Submission for Public Consultation for 5G in the Democratic Republic of Congo

(English Version)

SUBMITTED
BY

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Question 1

1.1 Based on the specific characteristics of the Congolese market, which 5G use cases would be feasible and suitable for the national socio-economic environment in general, and more specifically in areas such as Public Administration, Transport, Industry, Agriculture, Energy, Health, Education, Security, Culture, Art, and Tourism?

Some feasible 5G use cases are:

Public Administration: The introduction of 5G into public administration can revolutionize governance in the DRC by enabling faster and more reliable e-governance platforms. It can help the government deliver its public services, improve the interaction between the state and citizens, and enhance government transparency. Reliable online platforms can reduce corruption and bureaucratic opacity by digitizing records, transactions, and service requests, strengthening the right to access information and the fight against impunity

Education: Improved connectivity can facilitate online learning platforms, bridging educational gaps and supporting the right to education. 5G can bring high-quality, low-latency internet to schools in rural areas, where educational infrastructure and teacher capacity are often lacking. This can enable students in remote regions to access the same quality of education as their urban counterparts.

1.2 Which markets would be targeted by these use cases? What are the prospects for demand growth?

The target market for 5G-powered public administration is fundamentally the entire Congolese population, especially those who currently face barriers to accessing essential public services due to poor connectivity, remoteness, or lack of infrastructure. Specifically, the markets include public institutions who can provide citizens and civil society organisations with access to information without the limitation of poor network quality and insufficient capacity. It should be noted that 5G can make an impact in inclusive digital government services but only if these digital services are designed for low-literacy, low-bandwidth and diverse users - and if they are anchored in privacy and data protection.

In the education sector, the youth market is the focus market. Increasing mobile penetration will drive demand organically. Additionally, the potential for demand growth is exponentials with the expansion of low-cost edtech solutions, mobile-first platforms and AI-powered learning assistants.

1.3 When do you foresee the effective deployment and utilisation of these use cases?

This depends less on the technical readiness of the technology and more on the ability of the government and stakeholders to create an innovative, rights-respecting digital ecosystem.

For instance, the access gap is significant. Many citizens especially in rural or conflict-affected communities still lack basic 3G or 4G. Hence, to roll out meaningful 5G use cases, connectivity equity must be prioritised to avoid deepening the already existing inequalities. If done aggressively, the first inclusive and rights-sensitive deployments could realistically occur between 2027 and 2030 in major cities.

There is also a need to build trust and enhance affordability without which technical availability of 5G will be rendered ineffective.

Question 2

2.1 When can we expect the widespread adoption of services offered by verticals? Why?

The widespread adoption of 5G-enabled services in public administration and education in the DRC will not happen solely based on technological readiness. Instead, it will be determined by the country's ability to promote digital inclusion, protect fundamental rights and ensure affordability and accessibility for the majority. Currently, the DRC still suffers from a profound connectivity gap. For public administration and education services to be adopted at scale, they must first be available on existing 3G/4G networks until 5G reaches these populations. Otherwise, the risk is that 5G will only serve elites in Kinshasa, Lubumbashi, and Goma, while leaving most citizens behind.

2.2 What use cases could these operators develop?

Some use cases include:

Secure Digital ID Systems & Civil Registries
E-Government Platforms
Open Government Data Portals
Civic Participation & Feedback Tools
Virtual Classrooms
Teacher Training & Capacity Building Platforms
Educational Content Hubs

2.3 How do you envision the collaboration between mobile network operators and verticals in deploying 5G services?

In the DRC, the collaboration between mobile network operators (MNOs) and the chosen verticals — Public Administration and Education — should be designed as a partnership for public good, not just a commercial relationship. If left unregulated, such collaborations could prioritize profit-maximization over inclusion, accessibility, and human rights. However, if guided by clear public interest objectives, this collaboration could unlock enormous potential for digital inclusion, equity, and social transformation.

For instance, operators and public institutions must collaborate to design services that prioritize marginalized and under-served communities (rural populations, women and girls, persons with disabilities), respect the principles of accessibility, affordability, and non-discrimination, integrate digital rights-by-design approaches, especially for public services like digital IDs, e-governance platforms, and online education systems.

