# REPORT OF THE 24TH EACO REGULATORY ASSEMBLY HELD AT SILVER SPRING HOTEL, KAMPALA,UGANDA FROM 26TH – 27TH JULY 2017

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## 1.0 INTRODUCTION

The Assembly of Regulators of the East African Communications Organization (EACO) took place from 26th – 27th July 2017 at Silver Springs Hotel, Kampala, Uganda. The attendance list is attached herewith as **ANNEX 1**.

The Assembly considered reports from various committees and Working Groups based on tasks assigned by the 21st EACO Congress. It also deliberated on many other relevant regional issues in the communications sector.

The Assembly of Regulators noted various committees and Working Groups achievements albeit presented challenges and adopted their recommendations as highlighted herein this report.

## 2.0   OPENING OF THE MEETING

The meeting was officially opened by the outgoing Chairperson, Ms Beatha Mukangabo, (representing Major Nyirishema) Director General – Rwanda Utility Regulatory Authority – RURA. He commended the EACO ecosystem for their continued support and contributions in one way or another making it what it is today.

The Acting Director General Mukangabo further applauded the EACO Secretariat for remaining firm on course of the EACO Strategic Objectives; the CEOs of various membership level of EACO for allowing and facilitating the participation of their professionals whenever and wherever they were needed to further the EACO agenda. She commended EACO's performance urged members to continue their commitments to support and participate in all future EACO's activities for the good of the Region.

## 3.0   ELECTION OF THE BUREAU

Uganda was requested to continue Chairing the 24th EACO Assembly of Regulators for purpose of continuity in line with the EACO Constitution.  The first Rapporteur was appointed from Uganda and the second was from Burundi.

The Bureau was constituted as follows:

| | | |
|---|---|---|
| Chairman | Dr. Tumubweinee Twinemanzi | UCC |
| 1st Rapporteur | Ms. Rebecca Mayanja | UCC |

| 2<sup>nd</sup> Rapporteur | Mr. Deo Bizindavyi | ARCT |
| Secretariat | Mr. Godliving  Kessy | EACO |

## 4.0 ADOPTION OF AGENDA

The Agenda for the 24<sup>th</sup> Assembly of Regulators was adopted without amendments and it is attached herewith as **ANNEX II.**

## 5.0 REMARKS FROM THE OUTGOING CHAIRPERSON

The outgoing Chairperson thanked the Regulatory Agencies of the five EAC countries together-with recognizing the forthcoming members from South Sudan. The chairperson highlighted on fundamental principles supposed to guide the EACO ecosystem in view to remain part and parcel of the fastest growing sector of Communication in human history, the ICTs.

She highlighted on performance of all EACO Committees and Working Groups citing their commendable efforts in their respective areas of jurisdiction while implementing and following up the decisions of the EACO EX COMM and Congress directives during the past one year Rwanda has been in the helm. She thus wished the incoming Chairperson and the 24<sup>th</sup> Assembly of Regulators fruitful deliberations.

The outgoing Chairperson thereafter handed over the chairmanship to Dr. Tumubweinee Twinemanzi (Dr Twine), who stood in on behalf of the Mr. Godfrey Mutabazi, Executive Director of Uganda Communications Commission (UCC).

## 6.0   REMARKS OF THE INCOMING CHAIRPERSON

Dr Twine, the Acting Executive Director of UCC thanked EACO members for attending the 24<sup>th</sup> Assembly and their trust in EACO and UCC in particular to keep steering the EACO Objectives in the East African Region. He further emphasized that, EACO and all its membership will continue with the initiatives to harmonize the ICT Policy and Regulatory framework among  the EAC Member States  hence finding means and ways to enhance if not to fast track ICTs uptake and services adoption for the digitization and connectivity of the regional transformations.

The Chairperson's full statement is attached as **Annex III**.

