

EACO LEGAL AND HUMAN RESOURCE COMMITTEE MEETING REPORT (3RD – 5TH SEPTEMBER 2018) AT NAURA SPRINGS HOTEL, ARUSHA, TANZANIA

1.0 Introduction

The Legal and Human Resources Committee held its meeting at Naura Springs Hotel in Arusha, Tanzania from 3rd - 5th September 2018.

Delegates from Uganda, Burundi, and Kenya attended the meeting. The list of participants is attached as **Annex 1**. Some delegates from Rwanda and Kenya attended the meeting Online and participated in a number of the discussions of the Committee.

The outgoing EACO Liaison Manager Human Resource and Administration Affairs attended the meeting.

SUMMARY OF DISCUSSIONS

a) Appointment of Chairperson and Rapporteurs

Due to the absence of the substantive Chairperson, Mr. Erasmo Mbilinyi from Tanzania, the members elected Ms. Rita Zaramba Sekadde, from Uganda to chair the meeting. The meeting was called to order by the Chair, at 9.00am

The members appointed the following listed rapporteurs: -

- i. Ms. Susan Nkoiboni : 1st Rapporteur, Kenya
- ii. Mr. Alex Sserwanga : 2nd Rapporteur, Uganda

b) Adoption of the Agenda

The Committee members were taken through the agenda by the Chairperson and the same was adopted as presented. The agenda is attached hereto as **Annex 2**.

c) Review of the EACO Strategic Plan 2018-2023 and Action plan 2018/19

Noted 1:

It was noted that the 3rd EACO Strategic Plan (attached here to as Annex 3) was reviewed and adopted by EXCOM and that the timeframe for the Strategic Plan was based on 5years as opposed to 3years in the earlier plans. The justification for this change in period was that the three years was too short to realize the objectives of the EACO Strategic Plan.

It was further noted that 5 years Strategic Plans was the best practice across the region.

It was further noted that the current strategic plan will mainly focus on delivering some regional projects. The current Strategic Plan will be anchored on four strategic pillars as follows;

- a) Harmonization of ICT policy and regulatory frameworks;
- b) Strategic partnership and position;
- c) Projects and Programs; and
- d) Operational Excellence.

The Strategic Plan will also be guided by seven (7) key strategic issues. It was further noted that the vision, mission, and values of EACO were aligned to the Strategic Plan and EACO's primary stakeholder needs and aspirations.

Noted 2:

Members noted the achievements of EACO over the last years, which included, among others; development of harmonized ICT policies and regulatory frameworks, enhanced collaborations and capacity building.

Noted 3:

Members noted the major challenges of EACO as broadly falling under two categories: Institutional and sector challenges.

Some of the major challenges included:

1. Institutional challenges
 - Lack of enforcement mechanisms of EACO decision at EAC level;
 - Low participation of operators in the work of Working Groups;

- High dependency by EACO on mainly membership contributions;
- Slow pace in the development of viable regional projects; and
- Inadequate institutional capacity in terms of resources to run EACO's programmes and projects

2. Sector challenges

- Low awareness and empowerment of consumers of ICT services;
- High costs of bandwidth services;
- Increasing cybercrime which erodes public trust;
- Partial implementation of the ONA framework in the region; and
- Regulatory challenges due to emerging technologies.

Noted 4:

Members noted the approved budget for FY 2018/2019. Members noted with appreciation the 100% donor funding of the e-waste management project by GIZ. Members noted that the second project on Databank was to be partially funded a number of donors and a portion of funds shall be derived from EACO's reserve fund.

Noted 5:

Members noted that two (2) research projects had been committed in the Strategic Plan to be carried out by the academia in collaboration with EACO.

Agreed 1:

Members agreed on the following collaborative research areas:-

- i. Emerging ICT trends and joint curriculum review; and
- ii. Action based research to solve specific consumer issues.

d) Review of the EACO Human Resources Manual

Noted 6:

Members reviewed the EACO HR manual in line with the recommendations from the *Adhoc* Committee report.

Members made a number of grammatical and substantive changes in order to comply with these recommendations.

Noted 7:

The Committee noted that whilst the EACO HR Manual provided for a fixed term of four(4) years for the position Executive Secretary, the current Executive Secretary's contract provided for an eight(8) year term which is in conflict with the provisions of the EACO HR manual.

Agreed 2:

The Committee agreed to put the matter to the attention of EXCOM so that this contract can be reviewed and be brought in conformity with a four(4) year fixed term in accordance with the EACO HR Manual, section 3.6 (g).

Noted 8:

Members noted that the EXCOM had considered and approved a new salary structure for EACO aligned to the East African Community(EAC) salary scale as comparative regional body.

Noted 9:

Members noted the provisions of the EACO Manual on performance management as provided in clause 7.1 which provides for increments for EACO staff on outstanding performance .

The Committee however noted that any increment in salary shall affect the budget of EACO.

Agreed 3:

Members agreed and recommended that any increments in salary based on performance shall only be done with due compliance with the budgetary provision to ensure the sustainability of EACO.

Noted 10:

Members noted that Salary increments will not be automatic but shall be based on performance appraisals as prescribed by the performance management system and may be awarded annually at the beginning of the financial year. This should be in conformity with the budgetary allocations.

