Universal Service in Albania

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Abstract

Approximation of national legislation in the sector of electronic communications services as well as in the sector of postal services by the acquis communautaire of the EU and harmonization with the policy sector and mid-term strategies for the development of networks and electronic communications services and postal services constitute the first steps and important for inclusion and consideration of universal service in the two respective sectors, the electronic communications and postal services. The next important stage is their implementation in practice for defining the elements of universal service in both sectors, to assess their national circumstances, to identify the social groups and different categories of who should be the beneficiaries of universal service respective by sector considering a set of principles concerning the necessity of their endurance by all users in financial terms, regardless of their geographic location, have access to the services offered and in this regard, the need to be cost-oriented evaluating and monitoring their principles for the fees to be the same for the same services and the obligation for the provider / providers of universal service that the respective services together with their charging and non-discriminatory, in order not to harm its competitiveness and development of the postal sector.

Keywords: Universal service, electronic communications, postal services directive, acts, strategy.

Introduction

Services of electronic communications and postal services have a great importance which range from basic needs to cover basic services and the massive expansion in the population of each country, to the need for services which affect the facilitation of activity and daily life of people, for a more rapid and efficient among them, including mandatory administrative services necessary for the government to use by citizens. A definition and a description of this nature, including services means two voices quoted above, namely electronic communications and postal services. It is considered particularly the coverage of basic needs including a specific set of elements with the appropriate functional characteristics for the respective services for electronic communications as well as for postal services. Relevant services covered in the respective through specific law respectively, but inclusion and treating them to a standard set transposition order effective implementation in practice guidelines relevant EU Directive 12002/22 / EC of the European Parliament and of the Council of 7 March 2002 and for the universal postal service Directive2, Directive 97/67/EC (CELEX 31997L0067. Thus, in relation to the economic development of the respective countries, strategies and sectoral policies respective to two sectors in which they are found in the electronic communications and postal services, have provided providing universal service for electronic communications and postal services, considering the group of elements necessary to services to be provided and each case also their financial coverage by selecting different methods starting from state subsidies up their coverage of market bidders which include respective services. The essence of the directives quoted above, aims at meeting the needs of the internal market for electronic communications services and postal services, in order to provide relevant efficient services, reliable and good quality, available to all citizens with awards affordable and forecasts for their implementation through an appropriate regulatory framework covering the respective field by strengthening the powers and support through

development policy and respective strategies. The common for the two services cited and forecast on the policy objectives of the EU electronic communications sector and postal services means that universal service respectively, to conceive and materialize clearly the right of access to users, providing a minimum of services with a quality specified that must be provided, at affordable prices for the benefit of all users regardless of their geographical location.

Universal service in electronic communications in Albania.

Electronic communications services in Albania are regulated by special material law¹, who at the stage of drafting it had targeted transposition of the acquis communautaire of the EU and particularly the regulatory framework of 2002 to the electronic communications sector, making the transposition subsequent to the relevant provisions of the acquis communautaire in 2009. The updated transposition made in the law cited above, in the electronic communications sector in Albania are harmonized with sectoral policy which is materialized in the medium-term strategy for the development of networks and services electronic communications, the purpose and goal of integration into the common market of the EU electronic communications. But despite the above as well as the fulfillment of a proper legal framework and regulatory framework in line with the acquis communautaire of the EU, a delicate phase and harder constitutes the implementation of the specific requirements arising from the need for the provision of universal service, in order to ensure that the elements of this service are available at the quality specified to all users. Factors stimulating and supportive as the liberalization of the electronic communications sector, stage of development of competition in this sector and the harmonization of appropriate regulatory intervention to maintain the balance created in the provision of electronic communications services must have definitely considered the specifics of specific geographical area in which it is desirable to provide elements of universal service in order to have an approach carefully between consumer demand, the technology that enables the service, the stage of development of the market that ultimately constitute the scope of the USO and rules financial coverage set for the service.

