>								
Activity 2.2: <i>Transfrontier Convention and monitoring procedures</i>								
Activity 2.3: <i>market analysis with focus on economic analysis of communications sector</i>								
Activity 2.4: <i>tariff policy, interconnection and LLU-Local Loop Unbundling, VoIP, Broadband</i>								
Activity 2.5: <i>updating the BiH frequency allocation table & managing transition to DTT,</i>								
Activity 2.6: <i>Training of RAK staff for successful implementation of Digital TV in BiH</i>								
Activity 2.7: <i>Strategic meeting and High profile Study tour</i>								
Activity 2.8: <i>Study Tours</i>								

TWNNING TEAM

1. **Mr. Vincenzo Lobianco**, engineer, is proposed as Institutional Project Coordinator. Mr. Lobianco is the Director of the Electronic communications Network & Services Direction of AGCOM. The Unit is in charge, *inter alia*, of the the preparation of regulatory decisions for electronic communications networks and services, for the monitoring and the enforcement of AGCOM decisions and for the dispute resolutions between operators. He will be responsible for coordinating the overall thrust of the project and will sign the technical and financial reports. Before joining the Regulator in February 2000, Mr Lobianco worked for the Italian Ministry of Communication. He also served as national coordinator of ETSI activities and member of ETSI Board (from 1999 to 2002). During years 1995-1998, he was detached to Directorate B (Standardisation policy and telematic network) of DGIII, European Commission, where he worked as Project Officer of several projects, within the IDA Programme (Interchange of Data between Administration). He has also been the Project Leader of the previous Twinning between RAK and AGCOM, so he has experienced the Balkans environment.

2. Mr. **Francesco Sciacchitano** is proposed as Project Leader. He will coordinate the activities of the Short Term Expert Coordinators and working groups and will be specifically responsible for the management of the activity 2.2 of the project. With a juridical background, he has completed a Full MBA *post-laurea* program in an American University and has worked 3 years in the private sector in Italy and in the US. In May 2000 he has joined the Regulator, where he has worked in the broadcasting sector, dealing specifically with the Italian register of the communications operators, programming obligations, compliance with the Television Without Frontiers Directive and the Transfrontier Convention, competition issues and the development of digital terrestrial television in Italy. He is an expert of Italian and EU legal framework in the broadcasting sector. He has also been the RTA of the previous Twinning between RAK and AGCOM and has therefore experience in applying project management techniques and in coordinating teams, in dealing with multi-lingual and multicultural environments and in working in the Balkans.

Upon agreement with the Project Coordinator, to whom he will regularly report, Mr. Sciacchitano will be responsible for the management of the project, draft of reports, preparation of project implementation process, coordination of the STCs and STEs, supervision of the training programme, quality of printed materials and rational use of all available resources.

3. A permanent team of **Short Term Coordinators** from AGCOM will be created to deal with the training sessions included in Component 2. Each Coordinator will be in charge for a specific activity and will coordinate the Short Term experts who will hold the seminars and training sessions. In particular:

- Activity 2.1 will be coordinated by Mr. Antonio Amendola, senior legal expert. Mr. Amendola has specific experience regarding the Italian PBS.
- Activity 2.2, as said before, will be coordinated by Mr. Sciacchitano.
- Activity 2.3 will be coordinated by Mr. Giuliano de Vita, Senior economist and expert in market analyses with focus on the economic analysis of communications sector.
- Activity 2.4 will be coordinated by Mr. Giovanni Santella, Senior engineer and expert in Tariff policy, interconnection and LLU-Local Loop Unbundling, VoIP and Broadband.
- Activity 2.5 will be coordinated by Mr. Roberto de Martino, Senior engineer and expert in management of radiofrequency spectrum.
- Activity 2.6 will be coordinated by Ms. Lisa Di Felicianantonio, Senior economist and former Medium term expert in the previous Twinning between RAK and AGCOM. She has specific knowledge and working experience concerning Digital television.

All aforementioned STCs have at least 5 years of experience in their respective field of training and have already taken part as STE in the previous Twinning between RAK and AGCOM, thus developing a useful knowledge of the BiH communications sector and RAK best practices and needs.

All STEs have at least 3 years of experience in their respective areas of training.

