THE REPORT AND PROCEEDINGS OF THE 16TH CONGRESS OF THE EAST AFRICAN REGULATORY, POSTS AND TELECOMMUNICATIONS ORGANISATIONS (EARPTO)

HELD ON 25TH TO 29TH MAY 2009 IN DAR ES SALAAM, TANZANIA

REPORT OF THE 16TH EARPTO CONGRESS MEETING HELD ON 29TH MAY 2009 IN DAR ES SALAAM, TANZANIA

1.0 INTRODUCTION

The 16th EARPTO Congress meeting was held on 29th May 2009 at the Kunduchi Beach Hotel, Dar es Salaam, Tanzania. The workshop and meetings of Assembly of Parties for Regulators, Telecommunications, Postal, Operators and the working committees for Broadcasting, Human Resources Development and Training preceded the Congress and took place at the same venue on 25 - 29 May 2009. This report presents the proceedings and the decisions of the Congress after considering the reports of the workshop and of Assemblies of Parties.

2.0 PARTICIPATION OF EARPTO MEMBERS AND OBSERVERS AT THE CONGRESS

The following EARPTO Members and Observers attended the Congress:-

2.1 Members

2.1.1 UGANDA

i) Uganda Communications Commission (UCC)
ii) Uganda Post Limited (UPL)
iii) Uganda Telecom Limited (UTL)
iv) MTN Uganda Limited (MTN)
v) Warid Telecommunications Limited

2.1.2 KENYA

i) Communications Commission of Kenya (CCK)
ii) Postal Corporation of Kenya (PCK)
iii) Telkom Kenya Limited (TKL)
iv) Safaricom Limited (Safaricom)
v) Zain Kenya Limited

2.1.3 TANZANIA

i) Tanzania Communications Regulatory Authority (TCRA)
ii) Tanzania Posts Corporation (TPC)
iii) Tanzania Telecommunications Company Limited (TTCL)
iv) Zain Tanzania Limited

2.1.4 BURUNDI

(i) Telecommunications Control Regulatory Agency (ARCT
(ii) Burundi Postal Administration

2.1.5 RWANDA

(i)   Rwanda Utilities Regulatory Agency (RURA)
(ii)   Rwanda National Post Office
(iii)   Rwandatel
(iv)   Tigo Rwanda
(v)   MTN Rwanda

2.2 Associate Members

2.2.1 KENYA

Kenya College of Communications Technology (KCCT)

2.2.2 UGANDA

Association of Courier Operators of Uganda (ACOU)

2.3 Observer Organisations

(i)   Kenya Data Networks

(ii)   ESSAR Telecom Kenya

(iii)   IC (T) Limited

(iv)   Africa Online Tanzania Ltd

(v)   Vodacom Tanzania Ltd

(vi)   MIC (Tigo) – Tanzania

(vii)   MEAC - Tanzania

(viii) TISPA/BOL – Tanzania

(ix)   HITS – Tanzania

(x)   Simbanet – Tanzania

(xi)   AFSAT Communications (T) Ltd

(x)   ITU Telecommunications Standardisation Board

(xi)   Universal Postal Union (UPU)

(xii)   East African Community (EAC)

(xiii) Pan African Postal Union (PAPU)

(xiv)   Telecommunications Service Providers of Kenya (TESPOK)

(xv)   Ministry of Communications, Science and Technology, Tanzania

(xvi)   Ministry of East Africa Cooperation, Tanzania

(xvii) ITV/Radio One, Tanzania

(xviii) TBC Taifa, Tanzania

(xix)   Kenya Broadcasting Cooporation (KBC)

(xx)   Multichoice Tanzania Ltd

(xxi)   AGAPE Television, Tanzania

The list of participants and the organisations is contained in *Annex A.*

3.0   OPENING CEREMONY

3.1   Speech by the Chief Guest

Prof. Peter M. Msolla (MP), Minister for Communications, Science and Technology of the government of the United Republic of Tanzania who was the chief guest opened the EARPTO Congress. On behalf of the Government of the United Republic of Tanzania he welcomed the delegates to Dar es Salaam and especially Kunduchi Beach Hotel and wished them a comfortable stay while in Dar es Salaam.

He said ICT is a driver for the economy of the East African countries and the world in general and EARPTO was a catalyst to its development.

He underscored the functions of EARPTO which included among others; promotion of ICT`s, harmonisation of Legal and Regulatory policies and acts as a consultative organ on ICT`s and related issues. He said these objectives show that EARPTO has a vision to develop ICT for the benefits of the people of the region and it is because of this the government of Tanzania fully supports EARPTO in achieving its objectives.

He also said that the coming of Submarine Cable will usher a good beginning for broadband development in the region. He said one way of effective use of this technology is to ensure it speaks the language of the people. He therefore urged EARPTO member states to initiate Swahili contents in ICT so as to empower citizens who love this language.

He concluded by saying his Ministry will always be ready to receive recommendations on how communication sector can play pivotal role in socio-economic development of the East African region.

The Minister's full speech is contained as **Annex B**

3.2   Statements

The following statements were made during to the opening of the EARPTO Congress.

3.2.1 Statement by the Director General, Tanzania Communications Regulatory Authority (TCRA), Prof. John S. Nkoma

The Director-General of TCRA Prof. John S. Nkoma welcomed the delegates to Tanzania and:-

- Observed that the meeting was being held when the communications sector was experiencing significant growth and at the same time facing exciting challenges posed by technology developments and economic crisis in the world.

- The dream of construction of Submarine Cable becoming the reality by TCRA issuing a Business License to SEACOM Company Limited and therefore he expressed his expectation that this development would ultimately bring the tariffs down.

- Thanked the EARPTO leadership and local operators for their cooperation and assistance that made the event successful.

The Director General's full statement is contained in **Annex C.**

3.2.2 Statement by the Director General, Communications Commission of Kenya (CCK), Mr. Charles Njoroge

The Director-General of (CCK) Mr. Charles Njoroge started by expressing his gratitude to the Government of the United Republic of Tanzania as well as the people of the Tanzania, through the Tanzania Communications Regulatory Authority (TCRA), for the hospitality extended to his delegation.

He said the 16th Session of the EARPTO Congress was being held at a time of economic and financial difficulty the world over when nations, especially those from the developing regions, are seeking to take advantage of the technological opportunities

He emphasized the importance of EARPTO members to agree upon regional measures that will not only hedge against the crisis but also significantly contribute to the development of the information society in the East African region.

He suggested that one way to reduce gaps in access to digital technology is to introduce the ICTs concept to children at an early age while they are still in school and improve human resource capacity and competencies in the region.

On Postal sector he said there is high need to continue to ensure that the sector provides services reliably and at affordable rates in the region.

He encouraged individual countries in East African to harmonize their Policies, Legal and Regulatory frameworks in order to make provisions for e-transactions, e-commerce, cyber security, and other topical issues.

He assured the Congress on Kenya's commitment to the initiatives being undertaken under the auspice of EARPTO to bridge the digital divide.

The Director General's full statement is contained in **Annex D.**

3.2.3 Statement by the Executive Director, Uganda Communications Commission, Mr. Patrick Masambu

The Executive Director, Uganda Communications Commission gave his speech in which:-

- He expressed his great pleasure for the opportunity to address the EARPTO Congress and thanked the government of the United Republic of Tanzania and Tanzania Communications Regulatory Authority for hosting this EARPTO Congress 2009.

- He informed the Congress that Uganda hosted two international Conferences namely; Information, Science and Technology (IST) - Africa Forum in April 2009 and Digital Africa Summit in May 2009 and therefore contributed significantly at the various sessions as panellist/speakers in sharing experiences on a number of innovations and policy matters and that Uganda was set again to host two International Telecommunication Union conferences in July 2009.

- He underscored that the National Taskforce coordinating transition to digital broadcasting in Uganda had developed a roadmap with clear timelines to meet the global deadline of 2015 for the switchover.

- He pointed out that Uganda has adopted the principle of open, fair and non-discrimination to access the National Backbone Infrastructure which will be linked to the undersea cable and therefore expressed his expectation that the policy of access to the undersea cable by the member countries with access to the sea will also be based on the same.

- He also pointed out that Uganda was continuing successfully to implement Energy for Rural Transformation/ICT and the next phase it is planned that 20 postal tele-centers will be established among many other projects.

- He finally congratulated the out going Chairman of Congress for providing able leadership in the organization over the two years and the secretariat for a great job.

The Executive Director's full statement is contained in **Annex E.**

3.2.4 Statement by H.E. Ambassador Bishar Hussein, the Chairman Council of Administration of the Universal Postal Union (UPU)

The chairman of UPU Ambassador Hussein started by thanking Tanzania Communication Regulatory Authority, for extending an invitation to him and UPU to attend the EARPTO Congress.

He also thanked the EARPTO member countries for the support they extended to Kenya before and during the 24th UPU Congress in Geneva which Kenya was the host. During the Congress, numerous resolutions were passed and are expected to be implemented within this congress cycle that elapses in 2012.

He encouraged members to strongly participate in committees and working groups of UPU activities.

He insisted that all members should participate in the Nairobi Postal Strategy objectives which are to improve interoperability, quality and efficiency; - stimulating a Universal Postal Service adapted to social, economic and technological environment;- promoting sustainable development; - and fostering the growth of the postal markets and services.

He concluded by urging the Designated Postal Operators to exploit the products and services of the UPU and participate effectively and consistently in the work of the councils and their committees. He also encouraged telecommunications service providers as well to consider the Postal Operators as partners in business.

UPU Chairman's full statement is contained in *Annex F*

3.2.5 Statement by Mrs. Rodah Masaviru, Secretary General of the Pan African Postal Union (PAPU)

The Secretary General of PAPU, Mrs. Rodah Masaviru was unable to attend the EARPTO Congress and therefore her statement was read on her behalf by Mr. Dickson Rayori, Communications Manager at the PAPU Secretariat.

She started her remarks by thanking the government of the United Republic of Tanzania through TCRA for hosting the 16th EARPTO Congress.

She said the Administrative Council and other key organs of the Union including the Strategy Board, the Secretariat Management Board and the General Secretariat, had collectively developed a new vision, Mission and Strategic Objectives for the organization to ensure proper planning and implementation of four-year programme of action.

She informed the Congress on the release to members of an exciting PAPU programme of action for the next one year that will involve, among other things, some members from EARPTO to be called upon to host some seminars for exchange of ideas and best practices.

She concluded by informing EARPTO Congress members that PAPU will celebrate its 30th anniversary on 18th January, 2010; hence members will be called upon to participate in the celebrations in which commemorative stamps will be issued to market Africa worldwide.

PAPU Secretary General's full statement is contained in **Annex G**

3.2.6 Vote of thanks by Mr. Reverien Ntagaye, Director General of Burundi Telecommunications Regulatory Agency (ARCT)

The Director General of (ARCT) thanked the Hon Minister for honouring the opening of the EARPTO Congress. He also thanked the Deputy Secretary General of EAC for the support towards EARPTO and the government of the United Republic of Tanzania for hosting this EARPO 2009 Congress and different Assemblies.

Furthermore he congratulated the Chairman of EARPTO for his good leadership for the past two years and the Director General of TCRA and his entire staff for making the Congress successful.

He concluded by pointing out that this Congress was an occasion for all participants to share their respective experiences, evaluate what they have already done and especially what they still have to do.

The Director General's full statement is contained in **Annex H**

4.0 ADOPTION OF THE AGENDA

The proposed agenda was adopted with amendments as follows:-

4.1 Opening of the EARPTO Congress

4.2 Adoption of the Agenda and Work program

4.3 Election of the Bureau

4.4 Handover Ceremony of EARPTO Chairmanship

4.5 Consideration of Applications for members to join EARPTO

4.6 Report of the Chairperson of the 15th EARPTO Congress

4.7 Brief statements by:-

  (i) Reverien Ntagaye, Director General, Burundi Telecommunication Regulatory Agency.

  (ii) Lamin Jabir, Legal Advisor to the Director General of Rwanda Utilities Regulatory Agency.

4.8 Report of the Workshop held on 28th May 2009 on *Harmonization of Policy, Legal and Regulatory practice in East Africa, Status of report on WTSA-08 resolution 76 implementation and Emerging Consumer issues and experiences in the region.*

4.9 Report of the Task force on EARPTO MoU

4.10 Presentation by the East African Community (EAC) on EARPTO relationship with EAC,

4.11 Report of Assembly of Postal Operators

4.12 Report of Assembly of Telecommunications Operators

4.13 Report of the Assembly of Broadcasters Operators

4.14 Report of the Assembly of Regulators

4.15 Report of the HRDT/WC

4.16 Any Other Business

4.17 Venue and date of the next EARPTO Congress meeting

4.18 Adoption of the report of Congress Meeting

4.19 Closing Ceremony

5.0 ELECTION OF THE BUREAU

The Congress appointed Tanzania to chair the Congress and the first Rapporteur was Kenya with the second Rapporteur being Tanzania. The proposals were made by Kenya and seconded by Uganda

The Bureau therefore constituted of the following:

Prof. John S. Nkoma	Chairperson	Tanzania
Mr. Liston C. Kirui	1st Rapporteur	Kenya
Mr. Erasmo A. Mbilinyi	2nd Rapporteur	Tanzania

6.0 HANDOVER CEREMONY OF EARPTO CHAIRMANSHIP

The outgoing chairman presented a hummer to the incoming chairman as a symbol of Power and Authority that will ensure all decisions of EARPTO are followed and implemented.

7.0 CONSIDERATION OF APPLICATIONS FOR MEMBERS TO JOIN EARPTO

7.1 Kenya

Kenya Communications Commission submitted an application by ESSA Telecommunication Kenya Limited to join EARPTO. The application was seconded by Tanzania.

Agreed 1

To admit ESSA Telecommunication Kenya Limited as a member of EARPTO.

7.2 Rwanda

Rwanda Utilities Regulatory Authority (RURA) submitted an application to join EARPTO membership. The application was seconded by Uganda.

Agreed 2

To admit Rwanda Utilities Regulatory Authority (RURA) as a member of EARPTO.

7.3 Rwanda

Rwanda Utility Regulatory Authority (RURA) submitted n applications by MTN Rwanda, Rwanda Telecom, Tigo Rwanda and Rwanda National Post Office to join EARPTO membership.

Agreed 3

To admit MTN Rwanda, Rwanda Telecom, Tigo Rwanda and Rwanda National Post Office as members of EARPTO.

7.4 Burundi

The Telecommunications Control Regulatory Agency (ARCT) of Burundi submitted an application by Burundi Postal Administration to join EARPTO membership. The application was seconded by Uganda.

Agreed 4

To admit Burundi Postal Administration to join EARPTO membership.

8.0 REPORT OF THE CHAIRPERSON OF THE 15TH EARPTO

The outgoing chairman of the 15th EARPTO Congress Mr. Charles Njoroge thanked the EARPTO members for giving opportunity to Kenya to serve as the chair of the Congress in the last two years.

He said since the 15th session of the EARPTO Congress in Nairobi, good progress has been achieved given the dynamism of the sector.

He underscored that the two workshops in the past two years i.e. *"ICT Connectivity in the Rural Areas and Un-economical Areas: A Challenge or Opportunity" in Nairobi, 2007 and Application of ICT in enabling business – Postal Services and ICT backbone infrastructure development – Experience in the Region in Dar es salaam, 2008* enabled members to discuss case studies and policy perspective made it possible to formulate approaches for reaching the goal of the UN's Millennium Development Goals (MDGs) as such the region has made some progress in development of backbone infrastructure and the general improvement of regional connectivity.

With regard to the postal services, the outgoing chairman reported that postal administrations in the region continued to make efforts to introduce reforms in the sub sector.

On telecommunication he proudly reported on the implementation of the proposed regional interconnection guidelines. He also reported a number of other regional projects whose implementation was continuing such as the East African Backhaul system, EASSy, RASCOM, COMTEL among others.

On regulatory issues he informed the members that the region in general has transitioned smoothly into the post exclusivity environment as licensing regimes now reflects a converged sector and a more harmonized approach to issuance of licences.

With regard to broadcasting issues he said EARPTO members had already updated the frequency tables accordingly and plans were underway to facilitate the migration and transition between 2009 and 2012.

He also reported on the ongoing efforts to amend the Memorandum of Understanding (MoU) into a **constitution**. He said once a constitution is passed EARPTO will have an opportunity to be recognized by the East African Community at a formal level.

He also noted the positive trend of membership growth as an important factor in the development of the sector as the larger the membership, the easier it will be to seek consensus and collaboration from players in the region.

He pointed out some general challenges that affect the development of ICT in the region as infrastructure vandalism, unwillingness to share the infrastructure, low speed on implementation of the East African Internet Exchange Point (EAIXP) and low capacity to generate local content in broadcasting sector.

He concluded his report by urging everybody with a stake in EARPTO to make the necessary efforts to strengthen it by continuing to follow up on the decisions taken and implement them in time.

The outgoing chairman's full report is contained in **Annex I**

9.0 BRIEF STATEMENTS BY BURUNDI AND RWANDA:

9.1 Mr. Reverien Ntagaye, Director General, Burundi Telecommunication Regulatory Agency (ARCT)

He thanked EARPTO members and all well wishers for their support to EARPTO which is an important regional organ for the development of ICT. He expressed the commitment of Burundi Telecommunication Regulatory Agency (ARCT) to support EARPTO in view to exploit its benefits.

9.2 Mr. Lamin Jabir, Legal Advisor to the Director General, Rwanda Utilities Regulatory Agency.

He thanked EARPTO members for having invited Rwanda to participate as an observer during the Extra Ordinary Congress meeting in 2008. He said it was through that participation Rwanda learnt that EARPTO is useful organisation for the development of ICT in the region and for that reason Rwanda decided to formally apply for membership during this meeting. He therefore expressed is hope that their request would be considered.

10.0 REPORT OF THE WORKSHOP

On 28th May, 2009, a workshop under the chairmanship of Mr. Ndalahwa Habbi Gunze, Director of Broadcasting, and TCRA was held on three themes namely: - *Harmonization of Policy, Legal and Regulatory practice in East Africa; Status of Report on WTSA-08 Resolution 76 implementation and Emerging Consumer issues and experiences in the region.*

10.1 Opening of the Workshop

The workshop was officially opened by Dr. Naomi Katunzi, the Permanent Secretary of the Ministry of Communications, Science and Technology of the United Republic of Tanzania. In her opening remarks she urged participants to seriously discuss and adopt deliberations that will help to bridge the digital divide gap among the developing and developed world.

The Permanent Secretary's full speech is contained in **Annex J**

Prior to the opening speech, the Deputy Secretary General for the East African Community (EAC) Mr. Alloyce Mutabigwa gave his remarks in which he thanked the Tanzania government for hosting the workshop and the EARPTO members for their participation to the workshop.

He pointed out that in the structure of the EAC; regulation of communications is under the Infrastructure Council of Ministers which had earlier directed the secretariat to ensure that Communications Regulatory Strategies in the region are harmonised. It is from this directive coupled with the assistance of the European Union a study on Harmonisation of East Africa Communications Regulatory Strategy in the region was carried out by Prof. David Souter of M/S ICT Development Associate Limited of the United Kingdom.

He underscored the importance for the workshop to address consumer issues that require policy makers or market intervention.

He concluded by assuring all members on the EAC support to EARPTO initiatives and he looked forward to deep working relationship between EAC and EARPTO in future.

The Deputy Secretary General full speech is contained as **Annex K**

The speech by Deputy Secretary General of the EAC was followed by the vote of thanks by Mr. Donald Nyakairu, Chief Legal Council, and Uganda Telecom who thanked the guest of honour for accepting to officiate the workshop. He said her presence in the capacity of Permanent Secretary in the ministry responsible for communications indicated the commitment of the government of Tanzania on EARPTO activities. He also thanked all Chief Executive officers of member organisations for attending the workshop, the East African Community for sponsoring the workshop and the Tanzania Communications Regulatory Authority (TCRA) for hosting the workshop, Assemblies of parties and the Congress. He said since the workshop touches very important themes in the Industry, he was therefore

certain that it was going to meet the expectations of members and help them achieve their goals.

10.2 The Workshop

The first theme on **Harmonization of Policy, Legal and Regulatory Practice in East Africa** was presented by Prof. David Souter of ICT Development Associate Limited of the United Kingdom and Dr. Lishan Adam, Consultant of the EAC. In their presentations they underscored the need for harmonisation of regulatory regime in East Africa. They mentioned some of the priorities in the region as Broadband, Human Resources Development, Promotion of Public Private Partnership, Cyber Security, Promotion of ICT, Digital migration, Development of Binding Protocol and Strengthening EARPTO structure.

Their presentations are contained as *Annex L*

The second theme on **Status of Report on WTSA-08 Resolution 76 implementation** *i.e. "studies related to conformance and interoperability testing, assistance to developing countries, and a possible future ITU mark programme"* was presented by Mr. Paolo Rosa who represented the Director of Telecommunication Standardization Bureau of ITU. In his presentation Mr. Rosa challenged Operators and Regulators to seek for declaration by manufacturers of communications equipment on conformity to standards and to identify labs to carry out tests and parameters to be tested.

His presentation is contained as *Annex M*

The third theme on **Emerging Consumer Issues and Experiences in the Region** was presented by Mr**.** Richard Kayombo, Deputy Director, Consumer Affairs of TCRA Tanzania and Mr. James Arinaitwe, Posta Master General of Posta Uganda. Both presentations highlighted on the emerging consumer issues in the communications sector including abuse of services such as trafficking of drugs and animals through courier services

The presentations emphasized the need for regulators to improve their complaint procedures, to put in place electronic waste management and disposal system, system for customer identification/registration as well as empowering consumer to make informed choices.

Their full presentations are contained as *Annex N*

11.0 REPORT OF THE TASK FORCE ON THE REVISION OF EARPTO MoU

Ms. Lucky Waindi, Ag. Senior Legal Officer, CCK presented the report of the Task Force on the newly proposed EARPTO Constitution.

The Congress adopted the Constitution subject to the following amendments.

Article 2

Section (ii) should be deleted

Article 3

That the opening statement should be amended to include the text "To formulate strategies to enhance capacity of member organisation."

Article 5

Observer status to be given to only institutions with mandate relevant to EACO

Article 11

Section (iv) subsection (j) be amended such that the responsibilities of secretariat to include resource mobilisation proposal and implementation of activities

Article 12

Sections (iii) delete the proposal that the Executive Secretary can be re-appointed

Article 13

Section (ii) to include function *of formulation of strategies and capacity building programme among member states*. Also to define composition and leadership

Article 13

Mechanisms or procedure to choose the host country of EARPTO should be stated.