## 7.0 THE REPORT OF THE OUTGOING CHAIRPERSON

On behalf of the outgoing Chairperson, Ms.Beata Mukangabo (RURA) presented the 20<sup>th</sup> Assembly's progress report. Ms. Mukangabo highlighted on some noted achievements to each working Group of EACO during the last one year including but not

limited to the following:
- (i)    The harmonization of legal and regulatory framework through the EACO Working Group 1;
- (ii)   The One Area Network and Roaming harmonization established in the EAC region;
- (iii)  Continued implementation of the second 2014/15 – 2017/18 Strategic Plan; and
- (iv)  Establishment of a M e m o r a n d u m  of Understanding between EACO and other associates including GSMA, IEEE, and EAC to mention but a few.
        EACO.

The full report is included in her keynote address herewith attached as **ANNEX IV.**

## 8.0 CONSIDERATION OF THE REPORTS OF WGs

### 8.1 LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE (LCAC)
During the period under review, LCAC:-

- (i)    Reviewed the Guidelines and Working Methods for EACO Working Groups and Committees;
- (ii)   Developed    draft Procedures f o r  Imposition of Sanctions and    Dispute Settlements Procedures;
- (iii)  According to the LCAC ToRs, advised Secretariat on the request for EACO to become a restricted Union of UPU.
- (iv)   Worked with the HR Committee to validate the report by the Ex COMM Ad Hoc Committee on the Sustainability of the EACO Secretariat.

**Noted 1:**

LCAC presents to the Assembly of Regulators only for information but the Committee reports to the Congress.

All the above documents are submitted to the Congress for adoption.

**Agreed 1:**

The Assembly recommends for the Congress approval:
- (i)    Consider and as appropriate the LCAC submissions and thereby direct the respective organs of EACO accordingly.

### 8.2    WG1-POLICY AND REGULATORY HARMONIZATION

**Noted 2:**

The following were noted from the presentation made by WG1:-

(i)      The objective of the EAC Model ICT Policy and Regulatory Framework

(ii)     The vision and the mission of the EAC ICT Policy

(iii)    Focus areas of the  EAC Model Policy and Regulatory Framework

(iv)    Implementation  strategy of the EAC Model Policy and Regulatory Framework

(v)     Mechanisms to be used to monitor the implementation  of the  EAC Model ICT Policy and Regulatory frameworks

(vi)    Low or no participation of operators in the WG activities. In the stakeholder meeting that took place in April 2017, Arusha, Tanzania, there was no participation by the operators.

The presentation is herewith attached as **ANNEX V.**

**Agreed 2:**

The Assembly recommends for the Congress to:

(i)      Adopt the  EAC Model ICT Policy and Regulatory framework and  forward to EAC for adoption;

(ii)     Adopt  a  phased approach of the EAC Model ICT Policy and Regulatory framework towards harmonization, with agreed milestones and timelines for members to follow;

(iii)    Develop and implement a monitoring framework that will include feedback mechanism to members.

**8.3 WG2: INFRASTRUCTURE DEVELOPMENT, CONNECTIVITY AND DIGITAL INCLUSION**

**Noted 3:**
The following were noted from the presentation made by WG2:-

(i)      Review of existing infrastructure facilities in EACO Member states was carried out.

(ii)     The strategic paper on combating vandalism  was developed

(iii)    Guidelines for passive infrastructure sharing and co-location was developed.

(iv)    There is an ongoing review of the Universal Service Policies and their implementation in the EACO Member States

(v)     A paper on digital inclusion guidelines was developed however additional information on best practices from EAC Members is required.

(vi)    Guidelines on fibre installation and Right of Way was developed

(vii)   The challenges   that were faced by the WG2  include :-

- Low and inconsistent participation of  the WG members to the

meetings
- The scope of the work was too wide to achieve  within the provided timeframe
- There was unavailability and inconsistencies of data for comparison purposes

(viii)    Future activities of the WG are as follows:-
- Develop a paper defining and setting rules and principles for use of essential facilities
- Continue  constructing the EAC ICT Infrastructure statistics in view to develop a baseline matrix for future  measurement infrastructure development in the region
- Monitor and follow up emerging technologies and innovative services in order to have the decision makers well informed with current and futuristic information for decision making purposes.