Noted 11:

As advised by EACO auditors, members noted that going forward, all gratuities for EACO staff shall be paid annually as opposed to payment at the end of contract. This is to avoid lumpsum payment to employees which deplete the accounts at the end of the contracts. Members acknowledged it as a best practice.

Noted 12:

Members noted that no relocation allowance was payable to an outgoing staff but EACO was to meet the cost of transportation through a procurement process.

Agreed 4:

Members agreed that relocation settlement allowance shall be payable to only incoming staff to enable them settle into their new work station .

Noted 13:

Members noted the changes in the job specifications for EACO staff. The requirements on experience for Executive Secretary position was reduced from 10 years to 8 years Experience in Management with 5 years in senior management in the ICT sector.

For Liaison Managers, a minimum experience of 8 years was reduced to 5 years in the ICT sector; 3 years of which must be in a management position.

e) Review of the capacity building programme 2018/2019, status of the implementation of the program

Noted 14:

Members noted that four (4) capacity building programmes were to be conducted before end of the financial year, June 2019. The specific capacity building programmes are as follows:-

- i. Retreat (training) for EXCOM members on Emerging issues;
- ii. New technologies such as 4G/LTE, OTTS, IOTS;
- iii. Financial postal services in the digital economy; and
- iv. Workshop on E-waste management .

Members further noted that each Regulator shall provide a venue for capacity building programmes taking place in their respective countries.

Agreed 5:

Members agreed that the training programs, dates and venue shall be as follows: -

- i. Retreat on emerging ICT issues for EXCOM members : 10th – 13th December 2018, Zanzibar, Tanzania.
- ii. New Technologies: Mid-February 2019, Kampala, Uganda;
- iii. Financial postal services in the digital economy: 25th – 29th March 2019, Nakuru, Kenya;
- iv. Workshop on E-waste : March 2019, Bujumbura, Burundi.

Agreed 6:

Members agreed that the secretariat should observe timelines with respect to invitations to the training programs. EACO shall send invites by 14th September, 2018.

Noted 15:

Members noted that the issue on separation between the legal and HR committee was communicated to EACOM and presented to the Assembly of Regulators.

However the outcome of the request has not been communicated.

f) **Amendments to the EACO Constitution(Status of the signing)**

Noted 16:

Members noted that at last Assemblies meeting held in Nairobi in June 2018, EXCOM had directed the Secretariat to ensure that the EACO Constitution be signed by members in its current state notwithstanding the fact that this Constitution may be amended at the time EACO is accepted as a semi-autonomous institution of EAC.

Members noted further that the Secretariat had begun the process of having EACO members signing the Constitution.

Currently, South Sudan, Rwanda and a few members from Burundi have already completed signing the Constitution.

Agreed 7:

Members agreed that the member states regulators shall facilitate the EACO Secretariat to ensure that the EACO Constitution is signed by members in their respective countries.

g) **AOB & closing of the meeting**

EACO's application to become a semi –autonomous institution of EAC

Members were informed that a meeting had been held between EACO and a representative from the EAC Secretariat who had been assigned the role of drafting a concept paper on EACO's application.

Members noted with concern that this draft concept paper as it is had not clearly indicated that EACO as the proposed semi –autonomous institution of the EAC in charge of ICT affairs.

Members further noted that this concept paper had not highlighted the benefits of having EACO as the proposed semi-autonomous institution of the EAC as indicated in the initial application.

Members were informed that in order to urgently address this issue, member states through the regulators had been invited to nominate representatives to be part of a taskforce.

This taskforce shall drive the process of amending the concept paper by EAC with specific emphasis on the need to consider EACO as the semi –autonomous institution of EAC in charge of ICT.

2.0 Conclusion

The Chairperson thanked the members for their vibrant contribution and participation in the meeting and encouraged them to attend the next meeting.

The meeting was adjourned at 1.00pm in anticipation of the next meeting that shall be held online in January 2019.

DATED AT ARUSHA, TANZANIA THIS 5TH OF SEPTEMBER 2019

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SIGNED

Rita Zaramba Sekadde

CHAIRPERSON – EACO LEGAL AND HUMAN RESOURCES COMMITTEE

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SIGNED

Hermenegilde Ntahomvukiye

**LIAISON MANAGER –HUMAN RESOURCES AND ADMINISTRATION
COMMITTEE**

ANNEX 1:**LIST OF PARTICIPANTS:**

N O	NAMES	ORGANIZATIO N	COUNTR Y	Email addresses	Telephone numbers
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ANNEX 2

S/N	A G E N D A
1.	Opening of the meeting
2.	Introduction of delegates .
3.	Adoption of the agenda
4.	Review of the EACO Strategic plan 2018-2023 and Action plan 2018/19
5.	Review of the Action Plan 2018/2020, status of implementation (Alignment of the Committee's Action Plan to EACO Strategic plan)
6.	Review of the Report of the Ad hoc Committee on sustainability of EACO (incorporation of some recommendations in the HR Manual and Finances Rules and Regulations)
7.	Review of the EACO Human Resources Manual
8.	Review of the capacity building programm 2018/2019 , status of the implementation of the program
9.	Amendments to the EACO Constitution(Status of the signing)
10.	AOB & Closing of the meeting