Public institutions and MNOs should also co-invest in extending 5G-ready networks beyond the urban centers to reach peri-urban and rural areas. Leverage Universal Service Funds (Fonds du Service Universel) to ensure rural schools, health centers, and local administrative offices are connected.

2.4 What economic models could be implemented to support the development of 5G services tailored to the specific needs of industries?

If left solely to commercial logic, 5G could serve mainly profitable industries while leaving critical sectors like education and public services underfunded or neglected. Therefore, economic models must ensure that 5G directly supports social development and digital rights.

Some recommended economic models are:
1. Public-Private Partnerships (PPPs) with Clear Public Interest Mandates
2. Universal Service Fund (USF) Mobilization for 5G
3. Development Aid and Blended Finance
4. Community Networks and Non-Profit Models

2.5 Under what conditions could mobile network operators host vertical operators' services within their networks?

For mobile network operators (MNOs) to host vertical services like public administration and education platforms within their 5G networks, there must be strict and non-negotiable conditions to protect the rights of Congolese citizens and ensure public interest objectives are met.
This is particularly important because public administration services will handle sensitive data (civil registries, social protection data, digital IDs) and education services will involve children, youth, and vulnerable groups.
Without clear safeguards, hosting these services on private networks could expose citizens to data exploitation, mass surveillance, or exclusion.

There must be compliance with data protection and privacy standards such as encryption by default, minimal data collection and strict data usage limitations. There must also be a clear separation between commercial and public interest services. There must be accessibility and affordability guarantees such as zero-rating for essential public interest platforms.

Question 3
The launch of 5G enables the possibility of bandwidth sharing between mobile network operators and vertical players.

What, in your opinion, would be the opportunities and risks associated with sharing frequency bands between these different stakeholders?

If implemented carefully and transparently, bandwidth sharing between MNOs and vertical players (e.g., government, education institutions, civil society, and humanitarian actors) could have significant public interest benefits. Bandwidth sharing would allow public administration platforms (e-government services, digital IDs, social protection systems) and education services (virtual classrooms, online libraries) to operate with guaranteed quality of service. This means better access for citizens even in congested networks or underserved areas.

Spectrum is limited. Sharing prevents the inefficient monopolization of frequencies by commercial operators while enabling critical sectors like health, education, and administration to access reliable connectivity.

If bandwidth sharing is purely market-driven without safeguards, it could bring serious human rights and governance risks. Without regulation, operators might prioritize bandwidth for high-paying clients (mining, banking, entertainment platforms) while under-serving critical public services.

Shared networks create risks of data interception, especially when government platforms operate within privately controlled infrastructures. Without strict data protection, end-to-end encryption, and separation of traffic, citizens' personal information (education records, social security data, civil registry information) could be exploited or accessed unlawfully.

Question 4

4.1 Would you support the entry of Mobile Virtual Network Operators (MVNOs) into the Congolese 5G market? If so, under what conditions?

Yes, but only under clear, rights-based conditions. We would strongly support the entry of MVNOs into the Congolese 5G market, but only if their participation is regulated to: promote inclusion, stimulate competition, reduce costs for users, and protect fundamental rights, particularly for historically marginalized groups.
In the DRC's current context, where the mobile sector is highly concentrated, introducing MVNOs could disrupt the market in a positive way. However, it could also create new risks if left unregulated.

The recommended conditions include mandatory data protection and privacy compliance, inclusive service design, zero-rating for public interest content and transparent and accountable operations.

4.2 What regulatory measures would you propose to ensure the viability of business models given the current realities of the market?

Regulation should balance business viability with public interest and rights protection. Some recommended regulatory measures include the implementation of an affordable universal service framework for 5G, the enforcement of pro-competition rules, the establishment of mandatory zero-rating for public interest services and transparent and predictable spectrum pricing. A rights-based regulatory environment is not hostile to business — it is essential for sustainable business models in the DRC: It expands the customer base by making connectivity and services affordable and accessible. It reduces risks of social backlash, mistrust, or regulatory instability. It aligns the telecom sector with the country's National Digital Plan and development objectives.

Question 5

To what extent do you think the advent of 5G could contribute to the socio-economic growth of the DRC? Justify your answer.

5G could drive socio-economic growth in DRC by
1. Enabling the modernisation of critical public services which will reduce bureaucracy
2. Transforming the education sector which will directly contribute to human capital development
3. Unlocking new sectors and jobs which could stimulate job creation not just in telecoms but also in areas like content creation, local software development, technical maintenance, and digital public service delivery.