The presentation is herewith attached as **ANNEX VI**.

**Agreed 3:**

The Assembly recommends for the Congress to:
(i)      Adopt the strategic paper on combating vandalism
(ii)     Adopt the  Guidelines for passive infrastructure sharing and co-location
(iii)    Adopt the digital inclusion guidelines with future inclusion of information on best practices from EAC Members is required.
(iv)    Adopt the Guidelines on Fibre optic installation and Right of Way.

**8.4 WG03 – ICT SERVICES TRANSACTIONS AND E-APPLICATIONS**

**Noted 4:**

The following was noted from the presentation by WG03:

(i)      E-transactions policy recommendation was developed
(ii)     EACO input to the EALA Electronic Transaction Bill was provided
(iii)    Developed strategies and recommendations for development and provision of ICT enabled services including e-government, e-learning, e-commerce, e-agriculture, e-health and others
(iv)    Developed strategies for promoting Research and Development and provision of innovative ICT services and applications
(v)     Developed EACO Model Framework for National Public Key Infrastructure
(vi)    Recommendations  for further activities include:-
a)  To develop  a Regulatory framework for back-up, recovery and disposal

of data to facilitate e-transactions and e-services
b) To conduct  analysis of Taxation on e-transactions
c) To develop a framework for collaboration of innovation hubs and clusters
d) To develop Guidelines for open access to government data
e) To establish Standards  on integration, security, privacy and e-services)


The presentation is herewith attached as **ANNEX VII**.

**Agreed 4:**

The Assembly recommends for the Congress to adopt the complete works of WG03.


## 8.5   WG05 – IP NETWORKS, STANDARDS & CYBER SECURITY

**Noted 5:**

The following were noted from the presentation made by WG5:-

(i)     The WG established 2015-2017 Action Plan to address and attain ToRs specific to IP Networks and standards.

(ii)    The WG  had benchmarking visits to 4 out of the 5 National IXPs, namely Kenya (KIXP), Rwanda (RINEX), Uganda (UIXP) and Tanzania (TIX).

(iii)   There is a baseline study report on the level Peering and Interconnection within the EAC region, report in place.

(iv)    There was irregular and inconsistent attendance of the WG05 meetings by members

(v)     The composition of the WG05 lacked holistic participation given that there was no participation from the Academia and Research institutions.

(vi)    The  Group's recommendation for future activities include :-

a) Preparation of a baseline report for Cybersecurity in the region.
b) Implementation of the recommendations of the Peering and Interconnection baseline study.
c) Development of programs and events of interest to stakeholders in cybersecurity
d) Identification of areas for capacity building, awareness creation and target groups
e) Benchmarking and development of guidelines for information exchange by National CERTs
f) Continued encouraging National CERTs to be members of FIRST, ITU/IMPACT, among other relevant entities.
g) Identification of cyber security indicators and compile the regional cyber security report.
h) Holding of the 2nd East Africa Peering and Interconnection Forum (EAPIF) during the next 24th EACO Assemblies.

   i)  Development of a tracking mechanism to facilitate the implementation of
       the Action Plan.

**Agreed 5:**

The Assembly recommends for the Congress to consider and adopt the following:-

(i)     The Regulator Authorities to provide support in collecting cybersecurity data in
        the region in a timely manner.
(ii)    Encourage member states their National/ Sector CERTs, to join international
        Cybersecurity collaborative fora such as Forum for Incident Response and
        Security Teams (FIRST).
(iii)   Implementation of the recommendations of baseline study on Peering and
        Interconnection in the region.
(iv)    To continue engaging and involving all stakeholders beyond the IXP operators
        namely the data centres operators, Content Delivery Networks (CDN) providers,
        IP transit carriers, Internet Service Providers in future works of WG.

