

**REPORT OF THE
WORKING GROUP 1
POLICY AND REGULATORY FRAMEWORK**

19th September, 2018

Arusha, Tanzania

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List of Abbreviations

AoB	:	Any other Business
ARCT	:	Agency for regulation and control of telecommunications
CA	:	Communications Authority of Kenya
CEO	:	Chief Executive Officer
EAC	:	East African Community
EACO	:	East African Communications Organization
ICT	:	Information and communications Technology
LMRA	:	Liasion Manager Regulatory affairs
NCA	:	National Communications Authroity
RURA	:	Rwanda Utilities Regulatory Authority
TCRA	:	Tanzania Communications Regulatory Authority
ToRs	:	Terms of References
UCC	:	Uganda Communications Commission
UNHCR	:	United Nations High Commission for Refugees
WG	:	Working Group

1. Introduction:

The East African Communications Organization (EACO) working group 1 (WG01) is one of the seven (7) working groups under EACO. The mandate of WG01 is to harmonize Policy and Regulatory Frameworks in the EACO member states.

Resulting from the 25th Assembly of Regulators of the EACO held from 13th to 14th June 2018 at safari park, Nairobi, Kenya. EACO convened WG01 meeting in Arusha to advance the work of the working group in line with its Terms of reference (ToRs) and Intended Action Plan Activities.

This report presents the progress and re aligned work plan of WG01 with its ToRs.

2. Attendance EACO WG01 Meeting in Arusha

The EACO expert Working Group 01 (WG01) on Information and communications Technology (ICT) Policy and Regulatory Framework Harmonization met during the period 17th -19th September 2018 at Naura Springs Hotel in Arusha, Tanzania. Four (4) participants from three (3) EACO member states of Uganda, Burundi, Kenya and the EACO Liaison Manager Regulatory Affairs attended. Refer to annex 1 for details.

3. Opening of the Meeting, introduction of delegates and adoption of the agenda

The third meeting of the third cycle for EACO WG01 took place in Arusha, Tanzania from 17th -19th September 2018, with opening remarks from Mr. Liston Cheruiyot Kirui (Representing Mr. Christopher Kemei, the Chairperson of the Working Group). Thereafter, delegates present introduced themselves. The meeting noted with concern the absence of representation from Tanzania, Rwanda and South Sudan. It could not however be established during the meeting why the WG01 members from these three (3) member states were absent from this meeting with no individual or institutional formal or informal apologies.

The EACO liaison manager informed the meeting that no submissions were received on the country status with regard to digital broadcasting, postal and subscriber registration policy issues. Upon deliberations on this matter, the meeting formed the opinion that, the matrix that had been circulated for the purpose was not sufficiently clear to enable members to submit their inputs. Consequently, the meeting decided to refine the matrix for submission of the required information

The meeting adopted the agenda as shown in table 1.

Table 1: Adopted Agenda by the WG01 for this meeting

No	Agenda Items
1	Opening of the meeting
2	Introduction of delegates
3	Adoption of the Agenda
4	Appointment of Rapporteurs
5	Remarks by the Chairperson & EACO Liaison Manager Regulatory Affairs

6	Confirmation of Minutes/Report of Previous Meeting and Matters Arising
7	Presentation of the EACO 5 years Strategic plan 2018-2023 and action plan 2018/2019
8	Consideration of the Feedback from the Regulatory on WG1 Report, in June 2018
9	Review of the matrix for submitting countries' status on digital broadcasting, postal issues and subscriber registration
10	Review of the WG1 action plan, considering the 3rd cycle of WGs is for 2 years
11	Consideration of the structure of the meeting report
12	AoB
13	Consideration and Adoption of the meeting report
14	Closing of the meeting

4. Appointment of Rapporteurs

Due to the absence of the former rapporteurs, the Group agreed to elect rapporteurs from the members in attendance. The members appointed Mr. Obang Hanington Ongom from UCC, (Uganda) as first (1st) Rapporteur and Mr. Leonidas Ndayahundwa from ARCT, (Burundi) as second (2nd) Rapporteur for the WG01.

5. Remarks by the Chairperson and EACO Liaison Manager Regulatory Affairs

The Chairperson Mr. Liston Cheruiyot Kirui (in acting capacity), welcomed all members present, re-echoed the need for the WG01 in advancing EACO strategic plan with specific emphasis on ICTs Policy and Regulatory Frameworks Harmonization. He further called on members present and those participating via the online platform to actively participate in the deliberations during the meeting.

