

EACO LEGAL AND HUMAN RESOURCE COMMITTEE MEETING REPORT (12TH JUNE 2018)
SAFARI PARK HOTEL IN NAIROBI, KENYA

1.0 Introduction

The Legal and HR Committee Meeting was held at Safari Park Hotel Nairobi, Kenya on 12th June 2018.

Delegates from Uganda, Tanzania, Kenya and Rwanda attended the meeting. The list of participants is attached as **Annex 1**.

The Chairman welcomed all members and thanked them for their attendance. He urged them to participate fully to the meeting in order to have deliberations that will be useful to EACO.

Summary of Decisions

a) Appointment of Rapporteurs

The meeting was called to order by the Chair – Mr. Erasmo A. Mbilinyi at 9.20am

The rapporteurs for the meeting are as listed below: -

- i. Ms. Fiona Ongeso: 1st Rapporteur, Kenya
- ii. Mr. Fabian Rwabizi 2nd Rapporteur Rwanda

b) Adoption of the Agenda

The agenda (**Annex 2**) was adopted unanimously and they were taken through the specific agenda items by the Chairperson.

c) Consideration of Article 13

Noted 1

Article 13 of EACO Constitution which states: -

There is hereby established the following standing Committees of EACO;



- i. Joint Working Committee;
- ii. Human Resources Committee;
- iii. Legal and Constitutional Affairs Committee

The Executive Committee may establish such other Committees or Working Groups with specific Terms of Reference for the purposes of meeting EACO's objectives. Such committees or Working Groups shall report to the respective EACO organs. There shall be developed guidelines for the functioning of Committees and Working Groups which shall be approved by Executive Committee.

Noted 2

Members noted that EXCOM merged the two committees of Legal and Constitution Affairs Committee (LCAC) and Human Resource Committee (HRC) to become Legal and Human Resource Committee (LHRC).

Noted 3

During the 3 physical meeting and one online meeting: -

- a) Members from each profession were unable to contribute effectively when a matter not related to their areas of specialization;
- b) Legal Experts in meetings dropped down to the extent of having only one or two representatives hence affecting the work of the Committee.

Agreed 1

Committee to prepare a detailed recommendations and write to Chairman of EXCOM requesting him to un-merge the Committee in line with Article 13 of EACO Constitution. (**Annex 3**)

d) Consideration on Article 21 and 29 of the new EACO Constitution

Noted 3:

Members went through Article 21 and 29 of EACO Constitution.

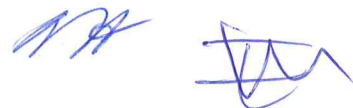
Noted 4:

Members noted that Article 21 states that "The Constitution shall enter into force after its approval by Congress and upon being signed by at least two-thirds of members".

Noted 5:

Members noted that Article 29 states: -

- (i) The current EARPTO members shall be deemed to be the founder members of EACO.
- (ii) The EARPTO MOU shall continue to be in force until this Constitution comes into force, whereupon the said MoU shall be repealed.
- (iii) All decisions made, and contracts entered into by the various Organs of EACO prior to commencement of this Constitution shall continue to be in force and binding as if the same were made pursuant to the provisions of this Constitution.



- (iv) Where there are any provisions of the Regulations, Manual Procedures or Rules of Procedures or any other document of EACO that are inconsistent with this Constitution, the provision of this Constitution shall prevail.

Agreed 2

Members agreed to adopt Article 21 as it is.

Agreed 3

Members agreed to adopt Article 29 as it is

- e) **Consideration of the proposal from Chairman of Telecom Assembly of having only two assemblies (Assembly of Regulators and Assembly of operators)**

Noted 6:

Members noted the proposal to have two Assemblies only i.e. Assembly of Regulators and Assembly of Operators instead of the current four Assemblies of Regulators, Telecom, Broadcasting and Postal.

Noted 7:

Members noted that during the Opening Ceremony on 11th June 2018, the Guest of Honor Cabinet Secretary in charge of ICT, Kenya Mr. Joe Mucheru recommended that EACO should add more Assemblies.

Agreed 4:

Members agreed that Executive Secretary advise the Chairperson of Telecom Assembly to submit a comprehensive proposal on this recommendation to EXCOM for further deliberation and decision.

- f) **Consideration of the draft report of the Legal and human Resource Committee to Assemblies**

Noted 8:

Members went through the draft report of the Legal and Human Resource Committee to Assembly of Regulators

Agreed 5:

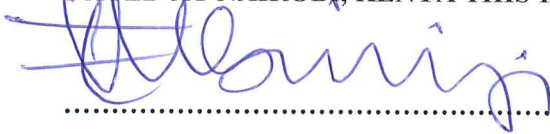
Members agreed on the changes to be made on the report as depicted in (Annex 4)



g) AOB & closing of the meeting

The Chairman informed members that the Shortlist Report of EACO Liaison Managers was submitted to EXCOM for consideration and therefore the planned date for interviews cannot be feasible.

DATED AT NAIROBI, KENYA THIS 12TH JUNE 2018



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SIGNED

Erasmo A. Mbilinyi

CHAIRPERSON – EACO LEGAL AND HUMAN RESOURCES COMMITTEE



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SIGNED

Ntahomvukiye Hermenegilde

LIASON MANAGER –HUMAN RESOURCES AND ADMINISTRATION COMMITTEE