   WG05 report  is  attached herewith as **ANNEX VIII.**

## 8.6  WG7 – TELECOM NUMBERING AND INTERNET RESOURCE PLANNING, ALLOCATIONS AND GOVERNANCE

**Noted 6**:

The  following  were  noted from the presentation by WG07:

(i)     Developed  model guidelines  that include: Management and administration of
        telecom numbering resources, Management and Allocations of Internet
        Resources and Mobile Number Portability implementation.
(ii)    Created a mailing list for  sharing real time numbering misuse  incidents among
        the  EACO member states.
(iii)   Identified a potential working relationship between EACO and  ICANN
(iv)    The need to study the request by ITU-T SG 2 to increase the scope of   EACO
        WG07 (ITU-T SG 2 RG EA) to become ITU-T SG 2     Regional Group for
        Africa.
(v)     The need to nominate a Chairperson and Vice Chairperson for   ITU-T SG 2
        RG-EA for the new study period 2017-2020.
(vi)    Prepared a report on the current mobile coverage of L.Victoria.
(vii)   Created mailing list for     sharing real time numbering misuse incidents among
        the  EACO member states.

**Noted 7:**

The Group identified the following challenges:-

a) Some Member States kept changing participants thus causing inconsistence in understanding the assigned tasks.

b) Management of the internet resources is not centralized in some Member state hence presenting coordination challenge.

c) Lack of effective leadership of relevant authorities in providing necessary guidance  in the use of ccTLDs and awareness on the migration from IPV4 to IPV6.

d) Member States are not fully involved in the ICANN/AFRINIC activities.

e) Delayed   implementation of    Maritime Rescue and  coordination centre (MRCC) in Mwanza.

f) Continued cross border interferences amongst Partner States.

**Agreed 6:**

The Assembly recommends for the Congress to adopt the complete works of WG07 and approve the presented recommendations:

(i)    Necessity for consistent participation by all stakeholders (NRAs, Telecom Operators, ccTLDs Managers, Internet Service Providers).

(ii)    Follow up the discussions on territorial names at ICANN and the GAC meetings to ensure that our interests are protected.

(iii)    Active participation in ICANN/AFRINIC activities.

(iv)    For the Governments and NRAs to;

- Provide the necessary leadership in the migration from IPV4 to IPV6
- Carry out studies on IPv6 readiness
- Promote importation of IPv6 compatible devices
- Reach out to AFRINIC for the support on IPv6 training and development of migration strategies

(vi)  Operators should be advised to upgrade their networks in view to support IPv6

(vii)  Network operators be advised to use the ICANN testing platform to determine if their infrastructure  IPv6 readiness  after 11th October 2017.

**Agreed 7:**

The Assembly recommends for the Congress to adopt the works  of WG07  above and  consider  the  recommendations  hereto.

WG07 report  is  attached herewith as ANNEX IX.

### 8.7 WG08 COMMUNICATIONS SERVICES PRICING AND INDUSTRY ANALYSIS

**Noted 8:**

The following were noted from the presentation made by the Working Group:

(i)     EACO communication data collection and reporting framework was approved by the 22nd EACO Congress in June 2015.

(ii)    A regional roaming pricing framework, "the One Network Area" is in place and has been adopted by Rwanda, Kenya and South Sudan. EALA is following up with Tanzania and Burundi that have not yet adopted the framework.

(iii)   Evaluation of feasibility for regional competition body: EAC has already a competition and WG 8 proposes that gap analysis be conducted on the existing law and set up of the EAC competition authority with respect to competition related issues in the ICT sector.

(iv)    A concept note on Impact on pricing and competition of the use of Traffic Monitoring Systems has been developed.

(v)     The installation of the necessary hardware for the Databank has been completed by EACO and there is ongoing work by a consultant to establish the database.

**Agreed 8:**

The Assembly recommends for the Congress to adopt the complete works of WG08 and approve the presented recommendations on future activites:

(i)     To carry out impact assessment of OTT taking into cognizance the ongoing study by ITU –T SG3 on this matter.

(vi)    To develop a model policy   that enable postal services to be innovative, responsive and adaptive to demand and market conditions.

**Agreed 9:**

The Assembly recommends for the Congress to adopt the works of WG08 above and consider the recommendations hereto.