Question 6

Given that the deployment of 5G requires significant investments, what tax incentives could be put in place to encourage telecommunications operators to invest heavily in the deployment of 5G infrastructure, particularly in rural areas of the DRC?

Tax incentives must promote rural connectivity, digital inclusion, and the public interest. Tax incentives should not simply reward infrastructure deployment in general, but should be designed to: Encourage equitable distribution of 5G infrastructure, Promote accessibility and affordability, And advance the rights of rural populations to information, education, and public services.

Question 7
What strategies could the Government implement to make 5G devices more accessible to the population, particularly in rural areas?

In the DRC, device affordability is one of the most significant barriers to connectivity, often more limiting than network coverage itself. Without accessible 5G-compatible devices, rural and low-income populations will be excluded from the benefits of public services, education platforms, and economic opportunities that 5G promises. Therefore, the government must see device accessibility not just as a market challenge but as a matter of: Digital inclusion, Equity, and Effective realization of socio-economic rights, including the right to education and the right to access information.

The government can do this by:
1. Removing or reducing taxes and duties on entry-level 5G devices
2.Supporting local and regional production and assembly of 5G devices
3. Establishing a 5G subsidy program for vulnerable groups
4. Negotiating public-private partnerships for device accessibility.
5. Promoting device recycling and refurbishment programs of 5G-capable devices.

Question 8
Is 5G a priority for your organisation? If so, justify your answer.

Yes, 5G is a priority for our organisation but not merely because it is the latest technological advancement. We see 5G deployment as a potential to shape the future of access to information, improve participation in civic duties and other rights such as the right to education.

Question 9
Do you think the Congolese market is sufficiently mature for the introduction of 5G?
If yes, comment on your answer.

If no, what level of maturity is required, and when do you estimate the Congolese market will be ready for the introduction of 5G (short, medium, or long term)? What levers should be acted upon to increase this maturity?

No. If we consider not just technical feasibility, then the congolese market needs to do more work on being rights-respecting, fostering digital inclusion, and other equitable practices in the use of digital services.

Also, while there has been progress in urban mobile coverage, a large part of the population still lacks access to even 3G and 4G. Deploying 5G in this context risks creating a two-speed digital society where only urban elites and large industries benefit.

Question 10
The deployment of 5G is gradual and allows for a smooth evolution of existing networks, particularly 4G. Do you think it is necessary, to guarantee the commercial success of 5G services, to reach a minimum threshold of 4G service coverage in the DRC, and why? What would this threshold be? Justify your answer.

Yes, there is a need to first strengthen and universalize 4G coverage before you can actualise the commercial and social success of 5G in the DRC. In practice, 5G infrastructure relied heavily on existing infrastructure like th 4G infrastructure such as fiber backhaul, towers and other core network elements. Hence, without a robust and widespread 4G foundation, 5G deployment will be technically limited to dense urban areas.

Question 11

In your opinion, aside from the maturity of the digital market, what are the technical, economic, and regulatory prerequisites that need to be in place to facilitate the arrival of 5G in the DRC?

1. Business and Human Rights Frameworks

DRC must prioritise development on business and human rights framework to guide tech companies. This framework is also necessitated by the fact that 5G technologies will enable DRC citizens to have access to a more wide range of digital services. A business and human rights framework which spells out the corporate human rights obligations to;

1. Conduct human rights due diligence to identify human rights risks based on their operations and the entire supply chain.
2. Mitigate the human rights risks identified in their human rights impact assessments
3. Provide periodic reports on how businesses handle human rights risks.
4. Provide an effective access to remedy mechanisms to address human rights violations.

2. Regulation of Digital Markets

5G Technologies and the resultant increased digitalisation requires DRC to regulate the digital markets. To do this, DRC can develop its competition laws and policies to ensure that deployment of 5G technologies and digital markets are open, fair and diverse to all citizens. This will ensure that dominant market players do not abuse their position.

