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ADVANCING TIMOR- LESTE'S AUTONOMOUS TELECOMMUNICATIONS LANDSCAPE (ATLATL)

—
OUTCOME COLLECTION
JANUARY 2023

BUY-IN OVERVIEW

- **CLIENT:** USAID/Timor-Leste
- **POP:** October 1, 2019 – January 3, 2023
- **BUDGET:** \$3 million

Timor-Leste's underdeveloped Information and Communications Technology (ICT) industry sector represents a key constraint on economic growth opportunities and future investments. To address this, the Advancing Timor-Leste's Autonomous Telecommunications Landscape (ATL ATL) buy-in worked to improve Timor-Leste's ICT infrastructure, products, and services by creating a policy and legal environment conducive to increased investment and related inclusive growth in the sector.



TIMOR LESTE

OUTCOME I: DEVELOPING THE LEGISLATIVE PACKAGE



PROBLEM AND APPROACH

The lack of a policy and legal environment conducive to increased investment was identified as the primary problem inhibiting growth of the ICT sector.



OUTCOME

The ATLATL team developed a comprehensive legislative package and implementation plan for the country's ICT sector in close coordination with relevant government entities and local experts. The legislation package covered five critical areas including (1) Copyright; (2) Data Privacy and Protection; (3) Industrial/Intellectual Property; (4) E-commerce; and (5) Cybercrime. The team also developed a national cybersecurity strategy in collaboration with the Government of Timor Leste (GoTL).



LEASONS LEARNED

- The most important part of any law is its implementation.
- It was critical the ATLATL team spend significant time listening to, understanding, and building relationships and trust with key stakeholders.
- ATLATL's scope of work was limited to focusing on ICT-related issues and challenges. More flexibility in the scope could have made the project more impactful.



OUTCOME I: DEVELOPING THE LEGISLATIVE PACKAGE

LAW OR STRATEGY

STATUS

CYBERSECURITY STRATEGY

Inter-ministerial roles being staffed to implement the strategy.

ADOPTED

COPYRIGHT LAW

Signed into law by the President in December 2022.

PASSED

DATA PRIVACY AND PROTECTION LAW

Expected to be submitted to the Council of Ministers in January 2023.

DRAFT

INDUSTRIAL/INTELLECTUAL PROPERTY CODE

Currently being reviewed by the World Intellectual Property Organization (WIPO)

DRAFT

E-COMMERCE LAW

Can be passed by decree, a shorter process, and is likely to be adopted early in 2023.

DRAFT

CYBERCRIME LAW

Currently being reviewed by the Council of Europe.

DRAFT



OUTCOME 2: INTERVENING TO SUPPORT TIMOR-LESTE'S WORLD TRADE ORGANIZATION (WTO) ACCESSION



PROBLEM AND APPROACH

A Parliamentary Commission decided to develop a copyright law without consulting key stakeholders during the drafting process. This led to an inadequate draft that had deficiencies and would have derailed WTO accession if passed in its original form.



OUTCOME

The ATLATL team lead quickly identified problematic areas of the law's text. Working with relevant GOTL entities, the ATLATL team prepared submissions and testimony that led the President of Parliament to halt the Parliament Commission's consideration of the draft law. The Commission was then instructed to make changes to the law to ensure it was compliant with international treaties. Sufficiently meeting WTO accession requirements, the Copyright Law was enacted by Parliament and signed into law by the President by the end of 2022.



LEASONS LEARNED

- Having access to decision-makers and influential players is critical to the successful adoption of new laws.
- The ability to advocate or persuade decision-makers through multiple channels is considered best practice.



OUTCOME 3: FOSTERING AN INSTITUTIONAL RELATIONSHIP WITH THE INTERNATIONAL TELECOMMUNICATION UNION (ITU)



PROBLEM AND APPROACH

The ATLATL team was concerned about the sustainability of their work and sought to identify opportunities for capacity-building initiatives to be implemented in Timor-Leste after the project ended.



OUTCOME

The ATLATL team catalyzed a connection between the Agência de Tecnologias de Informação e Comunicação (TIC Timor) and the International Telecommunication Union (ITU) that ultimately led to a Joint Declaration (Declaration Supporting Digital Transformation in Timor-Leste) between the Government of Timor Leste (GoTL) and the ITU.



LEASONS LEARNED

- It is critical to have the time to devise solutions which address capacity gaps by matchmaking officials with international programs.
- Proper institutional capacity is necessary for the implementation of new laws.
- The limited capacity of the GOTL will continue to be a threat to the long-term sustainability of ATLATL project outcomes.
- Projects should ensure that host governments are aware of the ITU and understand how to engage the institution early in policy development processes.



SIGNIFICANCE AND IMPACT OF THE ATLATL PROJECT

OUTCOME 1: Drafting of a Comprehensive ICT Legislative Package

- Timor-Leste tended to adopt Portuguese law which tends to be **complex and difficult** to implement in a small island economy. The ATLATL team worked to **develop draft legislation that fits Timorese realities**.

OUTCOME 2: Keeping Timor Leste's WTO Accession on Track

- Without assistance from the ATLATL team, **Timor-Leste's accession to the World Trade Organization (WTO) could have been severely delayed**. The recovery from an inadequate copyright law is a high-profile example of the project's effectiveness in working with members of the political community to achieve a critical result.

OUTCOME 3: Fostering A Relationship with the ITU

- This initial three-year institutional relationship with the International Telecommunication Union (ITU) **ensures** that the Government of Timor Leste (GoTL) **can build technical expertise** in key areas related to the development of the ICT sector and advanced information services.