



# Recommendation of the Council on Broadband Development



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## Background Information

The Recommendation of the Council on Broadband Development was adopted by the OECD Council on 12 February 2004. Broadband plays a critical role in the workings of the economy and society: it connects consumers, businesses, and governments and facilitates social interaction. Hence, broadband policies are now a vital instrument to ensure the competitiveness of OECD countries and to address pressing societal concerns. The Recommendation calls on Adherents to implement a set of policy principles to assist the expansion of broadband markets, promote efficient and innovative supply arrangements, and encourage effective use of broadband services.



*Relevance to COVID-19 Response and Recovery*

The importance of “connectivity” – access to high-quality broadband services at competitive prices – is increasingly growing, with more people working, learning and socialising online. In particular, mobility restrictions have led to soaring demand for broadband communication services since the start of the COVID-19 crisis – with some operators experiencing as much as 60% increase in Internet traffic. In these circumstances, the policies promoted by the Recommendation, focused on quality, stability and resilience of networks, are more relevant than ever.

For more information, see:

- [Keeping the Internet up and running in times of crisis](#)

**THE COUNCIL,**

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to Rule 18 b) of the OECD Rules of Procedure;

**HAVING REGARD** to the document of the Committee for Information, Computer and Communications Policy entitled "Broadband Driving Growth: Policy Responses" [DSTI/ICCP(2003)13/FINAL];

**RECOMMENDS** that, in establishing or reviewing their policies to assist the development of broadband markets, promote efficient and innovative supply arrangements and encourage effective use of broadband services, Member countries should implement:

- Effective competition and continued liberalisation in infrastructure, network services and applications in the face of convergence across different technological platforms that supply broadband services and maintain transparent, non-discriminatory market policies;
- Policies that encourage investment in new technological infrastructure, content and applications in order to ensure wide take-up;
- Technologically neutral policy and regulation among competing and developing technologies to encourage interoperability, innovation and expand choice, taking into consideration that convergence of platforms and services requires the reassessment and consistency of regulatory frameworks;
- Recognition of the primary role of the private sector in the expansion of coverage and the use of broadband, with complementary government initiatives that take care not to distort the market;
- A culture of security to enhance trust in the use of ICT by business and consumers, effective enforcement of privacy and consumer protection, and more generally, strengthened cross-border co-operation between all stakeholders to reach these goals;
- Both supply-based approaches to encourage infrastructure, content, and service provision and demand-based approaches, such as demand aggregation in sparsely populated areas, as a virtuous cycle to promote take-up and effective use of broadband services;
- Policies that promote access on fair terms and at competitive prices to all communities, irrespective of location, in order to realise the full benefits of broadband services;
- Assessment of the market-driven availability and diffusion of broadband services in order to determine whether government initiatives are appropriate and how they should be structured;
- Regulatory frameworks that balance the interests of suppliers and users, in areas such as the protection of intellectual property rights, and digital rights management without disadvantaging innovative e-business models;
- Encouragement of research and development in the field of ICT for the development of broadband and enhancement of its economic, social and cultural effectiveness;

**INVITES** governments to encourage their private sector, in their broadband development activities, to take due account of this Recommendation;

**INSTRUCTS** the Committee for Information, Computer and Communications Policy to monitor the development of broadband in the context of this Recommendation within three years of its adoption and regularly thereafter;

**INVITES** the Secretary-General to make this Recommendation available to non-member economies.

## About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

## OECD Legal Instruments

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All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions:** OECD legal instruments which are legally binding on all Members except those which abstain at the time of adoption. While they are not international treaties, they entail the same kind of legal obligations. Adherents are obliged to implement Decisions and must take the measures necessary for such implementation.
- **Recommendations:** OECD legal instruments which are not legally binding but practice accords them great moral force as representing the political will of Adherents. There is an expectation that Adherents will do their utmost to fully implement a Recommendation. Thus, Members which do not intend to do so usually abstain when a Recommendation is adopted, although this is not required in legal terms.
- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several ad hoc substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.