3. Consumer Protection

Closely tied to the regulation of digital markets is strengthening consumer protection laws and policies to provide that will protect consumers by:

1. Clarifying on mobile networks operators and tech companies liability for software and devices which expose consumers to cyber security threats
2. Strengthening DRC's data protection laws to ensure consumer's personal data is safeguarded. While the Digital Code No. 23-010, signed on 13th March 2023, has provisions relating to data protection, we call for establishment of a dedicated Office of the Data Protection Commissioner which will issue data protection directives to MNOs, issuance of sector specific data protection regulations and handle data protection complaints from consumers.

Question 12

12.1 Given the maturity of the Congolese digital ecosystem, which type of network configuration would be suitable for the launch of the 5G network: Non-Standalone (NSA) with its variants, or Standalone (SA) with a 5G core?

In the current state of the Congolese digital ecosystem, a Non-Standalone (NSA) 5G deployment is the most suitable option especially if paired with a rights-respecting inclusive roadmap towards a Standalone (SA) 5G core in the medium to longterm. The infrastructural readiness is insufficient for full standalone since it will require a fully new 5G core network. The NSA model allows operators to use existing 4G LTE infrastructure to support initial 5G services and this is more practical.

12.2 What is the expected timeline for the deployment of Standalone 5G?

The Congolese government can spend 2025 - 2028 strengthening 4G coverage to at least 80% of the population. Between 2028-2030, the initial phase of the SA 5G deployment can commence in major cities and for specific sectors such as e-government, public safety and urban education platforms. Then, from 2030-2035, there can be a gradual expansion to secondary cities, peri-urban and selected rural areas depending on infrastructure investment, affordability measures and public interest demand. Post-2035, then the market's evolution can determine onward development.

Question 13

13.1 Based on the different 5G use cases, which low, medium, and/or high frequency bands do you think are appropriate for the deployment of 5G in the DRC? Which ones appear to be a priority for your needs?

Low Frequency Bands such as Sub-1 GHz, e.g., 700 MHz are current high priority as they are Ideal for achieving broad coverage across the DRC, especially in rural and remote areas. Low-band frequencies offer better signal penetration in buildings, wider geographical reach and lower infrastructure costs (fewer towers needed)

13.2 What is the minimum amount of spectrum that should be allocated to operators to ensure a viable commercial operation of 5G?

According to the GSMA's Spectrum for 5G guidelines and ITU-R M.1036, it is recommended that operators ideally secure 80 to 100 MHz of contiguous spectrum in the 3.3–3.8 GHz range (the most common global mid-band for initial 5G deployments).

The 700 MHz band (specifically 694-790 MHz, also called the Digital Dividend 2) is globally identified by ITU-R and GSMA as a key band for coverage-focused 5G and 4G services. GSMA recommends operators be assigned at least 2x10 MHz (20 MHz total) of paired spectrum in this band.

Both the ITU and GSMA recommend that for mmWave (24 GHz and above), operators would ideally need access to at least 800 MHz to 1 GHz of spectrum to unlock the full capacity and low-latency benefits of mmWave 5G. However, GSMA and ITU also agree that in developing countries, mmWave is not an immediate priority, especially where basic mobile broadband access and affordable devices remain a greater challenge.

Question 14

In line with the principle of technological neutrality, under what conditions can 5G coexist with previous technologies (2G, 3G, and 4G) in the frequency bands currently used by mobile network operators (700 MHz, 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, 2300 MHz, and 2600 MHz)?

1. Protect legacy services such as 2G and 3G in rural and underserved areas for services such as basic voice communication, SMS services and limited internet access.
2. Implement a gradual spectrum refarming strategy in a phased and targeted manner. Regulator should set refarming conditions linked to rural coverage obligation and service continuity guarantees.
3. Harmonize interference management by applying ITU and 3GPP recommended coexistence mechanisms

Question 15

Do you think it is possible to launch 5G in the frequency bands already allocated to mobile network operators? If yes, what is the expected timeline? If no, justify your answer.

Yes. If initial deployment begins in 2025, then, between then till 2030.

Question 16

Do you think it would be appropriate to phase out certain previous technologies in order to reallocate the freed frequencies for the benefit of 5G?

If yes, what supporting measures (financial support, allocation of new frequency bands, adjustment of the licence duration, granting of a new licence, tax incentives, etc.) do you think the Government could propose to the stakeholders required to release these frequencies?