All CVs are attached

COMPONENT	NAME OF THE COMPONENT	NAME OF THE ACTIVITIES	COORDINATORS	SHORT TERM EXPERTS
COMPONENT 1 (24 total man/days)	Analysis of BiH communication sector and draft of a comprehensive final report	1.1 Analysis of BiH communication sector.	Francesco Sciacchitano Giuliano de Vita Giorgio Greppi Antonio Amendola Paolo Alagia	
		1.2 Drafted set of regulatory improvement & Register implementation		
		1.3 Report		
COMPONENT 2 (95 total man/days)	Transfer of competence and know-how	2.1 PBS regulatory package	Antonio Amendola	Giorgio Greppi
		2.2 Transfrontier convention	Francesco Sciacchitano	Serena La Pergola Ivana Nasti
		2.3 Market Analysis	Giuliano de Vita	Paolo Alagia Giovanni Cazora
		2.4 TLC	Giovanni Santella	Francesco Bernabei Arturo Ragozini
		2.5 Spectrum Management	Roberto de Martino	Giovanni Santella Mauro Martino
		2.6 Digital Television	Lisa Di Felicianantonio	Giorgio Greppi

Other short-term experts both from AGCOM and other organizations may be chosen according to the needs identify by the RAK Project Leader or by the analysis run in component 1 and may be available during the different components of the project to take part in the mixed working groups and/or in the training sessions. A state of the art telecommunications and videoconferencing equipment located at the AGCOM headquarters will be made available to the project both for the mixed working groups and the training sessions allowing, when appropriate, specialist inputs to be made available to the project with no additional expenses.

AGCOM will be supported by Studiare Sviluppo, in-house agency of the Italian Ministry of Economic Development for the administrative, logistic and financial management of the projects. Studiare Sviluppo has a considerable experience in this field having managed twinning projects for the Ministry of Economy and Finance, other relevant Italian Ministries and Institutions in different countries and has already being involved in the financial management, as mandated body, during previous Twinning with RAK. For this Twinning project the company, acting as Mandated Body, will be in charge of the project financial management and the fulfillment of Twinning manual contractual obligation and provide external resources and services setting up a technical/administrative secretariat.

MAIN OBLIGATIONS OF THE BENEFICIARY INSTITUTION:

The RAK, as well as AGCOM, is bound to comply with all the obligations listed in the CARDS Twinning Manual updated in May 2005 by the EU Commission.

In particular, as stated by the Manual and the Project Fiche, RAK will have to provide working space, office equipment, internet connection, fax and telephone line in its offices in Sarajevo for each AGCOM expert coming to its headquarters and for the translation assistant. It might be useful to highlight, however, that, due to the “Light” size of the Twinning, the usage of the RAK telephone line is not expected to be high.

REPORTING DUTIES:

The project progress will be supervised by a Steering Committee which will be chaired by MCA. As stated in the Project Fiche, it is expected that the Steering Committee will meet at least 3 times during the project. For each Steering Committee meeting a short progress report (quarterly reports according to Twinning Manual May 05) should be prepared, including information on the achieved progress, plan for the coming reporting period, lessons learned, key issues, obstacles, recommendations.

As required by the Project Fiche, the project team will submit inception report one month after the commencement date. It should include detailed elaboration of Background, State of Play of the field that project relates to, methodology and working plan with open issues if any and including proposals for the deployment of the short-term experts as well as recommendations and critical issues (assumption and risks).

A final report will be submitted not later than one month after the project completion, and should describe overview of the carried out tasks, achieved results, the lessons learned and concrete recommendations for follow-up. The reports will be provided in electronic version in minimum 1 week in advance. Hard copies will be produced after approval and handed out to MCA, EC Delegation (2 copies), DEI and MS Partner.

All reports are to be approved by the Steering Committee.

PROJECT FINANCIAL AND ADMINISTRATIVE MANAGEMENT

Project and financial management will be carried out by Studiare Sviluppo. Studiare Sviluppo is the leading Italian Mandated Body in terms of experience of Twinning project management (see Annex A), and has developed sophisticated and effective tools for twinning project management and monitoring. On behalf of different Italian Ministries and Authorities, Studiare Sviluppo is currently involved in the management of Twinning projects in different PHARE, MEDA and TACIS countries, and amongst others, has managed previous AGCOM Twinning in Bosnia. It is therefore familiar with rules and procedures for Twinning management, and, specifically, with the EU Delegation in Bosnia.