Article 15

Section (iv) to clarify how hosting cost shall me met

Article 17

Section (i) subsection (b) to substitute the word *"development"* with the word cooperating also subsection (d) to include a clause which mandates the Congress to either approve acceptance or rejection of funds offered to EACO from various sources. Also to substitute the word *"its business"* with furthering its objectives.

Section (vi) be amended to include a clause that provide for the appointment of an auditor for maximum two consecutive terms of two (2) years each.

A new clause to be inserted that states that Auditing of EACO will be carried out using the Laws of the host country of EACO Head Quarters.

Article 20

Section (i) the first sentence in the first paragraph should be deleted and some mechanism of relating EAC and EACO be introduced.

Article 23

Section (ii) subsection (a) Sanction procedures be included,

Article 24

That as much as entry into and exit into EACO is voluntary, regulators need to balance this rights with their statutory obligations given to them by their respective governments hence Language on the withdrawal of membership be amended to reflect the statutory obligations of Regulatory Authorities in their respective countries.

The EACO Constitution with amendments is contained as **Annex O**

12.0 PRESENTATION BY THE EAST AFRICAN COMMUNITY (EAC) ON EARPTO RELATIONSHIP WITH EAC,

Noted 1

(i)   The presentation by Mr. Robert Achieng, Senior Engineer in Communications in the EAC.

(ii)   The focus of the presentation on an overview of the EAC and the highlights of the possible relationships between EARPTO and the EAC.

(iii)   That the Structure of EAC has a position of Deputy Secretary General who deals with Planning and Infrastructure.

(iv)   That under this office in (iii) above, issues related to communications and ICT are being dealt with.

(v)   The proposal of the possible EAC/EARPTO cooperation under two possible options;

a) EARPTO as an **observer** similar to what exist between EAC and the East African Law Society or EAC and the East African Business Council. Under this option MoU between EAC and EARPTO is required and the advantages of being an observer is eligibility to participate in EAC activities e.g. meetings and projects, whereas the disadvantage is lack of formal powers to enforce decisions or get EAC funding.

b) EARPTO as an **institution** similar to institutions currently under EAC e.g. the Civil Aviation Security and Safety Oversight (CASSOA) or the East African Development Bank.

Agreed 5

MoU Task Force to advise the Congress on the best type of the relationship to be established between EARPTO and EAC.

Full presentation of the EAC on relationship with EARPTO is contained as **Annex P**

13.0 REPORT OF THE ASSEMBLY OF POSTAL OPERATORS

13.1 Postal Financial Services

Noted 2

Financial services are a potential growing area, so Postal administration should focus more on it.

Agreed 6

A Committee to be set up to:-

(i) Address the decline of Interstate Money Order service and related issues.

(ii) Study the possibility of opening and operating Escrow account (a joint collection account) to ensure easier settlement of accounts.

13.2 Inspection of Airports And Offices Of Exchange

Noted 3

The importance of joint inspections of offices of exchange and airports.

Agreed 7

The exercise continues in Kenya, Uganda, Tanzania and, Rwanda, Burundi be invited to participate in the subsequent joint inspections.

13.3 Regional Quality of Service Task Force

Noted 4

The importance of quality of service in Mail and Courier services.

Agreed 8

(i)   That the scope of the quality service tests be expanded to include other aspect of the business

(ii)   To establish contact committees with other stake holders like Customs and Airlines to discuss issues of mutual interest.

13.4 Philately

Noted 5

The importance of creating awareness of the Youth in Philatelic activities.

Agreed 9

(i) That member administrations to issue a joint stamp on the theme "Youth and Sports for year 2009".

(ii) Uganda to hosts Phila Africa stamp Exhibition in September 2009.

13.5 Post Code And Address Management Systems

Noted 6

The importance of developing Post Code and Addressing Management Systems.

Agreed 10

(i) To develop postcodes and address management systems,

(ii) To continue lobbying governments to support establishment of Postcodes and addressing systems

11.6 Universal Service Obligation

Noted 7

The need to provide efficient and affordable Universal Access to Postal Services.

Agreed 11

(i) To establish strategic alliances in network expansion

(ii) To appeal to the governments to establish USO Funds for non profitable postal outlets.

11.7 ICT Developments

Noted 8

The following challenges:

(i) Lack of financial resources to invest in ICT Development

(ii) Lack of training

(iii) Lack of awareness and resistance to change by staff

(iv) Frequent Power cuts

Agreed 12

(i) To continue soliciting for financial assistance especially from Government

(ii) To train staff in appropriate technologies

(iii) To benchmark among ourselves and others who are developed in ICT

11.8 Postal Reform

Noted 9

That reforms are an on going process for all administrations to be able to meet the ever changing needs of the customers.

Agreed 13

Those members be creative, innovative and proactive so as to remain relevant in the communication industry.

Noted 10

Some administration do not put EARPTO recommendations in their Strategic Business Plans. *i.e. "studies related to conformance and interoperability testing, assistance to developing countries, and a possible future ITU mark programme",*

Agreed 14

Those members integrate EARPTO recommendations into their administrations Strategic Business Plans to ensure their effective implementation.

13.9 On considering the Report of the Assembly of Postal Operators the Congress;

Agreed 15

To adopt the report.

Full report of the Assembly of Postal Operators is contained as **Annex Q**

14.0 REPORT OF ASSEMBLY OF TELECOMMUNICATIONS OPERATORS

The Congress noted the report of the Assembly of Telecommunications Operators (ATO) which contained the following recommendations:

14.1 Telecoms Fraud & Cyber Security

(a) Fraud

Noted 11

The prevalence of fraud in telecom sector particularly in line to gateways and VOIP.

(b) Cyber Security
Noted 12
The ongoing activities of the Task Force on the establishment of Computer Emergency Response teams (CERT) that deals with the following issues relating to Cyber Security;

a) Attacks and threat
b) Email and communication
c) Mobile Devices
d) Privacy

That some of the East African governments are on the process to prepare Cyber Security Act e.g in Uganda, the draft is in parliament for debate.

Agreed 16

(i) To harmonise the EARPTO task force effort with that of the governments so that the matter can be discussed and concluded fast.

(ii) That operators shall send their recommendations on the findings of the Task Force to the Regulatory Authorities.

14.2 IPV6 Transition/Migration

Noted 13

(i) A Task Force that is working on transition to IPV6 has been formed in Kenya.

(ii) The initial cost of IPV 6 equipment is too high for small operators.

Agreed 17

(i) Other member states to form national teams to oversee the migration to IPV6.

(ii) Member states to take up the responsibility of aligning operator concerns through unified industry approach based on the global best practices – PPP model.

(iii) Full operations of IPV 6 to be launched in year 2013 and IPV4 to run parallel to the IPV 6 based on the equipment/application and protocol deployed.

(iv) Task force to discuss transition mechanism to be formed so as to ensure a fair distribution to all operations world-wide.

14.3 Regional Initiatives on EABS, EASSY, RASCOM, TEAMS, SEACOM, AND COMTEL

Noted 14

The progress report by Kenya and Uganda on the EABS and EASSY,

Tanzanian had no progress report,
Rwanda have a FO from Uganda/Rwanda border,
Rwanda/Burundi boarder at Rusumo will be operational by the end of July 2009.

Agreed 18

(i) To get a Status report from TCRA on Tanzania progress,

(ii) To get a timeline for completion of the project in Tanzania,

(iii) Cable commercial terms and regulation be clearly stipulated within the member states internal Backbone

(iv) To request the regulators to assist in highlighting concern by operators on   Fiber-Optic cable to government.

14.4 East Africa Internet Exchange Points

Noted 15

(i)   Though the exchange points have been tested in Tanzania and Kenya, the uptake by the operators in Kenya is very low due to lack of clarity on issues pertaining to the contract terms given to SimbaNet with operators wanting guarantees in certain areas of the contract and other operators wanting the option of connecting via other operators other than SimbaNet,

(ii)   SimbaNet contract of two years has expired.

Agreed 19

Operators to get progress report on IXP in East Africa.

14.5 CEIR

Noted 16

(i)   The good intention of the initiative to curb mobile phone theft in the region.

(ii)   The fact that blocking of gray listed mobile phone is still a serious challenge with the replication of Electronic "S" Number on refurbished phones.

(iii)   A gray listing of one mobile ESN affects several other mobile phones hence locks off legitimate subscribers from using the operator's network.

14.6 Number Portability

Noted 17

The initiative by regulators to introduce Number portability in the region.

Agreed 20

Regulators be requested to provide a reason why number portability is so important bearing in mind the following issues:

(a)   Cost/benefit analysis on the number portability.

(b)   Who will bear the significant cost of transition

14.7 Taxes

Noted 18

(i)   The concerns on tax regime on telecommunication in various countries within the region such as inclusion of service levy in the towers, advertisements and numbering blocks.

(ii) That there is big variation in the excise duty, Rwanda having the lowest i.e 3% while Uganda has the highest i.e 12%.

Agreed 21

The EARPTO Congress be asked to propose a common excise duty across the region and Rwanda tax regime being the benchmark.

14.8 Subscriber Registration

Noted 19

The challenges being experienced by operators on the newly introduced system of subscriber registration in Tanzania which include:

a)   Whether the operators should be obliged to authenticate the identity?

b)   Whether there should be Electronic or paper registration.

c)   Whether data storage and access should be highlighted.

14.9 On considering the Report of the Assembly of Telecommunication Operators the Congress;

Agreed 22

To adopt the report.

Full Report of the Assembly of Telecommunications Regulators is contained as **Annex R**

15.0 REPORT OF THE ASSEMBLY OF BROADCASTING OPERATORS

The Congress noted the report of the Assembly of Broadcasting Operators. The report contained the following recommendations:

15.1 Proposed Framework for the Assembly of Broadcasting Operators

Noted 20

(i)   The importance of establishing a framework of the Assembly of Broadcasting in line with the principles governing EARPTO.

(ii)   The need to embrace Rules of procedure for the meetings as made by the Congress to govern the conduct and proceedings of Assembly of Broadcasting meetings.

15.2 Country Reports on Migration from Analogue to Digital Broadcasting.

Noted 21

(i)   Country progress reports on the transition from analogue to digital broadcasting;

(ii)   The areas that can make the East African countries benefit from terrestrial digital broadcasting if harmonised as :-

   a)   Digital dividends;

   b)   Simulcast period (Dual illumination);

   c)   Switch off date for analogue systems;

   d)   Radio frequency spectrum coordination with neighbours;

   e)   Broadcast Standards (infrastructure & content) and type approval;

   f)   Broadcasting value chain;

   g)   Public Awareness Campaigns;

   h)   Principles of Tariff structure;

   i)   Policy on broadcast receivers;

   j)   Capacity building in content production;

   k)   Protection of copyrights;

   l)   Quality of service;

   m)   Dispute resolution mechanisms;

n) Content exchange formats; and

o) Consumer protection.

Agreed 23

  i. That a Broadcasting technical committee be formed from among the member states to spearhead among other things:-

 ii. Harmonization of the digital broadcasting policies;

iii. Preparation of common standards for broadcasting services in the region;

 iv. Identification of the appropriate approaches in the region that will harness benefits from digitization and emerging services;

  v. Recommendations to the EARPTO member states on the best migration practices; and

 vi. To perform radio frequency spectrum coordination functions among member states.

15.3 Common Strategies on Migration

Noted 22

  i. The common areas with regard to digital migration for all EARPTO member countries:-

 ii. All EARPTO member states have identified 2012 as the analogue switch off time;

iii. EARPTO member states have all settled on two MUXs (signal distributors) for distribution of digital television programmes in their respective jurisdictions;

 iv. Most of the member states propose to commence simulcast (dual illumination) in 2009; and

  v. All member states have agreed to have separation of content providers and infrastructure operators in the digital broadcasting chain.

15.4 Digital Dividend from Spectrum

Noted 23

 (i) That uncoordinated release of broadcasting spectrum for other services will inhibit the development of other broadcasting services such as high definition TV (HDTV), interactive services and mobile television among others.

(ii) The challenge for the lower income earners in member state not to afford the cost of **set top boxes** during the migration to digital television.

Agreed 24

Digital dividend accrued from spectrum should be used to support other broadcasting services such as creation of subsidy for the set top boxes.

15.5 Other Considerations by the Committee

Noted 24

Rwanda's initiative on the release of the spectrum for other services under the RURA programme (such as DVB-T RCT)

Agreed 25

EARPTO members adopt the position of the CPM towards WRC-12 on release of the broadcasting spectrum to other services, however, part of the proceeds be used to fund the development of broadcasting services in member states.

15.6 Considerations for Funding of infrastructure and Content production

Noted 25

(i) That member states should share experience in funding infrastructure and content production;

(ii) That member states should explore the possibility of using their universal access fund for the quick take up of digital migration and content creation.

15.7 On considering the report of the Assembly of Broadcasting Operators the Congress;

Agreed 26

To adopt the report.

Full report of the Assembly of Broadcasting Operators is contained as **Annex S**

16.0 REPORT OF THE ASSEMBLY OF REGULATORS

The Congress noted the report of Assembly of Regulators which contained the following recommendations:

16.1 Consideration of Reports of the 2008 Extra-Ordinary Congress and Assembly of Regulators Meetings and Matters Arising

16.1.1 Candidature for Kenya and Tanzania to the Council of Administration (CA) of UPU

Noted 26

EARPTO members provided its support for the candidature of Kenya and Tanzania to the Council of Administration of UPU as a result Kenya was elected chairperson and Tanzania was elected a member for the next 5years.

16.1.2 Designated Short Code for Emergency Rescue Services in Lake Victoria

Noted 27

(i)   The short code 110 is already reserved in East Africa for services in Lake Victoria;

(ii) Operators are urged to provide signals covering the whole Lake Victoria.

16.1.3 Regional Interconnection Guidelines Adoption

Noted 28

Kenya, Tanzania and Uganda have adopted and are implementing the guidelines.

Agreed 27

Burundi and Rwanda are urged to implement the guidelines

16.1.4 Definition of the Terms "Subscriber"

Noted 29

(i)   Need for administration to adopt the definition of the term "Subscriber" in their guidelines which was given as "a person who has used service of telecommunications network at least once in the last 90 (ninety) Days"

(ii) Kenya, Tanzania and Uganda have adopted the definition

Agreed 28

That there is a need for Burundi and Rwanda to consider adopting the definition.

16.1.5   Spectrum Pricing

Noted 30

Kenya, Tanzania and Uganda have continued to share experience on spectrum pricing principles and methodologies;

16.1.6   Progress of implementation of East African Internet Exchange   Point (EAIXP)

Noted 31

(i)   The Links have been done between Kenya and Tanzania under Phase-1 of the project in July 2008; Linking of Tanzania and Uganda was scheduled for December 2008, while linking of Uganda and Kenya was scheduled for March 2009.

(ii)   The projects were not completed owing to low uptake by the ISPs as reported by SimbaNet;

(iii) The linking of Tanzania and Uganda has been re-scheduled for December 2009, while linking of Uganda and Kenya has been re-scheduled for March 2010.

Agreed 29

(i)   To re-schedule the project as proposed by SimbaNet.

(ii)   That all regulators facilitate the implementation of the EAIXP connectivity project.

(iii) Tanzania shares with Kenya and Uganda the signed documents between TCRA and SimbaNet Tanzania Limited.

(iv)   To urge all EARPTO members to extend cooperation to Simbanet (T) limited by facilitating the ISPs to connect.

16.2 Reports of Taskforces and Committees

16.2.1   Enforcement Committee

Noted 32

The report of the Enforcement Committee.

Agreed 30

The proposed guidelines to be amended as follows:

(i)   Under 3.4 (f): to replace Arbitration with Alternative dispute resolution mechanism

(ii) To include the provision that service providers to provide for redress mechanisms;

(iii) That the national enforcement be Adhoc instead of being permanent as had been proposed in the guidelines.

16.2.2 *Report of the Cyber Security Taskforce*

Noted 33

Report of the Cybersecurity Taskforce.

Agreed 31

(i) That member States should establish National Computer Emergency Response Teams (CERTs) to facilitate internet-wide response to Cyber security incidents and conduct research targeted at improving the security of existing systems;

(ii) That CERTs should coordinate response to Cyber security incidents at the regional level;

(iii) That CERTs should establish regional and international partnerships with other national entities involved with the management of Cyber security incidents;

(iv) The Cyber security Taskforce should continue its work as per the following implementation timeline:

NO.	ACTIVITY DESCRIPTION	TIMELINE
1	Benchmark with established CERTs on technical requirements for implementation and running of a CERT in at least two countries, one in Africa and another in Europe	July – October 2009
2	Establishment of National CERTs in each of the East Africa countries as follows:	
	Submission of the request for technical assistance from ITU and EAC in the following areas: • Capacity building • Manage the tendering process	March 2010
	Capacity building on the identified national coordination CERT teams/stakeholders	June 2010
	Put in place a tender document for supply of equipment, establishment of the CERT and training.	August 2010
	Tendering process, evaluation and award.	August - November 2010
	CERT Projects implementation	January 2011 onwards
3	Establish Regional coordination East Africa CERT Team (EA-CERT) team	February-March 2011

(iv)   The Cyber security Taskforce should provide regional Cyber security Incident reports annually to EARPTO;

(vi)   The need to encourage those administrations who have not responded to the ITU's letter on "Development of Cyber security Capabilities – IMPACT Global Response Centre (GRC)", to do so in order to benefit from the ITU's technical assistance;

(v)   That the Chairman of the EARPTO Congress to also respond to the ITU's letter on "Development of Cyber security Capabilities – IMPACT Global Response Centre (GRC)", in order to benefit from the ITU's technical assistance as an East Africa region.

(vi)   That the Second meeting of the Cyber security Technical Taskforce to review the progress be held in February 2010 in Uganda

16.2.3   Consumer Issues Committee

Noted 34

The Report by the committee on Consumer issues

Agreed 32

That the Consumer Issues Committee continues with its work and report to the next Assembly meeting. The ToRs of the Committee given by 2008 Assembly are:

a)   to develop joint consumer education content on issues of common interest

b)   To develop a joint strategy on environmental, health and safety issues

c)   Focus on mechanisms and guidelines of provision of services to people with special needs

d)   To ensure availability of products and services of operators who have cross border operations

e)   To ensure that consumers from partner states get access to consumer care services and redress in host countries

f)   Bench Mark and Share knowledge on consumer issues in the region

g)   Set up mechanisms of consultation on adhoc consumer situations in the region.

h) To develop agenda on consumer interests regionally that need international focus and support

i) Create harmony in complaints handling in the region

j) Develop guidelines on marketing communications that goes out to the public

k) Bench marking and sharing best practices with other regions

l) Develop a mechanism of clearly and regularly communicating comparative tariff offerings by each regulator

16.2.4 *Infrastructure Sharing Taskforce*

Noted 35

The paper presented by Tanzania on their experience regarding Infrastructure Sharing covering types and drivers for sharing

Agreed 33

(i) Taskforce chaired by Tanzania to continue with its work with Terms of Reference as follows:

a) To develop framework to facilitate establishment of guidelines and adoption of standards to streamline the siting of communication infrastructure, which will include public safety provisions and other relevant aspects of public interest;

b) Propose ways of harmonizing various legislative instruments that govern construction, installation, operation and maintenance of communications facilities in the respective EARPTO member countries;

c) Develop a template of Memorandum of Understanding (MoU) between the collaborating organisations in respective EARPTO member states for effective implementation of the Guidelines;

d) Develop a framework to facilitate education of the public on communication infrastructure rollout and provide for partnerships to achieve this objective;

e) Develop a framework to facilitate handling of complaints regarding communications infrastructure;

f) Develop and periodically review the Committee's working procedures.

(ii) The Taskforce to report to the next meeting of Assembly of Regulators.

16.2.5 Numbering Resources Committee

(a) **IP Addresses allocation and ccTLDs management in the region and transition to IPV6**

Noted 36

A paper presented by Kenya on the progress regarding transition to IPV6;

Agreed 34

(i) Member states are encouraged to develop national frameworks to coordinate the transition to IPv6;

(ii) Member states to continue sharing national experiences on their levels of adoption of the IPv6.

(b) **Implementation status of regional harmonized Short Codes for East Africa administrations**

Noted 37

(i) Some operators in Uganda have experienced challenges in implementing the proposed Short Codes because they are clashing with codes being used for other services;

(ii) Presentation by Rwanda on their new telecommunications numbering system;

(iii) That Rwanda is interfering with signalling points

(iv) The request by Rwanda to be allowed to use 004 as their regional access code.

Agreed 35

To allocate regional access code 004 to Rwanda.

(c) **Review of GSM colour codes at the border areas**

Noted 38

That Kenya, Tanzania and Uganda had developed colour codes for use at their borders before Rwanda and Burundi joined the EARPTO. Thus there is need to review the colour codes to include them.

Agreed 36

That colour codes at the border areas be reviewed to include Burundi and Rwanda. The Numbering Resources Committee to take up the matter and to report to the next meeting of Assembly of Regulars.

(d)   Implementation of Child Help Lines

Noted 39

Currently, Kenya and Tanzania are using 116, as a Child Help Line;

Agreed 37

(i)   To submit a joint contribution to ITU-T SG 2 proposing review on E.164 supplement 5.

(ii)   EARPTO member states be urged to support the proposal to the ITU.

16.3 Implementation of The WTSA-08 Resolutions

16.3.1 Quality of Services/Experiences issues at a regional level

Noted 40

(i)   Quality of services /experiences is critical to the region;

(ii)   The ITU has recognized the need to bridge standardization gap in African and consequently set up an African Group on Quality of services /experiences to assist in bridging the gap;

(iii)   The invitation by Uganda to member countries to:

(iv)   Attend meetings of ITU WTDC-2010 Preparatory Meeting for Africa Countries and ITU-Study Group-3 to be hosted by Uganda in July and September 2009 respectively;

(v)   Participate in the preparatory meetings for the said ITU meetings.

Agreed 38

To urge EARPTO members to participate in the activities of the African Group through contributing proposals.

16.3.2   *Participation in ITU-T Meetings*

Noted 41

(a)   There is adequate participation in ITU-D and ITU-R. However, there is weak participation in the ITU-T which deals with standardization hence the need to enhance participation in the same;

(b)   The need to consider ways to improve effective implementation of the WTSA-08 Recommendations and Resolutions

Agreed 39

(i)   The need to emulate from other sub regions (e.g. Arab, European Union) by forming EARPTO standardisation group.