Finding the balance needed between the rights and obligations of the users who benefit elements of universal service to the rights and obligations of bidders to those items that represent universal service, unquestionably that requires a hand adjustment and monitoring sequential as an internal need for identification the basic elements of the package of universal service, for determining and securing their financing planned gradually to cover its comprehensive report on the internal need for the elements of universal service. Approach regulatory has an important firsthand, not only in designing the rules, but of particular importance is the identification and is selected the key principles that will make efficient implementation of universal service in accordance with national circumstances and the need on which is based consumer demand. Fulfilling the requirements of the universal service must have the focus degree of market development and competition as well as the extent of subsidy necessary covered services, without turning it into huge financial burden which would create disparities inversely, but provided compensation mechanism for universal service provider. Attention should be paid in the selection made by not distort competition in relation to the services provided by the market which is not under the effects of the obligation for providing universal service elements. Proportionality of intervention for the provision of universal service shall be in accordance with the requirements stemming from EU directives but adapted to national conditions. The provision of universal service as a necessity requires regulatory provision acts enabling legal certainty and preceded possible situations in the future referring efficient solution in the absence of finding compensatory mechanism that may create the market itself. In relation to the basic requirements that can be considered as elements of universal service which are mainly identified with the need for access and services from a fixed location, the section information or telephone directory, for public payphones and suitability of plarformes service for people with disabilities etc, for important social services which can be used for individual purposes by completing a special needs which contribute significantly to the welfare or safety of citizens or particular groups of people, who help people in need (plague), group of services through which information and assistance provided and / or aimed at informing the population, services which are available to all citizens and whose access is not required no prior request or registration. But in terms of the development of technology and the increasing range of services that are based mainly in the services of the website, elements of universal service should be considered flexible, but always conditioned by the amount of subsidy and evolutionary to national circumstances which enable the provision of universal service. The definition of universal service elements and their assessment if required to be provided in the electronic communications market in Albania, points out the need to assess the compensation provided by the state structures and by government policies for certain categories and social groups, which in view of the provision of universal

¹ Law no. 9918, dated 19. 05. 2008 "On Electronic Communications in the Republic of Albania"
service would constitute consumer for this service categories. Some elements of universal service that come as basic elements referred to by the Universal Service Directive as access from fixed location, phonebook for information, do not have the same importance it had in the first moments of time related to the approval of the relevant directive, as over the years and with increased quality of consumer demand has taken priority use of the internet service provider and mainly internet with broadband, but inclusion as an element of universal service in the provision of internet access constitute an element of the universal service to be devoting more bringing difficulties in finding financial mechanism to cover this element of universal service. The other element of universal service identified in connection with telephone to information brought to the fore also considering the desire consumers in relation to the desire for the publication of personal data and constitute in itself option to consider numbers baseline that serve mainly certain social categories and related to basic services and emergency services, police, firefighters, emergency health, and to take into account the fact that wireless networks have on their liability provision of these services, which favored notably communications market electronics in Albania, after expansion, coverage and use of mobile telephony in Albania constitutes a positive development at the national level and in a noticeable difference in relation to the development of fixed telephony which is located in a low and limited extent national. All services cited above in relation to their costs are guaranteed free from cellular networks in Albania and this in itself constitute elements of universal service and fulfilment of consumer demand that should benefit from this service. Elements of universal service defined by the EU Directive that have been assessed in relation to national circumstances, the fact that certain categories of social will have to be included as a beneficiary of these elements of universal service made them subsidized to a certain measure by state policies. It was evaluated the inability internet service broadband to be considered as part of the universal service elements, because of the high cost to produce and lack of financial mechanism to cover. Sectoral policy and regulatory attention is focused in relation to the development of consumer demand and the proliferation of the use of internet service orienting into mass as an opportunity to benefit and delivery of services related to the daily life of citizens as payment for various obligations of citizens, applications and other types required to get service etc., requires the provision of coverage of certain areas geographical low-density population, for which the investment would constitute a burdensome and not profitable for private initiative, blurring thus the possibility of offering internet service in such areas. Hence the inclusion in the national strategy for the development of internet service by doing a combination of policy sectors for the constant attention of regulatory regarded as a priority which ultimately will also be an additional option to assist in the delivery of the elements of universal service even if they currently are not defined as such, but that are compatible with customers' need for these services and in which find access to certain categories of social impossible to cope in other circumstances, to achieve this through joint investments, coverage and service coverage improvement in cooperation between operators and investments separately under the relevant areas identified as areas with low population density.

Universal Postal Service in Albania.