WG08 report is attached herewith as **ANNEX X**.

### 8.8 WG9 - QUALITY OF SERVICE AND CONSUMER AFFAIRS

**Noted 9:**

The following were noted from Presentation made by WG09:

(i)     Developed the EACO Guideline on Child online Protection

(ii)    Developed the EACO Guideline for Collaboration with Consumer Associations

(iii)   In the 21ˢᵗ  EACO Congress, the following documents were approved:
- EACO Guidelines for Consumer Education
- EACO Guidelines on Consumer Complaints
- EACO Consumer Rights and Obligations.
- EACO Guideline of Quality of Service for Voice Service in Mobile and Fixed Networks
- EACO Guideline of Quality of Service of Data Services in Mobile Networks
- EACO Guideline of Non-Technical Quality of Service Parameters for supporting ICT Services aspects
- Framework for combating the importation, supply and use of counterfeit / substandard terminals in the EACO member states

**Noted 10:**

Challenges that affected the WG9 progress:

a)   Lack of consistency in representation of member states in WG9 meetings;
b)   Lack of participation of the private sector players

**Noted 11:**

Recommendations by WG09 for the following future activities:-

- Development of  the Guidelines for Consumer Experience and Protection on Digital Financial Services
- Development of Guidelines for Measurement methodologies for QoS in Mobile Networks for Voice Service

**Agreed 10:**

The Assembly to recommend for the Congress approval:

(i)  Adoption of the EACO Guidelines on Child online Protection
(ii)  Adoption of the EACO Guidelines for Collaboration with Consumer Associations was developed.
(iii)  Encourage private sector players to attend the WG9 meetings.

**Agreed 11:**

The Assembly recommends for the Congress to adopt the works of WG09 above and consider the recommendations herewith.

WG08 report is attached herewith as **ANNEX XI**.

### 8.9   WG10   ENVIRONMENT & E-WASTE

**Noted 12:**

The Assembly noted the Presentation of WG10 as to have completed establishment of the East African Steering Committee for the Region and National Steering Committess in every Partner States including capacity building and sensitizations during the period.

(i)    Training on Green ICT was conducted by Consultants from Makerere University who work in collaboration with RanLab in Kampala during the month of March 2017.

(ii)    The WG increased awareness on e-waste management with a workshop in Kampala 19 – 21 July 2017 to validate the E-waste Strategy and to create awareness. The next awareness workshop is to be held in Kigali, Rwanda in March 2018.

**Noted 13:**

The Assembly noted the following recommendations from WG10 .

(iii)    that, EACO Secretariat shares the  EACO model framework with the EAC Forum of ICT regulators at an appropriate time.

(iv)    that EACO continues  funding the activities of the Regional Steering Committee in the short-term, considering the budgetary constraints.

Noted 14:

Challenges that affected the work of WG10 :-

      a)  Limited experts in the region on Green ICT and e-waste.

      b)  Inadequate and inconsistent representation of private sector players

      c)  Budgetary constraints that restricted participation of some members in the Working Group meetings and activities. This also affected the process of conducting e-Waste survey.

      d)  Time constraints

**Noted 15:**

WG10 future works to include:-

- Implementation of the E-waste Strategy
- Greening EACO Member Organizations
- Capacity Building among E-waste Stakeholders
- Strengthening E-waste Infrastructure
- Member Countries continue conducting surveys on E-waste management

**Agreed 12:**

The Assembly recommends for the Congress to adopt the completed works of WG10 and consider the recommendations presented.

WG10 report is attached herewith as **ANNEX XII.**

### 8.10   WG11 SPECTRUM MANAGEMENT

**Noted 16:**   The following were noted from the report of the Spectrum Management:-

(i)      WG11 held two meetings, one in Arusha/Tanzania in November 2016 and the other one in Kampala/Uganda in March 2017.

(ii)     Due to the reports of forced roaming experienced by people living around border areas, WG 11 organized a cross border frequency coordination exercise for mobile services and broadcasting services.