(ii)   This EARPTO Standardization Group may to have a Management Team which could include all the Vice Chairs of the Study Groups as shown in the table below and eight other members to be co-opted on merits

S/N	Name	Current designation in SG	Name Study group	Country
1	Eng. James M. Kilaba	Vice Chair	ITU-T SG 2	Tanzania
2	Mr. Matano Ndaro	Vice Chair	ITU-T SG 3	kenya
3	Mr. Simon Bugaba	Vice Chair	ITU-T SG 13	Uganda
4	Eng. Parick Mwesigwa	Vice Chair	ITU-T SG 17	Uganda
5	Daniel K. Waturu	Chairman Africa Region Group (QoS/QoE)	ITU-T SG 12	Kenya

(iii)   The TORs for the Management Team to include:-

a)   Prepare plans and mechanisms to promote the standardization activities in the region;

b)   Co-ordinate consultative and preparatory meetings;

c)   Co-ordinate drafting of regional contributions to ITU-T meetings;

d) Co-ordinate participation in the ITU-T meetings;

e) Prepare and present reports as feedback to relevant EARPTO Meetings.

(iv) The Management Team leadership to be on rotational basis as follows:-

UGANDA   -   2009
RWANDA   -   2010
TANZANIA   -   2011
KENYA   -   2012
BURUNDI   -   2013

16.3.3 ICANN Meeting in Nairobi

Noted 42

(i) The Internet Corporation for Assigned Names and Numbers (ICANN) board has approved the Nairobi, Kenya, as the venue of its meeting which will take place from 7th to 12th March 2010;

(ii) That the ICANN is an International not-for-profit body formed in 1998. It coordinates Internet unique identifiers across the world. The unique identifiers include Domain names and Internet Protocol (IP) addresses. Without this coordination, there would not be one global Internet. ICANN holds its global meetings three (3) times a year, across the world, and it draws its participants from all over the world;

(iii) The invitation by Kenya to EARPTO member states to attend ICANN meeting in Kenya so as to benefit from its discussion towards capacity building through knowledge sharing.

Agreed 40

To urge EARPTO member countries with pending ccTLD re-delegation issues to take advantage of the Kenya ICANN meeting, to resolve their re-delegation issues.

16.4 Implementation of the Final Acts of WRC-07

Noted 43

(i) Papers presented by Kenya and Tanzania on decisions of the WRC -07 covering among other issues:

a) Harmonization of spectrum plans for International Mobile Telecommunications

b)   Revision of International Regulations for Maritime mobile services

c)   Upgrading and Allocation of additional of spectrum for Aeronautical services

d)   Need to develop Spectrum management guidelines for radio communication in emergency and disaster relief.

e)   The reports from Burundi, Kenya, Rwanda, Tanzania and Uganda highlighting the respective implementation status of the WRC-07 Final Acts;

f)   All the five administration have revised their national frequency tables based on the decision of WRC-07 including the Final Acts, taking in consideration their respective national requirement in the use of the radio frequency spectrum;

(ii)   That Uganda had successfully coordinated the preparation for WRC-07 with full cooperation from EARPTO member states.

Agreed 41

Member state to continue implementing the WRC-07 decisions

16.5 Preparation for WRC-11

Noted 44

(i)   That preparations for WRC-11 has started in all five EARPTO Member states although in different stages;

(ii)   Representative from EARPTO member states are attending some of the ITU-R Study Groups that are undertaking studies on various WRC-11 agenda items.

(iii)   The report as well as information circulated by CCK on CD on the preparations for WRC-11 in Kenya

Agreed 42

(i)   That EARPTO member states to form National Preparatory Committees to prepare for WRC-11;

(ii)   That representative from all EARPTO Member State to continue participating in the Work of ITU-R study groups in preparations for WRC-11;

(iii)   That under the coordination of Tanzania, the EARPTO member states formulate common proposals for WRC-11;

(iv) That EARPTO member states liaise with other regional groups e. g SADC

16.6 Preparations for the ITU 2010 Plenipotentiary

Noted 45

(i)   Presentation by Kenya showing the various committees that will be meeting during the ITU 2010 plenipotentiary Conference and their agendas for members to appreciate and prepare for participate in those meetings;

(ii) That election will be conducted for various elective posts such as those of Secretary General and deputy among others;

(iii) That EARPTO member countries need to initiate preparations for the Conference

Agreed 43

(i)   That a regional committee be constituted to look at the likely issues that could be tabled at the plenipotentiary conference and develop proposals for the same;

(ii) The committee should present the proposals to the African preparatory forum;

(iii) The committee should further advocate for the issues and ensure their articulation in other regions of the world in order to ensure they sail though at the conference;

(iv) In cases where East Africa Region is fielding a candidate for any of the elective positions, the region should collectively, put in place measures to lobby for the success of the candidate;

(v)   The Committee to lobby support from other region organization of the world.

16.7 ICT and Climate Change

Noted 46

(i)   An information paper presented by Kenya on ICTs and Climate Change indicating areas initiative being undertaking by ITU on climate change;

(ii) That ICT is generating 2.5% of global green house gases;

(iv) Need to mitigate climate change and disasters management in East Africa;

(v) That ICT play critical roles in mitigating climate change and disaster management;

(vi) That needs to develop communications infrastructure for disaster management in the region.

Agreed 44

(i) Member state to raise awareness on climate change and disaster management among stakeholders in their countries;

(ii) Member states be encouraged to develop necessary legislation on ICT and Climate change

16.8 E-waste Management

Noted 47

(i) An information paper presented by Kenya on E-Waste Management highlighting concerns on E-Waste and its impact on developing countries particularly in Africa;

(ii) That only Nokia brand vendor have started waste recycling in Kenya;

(iii) That the ICT policy promulgated in 2006 is cognizant of the e-waste making demonstration on readiness to minimize the effect of communication infrastructure development on the environment as part of prerequisite for renewal and awarding of communications licenses;

(iv) Agreed;

(v) EARPTO member states to develop frameworks that will address the issues of handling e-waste spearheaded by the Governments;

(vi) Consider inclusion of e-waste management as part of the communication license conditions and type approval requirements;

16.9 Progress on the Development of Addressing and Postcodes Initiatives in the Region

Noted 48

(i) Papers by Kenya, Tanzania and Uganda covering progress on the development of addressing and postcodes initiatives in their countries;

(ii) That the three member states are in different stages of development and implementation of Addressing and Postcode Systems;

(iii) That Kenya is already having postcodes system;

(iv) That the three countries are/or will be using numeric system;

(v) That there is a common challenge regarding street naming and numbering a prerequisite for door to door pick-up and delivery of mail particularly in unplanned settlements;

(vi) There is need to establish a taskforce to handle regional postal regulatory and development issues;

Agreed 45

(i) That the Governments of the EARPTO Member States to coordinate the development of addressing and postcodes systems so as to mobilise necessary funds for the projects;

(ii) There be established Taskforce to handle Postal Regulation and development issues in the region whose Terms of Reference include:

  a) Development of Postal regulations;

  b) Guidelines on cross border postal and courier services;

  c) Use of ICTs in Postal Networks;

  d) Postal addressing and postcodes development;

  e) The taskforce to report its works to the next meeting of Assembly of Regulators;

  f) Kenya to chair the Taskforce.

16.10 The Harmonisation and Consolidation Of Regional Positions In Preparation for both the PAPU Extra Ordinary Plenipotentiary Conference due to be held in Egypt in June 2009

Noted 49

(i) That the Extra Ordinary Plenipotentiary Conference of PAPU will be held in Egypt in June 2009;

(ii) The Conference will consider election of Deputy Secretary General of PAPU, revised PAPU Constitution and Strategic Plan.

Agreed 46

(i) EARPTO member countries to convene a meeting in Cairo, Egypt during the session of the Conference to harmonise their positions on

election of Deputy Secretary General of PAPU, revised PAPU Constitution and Strategic Plan;

(ii) Tanzania to chair the meeting.

16.11 Transition to Digital TV Broadcasting

Noted 50

(i) That member states are at different stages of transition to digital TV Broadcasting and some of them have constituted National Committees to oversee the transition;

(ii) That all broadcasting systems in Rwanda have been digitalised and ready to switch over in August, 2009 while Kenya is planning to switch over by 2012;

Agreed 47

(i) To urge countries that have not formed National Committees to oversee the transition to Digital Broadcasting to do so;

(ii) Member states to sensitise their respective stakeholders on transition and ensure that they all switch over by 2015.

16.12 Experiences on Licensing Framework for Broadcasting in the East African Countries

Noted 51

(i) Papers presented by Kenya and Tanzania on their country experience regarding licensing of Broadcasting Services;

(ii) That until 2009, Broadcasters in Kenya were being licensed by the Government;

(iii) In Kenya and Tanzania, regulators are mandated to regulate contents while it is not so to other EARPTO member countries;

(iv) There is need to harmonise broadcasting regulations in the region.

Agreed 48

(i) Member countries are urged to develop necessary frameworks for regulating broadcasting services;

(ii) To form a Committee on Broadcasting whose Terms of Reference include:

a) Development of Content Regulations;

b) Local content development;

c) Broadcasting Service Licensing in era of convergence;

d) Cross border broadcasting;

e) Programmes exchange among member states.

f) The committee to further develop their ToRs and report their work to the next meeting of Assembly of Regulators. The committee to be chaired by Tanzania

16.13 Unified Licensing: The East African Experience

Noted 52

(i) The paper presented by Kenya on their experience on their Unified Licensing indicating progress of migration among others;

(ii) That there is a need to ensure that licensing frameworks provides for service and technology neutrality

Agreed 49

To urge member countries that has not introduced Unified Licensing to ensure that their framework should provide for service and technology neutrality.

16.14 International Connectivity: Access and Harmonisation of Policies and Regulations for International Connectivity in the East Africa Region

Noted 53

(i) Presentation by Uganda which among others proposed ways to address Access and Regulatory issues for East Africa Region in readiness for the landing of Submarine Cables in the East African Coast;

(ii) That international connectivity is an essential element for connectivity to the global information infrastructure;

(iii) That limited national backbone infrastructure and over reliance on satellite systems have been one of the reasons for the high cost of internet in the region;

(iv) That the arrival of international high capacity undersea cables namely; Seacom, the East African Submarine cable system (EASSy) and TEAMs;

(v) That the availability of capacity between countries can translate into cheaper prices only where there is effective competition for the provision of access to those facilities

Agreed 50

(i) To develop uniform policy and regulatory framework related to the operation of international cable networks and interstate infrastructure development and access within the EA region. The policy should among others:

(ii) Adopt an Open Access Regime, where any entity/entities offering international high capacity undersea cables in the Region are required to offer fair, transparent and Non-Discriminatory terms and conditions to the cables for Member States;

(iii) Make recommendations for enhancing competition and adopting a cost oriented approach to pricing of the undersea cable and inter-state backbone;

(iv) To urge Member states to put in place the necessary National Backbone Infrastructure (NBI) and develop mechanisms to interconnect the NBIs to ensure seamless traffic flow in the Region;

(v) To set up a Task Team with representation from all member states to ensure the implementation of this recommendation with the following Terms of Reference:

(vi) By July 2009, review the status and level of the national backbone infrastructure in each member state and make recommendations with a view of ensuring smooth connectivity and routing of traffic within the region,

(vii) By July 2009, review the legal and regulatory framework for international and interstate infrastructure connectivity and make recommendation for harmonization,

(viii) By July 2009, develop a regional framework and guideline for international and interstate internet connectivity. The guideline should among others;

(ix) Detail the principles and conditions for open, non discriminatory access at the international access (landing point) and inter-state level;

(x) Define the principles for charging and access for international connectivity and transport within the region;

(xi) Define technical requirements and conditions for access and or interconnection of networks within the region;

(xii) A framework for monitoring and implementing the terms and conditions of the guideline

(xiii) The first meeting for the task force shall be held in Kampala in the last week of June 2009.

(xiv) By August 2009, Call for a Special Assembly for Regulators Meeting to review and adopt the proposed regional framework and guideline for international and interstate backbone connectivity.

16.15 Infrastructure Sharing

Noted 54

(i)   Paper presented by Tanzania on their experience regarding Infrastructure Sharing covering types and drivers for the sharing;

(ii)   That, member countries are in different stages of developing frameworks for ensuring infrastructure sharing;

(iii)   Regulator in Rwanda is using Universal Service Fund to develop Infrastructure such as towers, masts among others for use by operators to avoid duplication.

Agreed 51

That the paper by Tanzania form part of inputs to the Committee on Infrastructure Sharing;

16.16 Date And Venue Of Next Assembly Meeting

Agreed 52

That the next Assembly of Regulators shall be held in Uganda. The dates and venue will be communicated to EARPTO members at a later date.

16.17 On considering the report of the Assembly of Regulators, the Congress;

Agreed 53

To adopt the report.

Full report of the Assembly of Regulators is contained as **Annex T**

17.0 REPORT OF THE HUMAN RESOURCE DEVELOPMENT AND TRAINING WORKING COMMITTEE

The Congress NOTED the report of the HRD & T Working Committee with recommendations as follows:

17.1 Participation in the 16th EARPTO HRDT Working Committee

OBSERVED that there was low representation of operators in HRD & T Working Committee and thus denying the Committee important inputs on their experience and challenges;

17.2 Report of the Activities approved by the 15th EARPTO Congress Meeting

Noted 55

The workshop on 'Employee Retention in a Dynamic Communications Sector: *A myth or reality?* held on 15th-16th January 2009 in Bagamoyo, Tanzania.

(i)   The workshop on 'Training Needs Analysis (TNA) for all HR Managers, Training Managers and Facilitators in Training Institutions held on 2nd-3rd March 2009 in Kampala.

(ii)   Member organisations have started to promote research and development in ICTs through collaboration with higher learning institutions.

(iii) Member organisations have adopted corporate social responsibility (CSR) policies that support education and training of physically challenged people by providing financial support towards training from primary to tertiary level.

(iv)   Regulators are providing support to Training institutions.

(v)   Each member state has appointed a contact person to facilitate effective dissemination of information for HRDT working Committee.

Agreed 54

(i)   That Training Institutions be urged to collaborate in providing training solutions and exchange information amongst them;

(ii)   In order to retain talents EARPTO Member organisations be advised to put in place Retention   policies and programmes.

(iii) Due the fact that Communications sector is dynamic Member organisations should identify and mainstream training needs and strategies to address challenges in the sector;

(iv)   Training institutions should develop training programmes that address technological developments and challenges as well providing opportunities for sharing experiences;

(v)   Member Organisations should continue to promote research and development of ICTs with higher institutions and Networks i.e. NetTel @ Africa;

(vi)   Efforts be made by all member organisations to include lecturers of ICTs among their delegations taking part in the ITU and UPU study Groups in order to keep abreast with new technological developments;

(vii)   EARPTO members are urged to make their financial contribution to the NetTel@Africa since EARPTO is one of the owners of the network and has benefited from its activities;

(viii)   Efforts be made by Member organisations to develop Strategies to address the effects of the global crunch including developing and encouraging innovative solutions to mitigate the impact of the crunch;

(ix)   Efforts be made by Regulators in member states to bring together academia and industry players to review ICT curricula as well as mode of delivery in line with current ICT trends;

(x)   EARPTO members, operators in particular be encouraged to approach their business partners to support academia with training resources;

(xi)   AFRALTI be encouraged to update its offerings to conform to the latest   developments in the sector and that operators should be incorporated into the programs of this network;

(xii)   The E-Learning approach sandwiched with the classroom approach during delivery should be enhanced to address the challenges currently being faced;

(xiii) All stakeholders in the sector are urged to take part in the peering programmes of the NetTel @Africa.

17.3   Status of EARPTO HRD & Training Working Committee in the new EACO Constitution

Noted 56

The proposal by EARPTO HRDT Working Committee to elevate the HRDT Working committee to the level of Assembly taking into account

the role played by the Human Resources function in capacity building of member organisations and the sector at large to the successful implementation of the strategic objectives of organisations.

Agreed 55

That HRDT Working Committee be a permanent working committee reporting to the EACO Congress.

Full report of the HRDT/WC is contained as **Annex U**

18.0 ADOPTION OF THE REPORT OF THE 16TH EARPTO CONGRESS MEETING

The Rapporteurs presented their report highlighting the major areas which were either noted, agreed or amended by the EARPTO Congress members. Following a proposal made by Tanzania and seconded by Uganda, the Report of the 16th EARPTO Congress Meeting with amendments was approved.

The congress however decided to give time for Rapporteurs to finalise the report by incorporating all the amendments and circulate the same to members for comments by 15th June 2009. The Congress further agreed that members would be given up to 30 days to comment where upon the rapporteurs would be given 30 days to incorporate the comments received before the chairman of the Congress signs the final report for circulation to other Executive officers for their signatures.

19.0 REAFFIRMATION OF VENUE OF THE NEXT MEETING

The Executive Director of Uganda Communications Commission Mr. Patrick Masambu on request by the chairman reaffirmed that the venue of the next EARPTO Congress Meeting will be Uganda.

20.0 CLOSING OF THE 16TH EARPTO CONGRESS MEETING

The Congress's closing remarks were made by Hon. Mohamed Abood (MP), Deputy Minister for the East African Cooperation of the United Republic of Tanzania. In his speech the Hon. Minister;

- Thanked the organisers of the Congress for bringing together participants from communications sector to discuss various common issues and challenges in the region.

- He informed the participants that his ministry of East African Cooperation and the East African Community (EAC) secretariat fully supports the initiative of the Information and Communications technologies (ICT) sector because it meets the agenda of the EAC protocol.

- He said the Regulatory institutions are required to ensure that the loser is protected whereas the winner does not use their powers to abuse the market.

- He underscored the efforts of EAC to widen cooperation among partner states politically, economically and socially for mutual benefits as one of a major priority in the EAC strategic plan is to seriously deal with cross cutting issues that accelerate the development of all other sectors.

- He commended the initiative by telecommunication operators to introduce borderless network within the region but challenged the operators in the region to work together and find means to reduce the tariffs to enable more people to use their services while benefiting from economies resulting from expansion of their subscriber base.

- He finally concluded by requesting EARPTO leadership to endeavour efforts on activities of the people of the region by helping their Governments interpret Millennium Development Goals and put them into reality especially the issue of poverty alleviation.

- Having said that he officially declared the 2nd EARPTO Congress closed.

The Deputy Minister's full speech is contained in **Annex V**

21.0 VOTE OF THANKS

After the speech by the Chief Guest Hon Deputy Minister for the East African Community Mr. Mohamed Abood at the closing ceremony, the Executive Director Uganda Communications Commission Mr.Patrick Masambu moved the vote of thanks in which:-

- He thanked the out going Chairman, Mr. Charles Njoroge for steering well the organization from the time he assumed responsibility up till today.

- He pointed out that EARPTO was today more than ever under spot light of the East African Community arrangement as accentuated by the presence of the Deputy Secretary General of EAC at the workshop held the previous day.

- He said governments of member countries expected EARPTO to deliver on a number of things that promote regional integration and therefore he expressed his hope that each member country will play part to accomplish the tasks ahead.

- He concluded by expressing his hope that EARPTO shall over come the challenges ahead and remains relevant to the governments and people of East Africa.

The Executive Director's vote of thanks is contained in **Annex W.**

The 16th EARPTO Congress Meeting was officially closed at 18.55hrs.

Professor John S. Nkoma
CHAIRMAN (TANZANIA)

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Liston C. Kirui   Erasmo A. Mbilinyi
1st Rapporteur (Kenya)   **2nd Rapporteur (Tanzania)**

THE EAST AFRICAN TELECOMMUNICATIONS REGULATORS, POSTAL AND TELECOM ORGANIZATION ORGANISATIONS (EARPTO) CONGRESS AND ASSEMBLIES MEETING , 25-29 MAY 2009, DAR ES SALAAM TANZANIA

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SPEECH BY PROF. PETER MSOLLA, (MP) MINISTER FOR COMMUNICATION, SCIENCE AND TECHNOLOGY, UNITED REPUBLIC OF TANZANIA AT THE OPENING CEREMONY OF THE 16 TH EARPTO CONGRESS MEETING AT KUNDUCHI BEACH HOTEL IN DAR ES SALAAM, TANZANIA ON 29TH MAY, 2009

The Chairman of the EARPTO Congress, Eng. Charles Njoroge, Director-General, Communications Commission of Kenya;

Your Excellency Ambassadors and High Commissioners;

Hon. Justice Buxton Chipetta, Chairman of the Board, Tanzania Communications Regulatory Authority;

Director General, Tanzania Communications Regulatory Authority, Prof. John Sydney Nkoma;

Head of Delegation Uganda;

Head of Delegation Burundi;

Head of Delegation Rwanda;

Chief Executive Officers of Postal, Telecommunications, Broadcasting, and EARPTO member organizations;

Representatives of ATU, PAPU and ITU regional bodies;
Distinguished delegates and observers;

It is my pleasure this morning to join hands with previous speakers to welcome you all to our Heaven of Peace, Dar es Salaam city in Tanzania. Your decision to have gathered here for the second year running, expresses the confidence you have in working with our people and our government within our environment toward attaining the 2nd EARPTO Congress meeting objectives.

It is my pleasure to see this big regional gathering convened here to share and develop your experiences in the communications industry for our region. I would like, on my behalf and that of the Government and people of the United Republic of Tanzania, to express our appreciation for that decision. I therefore warmly welcome you to Dar es Salaam and to Kunduchi Beach Resort Hotels in particular.

Distinguished participants, Ladies and Gentlemen;

At this period when the ICT development is taking a lead in the economic development of our nations in East Africa and the whole world, The East African Regulatory, Posts and Telecommunications Organizations forum can fairly be

referred as an important catalyst to the region's economic growth. The Government and the people of the United Republic of Tanzania recognize the role played by communications in the overall development of our East African nations and particular Tanzania. The achievements witnessed in East African communications sector have been made possible by the renowned people gathered here.

Distinguished participants of this Congress,

I wish to thank you very much for choosing Tanzania again as host for this EARPTO Congress in Tanzania for the second year running, and more conveniently, at this splendid venue for this important event in our region.

As host for this 2nd EARPTO Congress, we are equally honoured today to have the presence of all Regulatory Authorities, Telecommunication, Postal and Broadcasting service providers in the region. I personally thank you very much for agreeing to join us for this important event. This is because some of the agenda will be associated with the important activities to be considered in the implementation of the EAC member's countries.