The EACO Liaison Manager Regulatory Affairs, thanked the chairperson for his remarks and expressed gratitude to the members present for honouring EACO invite to participate in this EACO WG01 meeting in Arusha and wished them fruitful deliberations. The key highlights from his remarks included;

- a) The finalisation of a 5-year strategic plan for EACO currently underway by the consultant.
- b) Member states should actively contribute towards the realization of this strategic plan once finalized.
- c) Works had commenced to make EACO a semi-autonomous body of the East African Community (EAC), as EACO's current observer status in EAC disadvantages her progressions in advancing the Communication sector in member states.

6. Confirmation of Minutes/Report of Previous Meeting and Matters Arising

In realisation of the fact that none of the members present had attended the meeting held on 12th June 2018 in Nairobi, Kenya. The meeting could not confirm the report. Nonetheless, the members present agreed to review the report of the previous meeting for appreciation and purposes of advancing the needs of the Action Plan. There was no matter arising, as the review of the report was for members' appreciation.

7. Presentation of the EACO 5 years Strategic plan 2018-2023 and action plan 2018/2019

The Liaison Manager Regulatory Affairs made a presentation on the EACO Strategic Plan 2018-2023 and the financial year 2018/2019 Action Plan to members. Some of the highlights in his presentation included:

- a) The change in strategic plan period from three (3) to five (5) years
- b) The Issue of limited budget to finance EACO activities

The meeting noted the presentation.

8. Consideration of the Feedback from the Regulatory on WG1 Report, in June 2018

This WG01 meeting in Arusha considered and noted the three issues agreed on during the 25th EACO regulatory assembly held at safari park, Nairobi, Kenya as follows;

- a) EACO members to continue engaging Ministers of EAC and ICTs in their respective countries on EACO's application to EAC;
- b) Issue of low participation of operators to be discussed during the Joint Committee;
- c) The need for review of EACO's secretariat human capacity to be discussed by Joint Committee.

The meeting agreed that each member of the working group should engage their Chief Executive Officer (CEO) to apprise their ICTs or transport Ministers to drum up support with the ministers of EAC on EACO application in becoming semi-autonomous institution of the EAC. The meeting also noted that the issue of low participation and that of the secretariat's human capacity were being addressed by the joint committee.

9. Review of the matrix for submitting countries' status on digital broadcasting, postal issues and subscriber registration

The meeting considered the matrix earlier circulated to members and decided to generate three independent matrices for each of the policy issue, digital broadcasting, Postal and subscriber registration as detailed in annex 2, 3 &4.

10. Review of the WG1 action plan, considering the 3rd cycle of WGs is for 2 years

The meeting reviewed the WG01 work plan with a view to breaking down the various activities detailed in Annex II of the report of group's meeting of 12th June 2018. Arising from the deliberations, the meeting agreed to schedule the tasks as detailed in Annex 5.

It is noted that the timelines are very tight and it will therefore be appreciated if members endeavour to complete their assignments as per the schedule. In order to assist in the delivery of the assignments, it was further agreed that the each major assignment would be assigned to at least two member countries as indicated in the work plan.

11. Consideration of the structure of the meeting report

The meeting deliberated and considered the structure of the report as presented.

12. Any Other Business

The Liaison Manager Regulatory Affairs, informed the meeting that EACO secretariat was in receipt of a communication from United Nations High Commission for Refugees (UNHCR) expressing the difficulty that refugees in the region face in acquiring sim cards.

In their communications, the UNHCR requested the EACO secretariat to consider facilitating a solution to the challenge. Members noted this. There being no other business, went on to discuss the next agenda item.

13. Consideration and Adoption of the meeting report

The meeting considered and adopted the WG01 report of the meeting.

14. Closing of the meeting

Having considered and adopted the WG01 meeting report, and there being no other matters for discussion, all members expressed gratitude to the Liaison manager for organising and EACO for facilitation of this working group meeting in Arusha. All wished each other safe journey back home and the meeting adjourned at 19:00 hours on the 19th September 2018.

.....

Mr. Liston Cheruiyot Kirui
Ag. Chairperson, WG01.

.....

Mr. Obang Hanington Ongom
First Rapporteur (UCC)

.....

Mr. Leonidas Ndayahundwa
Second Rapporteur (ARCT) and
Vice Chairperson, WG01

.....