It is appropriate to gradually phase out some previous technologies over time to reallocate spectrum for 5G. However this should not be done prematurely or purely for commercial efficiency. Supporting measures could include financial support for migration, tax incentives and allocation of new frequency bands.

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Question 17

The use of a radio transmission network (backhaul), in addition to fibre optics, could offer flexibility and speed in the deployment of 5G. Do you think it would be appropriate to allocate frequency bands for backhaul? If yes, which frequency bands would you propose?

Yes. DRC's vast geography, dense forests, conflict-affected zones and underdeveloped electricity and transport infrastructure make the exclusive reliance on fiber impractical. Radio backhaul offers a faster deployment option, greater flexibility and cost-efficiency for rural 5G which is critical for education, public services, and community connectivity. Technological neutrality requires multiple backhaul options and so operators should be able to choose the most efficient mix of fiber and wireless backhaul.

Question 18

18.1 For each of the frequency bands mentioned in your answer to question 6.1, could you detail the main potential environmental impacts, whether positive or negative, associated with the use of these frequency bands?

The 6–8 GHz Band, the potential impacts are:

1. Minimised land disturbance because of its longer transmission range
2. Lower energy consumption because of the lower frequency microwave links.
3. Tall microwave towers may, however, cause visual pollution in sensitive natural landscapes
4. Towers in protected areas could affect bird migration and wildlife corridors
5. In remote areas, access roads and tower foundations may lead to localised deforestation if not mitigated.

The 11–15 GHz Band, the potential impacts are:

1. Efficient urban deployment where existing infrastructure such as rooftops and existing towers can be reused, minimising new construction.
2. The energy use is slightly higher compared to lower bands due to higher signal processing requirements.
3. The concentration of electronic equipment may contribute to localised heating, although minimal.

18–23 GHz Band, impacts are:

1. Densification without ground impact which is suitable for deploying small cells and point-to-point inks in cities without the need for new towers, reducing land use.
2. The shorter the wavelength, the higher the power consumption for signal transmission and amplification.

18.2 Do you think that the existing mechanisms for protecting the public from electromagnetic radiation, as outlined in the standards of the International Commission on Non-Ionizing Radiation Protection (ICNIRP 2020), are limited or insufficient?

If yes, what solutions do you suggest to address this?

If no, comment on your answer.

The ICNIRP 2020 guidelines, as the global reference for protection against electromagnetic fields (EMF), are scientifically robust and generally sufficient to protect the public from direct health risks caused by electromagnetic radiation, including for 5G frequencies. However, in the specific context of the DRC, the problem is not the limits of the ICNIRP standards themselves, but rather the lack of national enforcement, public awareness, and independent monitoring. This is where the system is insufficient, not the scientific basis of the standard.

Question 19
To accelerate the deployment of 5G, infrastructure sharing (towers, radio, transmission, core network) between operators is becoming essential. What infrastructure sharing models do you consider feasible?

Some feasible models include:

- Passive infrastructure sharing which is recommended as the minimum standard. Operators can share energy infrastructure such as solar-powered base stations.
- Active ration access network sharing which involves sharing radio equipment such as antennas, radio units, and parts of the radio transmission chain.
- Backhaul sharing: Operators could share microwave radio links and fiber-optic networks.
- Core network sharing could be considered for non-critical functions such as signaling or transport layers but should not involve full control over user data to avoid privacy and security risks especially for public administration and education platforms.

Question 20

The advent of 5G will require a massive deployment of numerous small base stations in densely populated urban areas. Mobile network operators may need to install antennas on building walls, streetlamp poles, bus shelters, advertising and signage boards, or other infrastructure belonging to the public domain.

What measures could the Government of the DRC take to facilitate operators' access to the public domain and the aforementioned infrastructures, and under what conditions?

Measures could include:

1. Create a clear, transparent and non-discriminatory access regulatory framework which defines public infrastructure eligible for 5G antenna deployment and ensures that access is affordable especially for small operators and future MVNOs.
2. Adopt urban infrastructure sharing guidelines which make it mandatory for operators to share public domain structures where technically feasible to reduce visual clutter, environmental impact and unnecessary duplication.
3. Establish a public consultation requirement before deploying small cells on public buildings, monuments or community spaces.
4. Prioritise public interest applications.
5. Develop a digital mapping system of public infrastructure

Question 21

21.1 What obligations could be imposed on operators when selling 5G spectrum, for example in terms of: deployment years, minimum percentage of the population to be covered in an area, speed, latency, national roaming, provision of fixed internet access offers (FWA), etc.?