Distinguished participants, Ladies and Gentlemen;

I understand that, EARPTO has the following as the main objectives which through this meeting and other means intends to attain:-

- Harmonize and promote the development of postal and telecommunications services and regulatory matters and devise ways and means to achieve fast, reliable, secure, economic and efficient services within the Community;
- Ensure the provision of tariff structure and settlement of accounts;
- Promote the development and application of Information Communications Technologies (ICT);
- Serve as a consultative organization for settlement of postal and telecommunications matters which are regional in nature, promote the development of technical facilities and their most efficient utilization with a view to improving the efficiency for telecommunications and postal services, increasing their usefulness and making them generally available to the public;
- Harmonize policies and legislation in the communications sector (i.e. managing competition and licensing requirements in the region).

The above objectives indicate that this organization has serious vision and mission of promoting the development of the communications services in our region for the benefits of our people. I am sure the activities which are carried out by the communication organizations have brought many changes in our region since its inception. We will always continue to support your good course. It is also important for your organisation to submit to the respective ministries

the reports and recommendations from your meetings and workshops for our desk officers to make follow ups of your resolutions.

Distinguished participants, Ladies and Gentlemen;

The Government of Tanzania as a member of East Africa Community fully supports the initiatives and collaboration of the East Africa regulatory authorities and operators in their efforts to promote the communications industry in the region. It is my hope that communications operators in the region have to know that they have obligations of reducing poverty by implementing communication activities that will facilitate achievement of the MDGs.

Improved Postal services and telecom services can do a lot for the benefits of our people in the rural areas. I have learnt recently the initiative being made by some operators to enable their customers transfer money through mobile phones and the effort to enable people to communicate in the region at an affordable cost. We know that it is through EARPTO that this noble cause to the people of our region has been possible.

Distinguished participants, Ladies and Gentlemen;

This year's themes of the meeting address two major issues: *Harmonisation of Policy, Legal and Regulatory Practices in the region and Emerging Consumer Issues and Experiences in the Region.* These are important agendas calling for our serious attention if at all we want to make a step forward in the communication sector and social economic development in our region. We have witnessed the economic and social changes out of communications development in other regions of the world including Europe and Asia. I have mentioned these two in particular due to the existing and developing business and social interaction with our nations at this region.

I have been told that representatives from each country will have an opportunity to discuss and present report and share their experience. ICT application and reliable ICT backbone infrastructure will become pivot to the business development mission immediately when the fibre optic cable lands in the East African Coast. We all have roles to play; this meeting will therefore need to address these issues from Regulators and Operators perspective and propose the way forward for the region to become more effective player in the world communication business arena.

Distinguished participants, Ladies and Gentlemen;

The benefit from this meeting will therefore mean sharing knowledge to enable a unified approach in legal and regulatory practices in the East African Region. The participation of Rwanda and Burundi will continue to enhance their regulatory methodology and all together will share experience on common matters affecting the communication sector.

Distinguished participants, Ladies and Gentlemen;

This Congress is held at a very difficult time as the world is going through a very turmoil time in the corporate business world. No country in the world, leave alone in the East African region will be unaffected by the global economic downturn. And in our communication sector that's happening at the same time as profound structural change is taking place due to the change in business trends, from investments to business innovation.

Several major industry players who we might have expected to be a permanent feature of our landscape are now facing real questions about their future. There's maybe a slight irony that this year - which seems likely to be a year of ruthless natural selection in our sector, has necessitated businesses to reconsider their way of doing business.

But it is quite interesting to note a few companies doing well despite the economic problems and the structural shifts in business models in the communication sector. So I remain an optimist. The revolution in business models and consumer behavior brought about by digital technologies creates more opportunities for audiences than it does threats. And if we can navigate successfully through the current uncertainty, the prize is huge for all of us in the communication sector.

Distinguished participants, Ladies and Gentlemen;

Governments across the world are clearly seeing the wider economic potential of content and networks. The east Africa Regions should not be left out as we do not operate in isolation. The technological world revolves around the whole world and no passport of visa is needed to move content from one country to the other.

In the US, President Obama has set out a $7bn commitment to extending broadband reach and speeds as a cornerstone of his recovery package.

In Britain the Government has launched its Digital Britain project, to put together an integrated approach across UK communications content and networks.

In France, President Sarkozy has launched the France "Numerique" 2012 plan for its communications digital economy. And the Australian government is clearly asking similar questions in its Digital Economy Future Directions document.

But whatever each government around the world decides, the key point for me is that there appears wide consensus that the digital economy in the world which needs to be adopted in our region East Africa, can both help drive the recovery from recession, and will play a bigger long term role in the economy as a whole.

Distinguished participants, Ladies and Gentlemen;

So how can the East Africa region achieve a strong and vibrant communications sector? I believe there are vital pillars that underpin it.

Access to basic fixed and mobile networks is now widespread in the East African region economies, but I'd argue that's only the first step. Before too long, we'll see the mass market emergence of services and applications that need speeds way beyond what most consumers enjoy today. Our infrastructure needs to be ready for them.

But the main barrier to investment stems from a fundamental business uncertainty. To what extent is there demand for the content and services which can only be delivered via connections with headline speeds of say 30 MB/s and beyond? And importantly, to what extent can that demand be turned into hard cash by those making the investments?

A broadband connectivity can be but not the only solution. With the landing of submarine cable in the coasts of East Africa, we can see a light at the end of the tunnel.

Distinguished participants, Ladies and Gentlemen;

However, you will agree with me that the issues of Policy, Legal and Regulations can't solve this uncertainty. But it mustn't create other uncertainties itself. In particular, we need to provide clarity for incumbent operators on the regulatory rules that will apply to new networks after the fiber optic cable is in use.

Another possible barrier to the development of our communications networks is the global credit crunch which I spoke about a little bit earlier. In the short term, it will surely affect company's ability and willingness to invest in large new infrastructure projects like fibre networks, and beyond 3G wireless technologies.

That's one reason why there's increasing pressure for public investment in next generation infrastructure. But if East African Governments do too much, we may chill further private investment for a long time. Alternatively we may undermine the value of our own investments by provoking a fierce competitive response. There's a difficult balance to strike. As one practical example, it'll be interesting to see how the relationship will develop between the Kenya, Uganda, Burundi Rwanda and Tanzania governments national fibre networks and private own investments plans.

So world class networks will underpin the development of the digital economy. But it's just as vital to create the conditions for investment in quality content across our networks services providers. This moves me on to the need for local digital content services.

Distinguished participants, Ladies and Gentlemen;

Whilst the internet enables extraordinary opportunities for audiences to consume content from across the world, there is an increasing awareness of the

limits of global markets in delivering the kind of local, regional and national content which reflects our identities as citizens of East Africa region and our own cultures. In an increasingly global media landscape, how do we sustain investment in indigenous East African content with local audience's value?

We in the East African Region share mostly - a common language – Swahili - which is widely spoken across our countries. We should strive to initiate more Kiswahili contents to empower our citizen who love this language and it has been proven beyond reasonable doubt that it connects our people.

I am informed that, for the first time, this Congress bring together Broadcasters for the first time. I commend the effort made to bring them into this forum which I believe will enable EAPTO to tackle broadcasting issues in East Africa Region in this forum.

The recent development of drama and music in our languages in the region, for instance in our local TV stations, radio stations and so forth, underscored just how much audiences care about having a rich mix of home grown programming which informs them, helps them learn, reflects their culture and shows real diversity of views.

But it is evident that what we see in hear in our local stations, showed too the pressures on free to air broadcasting from other platforms and other business models are undermining investment in original home grown programming that's apart from the obvious high return areas of entertainment format shows, low cost factual and long running drama.

Distinguished participants, Ladies and Gentlemen;

The broad policy, legal and regulatory challenges in the region is a need for the communication sector growth and development. Accomplishment of the regional ICT backbone infrastructure, harmonization of regional spectrum management, and development of common regulation for the region in addressing such issues needs your attention for effective utilization of the liberalized market. I hope you will closely follow and contribute positively the presentations that will be made in this meeting so that we come out with solid decisions on our way forward.

It is from this few remarks that we in Tanzania think that the 2nd EARPTO Congress discussions and deliberations thereof, stands to make the difference in the region's communications sector development.

With these few remarks, I wish now to declare that the 2nd EARPTO Congress is officially opened.

Thank you.

STATEMENT BY PROF. JOHN SYDNEY NKOMA, DIRECTOR-GENERAL, TANZANIA COMMUNICATIONS REGULATORY AUTHORITY AT THE OPENING CEREMONY OF THE 17TH EARPTO CONGRESS AT KUNDUCHI BEACH HOTEL IN DAR ES SALAAM, TANZANIA ON 29TH MAY, 2009

The Chairman of the 16th EARPTO Congress, Eng. John Waweru Director-General, Communications Commission of Kenya;

Hon. Minister for Communications, Science and Technology, Prof. Peter Msolla (MP);

Hon. Minister for East African Cooperation, Dr. Diodorus Buberwa Kamala (MP);

Hon Justice Buxton Chipeta, Chairman of the Board, Tanzania Communications Regulatory Authority;

Head of Delegation Uganda;

Head of Delegation Burundi;

Head of Delegation Rwanda;

Chief Executive Officers of Postal, Telecommunications, Broadcasting, and EARPTO member organizations;

Representatives of ATU, PAPU and ITU regional bodies;

Distinguished delegates and observers;

Guest of Honour;

Let me take this opportunity to welcome all of you to Dar es Salaam, Tanzania here at Kunduchi Beach Hotel for the 17th East Africa Regulatory, Postal and Telecommunications Organization (EARPTO) Congress. Dear guests and participants of this Congress thank you very much for choosing Tanzania a convenient and splendid venue for this important event in our region.

We the host of this 17th EARPTO Congress are very much honoured and privileged to have the presence of the Honourable Minister for Communications, Science and Technology, Prof. Peter Msolla (MP), as the Chief Guest of Honour to officiate this important event for postal and telecommunications sector in the East African region. We are also equally honoured today to have the presence of the Honourable Minister for East African Cooperation, Dr. Diodorus Buberwa Kamala. We also thank you very much for agreeing to join us for this important event. This is because some of the agenda will be associated with the important activities to be included in the implementation of the EAC members countries.

We thank you very much Hon. Dr. Kamala for your presence at this important event in our region.

Guest of Honour;

This years EARPTO Congress is held at a time when the telecom and postal industry is experiencing significant growth and is facing exciting challenges brought about by technological developments and economic crisis in our planet. We have witnessed the installation of telecom submarine cable along the East African coast of Indian Ocean. Local SEACOM was issued a business licence this year. We expect that international communications will go down and the tariffs will also be reduced. We hope that joint efforts among East African countries will help to harmonise some activities in order to strengthen capacity building and reduce costs by sharing our human and financial resources in developing our communications industry.

This EARPTO Congress, as you are aware is an event which brings postal and telecom regulatory boards and operators all over the East African region together to deliberate on the development of communications industry. However, this Congress has also brought together stakeholders from broadcasting industry for the first time. Because of technological convergence, We hope the broadcasters will also bring in the EARPTO new and unique innovations and challenges for the betterment of the communications industry in the region.

East Africa Regulatory, Postal and Telecommunications Organization (EARPTO) is an organization whose membership is drawn from regulatory, postal and telecommunications organizations/companies within the East Africa region. This organization, under the new MoU, has been enhanced in recognition of the East African Community Treaty signed on 30th November 1999 by the Heads of States and Governments of the Republic of Kenya, the United Republic of Tanzania and the Republic of Uganda.

The good of this organization lies on the following main objectives:-
- Harmonize and promote the development of postal and telecommunications services and regulatory matters and devise ways and means to achieve fast, reliable, secure, economic and efficient services within the Community;

- Ensure provision of tariff structure and settlement of accounts;

- Promote the development and application of Information Communications Technologies (ICT);

- Serve as a consultative organization for settlement of postal and telecommunications matters which are regional in nature, promote the development of technical facilities and their most efficient utilization with a view to improving the efficiency for telecommunications and postal services,

increasing their usefulness and making them generally available to the public;

- Harmonize policies and legislations in the communications sector (i. e managing competition and licensing requirements in the region);

- Harmonise and coordinate process the of migration from Analogue to Digital broadcasting in the region.

Hon. Guest of honour

The above objectives show that this organization has serous vision and mission of promoting the development of the communications services in our region for the benefits of our people. I am sure the activities which are carried out by the organizations have brought many changes in our region since its inception. These are e-banking, e-commerce, e-learning, e-health etc. We will always continue to support your good course for the betterment of our people. It is also important for your organisation to submit to the respective ministries the reports and recommendations from your meetings and workshops for our desk officers make follow up of your resolutions.

Guest of honour

The Government of Tanzania as a member of East Africa Community fully supports the initiatives and collaboration of the East Africa regulatory authorities and operators in their efforts to promote the communications industry in the region. It is my hope that communications operators in the region have to know that they have obligations of extend their services to the rural and underserved areas for the betterment of our people in the region. By doing this noble cause operators will manage to reduce our common enemy – poverty. We are sure that Postal and telecom services can do a lot for the benefits of our people in the rural areas. Now people can transfer money through mobile phone. People can communicate in the region at low costs. We thank EARPTO for this noble cause to the people of our region.

Guest of Honour, Ladies and Gentlemen, We all know that this EARPTO Congress of 2009 has brought together participants from EAC states that will come up with resolutions to strengthen the communications industry in the region. We wish that all recommended action plans have to be supervised and coordinated by the communications regulatory authorities in our countries. These action plans must involve also institutions of higher learning during their implementation. We have forgotten that institutions of higher learning in our countries have also a role to play in the areas of communications.

Guest of honour

Let me assure you that the Government of Tanzania values the activities of EARPTO as it has been performed well in formulating new ideas and concepts in

the telecoms and postal sectors by bringing together regulators and operators to discuss and come up with constructive reports in the long run for the benefits of consumers of telecom and postal services in the region.

Guest of honour

The Challenges before the communications industry in the region are inadequate Broadband; Regional ICT Backbone; Infrastructure sharing; Tariffs and Taxation just to mention a few; The territory predominantly rural with very limited infrastructure. We hope that our countries can share knowledge from each of us for the betterment of the region.

These challenges before us can be jointly worked out through this important and fragile regional organisation-EARPTO in collaboration with the East Africa Community Secretariat. It is our hope that the above challenges exist in and are common across the region. The joint efforts for the postal, telecom and broadcasting services can improve customer focus to provide efficient and quality services to those that do drive economic development. These services must also look at the needs of a country and provide services that alleviate poverty and meet the needs of the poorest in society. We can change our attitude serve and reach majority of our citizens by affordable costs of fees. Let us propagate the importance of infrastructure sharing in our region to reduce the costs of investments. This will automatically reduce even tariffs to telecom subscribers.

Guest of honour, Ladies and Gentlemen, Last but not least, I would like to conclude by thanking the leadership of EARPTO and its members for accepting our invitation for the 17th Congress in Tanzania. Let us not keep documents with important resolutions of this Congress in our office shelves until next year congress. We have to be proactive by implementing the resolutions in our working places. Implementation of all these decisions and deliberations are needed to be taken care of with joint human and financial resources in order for this noble cause to be in place in our region. We are sure that the region has among the best and competent human resources in the world.

Guest of honour

I also wish to thank you again the leadership of the organizing committee of this important Congress in the East African Region for deciding to bring together participants from the communications industry for the benefit of this region.

Guest of Honour;

With this few remarks, I now have the pleasure to invite the TCRA Chairman of the Board of Directors, Hon. Retired Justice Buxton Chipeta, to welcome the Hon. Minister for Communications, Science and Technology, Prof. Peter Msolla (MP), to officially open this 17th EARPTO Congress.

I thank you for your attention

STATEMENT BY MR. CHARLES J. K. NJOROGE, DIRECTOR GENERAL, COMMUNICATIONS COMMISSION OF KENYA AND OUTGOING CHAIRMAN, EARPTO CONGRESS, DURING THE 16TH SESSION OF THE EARPTO CONGRESS, 29TH MAY 2009, DAR ES SALAAM, TANZANIA

Our Chief Guest, Hon. Prof. Peter Msolla, Member of Parliament and Minister for

Communications, Science and Technology,

Hon. Alloyce Mutabigwa, Deputy Secretary General, EAC

Prof. John Nkoma, Director General, TCRA

Mr. Patrick Masambu, Executive Director, UCC

Heads of Delegation

Members of EARPTO

Representatives from the EAC, PAPU and the ITU

Distinguished delegates

Invited guests

Ladies and gentlemen

It gives me immense pleasure to address this auspicious gathering. Kenya has high regard for The East African Regulatory, Posts and Telecommunications organization (EARPTO) and it is indeed a pleasure to be here today. On behalf of my delegation, let me take this opportunity to express our sincere gratitude to the Government of the United Republic of Tanzania as well as the people of the Tanzania, through the Tanzania Communications Regulatory Authority (TCRA), for the hospitality extended to us since our arrival in this beautiful city of Dar es Salaam. We are thankful for the excellent facilities provided to make this Congress and associated meetings a success.

The 16th Session of the EARPTO Congress is being held at a time when nations, especially those from the developing regions, are seeking to take advantage of the technological opportunities, but as we all know, it is a time of economic and financial difficulty the world over.

Guest of Honour, Ladies and gentlemen, it is clear even at the highest level of our governments that information and knowledge are the critical resources in any country's socio-economic development. Every sector of the economy is increasingly becoming dependent on electronic data transfer. This is now and an age of interconnectivity and interdependence, where technology has traversed geographic boundaries in the transaction of business. We are therefore left with little option but to streamline our systems to align them to the requirements of the new age.

In the current environment of the economic downturn, there is need to intensify our strategic dialogues on the financial crisis facing the world today, and indeed our region, and the resultant effects on the development of a promising sector. The crisis is bound to disrupt the steady growth of the sector so far achieved and erode gains made in the ICT sector. It is therefore incumbent upon us as the players, to agree upon regional measures that will not only hedge against the crisis but also significantly contribute to the development of the information society in the East African region.

Ladies and gentlemen, there is no doubt that we all require a mutli-sectoral approach because of the potential challenges in this miasma of the economic downturn. For instance, until the banking sector is recapitalized, we may not have adequate funding for our activities and operations in the sector. It is already evident that this is affecting the financing of business, and ultimately the margins and profits for commercial operators. On one hand, this may compel internal efficiencies and resource sharing opportunities, but it comes with a price. On th the other hand, we are already witnessing layoffs and reduced spending on consumer centric services. All the same, we inevitably must seek to pool resources and forge more partnerships with academic and financial institutions among others, not only at the national but more importantly, at regional level.

The ICT industry is a major driver in our economies and also a vital industry in its own right underpinning many other critical sectors. Analysts say that it could also be the way to revitalize the ailing economies. As such , in our region, we need to ensure that the basic infrastructural challenges are addressed as a precursor to improving ICT service provision. Poor infrastructure is retrogressive and in the developing countries, it is the main set back in socio-economic development.

In my view, EARPTO would be the right forum to deliberate on how we can overcome these hurdles. As a region we still lag behind other regions in Africa in ICT. For instance, over 70% of the estimated internet users in Africa are based in North and South Africa. The remaining 30% is shared among the rest of the regions including East Africa. This in itself is an indicator of low penetration of not only internet but ICT services in general.

We should explore ways of improving international access capacity, prioritize public access to the Internet as a way of increasing use on a larger scale especially in the rural areas where access is limited. There is need for us to agree to reduce gaps in access to digital technology by introducing the ICTs concept to children at an early age while they are still in school.

Ladies and gentlemen, there is also need to improve human resource capacity and competencies in the region. In Africa generally we have limited Human Resource and in particular, specialist training in telecommunications and ICT. The training centres in the region are few in number and limited in terms of content delivery.

On the other hand, the postal sector is a business that is built on trust and we must continue to ensure that the sector provides services reliably and at affordable rates in the region.

It is gratifying to note that the postal operators in the region have embraced the opportunities presented by new technologies and the Internet. These new technologies should not be seen as a threat but rather we must see their role in improving existing services as well as promoting innovation. Providing courier and postal services across our borders to all businesses and individual citizens plays an important role in the integration of markets. As the East African Community continues to grow, we must take cognizance of the fact that our sector is a key facilitator of trade between our countries and indeed our regional economic bloc.

As we develop our individual country legislations, let us also take cognizance of the need to harmonize our policy, legal and regulatory frameworks in order to make provisions for e-transactions, e-commerce, cyber security, and other topical issues.

Ladies and gentlemen, as we plan our next course of action, let us also remain sensitive to the marginalized communities and minorities, including those with disabilities. The discussions have begun at a general level but we need to translate these in to actions so that we can ensure they are not excluded from the information society.

I wish to assure you of Kenya's commitment to the initiatives being undertaken under the auspice of EARPTO to bridge the digital divide. We will avail the necessary resources to ensure progression in the region and implementation of joint initiatives.

I know we will have more opportunities to interact, so I will not take more time. However, I must express our gratitude to all members for the support we have received during our tenure as Chairman. As we hand over the mantle of EARPTO leadership to Tanzania, we would like to wish them all the success and promise that we will continue to play our supportive role.

With those few remarks, nasema Asante.

STATEMENT BY MR. PATRICK MASAMBU, EXECUTIVE DIRECTOR, UGANDA COMMUNICATIONS COMMISSION , AT THE OPENING CEREMONY OF THE 16TH EARPTO CONGRESS AT KUNDUCHI BEACH HOTEL IN DAR ES SALAAM, TANZANIA ON 29TH MAY, 2009

Hon. Prof. Peter M. Msola (MP), Minister of Communication, Science and

Technolgy

The EARPTO Congress Chairman, Mr. Charles Njoroge, Director General, CCK

Head of Delegations

Distinguished delegates

Ladies and gentlemen

It is a great pleasure for me to address you distinguished delegates at this gathering of the EARPTO Congress here in Dar es Salaam.

Foremost, I would like to thank the Government of the United Republic of Tanzania and Tanzania Communications Regulatory Authority for hosting this EARPTO Congress 2009. I wish to note that the hospitality of the people of Tanzania has indeed made our stay here comfortable.

Hon. Minister, reflecting on the agenda of all the organs of the EARPTO, I am pleased to note that this Congress took into consideration salient issues that require urgent concerted approach in order to meet the challenges. I wish point out a few such us;

1. Regional Initiatives on undersea cable projects
2. Regional interconnection
3. Telecom fraud and cyber security
4. Postcodes initiatives in the region
5. Unified licensing

Hon. Minister, I wish to single out the issue of cyber security. I am pleased to note that this meeting took the issue of combating threats to cyber security in a robust and coordinated manner. The consideration to take concrete steps in creating a more secure cyberspace and ICT by developing and operationalizing national Computer Emergency Response Teams (CERTS) is gratifying. We however need to be conscience to undertake within our jurisdictions all the requisite steps that would enable this team to become operational.