Mr. Alexis SINARINZI
EACO Liaison Manager Regulatory Affairs

15. Annexes

Annex 1: List of Participants

NO.	NAMES	INSTITUTION	CONTACTS (TEL and E-mail)
1	Mr. Liston Cheruiyot Kirui	CA/Kenya	Tel: +254 722 522 888 E-Mail: Lkirui@co.ke
2	Mr. Alexis SINARINZI	LMRA/EACO	Tel: +250 780 867525/ +257 79 907266 E-Mail: asinarinzi@eaco.int
3	Mr. Leonidas Ndayahundwa	ARCT/Burundi	Tel: +257 79 235 266 – 61 035 266 E-Mail: ndayaleon05@gmail.com
4	Mr. Obang Hanington Ongom	UCC/Uganda	Tel: +256702008812/+256782211322 E-Mail: hobang@ucc.co.ug

Annex 2: Data collection matrix for Digital broadcasting Policy issues in EAC Region

Digital Broadcasting Policy and Regulatory Issues.		BURUNDI	KENYA	RWANDA	TANZANIA	UGANDA
Issue	Description or response required.					
Digital broadcasting Policy	Does your country have a digital broadcasting policy? If Yes, Specify or Name the Policy.					Digital Migration Policy for Television broadcasting in Uganda
	Effective date of the policy.					April, 2011
	Is this policy part of the National ICT Policy? (Yes or No)					
	Any other additional					DAB Policy

	Relevant Information.					under development currently by ministry of ICT and National Guidance.
Institutional Framework	Policy Maker (<i>Who is responsible for Digital Broadcasting Policy development in Your Country?</i>)					Ministry of ICT and National Guidance, effective FY 2016/17
	Regulator (<i>Who is responsible for regulation of digital broadcasting in your country?</i>)					Uganda Communications Commission.
	Regulator's Legal Instrument (<i>Which legal instrument mandates the regulator to regulate digital broadcasting?</i>)					Uganda Communications Act, 2013.
	Any other additional Relevant Information as regards the policy maker, regulator and Legal instruments.					
Policy Development Process	<i>Briefly describe the digital broadcasting Policy development process and the stakeholders involved.</i>					

Local Content	<p>1. Are there any local content Quotas?</p> <p>2. Are there any Initiatives to encourage or promote Local content development in your Country?</p>					
Preservation of National values	<p>1. How does the Minimum digital broadcasting standards in your country take care of harmful/ inappropriate content? With specific focus on Children, violence related, and sexually explicit.</p>					
Key Highlights of the Policy	<p>What are some of the key highlights of the Digital Broadcasting Policy? (Please identify and capture the issue(s) in first column below and provide a brief description in the second column before providing the status of the issue for your country.</p>					

Annex 3: Data collection matrix for Postal Policy issues in EAC Region

Postal Policy and Regulatory Issues.		BURUNDI	KENYA	RWANDA	TANZANIA	UGANDA
Issue	Description or response required.					
Postal Policy	Does your country have a Postal policy? If Yes, Specify or Name the Policy.					
	Effective date of the policy.					
	Is this policy part of the National ICT Policy? (Yes or No)					
	Any other additional Relevant Information.					
Institutional Framework	Policy Maker (<i>Who is responsible for Postal Policy development in Your Country?</i>)					
	Regulator (<i>Who is responsible for regulation of Postal sector in your country?</i>)					
	Regulator's Legal Instrument (<i>Which legal instrument mandates the regulator to regulate Postal sector?</i>)					
	<i>In your country today, is the postal sector fully liberalized? (Yes or No)</i>					

	<i>If not fully liberalized, which areas remain not fully liberalized?</i>					
	<i>Any other additional Relevant Information as regards the policy maker, regulator and Legal instruments.</i>					
Policy Development Process	<i>Briefly describe the Postal Policy development process and the stakeholders involved.</i>					
Key Highlights of the Policy	What are some of the key highlights of the Postal Policy? (Please identify and capture the issue(s) in first column below and provide a brief description in the second column before providing the status of the issue for your country.					

Annex 4: Data collection matrix for Subscriber Registration Policy issues in EAC Region

Subscriber Registration Policy and Regulatory Issues.		BURUNDI	KENYA	RWANDA	TANZANIA	UGANDA
Issue	Description or response required.					
Subscriber registration Policy	Does your country have a Subscriber registration policy? If Yes, Specify or Name the Policy.					
	Effective date of the policy.					
	Any other additional Relevant Information.					
Institutional Framework	Policy Maker (<i>Who is responsible for Subscriber registration Policy development in Your Country?</i>)					
	Regulator (<i>Who is responsible for regulation of Subscriber registration in your country?</i>)					
	Regulator's Legal Instrument (<i>Which legal instrument mandates the regulator to regulate Subscriber registration?</i>)					
	Any other additional					

	Relevant Information as regards the policy maker, regulator and Legal instruments.					
Policy Development Process	<i>Briefly describe the Subscriber registration Policy development process and the stakeholders involved.</i>					
Key Highlights of the Policy	What are some of the key highlights of the Subscriber registration Policy? (Please identify and capture the issue(s) in first column below and provide a brief description in the second column before providing the status of the issue for your country.					