(iii)    During the same period, WG 11 had a joint session with WG7 on telecom numbering and internet resources planning, allocation and governance. The purpose of the meeting was to discuss the implementation progress of Network Colour Codes within EACO countries to avoid cross - border interference for mobile services.

(iv)     The group considered contributions from member states on spectrum policy and thereby developed the harmonized spectrum policy guidelines to be considered as a reference by EACO members.

(v)      Regarding the frequency coordination, the WG11 developed the mechanism for cross border coordination for specific services. The WG 11 has also developed a separate cross-border frequency coordination mechanism for mobile services.

(vi)     On issues related to digital dividend Spectrum licensing, the WG 11 has developed the EACO informative report on licensing of the digital dividend spectrum for broadband services.
         The goal of the report is to have a comprehensive information which will assist EACO Members to have informed decision on the procedure to follow on making available and licensing digital dividend spectrum for Broadband Services

(vii)    Regarding the issues pertaining to protection of satellites orbital slots and efficient use of associated frequency spectrum, a training/workshop on Satellite regulatory issue will be organized in Kigali-Rwanda in February 2018 with facilitation of experts from ITU.

(viii)   The EACO secretariat received a letter dated 19th October 2016 from ATU secretariat proposing the followings:
   - A Mutual licence and Type Approval Framework on Earth Stations in Motion (ESIMs), and a Mutual licence
   - Type Approval Framework on Wireless In-flight Communications Systems.

The WG11 reviewed the proposals and agreed on the following actions:

- EACO secretariat to reply to ATU secretariat and informing that EACO shall provide its position and proposals by the next ATU meeting for WRC-19 preparation (APM19-2). The next APM 19-2 will take place in Dakar in September 2017.
- To prepare a document on the appropriate approach on the two proposals from ATU.

In this regards, the group has developed and circulated to member states for inputs a questionnaire on on the current and /or planned use of the frequency bands 17.7-19.7 GHz (space-to-Earth) and 27.5-29.5 GHz (Earth-to-space) for use by ESIM. Based on the responses to the questionnaire, the WG 11 will prepare a document on the appropriate approach on the two proposals to be submitted to APM 19-2 in September 2017.

(ix)  Regarding the preparation of the WRCs within the region and follow up implementation of its resolutions, the WG 11 has developed the strategies for implementation of the outcomes of the WRC-15. The WG 11 has established the structure of preparation of WRC; the coordinator of all WRC-19 preparatory activities within the EAC region is Burundi and each country has a chapter of WRC-19 agenda to coordinate. In this regards the following recommendations have been formulated to EACO members:
- EACO member states to follow up the recommendations provided by WG 11 on the strategies to implement the outcomes of the WRC-15.
- EACO member states to follow up discussions at WP 5D and other forums on channelling plan for specific bands like L-band, 3300-3400 MHz band and the PPDR frequency range harmonization in 694 -894 Mhz.
- To follow up EACO member states and WG11 to continue preparation of WRC-19

**Agreed 14:**

The Assembly recommends for the Congress approval:

(i)  Approval of the following documents that were developed by the Group:
   a. The harmonized spectrum Policy Guidelines
   b. The framework on cross-border coordination
   c. The framework on cross-border coordination for mobile service.
   d. The Information document on licensing of the digital dividend spectrum
   e. The structure and EACO preparation towards WRC-19
(ii)  Adoption of the report of the Spectrum Management, herewith attached as **ANNEX XII.**

**9.0 ASSEMBLY PRESENTATIONS**

**9.1   EAIXP PEERING SOLUTION**

**9.2     JOINT ITU-CHINESE GOVERNMENT –EACC ICT PROGRAM**

**9.3   CIDA- SPIDER –PTS CAPACITY BUILDING PROGRAM IN THE 4 EAST AFRICAN PARTNER STATES**

**10.0  STATUS & IMPACT ON THE ESTABLISHMENT OF ONE- NETWORK AREA AND THE STUDY OF ROAMING IN EACO REGION**