It is a pleasure for me to inform this august gathering that Uganda successfully hosted two international Conferences namely; Information, Science and Technology (IST) - Africa Forum in April 2009 and Digital Africa Summit in May 2009. These events brought together several eminent speakers, researchers, and

regulatory agencies, Industry players from Africa and beyond to share knowledge on a number of topical issues. I wish to point out that we in this region did not only play host to the event, but contributed significantly at the various sessions as panelist/speakers in sharing our country experiences on a number of innovations and policy matters.

In the same breath; I would like to take this opportunity to inform you that Uganda is set again to host two International Telecommunication Union conferences in July 2009. These are;

1. Africa Region Human Resource Capacity Development Forum which will be held from 8-10 July 2009
2. Regional Preparatory Meeting on World Telecommunication Development Conference-(2010) from 13-15 July 2009.
3. ITU Study Group 3, which will be held in 22-25th September 2009

Hon Minister, Let me hasten to point out, that hosting of international events is not for the sake of it. It underscores the growing vote of confidence by the international community in our region with regard to ICT developments among others. It is my pleasure and honour to extend to you all our invitation to the conferences.

Hon. Minister, let me now turn to the status of the communications sector during the intervening period since we last met in May 2008. As you may be aware, the global agenda for the transition from analogue to digital TV broadcasting was agreed upon in Geneva in 2006. Uganda being a signatory to the said treaty has set the process in motion.

The National Taskforce coordinating this transition has developed a roadmap with clear timelines to meet the global deadline of 2015 for the switchover. However, as a country, we have set our target for 2012 as the switchover year. Allow me then, to thank and recognize the contribution of the EARPTO Member States; Kenya, Tanzania and Rwanda who kindly accepted our invitation to share their country experience at a public stakeholder meeting which was held in Kampala in May 2009.

As you may all be aware, the telecommunication sector in Uganda was liberalized in 2006 to allow full competition. In order to achieve this policy objective, UCC commissioned a study on interconnection and retail price regulation to create a uniform interconnection regime so as to encourage competition, limit barrier to entry and encourage infrastructure sharing. This study was completed and the report discussed with stakeholders and disseminated to the public. The recommendations of the study shall come into force with effect from July 2009.

Conscience of the scarce and limited spectrum resource, Uganda Communications Commission authorized a study on spectrum usage by a consultant firm. The object of the study was to ascertain and recommend optimum usage of the spectrum.In line with our regulatory practice, the

consultant conducted wide stakeholder consultations in order to obtain all the concerned views. The report of the study was discussed with the relevant stakeholders and the findings then disseminated at a public consultative forum. The recommendation of the study will be effective in the new financial year.

As a landlocked country, the issue of access to international undersea cable is of great importance us. More so, the news that the Seacom undersea cable which is scheduled to land in Mombasa in June 2009 excites us. In Uganda, we have adopted the principle of open, fair and non-discrimination to access the National Backbone Infrastructure which will be linked to the undersea cable. It is our intention therefore; that the policy of access to the undersea cable will also be based on the same principles of open access, fairness, transparency and non discrimination so as to allow interested players access this resource.

Hon. Minister, the Uganda Communications Commission has continued to provide steadfast regulatory oversight of the sector. We have also taken appropriate action to review and enhance our regulatory accountability on consumer protection, enforcement and industry analysis. In general the telecommunication sector has registered tremendous growth in terms of increase in subscriber base which grew from about 6 million subscribers last year to over 9 million as of March 2009. There has been improvement in quality of service, expansion of network coverage and variety of service and products on offer.

On the other hand, the postal sector also registered steady growth. However, the pace of growth has not been in tandem with the telecommunications sector. The Commission has therefore taken deliberate steps to review this trend. The Commission has set up a Committee to study, review and make recommendations on possible ways of enhancing the operations of the major postal operator. This exercise will involve carrying out benchmarking on a number of issues with the regulatory agencies and postal operators in the region and beyond. We shall at an appropriate time formally seek audience with you to request your advice. We trust as usual that you will accord our Committee the necessary assistance.

The implementation of post code has taken centre stage in the postal sector. We are committed in implementing post code system in line with regional initiatives and UPU recommendations. A project team was established that carried out preliminary work in conjunction with the UPU consultant. The report of the consultant has been submitted to Government for further action. In the intervening period, UCC is set to contribute to carrying out of a pilot project which will begin in the next financial year 2009/10.

Hon. Minister, the Commission has been steadfast in the implementation of planned projects under the rural communications development programme which cover establishment of computer laboratories in selected schools and data points in district health offices. The 5 year RCDF policy has come to end. We embarked on the process of developing a new policy for the next phase. The draft policy is in advanced stages and will soon be adopted.

On the same subject, I am pleased to inform you that the assessment of our performance by the World Bank under the Energy for Rural Transformation/ICT component was found to be very satisfactory. On the basis on such satisfactory performance, we successfully negotiated new funding of amount USD 8million for the new phase. Under this new phase we have planned to establish 20 postal tele-centers among many other projects.

Lastly, let me on behalf of my delegation congratulate the out going Chairman of Congress for providing able leadership in the organization over the two years. I would also like to commend the secretariat for a great job.

I thank you for your attention.

STATEMENT BY AMBASSADOR BISHAR HUSSEIN CHAIRMAN OF COUNCIL OF ADMINISTRATION OF UPU AT THE OPENING CEREMONY OF THE 16TH EARPTO CONGRESS AT KUNDUCHI BEACH HOTEL IN DAR ES SALAAM, TANZANIA ON 29TH MAY, 2009

Minister for Communication, Science & Technology

Hon. Prof. Peter Msola,

The Chairman of the EARPTO Congress and DG of CCK,

Mr. Charles Njoroge,

The Permanent Secretary,

M o CS&T, - of Tanzania,

Mr.

Representative of the Secretary General, PAPU

DG. Tanzania Communication Regulatory Authority

Prof. John Nkoma

Chief Executive officers of the Organizations represented here today,

Distinguished Delegates

Ladies and Gentlemen

May I take this opportunity to thank Tanzania Communication Regulatory Authority, for inviting me to this very important meeting and for the warm reception accorded to me since my arrival. Indeed, this is a heaven of peace and there cannot be a better manifestation than the warmth of the people of this great nation, the United Republic of Tanzania. Naomba Kuwashukuru.

This EARTPTO is taking place at a time when so many events with the potential of reshaping the direction of global economies are taking place. We are witness to tough economic crisis that is affecting virtually every economy globally. Technology is changing rapidly, in fact at a pace that is almost hard to keep up with. Needs, wants and preferences of the market are ever so dynamic and yet they must be met and fulfilled. The Communication sector needless to say has been influenced by these elements in many ways. Closer home, we are about to

witness with the arrival of the sea cable in the next few months a revolution that will forever change the communication landscape in this region.

Mr. Chairman, so much work has been done by the various Committees of the assemblies in the last four days and it is my sincere believe that they have met their objectives.

Let me at this juncture with reference to postal matters of the Universal Postal Union state that we held a successful 24th UPU Congress in Geneva Switzerland and I would like to thank the EARPTO member countries for the support they extended to Kenya before and during the congress. We are proud of the unity of the African states and would wish to assure them that we shall execute the mandate of the chair of the Council of Administration with dignity and fortitude.

During the Congress, numerous resolutions were passed and are expected to be implemented within this congress cycle that elapses in 2012. The resolutions have since been distributed between the two organs, the Council of Administration and the Postal Operations Council and each one is now busy with their programs and projects through their committees and working groups.

Allow me to dwell a little on the work of these two committees as it relates to the work of this forum, EARPTO. The POC, Mr. Chairman addresses issues of postal operations in the areas of: Letter and Parcel Post, Postal payments, Quality and Standards as well as security. These are matters that have been discussed in the postal assembly.

The decisions taken in the POC in any of the areas above are binding save for areas that require signing of bilateral or multilateral agreements. Mr. Chairman, strong participation by our countries in committees and working groups is crucial if our concerns as a region are to be taken into consideration. Low participation means the large economies will always have their way and we are left lamenting about clauses and provisions that are not sensitive to our positions.

I would therefore like to request for greater involvement and participation especially by this sub-region in the work of the POC and also in utilization of UPU developed products such as those of the PTC (IFS & IPS) and quality related units and take advantage of the global reach of these products. With the forthcoming optic fiber connectivity the post in this region has massive opportunities that could not be imagined before in the e-business.

My Council, the CA, is charged with the responsibility of ensuring the continuity of the work of the Union between Congresses in accordance with the provisions of the UPU Acts. This is done through established committees that deal with specific areas. At the moment there are four committees out of which two are working jointly with the POC and are thus called the joint committees.

I would wish to single out the work of committee four, a joint committee, which is charged with the implementation of the Nairobi Postal Strategy and development of the draft strategy plan for the 25th UPU Congress. Distinguished delegates, the implementation of the Nairobi Postal Strategy at the regional, sub regional and country levels rests with you.   The objectives, and activities contained therein are a reflection of your aspirations as the strategy was drawn with inputs from member countries. If I may indulge you, the focus is on the physical, electronic and financial with 18 programmes all aimed at achieving four objectives. In brief:-

Improving interoperability, quality and efficiency; - stimulating a Universal Postal Service adapted to social, economic and technological environment;- promoting sustainable development; - and fostering the growth of the postal markets and services.

Ladies and Gentlemen, gathered here today is the best mix of industry players that can facilitate the realization of the objectives set out in the NPS within the sub-region as well as the individual member countries. I am thinking of CEOs of the posts, regulators responsible for sector policy, telecommunication service providers – a backbone for electronic business, Government to whom we look up to on matters of governance and infrastructure development.

Distinguished delegates, my desire and indeed that of each one of you is a successful congress cycle and implementation of the Nairobi Postal Strategy more particularly because this region is sitting on the chair of the council. I therefore humbly request all players particularly the Governments and the regulators to facilitate and provide support to the designated postal operators in their sector policies, governance and national development programs, and other areas they may require facilitation.

I do not wish to take any more of your time but allow me to conclude by urging the Designated Postal operators to exploit the products and services of the UPU. I am witness to benefits many countries have realized from the products and services of the union. I would also urge you to participate effectively and consistently in the work of the councils and their committees whether as members or observers and aspire to lead some of them for the sake of transfer of knowledge and positioning for leadership in the global arena. I know it calls for financial commitments but I can assure you, it pays in the long run.

I would also like to encourage telecommunications service providers as well to consider the postal operators as partners in business and even as you design new products, consider the post as your first choice outlet or agent – they are present in all corners of the country to provide services to the citizens as an obligation- and they are one of your biggest and most reliable customer.

I thank you all and wish you every success in your work.

SPEECH BY MRS. RODAH MASAVIRU, SECRETARY GENERAL OF THE PAN AFRICAN POSTAL UNION AT THE OPENING OF THE 16TH EARPTO CONGRESS HELD AT KUNDUCHI BEACH RESORT HOTEL, DAR ES SALAAM UNITED REPUBLIC OF TANZANIA ON 29TH MAY 2009

The Guest of Honour, Hon. Minister

The Chairman, EARPTO Prof. Nkoma

Chief Executive Officers of EARPTO Member Organizations

Distinguished Delegates

Ladies and gentlemen

It is my great pleasure to bring you greetings from Mt. Meru; the serene landscape and beautiful scenery of Arusha and its environs, where the headquarters of the Pan African Postal union is situated.

Ladies and Gentlemen, I stand here today on behalf of the Secretary General of PAPU, Mrs. Rodah Masaviru who would have liked to attend this forum but, unfortunately, it did not happen due to reasons beyond her control.

As some members are aware, PAPU is organizing the annual session of the Administrative Council to be followed immediately after by an Extra-Ordinary Session of the Plenipotentiary Conference, that is to say, a forum of ministers responsible for postal matters in member countries, in Cairo, the Arab Republic of Egypt, between 1st and 9th June 2009. She asked me to convey her apologies and at the same time, express her deep appreciation to the Chairman of TCRA, Prof. Nkoma for his kind invitation.

PAPU, a specialized agency of the AU responsible for development of postal services on the African continent is poised for re-positioning.

The Administrative Council and other key organs of the Union including the Strategy Board, the Secretariat Management Board and the General Secretariat, have collectively developed a new vision, Mission and Strategic Objectives for the organization to ensure proper planning and implementation of our four-year programme of action.

In brief, our objective is to address the following key issues that are pertinent to a well structured and focused growth of the postal sector:

▪ Establishment of efficient postal outlets that can deliver integrated services

▪ Establishment of efficient Intra-Africa Mail Transmission Networks

- Creation of new ICT products and services

- Development of postal financial services in Africa

- Capacity building at PAPU Secretariat and in postal administrations

- Creation of a single postal territory in Africa; one of the key actions here is to collaborate with sub-regional organizations like EARPTO to enhance value propositions to stakeholders.

- Finally, to improve efficiency and increase revenues. Again, here we have a key action point to bring on board new members. We have in mind sister countries like Rwanda.

In conclusion, Mr. Guest of Honour Sir, I wish to inform you of the release to members of an exciting PAPU programme of action for the next one year that will involve, among other things,

Some members present here being called upon to host some seminars for exchange of ideas and best practices. Efforts will be made to consult with Uganda with a view to having them host a week-long seminar for Administrative and Technical Committees of the Union in November this year.

PAPU will celebrate its 30th anniversary on 18th January, 2010; a magic year for Africa considering that we will host the World Cup in South Africa and the Mid-Term review of the global Postal Strategy in Kenya. You will be called upon to produce what you know how to do best – commemorative stamp issues to market Africa worldwide. The United Republic of Tanzania will be approached to co-host the event in Arusha with the PAPU General Secretariat.

More details on these activities can be accessed on our website: www.upap-papu.co.tz

Mr. Chairman, I thank you very much for your attention.

SPEECH BY MR. REVERIEN NTAGAYE, DIRECTOR GENERAL, BURUNDI TELECOMMUNICATION REGULATORY AGENCY (ARCT) AT THE OPENING OF THE 16TH EARPTO CONGRESS HELD AT KUNDUCHI BEACH RESORT HOTEL, DAR ES SALAAM UNITED REPUBLIC OF TANZANIA ON 29TH MAY 2009

Good morning.

First of all, I'd like to beg your pardon for my poor English because as you know, Burundi is an official French speaker and as we became member of the EAC where English is spoken and Swahili of cause, I hope you are going to tolerate my pronunciation because we are beginner in English speaking.

Honorable Professor, Minister for Communication, Science and Technology;
Honorable Deputy, Secretary General of EAC;
Honorable Professor, Director General of Tanzania Communications Regulatory Authority;
Honorable Executive, Director of Uganda Communications Commission;
Chairman of EARPTO, Director General of Communications Commission of Kenya;

Ladies and gentlemen;

It's a pleasure for me to take this opportunity to thank you the Minister for honoring this occasion with your presence here. I also wish to thank the Deputy Secretary General of EAC for the support towards EARPTO.
My thanks are also addressed to Tanzania for hosting this EARPO 2009 Congress and the different assemblies which took place in this nice Hotel since last Monday, if you want to know how Tanzanian hospitality is, as to Burundians.
It has been an occasion for all participants to share their respective experiences, evaluate what they have already done and especially what they still have to do,
I now wish to congratulate you Mr. Chairman of EARPTO for your good leadership of the organization. I also like to thank the Director General of TCRA and the entire staff for providing us with good facilities which make our stay during the Congress very successful.

Thank you very much

REPORT OF THE CHAIRPERSON OF THE 15TH EARPTO CONGRESS DURING THE 16TH EARPTO CONGRESS MEETING HELD IN DAR ES SALAAM, TANZANIA ON 29TH MAY 2009

The Chairman, 16th session of the EARPTO Congress, Prof. John Nkoma

Heads of Delegation

Chief Executives

Members of EARPTO

Observers

Ladies and Gentlemen

Introduction:

I wish to start by thanking the EARPTO membership for the opportunity given to Kenya to serve as the Chair of the Congress in the last two years. We have enjoyed the tenure, and would like to express our appreciation for the support and cooperation we have enjoyed during our chairmanship.

At the time of the 15th session of the EARPTO Congress in Nairobi, a number of action areas were identified. Although the goals we set are yet to be achieved, there is no doubt good progress has been achieved given the dynamism of the sector. I would like to assure the membership that these issues are still in focus and no doubt will be concluded by our dedicated assemblies. Allow me to now present the report of the activities of EARPTO since we took over the Chairmanship in 2007.

In 2007, at the 15th Congress, Kenya hosted a workshop, on 10 April 2007, themed: *"ICT Connectivity in the Rural Areas and Un-economical Areas: A Challenge or Opportunity"*. Members had the opportunity to discuss case studies, the policy perspectives, possible approaches for effective deployment of rural and universal access networks among other areas. The membership noted the need to increase ICTs access as a key goal of the UN's Millennium

Development Goals (MDGs) and noted the need for policies that would encourage investment flow in the rural areas as a way of narrowing the digital divide. Such investments would include infrastructure, human capital and ICT related Research and Development. Operators were encouraged to take advantage of the available cheap and proven technologies to spread ICT connectivity in the remotest areas of the region.

Last year there was another workshop on two themes namely: *Application of ICT in enabling business – Postal Services and ICT backbone infrastructure development – Experience in the Region.* Noting that the East African coast is the only coast in the world that has no submarine cable connectivity to the rest of the world, it is worth noting that the region is keenly looking at the development of backbone infrastructure and the general improvement of regional connectivity. Members noted the need to have all communications services ride on the available ICT infrastructure and enabling the extension of all services to the rural areas.

Postal sub sector:

The postal administrations in the region have continually made the effort to introduce reform in the sub sector. A number of initiatives introduced under the auspice of EARPTO have bolstered the efforts collectively.

All the Administrations agreed to research aggressively and introduce modern postal financial services. In this respect, I am glad to report that the International Financial service has been introduced in the region. This has also served to improve the revenues of the respective postal administrations.

Postal security has remained a priority and as such, inspections at the airports and exchange offices were continuously carried out. In this regard, more than five inspections were successfully undertaken. I would like to encourage the continued implementation of this exercise in order to maintain the confidence of the customer in postal services in the region.

I am also glad to report that the postal sub sector in the region issued a joint stamp for the 2008 24th UPU Congress. As resolved by Africa's Support Committee, part of the proceeds were given towards the organization of the Congress. All of you are aware of the unfortunate incidences that took place in Kenya and the subsequent change of venue of the Congress. All the same, the Congress was successfully held and fully supported by the African community as initially pledged.

Let me take this opportunity to thank EARPTO members for their support to the proposal to the UPU Congress on e-commerce project for postal administrations. This project was accepted and you will have the opportunity to hear the report on its progress at this Congress.

We are also proud of the fact that one of our own in the region was elected to the position of Secretary General of the Pan African Postal Union (PAPU). Mrs. Rhodah Masaviru, a Kenyan by birth, was well supported by the East African community and for that we are grateful as a region for her well earned successful election. I am also happy to note that Tanzania and Kenya were also successfully elected to the Council of Administration of the Universal Postal Union (UPU).

At the 15th session of the Congress, Administrations encouraged to market courier service continuously and institute appropriate mechanisms to facilitate door to door delivery. Discussions on the addressing system and implementation of postcodes have been ongoing and at this point, the implementation in Kenya is complete, while Tanzania and Uganda are on track with their plans. This will help to boost the postal sector's efficiency and also build the much –needed trust in the service. However, the need for integration of post-code at regional level should be kept in view so that the benefits can be spread throughout.

 It is necessary that our region develops a postal plan particularly to ensure that we are on track on the issue of Postal sector reform; Improvement of the quality of service; and Diversification of postal products and services.

Telecommunications:

I am also happy to report the implementation of the proposed regional interconnection guidelines. We cannot ignore the fact that consumers in the region need to enjoy lower prices for telephone services. The implementation of the interconnection guidelines is therefore a step in the right direction.

There are also a number of regional projects whose implementation is continuing. These include: the East African Backhaul system, EASSy, RASCOM, COMTEL among others. The projects may not be exclusive to the region, but the enthusiasm among the East African members remains because of the inherent benefits of the projects.

It was also recognized that there is need for appropriate spectrum pricing and in so doing regulators are encouraged to continue sharing experiences that would improve the prevalent mechanisms.

Regulatory issues:

The region in general has transitioned smoothly into the post exclusivity environment. Our reviewed licensing regimes now reflect a converged sector and a more harmonized approach to issuance of licences. In the same vein, enforcement activities have been strengthened. I believe with the recommendations of the Task force that was established, the enforcement functions will now be more effective and in particular, they will have even more impact at a regional level.

Our goal should now focus on the critical and important issue of removal of regulatory and legal barriers that could deter the growth of the sector in the region. As we reflect on the deliberations of the workshop yesterday (*themed harmonization of policy, legal and regulatory practice in East Africa*) , it is evident that we must work on a more harmonized regime in order to harness the full benefits from the sector as the East African Community.

During the period, tremendous progress has been made in the harmonization of short codes for emergency services and the child help line in line with the international requirements.

The other issue that was considered by the 15th Congress is broadcasting and in particular, the planned migration to the digital terrestrial broadcasting by 2015. Arising from the Regional Radio Conference in 2006, (RRC-06), our respective jurisdictions have updated the frequency tables accordingly and plans are underway to facilitate the migration and transition between 2009 and 2012. One of the key success factors identified in the area of broadcasting is the development of harmonized policies and consideration for the best migration strategies in the region.

Equally, the region has continued to demonstrate solidarity in the international arena. We have had joint preparations for the RRC-2006, WRC – 2007, 24th UPU Congress, WTSA-08, PAPU Plenipotentiary Conference, and continued updates on the implementation of decisions that have been undertaken. Discussions are also underway on how we can cooperate in the WRC-2012, ITU Study Groups and the ITU plenipotentiary in 2010, among other meetings. It is necessary, in the current interconnected and globalized environment that we approach issues as a block in order to articulate our positions effectively.

It is also important that we take note and be keen to protect the scarce resources including frequencies, numbering resources, domain names and addressing. I wish to note here that there has also been progress in ensuring these resources are well guarded in the region. From the reports of the various task forces established, it is evident that we are moving in the right direction. Our various jurisdictions have reviewed the spectrum pricing mechanisms in line with international best practice, the recognition of IPv6 as the next step and visualization of how we can take full advantage of this new generation of networks.

To solidify our relationships, the efforts to amend the Memorandum of Understanding (MOU) have been going on. It is important to have our

organization recognized by the East African Community at a formal level. The Task Force has put in time to develop proposals for the consideration of members, and in this respect, I hope that the members will critically look at the proposed Constitution, as well as the Rules of Procedure and determine how best we can forge ahead and become a more effective body in the interest of the communications sector in the region.