Postal services in a similar way as electronic communications services have their own history of development in Albania and follow the trend of developments occurring also in other countries in relation to the requirements of the time. Postal service in Albania is covered by the substantive special law ¹ which has undergone changes, this law is fully aligned with EU directives ² that, "For the common rules for the development of the internal market of Community postal services and improve the quality service ", as amended by Directive 2002/39 / EC of the European Parliament and of the Council and Directive 2008/6 / EC of the European Parliament and the Council. Changes made in the law have considered the postal sector policy document for postal services sector as part of the steps for full liberalization of this market by making full transposition of the acquis of the EU postal sector. The objectives for the postal service in Albania has followed the trend of policy sectors in the EU to including the provision of Universal postal service being conceived this service as a right of access to postal services for users, ensuring a minimum service of a specified quality as an integral part of this service at affordable prices for the benefit of all users regardless of their geographical location, but adapted to national circumstances. Even postal services and their respective market trend with a gradual opening to competition in itself constitute a challenge and a real opportunity to pursue positive experiences in the sector of services necessary for the citizens. Universal postal service in Albania is in its first steps and he has a special regulatory attention for the drafting of the relevant provision

¹ Law no. 8530, dated 23.09.1999 "For the postal service in the Republic of Albania", as amended.
enabling of universal postal service, aimed at defining the conditions and criteria to be fulfilled by the postal network of a universal service provider, in order to meet the quality standards of postal service.

Determination of the elements of universal postal service also keeps followed their principles for universal electronic communications service, overseen by the same regulatory and followed harmonizes positive experience in other countries that have made possible the provision of this service. Basic elements to consider into the universal postal service have focused on receiving, processing and transport of postal facilities registered and insured categorized by weight, they have considered necessary labor time for which the service is provided for receipt of postal facility and distribution of postal object home address or at the venues of any natural or legal person for certain categories of social groups and beneficiary of this service. Relevant legislation, primary and secondary provides the way of determining the providers / providers of the universal postal service, by referring to a competitive procedure with clear rules and transparent for the parties, specifying clearly the rights and obligations of providers / providers of universal postal service and harmonization of their rights and obligations of beneficiaries of the elements of this service. In analogy with the universal electronic communications service provided financial mechanism is needed to cover the universal postal service, the obligations arising for the other actors involved in this sector as well as clear rules for determining the costs in providing this service, creating monitoring space and audit by the regulator that oversees the sector. The above definitions are in reference to the Law on postal services, the regulatory acts for provision of universal service, in accordance with the terms and conditions prepared by the universal service provider, which have considered the acts of the Universal Postal Union for international postal service. Universal postal service in Albania in analogy with the best international practices has considered into a “ratio fair” the rights and obligations of universal service provider as well as the rights and obligations of users of universal services, necessary dimensions of the postal network of the universal service provider into service function as access points, post processing centers and other elements as equipment and facilities serving for receipt of postal deliveries in order to ensure the provision of postal services. Another appreciated aspect is also density of access points as well as fees for each service that is part of the universal postal service which have the necessity to be affordable for all users, regardless of their geographic location, have access to the services provided and this aspect requires that to be cost-oriented, to preserve their principles for the fees to be the same for similar services by establishing the obligation for the provider of the universal postal service that respective services respective together with their tariffing to be transparent and non-discriminatory, in order not to harm its competitiveness and development of the postal sector. The provider of universal postal service carries obligations to provide this service without abusing the quality of delivery of these services and for this purpose are defined the quality standards of universal service delivery, unified with European and world standards for a universal postal service where considered service delivery time and determination of the manner of reporting on the fulfillment of these standards which are monitored continuously by the regulator of the field.

Conclusions:

- Universal service in both sectors, the sector of electronic communications and postal sector constitutes a service that includes a minimal set of basic elements of the respective services, intended for certain categories and social groups in order to make possible the benefit of these categories in their geographical location, economic conditions and affordable while also preserving the quality parameters for the services provided.

- For the implementation in practice of this service in both respective sectors, primary and secondary legislation have predicted the manner of selecting providers of universal postal service, the determination and evaluation of the basic group-elements to be included in this service, categories and social groups should be included in the benefit of universal service elements respectively by sectors cited above.

- It is anticipated finding funding mechanism covering universal service respectively by sector and cost assessment methods that enable offering of this service, defining obligations for providing the service at cost, with the transparency, not discriminatory into relation to other services, in relation to different categories of beneficiaries, development and preservation of competition in their respective markets as major goal to bring their respective development.

- Another important aspect in the provision of this service is the regulation, monitoring and evaluation of universal service component elements respectively by sector, considering national strategies that affect and enable the development and provision of relevant services, including universal service constituent elements, in order not -duplication of them, and harmonization of state subsidies to private initiative in facilitating the provision of universal service elements.
References

- Law no. 9918, dated 19. 05. 2008 "On Electronic Communications in the Republic of Albania"