1. Deployment timeline obligations: operators should be required to deploy 5G services within a defined period of time in urban and rural areas.
2. Minimum population coverage obligations: operators should be required to cover at least 80% of the national population within 7 years.
3. Quality of Service Obligations: Operators should meet minimum performance standards including minimum average speeds, maximum latency thresholds.
4. National Roaming Obligation: Enforce national roaming in underserved areas where it is not economically viable for all operators to deploy full networks.
5. Fixed wireless access obligation: operators should be required to offer fixed wireless access services in rural, peri-urban and low-income urban areas.
6. Data protection and human rights compliance: spectrum licenses must include an obligation to respect data protection laws, conduct human rights impact assessemnts and protect users against mass surveillance, especially on platforms related to public administration and education.
7. Periodic reporting and civil society oversight: operators should be required to public annual progress reports on coverage, affordability and service quality. They shold also engage with civil society and independent regulators for verification

21.2 Do you think that mobile network operators should be required to further deploy LTE services, in terms of population coverage and minimum speed, within the frequency bands already allocated to them?

Yes, operators should be required to further deploy LTE (4G) services in terms of both population coverage and minimum speed obligations, especially before expanding 5G aggressively. This is crucial to bridge the existing digital divide, fulfill the right to access information and public services and make sure that the majority of the population, especially in rural and underserved areas, can fully benefit from digital transformation.

21.3 Do you think it is necessary to define 5G network service quality obligations based on new use cases (eMBB, mMTC, uRLLC)? If yes, what key performance indicators should be considered to evaluate service quality and what would be the minimum thresholds?

Yes. Some Key performance indicators include

1. Enhanced mobile broadband for public education platforms, virtual classrooms, online government services and general internet access.
2. Massive machine-type communications which will be relevant in the medium-term for smart agriculture, public administration sensors, e-health, utiliies and energy management.
3. Ultra-reliable low-latency communications which is important for public safety, health and emergency services but less relevant for general public use initially.

Question 22

Do you support the Government's proposal to allocate 5G frequencies based on criteria such as:

- **Coverage projection (territorial and/or population);**
- **Network performance;**
- **Financial capacity of the operator;**
- **Service price, etc.**
- **If yes, under what conditions?**
- **If no, comment on your answer.**

Yes. Under the following conditions:

1. Coverage projections must prioritise underserved populations
2. Network performance criteria must include public service prioritisation
3. Financial capacity should not exclude smaller or new entrants
4. Service price commitments should be binding and enforced
5. Operators must commit to respecting personal data rights
6. Human rights impact assessment must be a prerequisite

Question 23

23.1 Given that the cost of network deployment per subscriber varies depending on whether one is in urban areas with high population density or in areas with low population density, what do you think about the possibility of introducing local operators alongside national operators? Comment on your answer.

The introduction of local operators alongside national operators is not only appropriate but also necessary in the DRC's socio-geographic and economic context, where vast rural areas remain poorly covered, national operators are often reluctant to invest in low-density or low-income regions and localized needs (languages, education, public service access) are poorly addressed by centralized commercial strategies. Local operators are better positioned to adapt to local infrasture realities and use cost-effective models. Local operators could also provide tailored services like educational bundles, local language platforms or community internet projects.

23.2 What duration do you think would be appropriate for the authorisation of 5G spectrum use, considering rapid technological changes: 10 years, 15 years, or 20 years? Justify your answer.

A 15-year duration would be the most appropriate for the DRC, as it strikes the right balance between: Long-term investment security for operators, Flexibility to adapt to future technological and social developments, And the need to periodically reassess operators' commitments to universal service, inclusion, and rights-respecting deployment.

About Reporting Organisation

The African Internet Rights Alliance (AIRA) is a coalition of 10 leading internet rights CSOs in Africa with a strategic focus on influencing regional and global policies and addressing critical digital rights challenges emerging on the continent, particularly around issues of network disruptions, information integrity, and the protection of digital rights in electoral and democratic processes.

Our key goals are to build a rich and Afro-centric network of stakeholders and promote collaborative learning, peer support, and actionable policy engagement.

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