The membership of EARPTO has also continued to grow and we encourage members to increase the recruitment efforts because the larger the membership, the easier it will be to seek consensus and collaboration from players in the region. In this respect, four new members applied and were admitted to EARPTO between 2007 and 2008. These include: ARCT- Telecommunications Control Regulatory Agency, Burundi, Warid Telecoms (Uganda), Association of Courier Companies of Uganda (ACCU) and the Telecommunications Service Providers' Association of Kenya (TESPOK).

In general, there have also been efforts to invigorate the capacity of members, both at a national and regional level. There have been a number of trainings on how we can upgrade the skills and knowledge in the sector, and also ensure the well being of workers in the sector. This, fellow members can only be achieved if we have embedded these principles in our HR policies.

There are many areas that we can improve on including partnerships with the academia, particularly in the area of research and development. Ours is a sector that thrives on continuous innovation and to achieve this, R&D must be part and parcel of our programmes so that we can optimize the benefits that come with it.

Challenges and opportunities:
All said and done, the progress has not been without challenges. There are still a number of issues that are yet to be attended to for various reasons.

Our region has continuously experienced infrastructure vandalism. The development of infrastructure is a very expensive venture and similarly, its

maintenance is critical to the continuous provision of service. We all know that there are a number of fibre optic initiatives in the region including TEAMS, EASSy, Seacom and other national projects. The materialization of these projects are bound to bring immense benefits to the region and the neighbouring countries and we must safeguard the infrastructure in the best way possible.

While on this point, let me also mention that we must also promote the spirit of infrastructure sharing so that we can minimize the associated costs. Similarly, we must also strive to fully operationalize the East African Internet Exchange Point which will greatly reduce the costs of exchanging internet traffic in the region.

Finally, as we face the converged environment, we will face the test of developing the relevant infrastructure and content we would want carried on these networks. We should, as a region, seek ways to generate local content and ensure facilities are put into full utility for the benefit of our people in the region.

Overall, the sector in the region has made remarkable progress over the years. The region now enjoys services as follows: cumulative of 27 major telecommunications operators, 41million telephone subscribers, 10 million internet users, with an average of 31% teledensity. There are also over 100 TV stations and more than 300 radio stations in the region. This may look rosy but looking at those that are not connected; we still have a lot to do in order to improve the communications connectivity in our region.

Before I conclude, I wish to request the incoming Chair to coordinate the participation of EARPTO in forthcoming UPU Strategy meeting scheduled for 2010 in Nairobi.

Lastly, I hasten to mention that we all have a stake in EARPTO and must therefore make the necessary efforts to strengthen it. I urge you all to continually follow up on the decisions we take here and implement them in time. Let us take advantage of collaboration opportunities with other regional bodies and seek other prospects that lie there in.

I therefore table my report as outgoing Chairman for your consideration and adoption. Let me take this opportunity to wish the incoming Chairman success and also pledge our continued support for the success of EARPTO.

I thank you.

SPEECH BY DR. NAOMI KATUNZI, THE PERMANENTSECRETARY, MINISTRY OF COMMUNICATION SCIENCE AND TECHNOLOGY, UNITED REPUBLIC OF TANZANIA AT THE OPENING CEREMONY OF THE EARPTO WORKSHOP AT KUNDUCHI BEACH HOTEL AND RESORT IN DAR ES SALAAM, 27TH MAY, 2009.

Head of delegation Kenya,

Head of Delegation Uganda,

Head of delegation Burundi,

Head of delegation Rwanda,

Chief Executive Officers of, Postal, Broadcasting and Telecommunications operators and Internet Service providers;

Representatives of ATU, PAPU,NET TEL AFRICA and ITU regional bodies,

Distinguished delegates and observers,

Invited Guests,

Ladies and Gentlemen

I have the honour of addressing this gathering of east African member state representative of the communication sector this morning. I understand that you have been here in Tanzania for the past three days when you started your assemblies and working committee meetings on different agendas in respective sub-sectors under the main communication sector. This exempts me from welcoming you to Tanzania as I understand that my colleagues had done that earlier and you are now familiar with our Tanzanian hospitality.

Ladies and Gentlemen,

This Workshop is part of the EARPTO Assemblies of Regulators, Operators and different working committees meetings that have been in progress for the past three days and will be concluded by the Congress on Friday.

This workshop gathering will experience a difference operationalisation from that used to previous meetings. The Chief Executive Officers who on usual meeting do not participate in the workshop have been invited and will participate following the nature of this year's theme which calls for the high level policy commitment.

This year's theme of workshop is about *'Harmonization of Policy, legal and Regulatory practices in East Africa.'* May I dare to inform you that we at the

policy making and implementation levels within our states have noted existence of similarities of characteristics in people and the environment surrounding our states that calls for the harmonization on policy, legal and regulation practices in the communication sector.

I understand that this workshop will receive the expert report on the study conducted on the theme within our East African states. The report will address among other things:-

i) Why should there be ICT Policy harmonization frame work within the EARPTO Member States?;

ii) How can the regional ICT Policy and regulation Harmonization facilitate meeting of the EAC Economic Integration;

iii) What strategies will be used to attain the intended objectives?;

iv) The status of the existing regulatory and operational frameworks.

These and many other areas of concentration in the respective report will enable the participants and their respective organizations and states make a rational decision toward Harmonization of Policy, legal and Regulatory practices in East Africa region.

I am also informed that there will be presentation and discussion on the WTSA-08 resolution 76 which is about *conformance and interoperability testing, assistance to developing countries, and possible future ITU mark programme.* We all know that the ITU is the highest UN body responsible for the telecom management. It is one of the important sources of information that is required for the development of the Telecommunications sector in our countries including the East African states which its communication gurus are here this morning. It is my hope that you will positively receive, discuss and deliberate on the agenda by the Standardization Bureau of the ITU on the subject.

Ladies and Gentlemen,

Another important agenda which will be dealt with is the 'Emerging consumer issues and experiences in the region'. This is yet another area of concern to the peoples and Governments of the EAC. As you well know that our societies are becoming more aware of their rights and obligations, the challenge now is how the stakeholders can meet this rising demand.

The Governments, Regulators and Operators in the communication sector should strive to develop a strategic approach that will enable the stakeholders to play their respective roles harmoniously. Consumers are very important. No one among us who can do without consumers since they are the pivot of our existence. It is the people who put the governments in power and make the business flourish.

Ladies and Gentlemen:

Once again as I am concluding my opening remark this morning, let me take this opportunity to urge you again to adopt, seriously discuss and deliberate on

all presentation that will be made here and come up with best options that will among other thing necessitate connectivity and narrow the digital divide gap among our Governments, Our peoples and our Businesses.

Also let me express my sincere appreciation to the EARPTO member states for accepting to meet here at Dar es salaam, Tanzania and organising Committee, for inviting me to officiate this important gathering this morning.

I wish all a nice deliberations and pleasant stay.

Thank you.

STATEMENT BY MR. ALLOYS MUTABINGWA EAC DEPUTY SECRETARY GENERAL, PLANNING AND INFRASTRUCTURE AT THE OPENING OF THE ASSOCIATION OF THE EAST AFRICAN REGULATORS, POSTS, TELECOMMUNICATIONS AND OPERATORS (EARPTO) CONGRESS 2009 KUNDUCHI BEACH HOTEL & RESORT

Honourable Professor Peter M. Msolla (MP), Minister for Communications, Science and Technology;

Mr. Charles K. Njoroge, Director General, Communications Commission of Kenya and Chairman of EARPTO;

Professor John Nkoma - Director General, Tanzania Communications Regulatory Authority;

Eng. Patrick Masambu - The Executive Director, Uganda Communications Commission.

Mr. Reverien Ntagaye, Burundi Telecommunications Regulatory Agency

Distinguished Members of EARPTO

Ladies and Gentlemen

On behalf of the Secretary General Amb. Juma Mwapachu and on my own behalf, I welcome all of you to the EARPTO Congress 2009. I would like to also take this opportunity to thank Hon. Professor Msolla the Minister of Communications, Science and Technology for finding time in his busy schedule to come and grace this EARPTO Congress. It is no doubt an indication of the seriousness and esteem that EARPTO is held in the region.

Chairperson,

In its regional integration agenda, EAC recognizes the critical role of the ICT sector from both the business and enabler perspectives. The sector has become a central pillar of any modern economy and its impacts on the performance of other sectors cannot be overemphasised. This is why the Community's Development Strategy for the period 2006-2010 has deliberately identified the development of the sector among the highest priorities.

Among the challenges that the EAC identified for this sector, harmonisation of the regulatory strategies for the Partner States was prioritised. This was in recognition of the rapid expansion that the sector was undergoing both in terms of players, technology and latent importance in the management of the larger economic space.

A study on harmonisation of the regulatory regimes was, therefore, commissioned under the Regional ICT Support Programme (RICTSP) funded by the European Union, to propose a framework upon which Partner States could harmonise their regulatory activities. I am happy to note that study has been finalised and considered by the Partner States and yesterday was the subject of further discourse during the EARPTO workshop. I am confident that the proposals therein shall inform our strategy towards harmonisation of not only the regulatory aspects but also energise the harmonisation of the wider ICT policies.

Chairperson,

Indeed, the desire to have a coherent common set of rules and regulations in a sector which is characterized by extreme pace of technological progress, changes and innovations raise increased challenges. From a regional perspective, developing appropriate regulations and their implementation require a joint action of regulatory authorities and operators in a collaboration framework like EARPTO.

As I mentioned during the EARPTO Workshop, the Summit has directed that the Common Market Protocol be finalised for signature by November 2009. A large portion of the Protocol focuses on Trade in services such as those under the EARPTO sectors of communications, courier services, international financial services (under the postal services) mobile telephony among other services. It is, therefore, critically important that your sector internalises this situation and works towards regulatory, oversight and licensing regimes that would support the Common Market operations, when it comes to effect.

Chairperson,

While addressing technical and regulatory matters, my appeal to all of you is also to think of the populations yet to be connected. The progress made since the beginning of the liberalisation is quite commendable, thanks to the participation of the private sector. But we still have a lot of challenges at hand to resolve different forms of digital divide we observe between our populations. Let us work towards closing the technology gaps.

The online availability of governments services, national administrations, public services and private sector still need to be improved. The online delivery of services by both public and private sector at both national and regional levels is still a trickle. This Segment constitutes an important untapped market for investors and operators and it will require the development of national and regional-wide e-applications supported by increased bandwidth. It is, therefore, important that EARPTO lobbies governments to enable the development of high capacity networks to facilitate such services. We are happy though to note that all EAC Partner States are implementing projects on broadband networks and call on their fast tracking.

Chairperson,

In Conclusion, I wish to assure the Congress that the EAC Secretariat will to continue to work together with the Partner States and the private sector in order to bring the realisation of a single market for ICT services to reality.

I wish EARPTO Congress 2009 fruitful deliberations.

Asanteni Sana Kwa usikifu wenu!!!!

PRESENTATION BY PROF. DAVID SOUTER AND LISHA ADAM ON HARMONIZATION OF POLICY, LEGAL AND REGULATORY PRACTICE IN EAST AFRICA AT THE EARPTO WORKSHOP HELD ON 28TH MAY 2009 DAR ES SALAAM, UNITED REPUBLIC OF TANZANIA

The presentation is available in a separate folder.

Annex M

PRESENTATION BY PAOLO ROSA, HEAD OF WORKSHOP AND PROMOTION DIVISION OF ITU ON STATUS OF REPORT ON WTSA-08 RESOLUTION 76 IMPLEMENTATION

The presentation is available in a separate folder.

Annex N

PRESENTATION BY MR. RICHARD KAYOMBO DEPUTY DIRECTOR, CONSUMER AFFAIRS OF TCRA TANZANIA AND MR. JAMES ARINAITWE, POSTA MASTER GENERAL OF POSTA UGANDA ON EMERGING CONSUMER ISSUES AND EXPERIENCES IN THE REGION

The presentation is available in a separate folder.

Annex O

DRAFT CONSTITUTION OF THE EAST AFRICAN COMMUNICATIONS ORGANISATIONS (EACO)

PREAMBLE

PURSUANT to the Treaty establishing the East African Community (the Community) dated 30th November 1999 signed by the Heads of States and Governments of the Republic of Kenya, the United Republic of Tanzania and the Republic of Uganda and subsequently acceded to by Republic of Burundi and Republic of Rwanda;

IN RECOGNITION of the Community's resolve to strengthen its economic, social, cultural, political, technological and other ties for fast balanced and sustainable development;

AND WHEREAS the Community has established a Sectoral Committee to coordinate the development of amongst others the communications sector of the Member States;

CONSIDERING the existing regulatory, postal and telecommunications cooperation among members under the East African Regulatory Postal and Telecommunications Organization (EARPTO) established by a Memorandum of Understanding (MoU) signed in 2005;

CONVINCED that in order to strengthen EARPTO it is necessary to determine the EARPTO MoU and establish the East African Communications Organisation (EACO), the signatories hereby agree to determine the said MoU and resolve as follows:-

Article1:   Definitions

In the Constitution unless the context otherwise requires:

Assembly	Means any of the following Assemblies: Assembly of Broadcasting Operators, Assembly of Postal Operators, Assembly of Regulators or Assembly of Telecommunications Operators;
Broadcasting Operator	Means any organization licensed by a Regulator of a Member State to provide broadcasting networks and services;
Chairperson	Means the Chairperson of the different organs of EACO and includes any temporary Chairperson of the organ;
EACO	Means the East African Communications Organisation;
EACO Congress	Means the highest organ of the East African Communications Organisation;
Member State	Means a Member State of the East African Community;

Organization	Means institutions that regulate, operate and provide training in broadcasting, postal or telecommunications services;
Postal Operator	Means any organization licensed by a Regulator of a Member State to provide postal or courier services;
Regulators	Means organisations designated by a Member State to licence and regulate Broadcasting, Postal and Telecommunications operators;
Telecommunications Operator	Means any organization licensed by a Regulator of a Member State to provide telecommunications networks and services.

Article 2: Establishment of East African Communications Organization

(i)   There is hereby established an organization known as the East African Communications Organization whose responsibility shall be to strengthen and promote cooperation in the development and provision of postal, telecommunications and broadcasting services in the East African Community.

(ii)   [EACO shall be a specialized agency of the East African Community (EAC).]

(iii)   EACO shall have legal personality with the capacity to amongst others enter into contracts, acquire, own and/or dispose of movable or immovable property and sue or be sued in its name.

Article 3:   Objectives of EACO

The objectives of the EACO shall be to harmonise policy and regulatory frameworks in the region; promote the development of broadcasting, postal and telecommunications services and regulatory matters; and devise ways and means to achieve fast, reliable, secure, affordable and efficient communications services within the Community, with particular focus on:

(i)   Network development and regional inter-connectivity;

(ii)   Harmonization of tariff structures and settlement of accounts;

(iii)   Policy advise on issues relating to the communications sector;

(iv)   Regional projects, and programmes;

(v)   The security of broadcasting, postal and telecommunication networks;

(vi)   Research and technological development;

(vii)   Human resource development;

(viii) Exchange of information;

(ix)   Management of radio frequency resource;

(x)   Standards development and promotion of ethical practices;

(xi)   Quality of services;

(xii)   Ensure the provision of universal service in the region;

(xiii) Promote the development and application of Information Communication Technologies (ICT);

(xiv)   Serve as a consultative organization for settlement of matters which are of regional nature, promote the development of technical facilities and their most efficient utilization;

(xv)   Harmonize policies and legislation in the communications sector; and

(xvi)   Promote the development of local content from the East African Region.

Article 4:   Membership

Membership of EACO shall be composed of two categories namely:

(a)   Members

(b)   Associate Members

(i)   Members

Membership to EACO shall be granted to:

(a) Regulators from the Member States of the East African Community; and

(b) Broadcasting, Postal and Telecommunications Operators duly licensed by the Regulator in the Member States of the East African Community.

Any applicant wishing to join EACO after the coming into force of this Constitution shall apply in writing and submit a letter of accession in accordance with Article 19 of the Constitution.

Provided that:

(a) In case of a new applicant of a Member State, it shall write to the Regulator of its respective Member State, which shall submit such application to the Congress.

(b) In case of a new Member State joining the East African Community, it's Regulator (if in existence), or its Broadcasting, Postal or Telecommunications Operator(s) shall write to the Secretary General of the East African Community, communicating their intention to join EACO.

(c) The Secretary General shall, in the case of item (b) above, confirm to the Chairperson of EACO Congress, membership of the state of the applicant in the East African Community. The chairperson of the Congress shall place the request for membership of the applicant at the subsequent Congress meeting.

(ii)   Associate Member

Associate Membership to EACO may be granted by the EACO Congress to any other institution or organization which has interest in the advancement and promotion of the objectives of EACO.

Article 5:   Observer Status

Observer status may be granted by EACO Congress to any institutions or organizations which have expressed an interest to attend EACO meetings.

Article 6:   Rights and Obligations of Members

(i)   All members and Associate members shall have the right to attend and participate in meetings and activities of the EACO.

(ii)   Members and Associate Members shall be obliged to pay their membership fees to EACO in a timely manner.

(iii)   Members and Associate Members shall promote the image and interests of EACO in regional and international ICT meetings and fora.

Article 7:   Organs of the EACO

The organs of the EACO shall be:

(a)   EACO Congress

(b)   Executive Committee

(c)   Assemblies

(d)   Executive Secretariat

Article 8: EACO Congress

(a) There is hereby established an EACO Congress which shall comprise of Regulators and Operators of Broadcasting, Postal and Telecommunications services.

(b) The Chairperson of the Congress shall be elected by EACO members from amongst Chief Executive Officers of Regulators of the Member States and the election shall have due regard to equitable distribution amongst Member States.

(c) The Congress shall be the highest decision making organ of EACO.

Article 9: Executive Committee

(a) There is hereby established an Executive Committee, which shall comprise of five Members: the Chairperson of Congress and each of the Chairpersons of the four Assemblies.

(b) The Chairperson of the Congress shall be the Chairperson of the Executive Committee.

(c) The Executive Committee shall be responsible for the direction of the affairs of the Organization in between meetings of the Congress.

(d)   Subject to this Constitution, the Executive Committee may regulate its own procedure.

Article 10: Assemblies

(i) Assembly of Regulators

(a) There is hereby established an Assembly of Regulators, which shall comprise of the Regulators of Member States.

(b) The Chairperson of the Assembly of Regulators shall be elected from amongst members of the Assembly and the election shall have due regard to equitable distribution amongst Member States.

(c) The Assembly of Regulators shall deliberate on regional regulatory issues.

(ii) Assembly of Postal Operators

(a) There is hereby established an Assembly of Postal Operators, which shall comprise of organizations licensed by a Regulator of a Member State to provide postal and/or courier services.

(b) The Chairperson of the Assembly of Postal Operators shall be elected from amongst members of the Assembly and the election shall have due regard to equitable distribution amongst Member States.

(c)   The Assembly of Postal Operators shall deliberate on postal issues, which are of a regional nature.

(iii)   Assembly of Telecommunications Operators

(a)   There is hereby established an Assembly of Telecommunications Operators, which shall comprise of organizations licensed by a Regulator of a Member State to provide telecommunications services.

(b)   The Chairperson of the Assembly of Telecommunications Operators shall be elected from amongst members of the Assembly and the election shall have due regard to equitable distribution amongst Member States.

(c)   The Assembly of Telecommunications Operators shall deliberate on telecommunications issues which are of a regional nature.

(iv)   Assembly of Broadcasting Operators

(a)   There is hereby established an Assembly of Broadcasting Operators, which shall comprise of organizations licensed by a Regulator of a Member State to   provide broadcasting services.

(b)   The Chairperson of the Assembly of Broadcasting Operators shall be elected from amongst members of the Assembly and the election shall have due regard to equitable distribution amongst Member States.

(c)   The Assembly of Broadcasting Operators shall deliberate on broadcasting issues which are of a regional nature.

Any member of EACO may attend meetings of any Assembly and make contributions to the deliberations of such Assembly.

Article 11: Executive Secretariat

(i)   There shall be an Executive Secretariat headed by an Executive Secretary;

(ii)   The Executive Secretariat shall have such other staff in accordance with the organizational structure approved by the Congress;

(iii)   The Executive Secretariat shall be located at the Headquarters of EACO;

(iv)   The Executive Secretariat shall be responsible for:

(a)   conducting and executing EACO business operations on a day-to-day basis;

(b)   the development and implementation of strategic plan and management of all EACO programmes and projects;

(c)   convening, in consultation with the Chairpersons of the relevant organs, the meetings of various organs/committees, taking and

maintaining records of those meetings;

(d) development of necessary information and position papers to be discussed by the various EACO institutions;

(e) providing strategic and technical facilitation as well administrative and logistical support to the meetings of all EACO organs;

(f) establishing an information data base and documentation for the ICT industry and disseminating such information to the membership as may be necessary;

(g) carrying out of the general and financial administration of EACO including preparation and implementation of operational and financial plans and budgets, keeping proper books of accounts and ensuring annual auditing of those accounts;

(h) representing and promoting EACO regionally and internationally;

(i) maintaining and safekeeping of all official documents, records and assets; and

(j) such other activities as the Congress may from time to time determine.

(v) The expenses of the Executive Secretariat shall be borne by members.

Article 12: Executive Secretary

(i) There shall be an Executive Secretary who shall be appointed by the EACO Congress based on a competitive recruitment procedure.

(ii) The Executive Secretary shall be the Chief Executive Officer of EACO and shall be responsible for the day-to-day management of EACO business.

(iii) The Executive Secretary shall be a citizen of a Member State of the East African Community and shall serve for a term of four years and shall be eligible for reappointment for one further term.

(iv) The appointment of the Executive Secretary shall have due regard to equitable distribution amongst Member States.

(v) The Executive Secretary may be removed from office before the end of a term of service by the Congress for the following reasons:

(a) mental infirmity;

(b) incompetence;

(c) gross negligence;

(d) misuse of EACO funds or property; and

(e) conduct likely to bring EACO into disrepute;

(vi) In the event of death or removal of an Executive Secretary before the end of a term, the Congress shall ensure that a new Executive Secretary is appointed within three (3) month.

Article 13: Committee(s) and Task Forces

(i)   There is hereby established the Joint Working Committee (JWC), which shall handle matters of common interest to the respective Assemblies. Membership of the JWC shall be open to all members.