Annex 5: Reviewed Work Plan for WG01

No.	TERM OF REFERENCE	ACTIVITIES	DELIVERABLE	TIME FRAME	COORDINATOR
1	Review policies and regulatory frameworks within the regional on digital Broadcasting, postal, issues and subscriber registration	a) Refinement of data collection Matrices by the WG 1 Members	Refined Clear Matrix for review of digital broadcasting, Postal Issues and Subscriber Registration in member states	September 2018	Completed
		b) Circulation of the refined matrices to member countries for input.	Dispatched Matrices to relevant WG 1 Members across the Member states	September 28, 2018	EACO Liaison Manager Regulatory Affairs.
		c) Each country to submit policy and regulatory status on digital broadcasting, Postal Issues and Subscriber Registration in member states using circulated matrices by EACO secretariat	Country Status	October 19, 2018	EACO Liaison Manager Regulatory Affairs.
		d) Compilation of completed or populated country status matrices.	Consolidated Regional Matrices	October 26, 2018	
		e) WG1 to analyse the above status in member states including identification of good practice and gaps	Draft Analysis Report submitted to member states for review & input	December 6, 2018	
			Incorporation of input and generation of Draft Final Report	December 18, 2018	EACO Liaison Manager Regulatory Affairs and

					WG1 Chairperson.
			Validation and adoption of final report by member states	January 21-22, 2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
2	Develop and recommend harmonized regional Policy and Regulatory Framework for digital Broadcasting, Postal and Subscriber registration	a) Benchmark with the global best practices on digital Broadcasting, Postal and Subscriber registration by the WG01 members.	Depository of global best practice on digital Broadcasting, Postal and Subscriber registration	January 28, 2019 to February 8, 2019	All WG01 Members
		b) Developing and sharing of the Benchmarking Report with WG01 Members.	Benchmarking Report	February 7-8, 2019	All WG01 Members
		c) Development of the draft one chapter on digital broadcasting policy taking into account the above analysis	Draft harmonized digital broadcasting policy chapter.	February 28, 2019	UCC (Uganda) and NCA (South Sudan)
		d) Development of the draft one chapter on Postal policy taking into account the above analysis	Draft harmonized postal policy chapter.	February 28, 2019	CA (Kenya) and TCRA (Tanzania)
		e) Development of the draft one chapter on Subscriber Registration policy taking into account the above analysis	Draft harmonised subscriber registration policy chapter.	February 28, 2019	ARCT (Burundi) and RURA (Rwanda)
		f) Amalgamation of the three chapters into an harmonized regional Policy and Regulatory Framework for digital Broadcasting, Postal and	Draft one (1) harmonized regional Policy and Regulatory Framework for digital Broadcasting, Postal and Subscriber	March 15, 2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.

		Subscriber registration	registration		
		g) Validation of the harmonized regional Policy and Regulatory Framework for digital Broadcasting, Postal and Subscriber registration	Final harmonized regional Policy and Regulatory Framework for digital Broadcasting, Postal and Subscriber registration for presentation to Regulatory Assembly.	April 8-10, 2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
3	Identify and recommend any other relevant policy and /or regulatory framework	a) Developing and Refinement of data collection template by secretariat	Refined Data collection template on relevant Policy and or regulatory framework	January 28, 2019 to February 8, 2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
		b) Circulation of the refined template to member countries for input.	Dispatched template to relevant WG 1 Members across the Member states	February 8, 2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
		c) EACO members to submit proposals on new areas that requires policy and regulatory framework development	EACO members Proposals on policy and regulatory framework development.	February 28, 2019	All WG01 Members
		d) Compilation of completed or populated country status templates.	Consolidated Regional Matrices on Areas that require policy or regulatory framework development	March 8,2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
		e) Analysis of the consolidated regional templates on areas that requires policy and regulatory framework development	Draft Analysis Report submitted to member states for review & input	March 22,2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
			Incorporation of input and	March 29,2019	EACO Liaison Manager

			generation of Draft Final Report		Regulatory Affairs and WG1 Chairperson.
			Validation and adoption of final report by member states (Meeting)	April 8-10, 2019	EACO Liaison Manager Regulatory Affairs and WG1 Chairperson.
4.	Analyze and Develop harmonized positions relating to ICT policy and Regulatory frameworks under consideration in the various regional and international fora	Identify ICT policies and Regulatory frameworks	Policies and regulatory frameworks identified	Continuous	All Member States
		Harmonize positions	harmonized Positions	Continuous	
		Disseminate proposals	Proposals disseminated	Continuous	