(ii)   There is hereby established the Human Resource Development and Training (HRDT) Committee, which shall handle human resources training and development matters.

(iii)   The JWC and the HRDT Committee shall report to the Congress.

(iv)   The Congress or the Assemblies may establish such other committees or Task Forces with specific terms of reference for the purposes of meeting EACO's objectives. Such committees or Task Forces shall report to the respective appointing organs.

Article 14: Headquarters Seat

Congress shall determine the Member State where the Headquarters of EACO shall be located. The host country shall endeavour to create a conducive working environment for the conduct of EACO activities.

Article 15: Meetings

(i)   Meetings of the Congress

(a)   Meetings of the Congress shall be held annually in a Member State on a rotational basis.

(b)   The Congress may convene an extra-ordinary meeting at the request of one or more members and subject to the agreement of two thirds of the members.

(ii)   Meetings of the Assemblies

(a)   Meetings of the Assemblies shall be held annually at the same time and venue in a Member State on a rotational basis.

(b)   The Assemblies may convene an extra-ordinary meeting at the request of one or more members of the respective Assembly and subject to agreement of two thirds of the members thereof.

(iii)   Venue of Meetings of Congress and Assemblies

(a)   The meetings of the Congress and the Assemblies shall be held in the same venue and the latter shall immediately precede the former.

(b)   In order to ensure effective rotation of meetings, a country shall not host an Assembly or Congress for two consecutive years; provided that where circumstances warrant the hosting of an Assembly or Congress for two consecutive years by a country, the Chairman may

with agreement request the convening of a meeting in that particular country.

(iv) Financing of Meetings

The expenses of attending meetings shall be borne by Members.

Article 16: Rules of Procedure

Congress shall make Rules of Procedure under this Constitution, to govern the conduct and proceedings of meetings of all organs of EACO.

Article 17: Finance and Budget

(i)   The finances of EACO shall comprise:

(a) Annual subscriptions from the members and associate members which shall be made in accordance with a membership fee structure approved by the Congress;

(b) Gifts, donations, grants and project funds from development partners;

(c) Self-generated income and investments; and

(d) Any other funds as may be made available to EACO in the course of or for the purpose of its business.

(ii)   Each EACO Member or Associate Member shall remit their contributions to the Secretariat in the manner and during the time frame prescribed by the Congress.

(iii)   The financial year of EACO shall be determined by the meetings of the Congress.

(iv)   The Secretariat shall before every meeting of the Congress prepare a budget, with estimates of revenue and expenditure, for the succeeding financial year.

(v)   The Secretariat shall receive the contributions of Members and Associate Members, any gift, donations, grants and funds and manage the use of such resources in accordance with the budget;

(vi)   The Congress shall appoint reputable Auditors, to audit EACO's books of account. The Auditors shall be entitled to serve for a maximum of two consecutive terms of three years each.

(vii)   The Secretariat shall arrange for the preparation of statements of annual accounts upon approval of a Committee constituted for that purpose, and shall submit those accounts for necessary audit before the same is tabled to the Congress for consideration and approval.

Article 18: Exhibitions and Symposia

Organizations may be allowed to exhibit during the EACO meetings under the general direction of the chairperson of the relevant organ.

Article 19: Settlement of Disputes

Any dispute amongst members arising from the interpretation or application of this Constitution which cannot be settled amicably shall be referred to the Congress for determination. The decision of the Congress shall be final.

Article 20: Relationship between the EACO, [EAC] and other International Bodies

(i)   [The decisions of EACO may attain the force of law through submission to and consideration by EAC organs. The Executive Secretary shall submit decisions, policies and guidelines agreed to at the Congress to the EAC through the relevant organ for that purpose.]

(ii)   EACO may collaborate with other regional and international bodies with similar objectives and interests.

Article 21: Entry into force

This Constitution shall enter into force after its approval by the Congress and upon being signed by at least two-thirds of the Members.

Article 22: Accession to the Constitution

After the coming into force of this Constitution, any applicant admitted into membership or member who has not signed this Constitution shall submit to EACO a letter of accession to the Constitution indicating full acceptance of the obligations provided in the Constitution.

Article 23: Sanctions

(i)   The Congress may, where it is deemed necessary, impose sanctions on any Member or Associate members who:

(a)   Defaults in the payment of its annual contribution for more than one financial year;

(b)   Acts contrary to any of the provisions of this Constitution.

(i)   Such sanctions shall include a warning, reprimand, levying of interest on delayed payments, withdrawal of voting rights, suspension from or termination of membership, where applicable.

(ii)   Where a Member or Associate member is under sanction, their financial obligations to EACO shall continue to accrue, provide that in the case of

termination of membership, such obligations shall be payable only up to the financial year in which the membership is terminated.

Article 24: Withdrawal

(i)   Any Member or Associate Member intending to withdraw from EACO shall give six month's written notice to the Congress Chairperson. Upon receipt of the notice, the Chairperson shall inform Congress accordingly.

(ii)   During the period of notice of intention to withdraw from membership, the Member or Associate Member shall comply with the provision of the Constitution and shall continue to be bound by the same.

(iii)   Upon the expiry of the period of notice, the Member or Associate Member shall, unless the notice is withdrawn, cease to be a members or Associate Member.

(iv)   A Member or Associate Member who has withdrawn its membership shall not be entitled to any claim on any property of EACO.

(v)   The obligations assumed by a member under this Constitution shall to the extent necessary survive the termination of membership of that member.

Article 25: Amendments

(i)   Any Member may propose an amendment(s) to this Constitution by submitting a written proposal to the Chairperson of the Congress.

(ii)   Proposed amendments shall be submitted by the Chairperson to members for their consideration, at least three (3) months prior to date of the next Congress.

(iii)   The Congress may approve any such amendments by a two-thirds majority of the Members.

Article 26: Depository of the Constitution

The Constitution shall be deposited in its original form with the Executive Secretariat and the Secretary General of the East African Community.

The Executive Secretariat shall transmit certified copies of the Constitution to the membership of EACO.

Article 27:   Determination of the Constitution and Dissolution of EACO

(i)   This Constitution shall be determined by an agreement of two-thirds of the Members at a meeting of the Congress.

(ii)   Upon determination of this Constitution, its provisions and the provisions of any separate contracts or agreements made in that respect shall continue to govern the outstanding obligations or projects as if this Constitution had not been determined .

(iii)   A resolution of the Congress to dissolve EACO shall determine the terms and conditions of dealing with the liabilities and the disposal of any EACO Assets; provided that such assets shall not be disposed off to the private benefit of any persons.

Article 28: Transitional Provisions

(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)   Notwithstanding the repeal of the EARPTO MOU, all decisions made, and contracts entered into by the various Organs of EARPTO under the MOU shall continue to be in force and binding as if the same were made pursuant to the provisions of this Constitution.

SIGNED AT _____**THIS**_____**DAY OF** _____**2009**
in originals, all in the English Language and all of them being equally authentic.

Signatories

The respective members have set their hands hereto as follows:

....

....

....

PRESENTATION BY Mr. ROBERT ACHIENG, SENIOR ENGINEER IN COMMUNICATIONS IN THE EAC ON THE POSSIBLE RELATIONSHIP BETWEEN EAC AND EARPTO

The presentation is available in a separate folder.

Annex Q

REPORT OF THE ASSEMBLY OF POSTAL OPERATORS WORKING COMMITTEE OF THE EARPTO FROM 25TH – 27TH MAY, 2009:

1.0 ATTENDANCE

The meeting was attended by members from Postal Corporation of Kenya (PCK), Uganda Post Limited (UPL), Tanzania Posts Corporation (TPC), Uganda Communications Commission (UCC) Tanzania Communications Regulatory Authority (TCRA), Regie Nationale des Postes(RNP) BURUNDI and National Post Office of Rwanda. The list of delegates is attached as Annex I.

2.0 INTRODUCTION

Participants introduced themselves. The Chairman recognized the presence of our colleagues from Rwanda and Burundi who are participating for the first time in this meeting.

3.0 ELECTION OF THE BUREAU

The following were elected to the office:

Chairman	**Mr. Protas Mwageni**	-	**TPC**
1st Rapporteur	**Mrs Olive Kigenyi**	-	**UPL**
2nd Rapporteur	**Mr Elia P.K.Madulesi**	-	**TPC**

4.0   ADOPTION OF THE AGENDA

The agenda was adopted with amendments and is attached as **Annex II.**

5.0   REPORT OF OUT-GOING CHAIRMAN

The outgoing Chairman presented a report on the status of Implementation of the Report of 16th EARPTO Postal Operators Assembly. The report is attached as **Annex III.**

6.0   DELIBERATIONS:

Matters arising from the previous report were incorporated in the deliberations as follows:

6.1   A regional QSF Project
   Noted:
   The Postmark project has not taken off as UPU is still testing the software. The project is expected to take off in a year's time.

6.2   Delay of surface mail at Mombasa
   Noted:
   That there are still some problems at the port

   Agreed:
   PCK should continue to pursue formation of Shipping/Posts Contact Committee to address such issues as delay and accumulation of mails.

6.3   Customer Index
   Noted:
   UPL undertook a customer index survey

   Agreed:
   UPL will pass on her experience on customer index to TPC and PCK by August, 2009

6.4   Postal Financial Services/Settlement of accounts

   Noted
   ▪ The need for all Administrations continues developing financial services as a key business portfolio and revenue stream.

- The Interstate Money Order operated by the three administrations under the IFS platform is on the decline. This may be attributed to new technologies, lack of publicity/marketing, frequent break down of IFS system, competition from banks some of which have established branches in major cities in the region and inability to promptly pay customers' money.

- Rwanda's experience on financial services pointing out that it is still at the stage of implementing IFS.

- Administrations failure to settle accounts in time.
- Some issues related to financial service have not been addressed yet.

- There are few staff who can use the systems and the practice of rotating and transferring of staff who can use the systems

- Committee to address the decline of interstate money order is not yet set up

Agreed:

 Administrations should:
- Ensure reliability of their IFS
- Appropriate training programmes be arranged.
- Align with banks to get cash float
- Ensure financial discipline in handling customer's money
- PCK to spearhead setting up of committee to address IMO issues and convene meeting.

Settlements of Accounts
Noted:

- Administrations' failure to settle accounts in time.
- Uganda made a commitment to pay Kenya on a weekly bases been
- Kenya has not invoiced Tanzania

Agreed:

- Uganda to adhere as much as possible to the commitment
- Kenya to raise MP8 to Tanzania
- Study possibility of opening and operating Escrow Account. TPC to spearhead the exercise.

6.5   Joint Inspection of Airports and Offices of Exchange

Noted:

- All the scheduled inspections were carried out as follows.
    o   Nairobi – October 2008
    o   Kampala – January 2009
    o   Dar es Salaam – May 2009.
- Some improvements in all the airports and offices of exchange.
- Rwanda and Burundi were not included in the joint inspections.
- Serious weaknesses due to laxity in supervision, especially in the hand to hand checks.
- Lack of training has resulted into serious omissions in operational procedures.

Agreed:

- **A**dministration to develop capacity in postal operations through
    o   Succession planning
    o   Training of trainers

- Consider using training facility available in the region namely Multimedia University in Kenya
- Rwanda and Burundi to be invited to participate in the subsequent inspections.
- The next inspection programme will be as follows.

    o   Nairobi – September 2009
    o   Kampala – December 2009
    o   Dar es Salaam – February 2010.
    o   Kigali and Bujumbura-April/May 2010

The detailed Joint Inspection Reports and Implementation status are **annexed as IV, V and VI** respectively.

6.6   Report of the Regional Quality of Service Task Force

Noted:

- The 14th Regional Quality of Service Task Force meeting report was presented by Uganda. It is noted that although quality of service on mails and courier items remains a focal point in postal operations, other parameters must be tested as well quality tests should be extended to other postal product and services.

- Recommendations are partially implemented.

Agreed:

- Establish Posts/customs contact committees to handle issues like unclaimed items, payments, timings etc
- Establish posts/airlines contact committees
- Seriously implement recommendations
- Uganda to submit the implementation status report in the 15th Taskforce meeting
- Integrate EARPTO recommendations in administrations business plans.

The report is attached as   **Annexed VII**

6.7   Philately

Uganda and Tanzania presented papers on promotion of philately business in the region.

Noted:

The following challenges.

- Decreasing interest in stamp collection amongst youths
- Decrease in the number of philatelists
- Delay in release of new stamp issues due to financial constraints
- Lack of publicity.

Agreed:

- Establishment of youth stamp collecting clubs
- Creation of comic stamps and magazines
- Design competitions

- Organize Stamp exhibitions in schools and universities
- Letter writing competitions
- Look for alliances/sponsorships with partners who can help to promote philately business e.g. Regulators
- Theme for joint stamp issue be Youth and sports

On the joint stamp issue it was agreed that the Theme for 2009 be on **Youth Sports.**

The Posts should take initiatives to move nearer to the people through improved signage, school visit, stamp promotion etc

6.8   Marketing Strategies and Programmes

Noted:

Marketing strategies assist in positioning companies in customers mind as well as differentiating their services from competitors.

Agreed:

- All administrations to commit adequate resources to ensure marketing strategies are in place.
- There is a need for postal administration to be innovative.

Direct Mail (DM)

Direct mail is a potential growth area, although there are many challenges to address.

The challenges include creation of customer database, public awareness and proper costing

Agreed:

- Put more effort in promoting direct mail to create awareness through workshops, seminars, write ups, press releases, brochures and aggressive advertisements
- Join the UPU Direct Mail Advisory Board (DMAB)
- Personal selling
- Create customer databases
- Benchmark with the experienced operators in DM eg. S. Africa
- Be innovative e.g Develop Hybrid mail
- Develop DM e-commerce
- Expand DM e.g through use of courier services.

6.9 EMS Pay for performance plan

Noted:

EMS- Pay- For-Performance is now mandatory.
Due to time constraints it is not possible to start by July 2009 as agreed.

Agreed:

- Organize ourselves so that we are able to participate fully amongst ourselves by 1st October 2009.
- Training staff for the exercise be done well in advance.

6.10 Post Code addressing system

Noted:

- Presentation by Uganda and Tanzania on the progress post code and addressing systems in their countries respectively.
- Tanzania has started pilot project in Arusha.
- Uganda there is a master plan for development of Postcode and addressing system.
- Postcode in Kenya is operational but need to a publicity
- The process of developing the postcode in Rwanda and Burundi.
- The following challenges;

  o Unplanned settlements
  o Funding
  o Cooperation with other stake holders

Agreed:

- EARPTO   Members are encouraged to develop postcode and address management systems
- Continue lobbying government support.
- Adequate publicity budget

6.11   Universal Service Obligation (USO)

Noted:

The need to provide efficient and affordable universal access to postal services. The following challenges namely.
- Global economics crunch.
- Competition
- Technology
- Increase in non profitable number of postal outlets
- Declining accessibility
- Lack of funding from governments

Agreed:

- Establish strategic alliances in network expansion
- Establishment use of USO Fund for non profitable postal outlets.

6.12   Development of Courier/Parcels Service

Noted :

- A paper presented by Tanzania on development of Courier/parcel service
- The need to properly cost EMS operations to facilitate presentation of good business case for further development of business.
- The need to mount a serious campaign to improve customer perception of EMS.

Agreed:

- To streamline the EMS delivery standards
- To Introduce new products
- Properly cost EMS products and services
- Form strategic alliances eg with publishers
- Enhance publicity campaigns for EMS products and services

6.13   Mail Consolidation.
Noted:

- Presentation of papers on mail consolidation by Kenya and Tanzania.

- Surface mail is losing market all over the world and in our region is composed mainly of empty bags and RTS items.

- The following challenges to the service were identified:
  o Failure to reimburse by Administrations of origin
  o Triangular routing leading to delays and high conveyance costs
  o Declining volumes of mails
  o The Quality of service is poor
  o Conveyance rates are high

Agreed:

- Mail consolidation be disbanded
- Administrations seriously consider the use of SAL (Surface Airlifted) and appropriately cost the service.
- Each Administration notify the International Bureau of UPU as above, and this should be done by September 2009 to become effective by January 2010
- Uganda and Kenya to enter into bilateral arrangements for incoming surface mails passing through Mombasa Port

6.14 Cross border mail exchanges

Noted:

- Presentation by Uganda a paper on cross boarder mail exchange.
- Mail volumes are generally low at the border.

Agreed:

- individual countries to study the matter further on bilateral basis
- Administration can also benchmark with SAPOA or any other postal bodies.

6.15. ICT Developments

Noted:

- TPC shared her experience in the development of an integrated ICT platform. TPC has so far implemented International Postal system (IPS) application, Data communication Network,

International Financial System (IFS) application, Counter Automation (Postglobal) and E-business application.

- Kenya has implemented IFS, IPS, PBMIS (Posta Branch Management Information System), E-procurment, Electronic agency service, Postapay and Rugby.
- Uganda has implemented IPS, IFS and Sun system for financial Accounting and Counter Automation(Postglobal)
- Rwanda has implemented IPS light for EMS track and trace, rugby for EMS inquiries and are in final stages of extending IPS Light to accommodate tracking of registered mail and parcels.
- Burundi has implemented Postapay for electronic domestic money transfer, IPS Light and Rugby system.

- The following Challenges:
  o Lack of financial resources to invest in ICT Development
  o Lack of training
  o Lack of awareness and resistance to change by staff
  o Frequent Power cuts

Agreed:

- Develop internet based products
- Training of staff
- Benchmark among ourselves and others who are developed in ICT
- Acquire power backups
- Continue soliciting for financial assistance especially from Government

6.16   Postal Reform:

Noted:

Reforms are an on going process for all administrations to be able to meet the ever changing needs of the customers.

Agreed:
- Be innovative
- Embrace modern technologies

- Benchmark with other postal administrations

6.17   **Post Cargo:**

Noted:

- TPC's paper on post cargo was presented
- Gradual decline in parcel volume
- Rigidities in the traditional parcel post service
- The following features of the post cargo service
  - Maximum weight limit to respond to customer needs
  - No standard packaging requirement
  - No standard dimensions/sizes of a parcel.
  - Competitive charge rates with discount facilities for large consignments.

Agreed:

- All EARPTO members are encouraged to establish post cargo in their respective services.
- Continuously scan the business environment to adapt appropriate strategies which respond to customer needs.

RECOMMENDATION:

Postal Administrations especially of the developing countries to take full advantage of the logistics and delivery business so as to fill up the widening gap of the customer base for traditional Postal Services.

7.0.   A.O.B

Postal Administration Urged to continuously focus on improving the quality of their services in order to attract more customers.

REPORT OF THE ASSEMBLY OF TELECOMUNICATIONS OPERATORS (ATO) HELD ON 25TH – 27TH MAY 2009 AT KUNDUCHI BEACH HOTEL, DAR ES SALAAM, TANZANIA

1.0   REPRESENTATION

i)   Safaricom – Kenya

ii)   Zain – Kenya

iii)   Essar – Kenya

iv)   Telkom Kenya

v)   Kenya Data Networks – Kenya

vi)   TESPOK - Kenya

vii)   Africa Online - Tanzania

viii) Vodacom – Tanzania

ix)   MIC (Tigo) – Tanzania

x)   TCCL - Tanzania

xi)   MEAC - Tanzania

xii)   TISPA/BOL – Tanzania

xiii) HITS – Tanzania

xiv)   Simbanet – Tanzania

xv)   AFSAT Communications (T) Ltd

xvi)   Warid Telecom – Uganda

xvii) MTN – Uganda

xviii) Uganda Telecoms Ltd – Uganda

xix)   MTN – Rwanda

xx)   Rwanda Telecom - Rwanda

2.0   OPENING OF THE MEETING

The ATO meeting took place from the 25th to 27th May 2009 with representation from Kenya, Uganda, Tanzania and Rwanda.

3.0   ADOPTION OF THE AGENDA

The following agenda were adopted:

1.   Election of the Bureau
2.   Report of the 2008 Assembly Mandate
3.   Telecoms fraud and cyber security

4. Operationalisation of the MoU
5. Migration/transition to IPv6
6. Regional Initiatives on EABs, EASSy, RASCOM, TEAMs SEACOM and COMTEL Projects among others
7. East African Exchange point
8. Telecom financial services
9. AOB

   - Number planning
   - Number Portability
   - CEIR to be discussed for all operators
   - Excise Duty and VAT
   - Subscriber registration

4.0 ELECTION OF THE BUREAU

As stipulated in the EARPTO MoU, the host country chairs the meeting assisted by two repporteurs from other countries. The meeting elected Ms.Josephine Makanza Chairperson from Vodacom Tanzania, Mr. Joseph Kibwot of Safaricom to be the 1st Repporteur and Mr. Kay Ngalomba from MIC Tanzania Limited (Tigo) as the 2nd Repporteur.

5.0 TELECOMS FRAUD & CYBER SECURITY

Presentation of cyber security task force highlighted the establishment of Computer Emergency Response Teams (CERT) and point out the issues relate to cyber security which will be responded by CERT's
- Attacks and threat
- Email and communication
- Mobile Devices
- Privacy

Recommendations

1. Harmonise the EARPTO task force effort with that of the government so that the matter can be discussed and concluded earlier. It was also noted that East Africa Governments has running similar initiatives on the Cyber Security Act yet to be signed. In Uganda, the draft is in parliament for debate;

2. General Security: It was suggested that telecom fraud be discussed in line to gateways and fraud, VOIP and Security to regulated;

3. The joint force will give more force on deliberations and hence proper implementation;

4. Operators to send their recommendations to RA's. Hence, a report of the last meeting deliberations to be circulated to ATO for bench marking progress and implementation objectives since the final document will affect telecom operators;

5. Revenue Assurance needs to be fully equipped to monitor subscriber behavior internally and externally.

6.0 EAST AFRICAN COMMUNICATIONS ORGANIZATION (EACO)

ATO legal experts to provide correct guidance to harmonize all regulations to EACO constitution.

The EACO draft constitution was tabled for ATO comments and the following amendments agreed upon:

- Article 11, it misses out on provision for appointment of executive while provides for removal of the executive in 11(III), amendment needed.

- Article 12(1a) the provision of every two years to be amended to every one year.

- Article 14(iv), the two year period provided to be amended to one year.

- In article 16 (i-ii), agreed that disputes should be referred to RA of the operator country for arbitration and not the EACO Congress since the Congress members sit in the EACO committee hence shall override the required independence, on the basis of conflict of interest.

- Article 16(i) needs to be reworded to clarify the nature of telecoms disputes.

- Article 16 iii – there is need for an independent arbitration and inclusion of mediation team prior to dispute escalation to the EA court of justice.
- There is need to define timelines and escalation levels for resolving the disputes.

- ATO members sought to know if all congress members have been consulted to adopt EACO replacing EARPTO.

- In the EACO draft constitution, no membership mentioned, hence who will sign the constitution into force (article 18) since it addresses the future membership.

- One year withdrawal notice substantially too long and should be reduced to six months.

7.0 IPV6 TRANSITION/MIGRATION

A task force already set in Kenya. Other member states encouraged to take up the responsibility of aligning operator concerns through unified industry approach. The deliberations should factor the global best practices – PPP model. Full operations of IPV 6 to be launched in year 2013. IPV4 to run parallel to the IPV 6 based on the equipment/application protocol deployed. For small operations, the initial cost of IPV 6 equipment is too high.

Recommendations:

ATO to appoint task force to discuss transition mechanism.
A fair distribution should be embraced to all operations world-wide.

8.0. REGIONAL INITIATIVES ON EABS, EASSY, RASCOM, TEAMS, SEACOM, AND COMTEL

It was reported the progress of member states on the EABS and EASSY particularly in Kenya and Uganda. On Tanzanian side there was no update on the progress.
It was also reported that Rwanda have a FO from Uganda border to Rwanda is already in operation and Rusumi and Burundi border will be done be end of July.

Recommendation from ATO to the congress is

- To get a Status report from TCRA on Tanzania progress
- To get a timeline for completion of the project in Tanzania
- Cable commercial terms and regulation should be clearly stipulated especially on the Internal Backbone
- Possibility of operators owning cable and the assistance from regulators in highlighting cable concerns to government.

9.0. EAST AFRICA EXCHANGE POINT:

Though the exchange ports have being tested in Tanzania and Kenya, The uptake by the operators in Kenya is very low, since to date only SimbaNet is peering. Some of the reasons for the low up take in Kenya have been sighted as: lack of clarity on issues pertaining to the contract terms given to SimbaNet with operators wanting guarantees in certain areas of the contract and the option of still connecting via other operators other than SimbaNet. SimbaNet contract of two years is complete; operators are requesting a report on the progress.

10. TELECOM FINANCIAL SERVICES

Challenges within it:

i) The permits from the central Bank to conduct the business are taken long time.

11.0. CEIR

The initiative was meant to curb mobile phone theft in the region. However the blocking of gray listed mobile phone is still a serious challenge with the replication of Electronic S Number on refurbished phones. A gray listing of one mobile ESN affects several other mobile phones hence locks off legitimate subscribers from using the operator's network.

12.0. NUMBERING PLANNING

No issue as it is subject to the respective RA of the operator to provide/issue a number plan.

Challenges on shortcodes:
It shouldn't be restricted to 5 digits codes.

13.0. NUMBER PORTABILITY

The meeting agreed that the regulators should provide reason of why there is a need of number portability.
Bearing in mind the following issues:

- Cost/benefit analysis on the number portability.
- Who will bear the significant cost of transition

14.0. TAXES

Concerns was raised regards tax regime in various countries concerning our industries, this includes service levy in the towers, advertisements, numbering blocks. There are great disappearances e.g. in the excise duty, Rwanda having lowest excise duty revised to 3% from 10%, while Uganda has the highest at 12%. The EARPTO Congress should propose for a common excise duty across the region, Rwanda tax regime being the benchmark. It was suggested that there is a need of lobbying in the respective states to facilitate this.

15.0 SUBSCRIBER REGISTRATION

There are challenges being experienced by operators:
- Should the operators be obliged to Authenticity the identity?
- Electronic registration Vs. paper work
- A need of data storage and access has been highlighted.

REPORT OF THE BROADCASTING WORKING COMMITTEE HELD FROM 25th -29th MAY, 2009 AT KUNDUCHI BEACH HOTEL, DAR ES SALAAM

1.0   PRESENT

1.	Mr. N. Habbi Gunze	Chairman	TCRA
2.	Mr. Francis Wangusi	1st Rapporteur	CCK
3.	Mr.Fredrick N. Ntobi	Member	TCRA
4.	Eng. Taha Usi	Member	TCRA
5.	Mr. Gichina Kanyi	Member	KBC
6.	Mr. Joel Chacha	2nd Rapporteur	TCRA
7.	Mr. Stephen Mshana	Member	ATN
8.	Mr. Deo Bizindavyi	Member	BURUNDI
9.	Mr. John Hayghaimo	Member	ITV
10.	Mr. Hamza Kassongo	Member	AFRICA MEDIA GROUP
11.	Mr. Kaggwa Meddy	Member	BROADCASTING COUNCIL
12.	Mr. Andrew Kisaka	Member	RURA
13.	Eng. Emmanuel Mangula	Member	TCRA
14.	Mr. Bethuel Lamola	Member	MultiChoice (Africa)
15.	Mr. Deogratius Moyo	Member	TCRA

2. O PENING REMARKS

The meeting was opened by the interim Chairman, Mr. N. Habbi Gunze at 11.08 a.m

3.0   AGENDA

The following agenda was adopted with the addition of the agenda item nos.4 and 7

1. Opening of the Meeting;
2. Adoption of the Agenda;
3. Election of the Bureau;
4. Framework for the Assembly of Broadcasting Operators;
5. Discussions of the MOU of the EARPTO;

6. Progress on the Transition from Analogue to Digital Broadcasting;

7. Considerations for funding of infrastructure and production of content;

8. Guidelines for frequency coordination for terrestrial services at the boarder areas between East African Countries;

9. Experience on Licensing Framework for Broadcasting in the East African Countries;

10. Adoption of the Report to the Congress;

11. A.O.B; and

12. Closing of the meeting.

4.0 ELECTION OF THE BUREAU

In accordance with the Rules of Procedures of the EARPTO, the Working Committee elected the following members to the Bureau;

1. Mr. N. Habbi Gunze, TCRA Director, Broadcasting Affairs as the Chair of the Broadcasting Committee;

2. Mr. Francis Wangusi, CCK Director, Broadcasting Affairs 1st Rapporteur of the Broadcasting Committee.

3. Mr. Joel Chacha, Frequency Management Engineer TCRA 2nd Rapporteur.

5.0 PROPOSED FRAMEWORK FOR THE ASSEMBLY OF BROADCASTING OPERATORS

a) Rules of procedure for the meetings:

(i) as made by the Congress to govern the conduct and proceedings of meetings by its organs.

b) Meetings:

(i) once every year or convene extra-ordinary meeting;

(ii) A host regulator will be the convener of the assembly of broadcasters meetings.

c) Venue:

    (i)   in each member state on a rotational basis;

    (ii)   or in a country where the Congress is held.

d) Membership:

    (i)   all licensed broadcasters;

    (ii)   a membership fee will be determined by the assembly;

    (iii)   membership is voluntary subject to eligibility;

    (iv)   the process of approval and timeframe for admission should be in accordance with the constitution;

    (v)   factors leading to membership termination; (revoke of licence, failure to renew membership or voluntary withdrawal)

    (vi)   associate members (media training institutions, independent producers, foreign broadcasters with presence in the region, content creators and advertising agencies);

    (vii)   associations of broadcasters and other media houses (print) could be admitted as observers.

e) Recruitment:

    (i)   regulators from member states to recruit members in their respective countries;

    (ii)   Regulators to make available the constitution of the organization to prospective members;

    (iii)   1st meeting of assembly of broadcasting operators to be organized by 2009;

(iv) The chair of the broadcasting working committee to convene the assembly of broadcasters meeting in consultation with regulators from member states.

f) Objective:

(i) deliberate on broadcasting issues (infrastructure, content, policy, tariffs interference, among others) affecting member states; and

(ii) endeavour to promote broadcasting services in the region.

6.0 Discussions on the draft constitution of the EACO;

The chairman welcomed the delegates from Uganda and Rwanda who joined the Working Committee for the first time on (26/05/2009).

The agenda item 5 on the draft constitution was presented for discussion and members deliberated on it paragraph by paragraph. The following are the proposed amendments and recommendations that the Committee made on the document;

1. Article 1on definitions:-

   a) EACO to change to East African Communications Regulators & Operators Organization (EACRO);

   b) Redefined organization as follows: organization means institutions that regulate, operate and provide training in communications services within member states;

   c) Regulator means an organization designated by member states to regulate communications services;

   d) Substituted the word Telecom operator for Telecommunications operator.

2. Article 2 (ii) on EACO

   a) Change definition of EACO as follows: EACO shall be a specialized agency in communications for the EAC.

b) The Committee observed that there must be an instrument within the EAC recognizing EACO as its specialized agency.

3. Article 3 on objectives of EACO

   a) Substitute services for communications services on the last line of opening paragraph of article 3;

   b) Add **broadcasting** in article 3 (v) between the words of and postal;

   c) Recast (XIV) to read: Serve as a consultative organization for settlement of matters which are of regional nature, promote the development of technical facilities and optimize their utilization for communications services;

   d) Recast (XV) to read: Harmonize policies and legislations in the communications sector;

   e) Add as XVII to read the following: Promote the development and harmonization of broadcasting standards and ethics.

4. Article 7 on organs of EACO:

   (d) Change 7 (v) (b) to read: The Assembly of Broadcasting Operators shall;

   a. deliberate on broadcasting issues (infrastructure, content, policy, tariffs and frequency coordination, among others) affecting member states; and

   b. endeavour to promote broadcasting services in the region.

5. Article 9 on Headquarter seat:

   a) Add the following to headquarter seat; the headquarter of EACO shall **provisionally be in Arusha.**

   b) There shall be an Executive Committee to oversee the implementation of the decisions in between congresses

c) The composition of Executive Committee shall include ;

    i. Chairman;

    ii. Immediate past Chairman;

    iii. Incoming Chairman; and

    iv. Executive Secretary.

6. Article 11 on Executive Secretariat;

a) Add article 11 (iv) to read as follows; the person for the position of the Executive Secretary shall possess the following qualities:-

    (i) Must be a professional in the communication field;

    (ii) At least five years experience in a senior managerial level; and

    (iii) Must be a person of high integrity.

7. Article 21 on withdrawal:

a) Add article 21 (v) to read to read as follows: No Regulator shall be allowed to withdraw from the Organization unless the EAC collapses.

8. Article 24 on determination of the constitution and dissolution of EACO:

a) Add article 24 (iv) to read as follows: Without prejudice to the above, EACO shall not dissolve without the consent of EAC as a specialized agency in communication matters of the Community.

7.0 Country Reports on Migration from Analogue to Digital Broadcasting.
7.1 Introduction

Country progress reports on the transition from analogue to digital broadcasting were presented by representatives from regulators of the

member states. Representatives of broadcasting operators who were in attendance made observations and remarks arising from the presentations. In order for member states of the EAC to benefit from introduction of terrestrial digital broadcasting, the Working committee identified the following areas for harmonization;

p) Digital dividend;

q) Simulcast period (Dual illumination);

r) Switch off date for analogue systems;

s) Radio frequency spectrum coordination with neighbors;

t) Broadcast Standards (infrastructure & content) and type approval;

u) Broadcasting value chain;

v) Public Awareness Campaigns;

w) Principles of Tariff structure;

x) Policy on broadcast receivers;

y) Capacity building in content production;

z) Protection of copyrights;

aa) Quality of service;

bb) Dispute resolution mechanisms;

cc) Content exchange formats; and consumer protection

b). Formation of EACO Broadcasting Technical Committee

The working committee recommended the creation of the EACO broadcasting technical committee from among the member states to spearhead among other things:-

(i) Harmonization of the digital broadcasting policies;

(ii) Preparation of common standards for broadcasting services in the region;

(iii) Identification of the appropriate approaches in the region that will harness benefits from digitization and emerging services;

(iv) Recommendations to the EACO member states on the best migration practices; and

(v) To perform radio frequency spectrum coordination functions among member states.

c). **Common Strategies on Migration**

The working committee on broadcasting identified the following strategies as common to the member states of EACO on digital migration:-

(i) All EACO member states have identified 2012 as the analogue switch off date;

(ii) EACO member states have all settled on two MUXs (signal distributors) for distribution of digital television programmes in their respective jurisdictions;

(iii) Most of the member states propose to commence simulcast (dual illumination) in 2009; and

(iv) All member states have agreed to have separation of content providers and infrastructure operators in the digital broadcasting chain.

d). **Digital Dividend from Spectrum**

(i) The working committee on broadcasting recommended the digital dividend accruing from spectrum should be used to support other broadcasting services such as creation of subsidy for the set top boxes; and

(ii)   The committee also noted that uncoordinated release of broadcasting spectrum for other services will inhibit the development of other broadcasting services such as high definition TV (HDTV), interactive services and mobile television among others.

e)   Other Considerations by the Committee

(i)   The working committee noted the progress of Rwanda's initiative on the release of the spectrum for other services under the RURA programme (such as DVB-T RCT); and

(ii)   The Working Committee recommends that the EACO membership adapt the position of the CPM towards WRC-12 on release of the broadcasting spectrum to other services but for the benefit of broadcasting services.

8.0   Considerations for Funding of infrastructure and Content production

8.1   The committee recommended that member states should share experience in funding infrastructure and content production; and

8.2   The Committee recommended that member states should explore the possibility of using their universal access fund for the quick take up of digital migration and content creation.

9.0   Any Other Business

Note: The agenda items no 8 and 9 were not discussed by the Committee because it was of the opinion that the agenda items were of regulatory in nature.

12.   Closing:

The Chairman closed the meeting at 1.50 pm EA time.

REPORT OF THE ASSEMBLY OF REGULATORS, 25TH -27H MAY 2009, KUNDUCHI BEACH HOTEL DAR ES SALAAM TANZANIA

1.0 INTRODUCTION

The 2009 Assembly of Regulators of the East Africa Regulatory, Post and Telecommunication Organization (EARPTO) took place from 25th to 27th May 2009 at Kunduchi Beach Hotel, Dar Es Salaam, Tanzania.

The Assembly reviewed the implementation status of various **Agreeds** of the 2008 Extra-Ordinary EARPTO Congress and the Assembly of Regulators meetings that took place at the same venue in April 2008. It also deliberated on many other relevant regional issues in the communications sector. The meeting consequently made a number of recommendations for consideration by the 16th EARPTO Congress which was taking place on 29th May 2009 at the Kunduchi Beach Hotel.

2.0 ATTENDANCE

The attendants of the Assembly of Regulators meeting were drawn from EARPTO Membership and observers from the Partner States, namely Burundi, Kenya, Rwanda, Tanzania and Uganda. The list of attendants as indicated in **Annex I**.

3.0 ADOPTION OF THE AGENDA AND WORK PLAN

The Assembly adopted the Agenda and work plan attached as **Annex II.**

4.0 ELECTION OF THE BUREAU

The Assembly elected its Bureau as follows:

1. Chairperson   -Dr. Raynold C. Mfungahema -TCRA
2. 1st Rapporteur   -Mr. Richard Tonui   -CCK
3. 2nd Rapporteur   -Mr. Victor Nkya   - TCRA

5.0 CONSIDERATION OF REPORTS OF THE 2008 EXTRA-ORDINAY CONGRESS AND ASSEMBLY OF REGULATORS MEETINGS AND MATTERS ARISING

The Assembly considered the matters arising from the reports of the 2008 EARPTO Congress and Assembly as follows:

5.1 Extra-Ordinary Congress

5.1.1 Consideration of Applications for Members to Join EARPTO

The Chairman of the Congress to officially write to new members including the Government of Burundi accepting them as members of EARPTO

Noted 1

- Burundi was invited to attend the 16th EARPTO Congress.

5.1.2 Report on the Preparations for the UPU Congress 2008

Members to support Kenya's proposal on e-commerce of postal administration which was seeking to make e-commerce development in Developing and Least Developed Countries as part of the UPU's programmes.

Noted 2

- The proposal was adopted by the UPU Congress. Consequently, UPU created a Project Group on **E-commerce in developing countries and least developed countries**, which is being chaired by Kenya

5.1.3 Candidature for the Council of Administration of UPU

EARPTO Members too support Tanzania Candidature for the Council of Administration

Noted 3

- EARPTO members supported and Tanzania was elected member to the CA of UPU

- Kenya was elected chairman of the CA for the next 5years

5.1.4 Designated Short Code for Emergency Rescue Services in Lake Victoria

The Congress adopted the short code 110 for emergency rescue services in Lake Victoria and invited Member States to reserve the same for maritime emergency services in other areas as appropriate and directed the Chairman of the Congress to communicate the decision to the EAC Council of Ministers.

Noted 4

- The short code **110** is already reserved in East Africa for services in Lake Victoria;

Agreed 1

- To urge operators to provide signals covering the whole Lake Victoria.

5.1.5 Regional Interconnection Guidelines Adoption

The Congress agreed to adopt the Regional Interconnection Guidelines as amended in the Extra-Ordinary EARPTO Congress

Noted 5

- Kenya, Tanzania and Uganda have adopted and are implementing the guidelines.

Agreed 2

- Burundi and Rwanda are urged to implement the guidelines.

5.1.6 *Candidature of Mrs. Rodah Masaviru for SG of PAPU*

Members to support Mrs. Rodah Masaviru' candidature as Secretary General to PAPU

Noted 6

- EARPTO Members successfully supported the candidature of Mrs Rodah Masaviru as the Secretary General of PAPU

The Action Matrix on implementation of **Agreeds** of 2008 Exra-ordinary Congress is attached as **Annex III**

5.2 Assembly of Regulators

5.2.1 Definition of the Terms "Subscriber"

Administration should adopt the definition of the term "Subscriber" in their guidelines which was given as "a person who has used service of telecommunications network at least once in the last 90 (ninety) Days"

Noted 7

- Kenya, Tanzania and Uganda have adopted the definition;
- That there is a need for Burundi and Rwanda to consider adopting the definition.

5.2.2 Spectrum Pricing

- *The administration to continue sharing experiences on implementation of the spectrum pricing principles and*

methodologies.

Noted 8

- Kenya, Tanzania and Uganda have continued to share experience on spectrum pricing principles and methodologies;

5.2.3 International Satellite Organization (ITSO)

- *Uganda to circulate the report of the last ITSO meeting.*

Noted 9

- Uganda did circulate the report of the ITSO

5.2.4 Progress of implementation of East African Internet Exchange Point (EAIXP)

- *To urge all regulators to facilitate the implementation of the EAIXP connectivity project.*

- *Tanzania to share with Kenya and Uganda the signed documents between TCRA and SimbaNet Tanzania Limited.*

Noted 10

- Links have been done between Kenya and Tanzania under Phase-1 of the project in July 2008;

- Linking of Tanzania and Uganda was scheduled for December 2008, while linking of Uganda and Kenya was scheduled for March 2009. The projects were not completed owing to low uptake by the ISPs as reported by SimbaNet;

- The linking of Tanzania and Uganda has been re-scheduled for December 2009, while linking of Uganda and Kenya has been re-scheduled for March 2010.

Agreed 3

- To allow the re-scheduling of the project as proposed by SimbaNet.

5.2.6 Guidelines for Frequency Coordination For Terrestrial Services At The Boarder Areas Between East Africa Administrations.

To adopt the guidelines proposed by Uganda for implementation among East African countries taking cognizance of those of the ITU.

Noted 11

- Kenya, Tanzania and Uganda are utilizing the Guidelines

5.2.7 Regional Preparations for WTSA and Consideration of Commonwealth Draft Proposals to WTSA-08

- *Kenya to coordinate preparations for the ITU-WTSA meeting to be held in Accra Ghana in May 2008.*

Noted 12

- Kenya, Tanzania and Uganda participated in WTSA-08 African Preparatory Meeting that was held in Ghana and made several proposals most of which were adopted as African common proposals and later approved by WTSA-08 in Johannesburg with a few amendments. Kenya did coordinate.

The Action Matrix on implementation of **Agreeds** of Assembly of Regulators is attached as **Annex IV.**

6.0 REPORTS FROM TASKFORCES AND COMMITTEES

6.1 Enforcement Committee

Noted 13

- The report of the Enforcement Committee.

Agreed 4

The proposed guidelines to be amended for Congress consideration as follows:

- Under 3.4 (f): to replace Arbitration with Alternative dispute resolution mechanism

- To include the provision that service providers to provide for redress mechanisms;

- That the national enforcement be Adhoc instead of being permanent as had been proposed in the guidelines.

6.2 Report of the Cybersecurity Taskforce

Noted 14

- Report of the Cybersecurity Taskforce.

- that there are already established National Cyber security Response centres, commonly known as Computer Emergency Response Teams (CERTs), around the world;

- That in Sept. 2008 the ITU Secretary General launched the Global Cyber security Agenda (GCA), in collaboration with the International Multilateral Partnership against Cyber-Threats (IMPACT) initiative of Malaysia, to secure the Global information society. This collaboration provides ITU's 191 Member States with the expertise, facilities and resources to effectively address the world's most serious cyber-threats.

- The ITU's priority is in assisting Member States in benefiting from the Global Response Centre and Training & Skills Development. The GRC will play a pivotal role in realising ITU GCA's objective of putting *technical measures* in place to combat new and evolving cyber-threats.

- CERTs, which are the National Cyber security Response Centres (NRCs), are modelled alongside the ITU's GRC, and, for them to be more effective, they should collaborate with the regional and international CERTs as well as with the ITU's GRC.

- that there are **two means of management of Cyber security issues**, namely: **by Using Technical means and Using Policy and Legal means. Consequently the Taskforce should prioritize on the implementation of the management of Cybersecurity using technical means.**

Agreed 5

- Member States to establish National Computer Emergency Response Teams (CERTs) to facilitate internet-wide response to Cyber security incidents and conduct research targeted at improving the security of existing systems;

- CERTs to coordinate response to Cyber security incidents at the regional level;

- CERTs to establish regional and international partnerships with other national entities involved with the management of Cyber security incidents;

- The Cybersecurity Taskforce to continue its work as per the following implementation:

NO.	ACTIVITY DESCRIPTION	TIMELINE
1	Benchmark with established CERTs on technical requirements for implementation and running of a CERT in at least two countries, one in Africa and another in Europe	July – October 2009
2	Establishment of National CERTs in each of the East Africa countries as follows:	
	• Establish national coordination CERTs teams • First meeting of the national CERTs teams convened	November 2009 – January 2010
	• Submission of the request for technical assistance from ITU and EAC in the following areas: i) Capacity building ii) Manage the tendering process	March 2010
	• Capacity building on the identified national coordination CERT teams/stakeholders	June 2010
	• Put in place a tender document for supply of equipment, establishment of the CERT and training.	August 2010
	• Tendering process, evaluation and award.	August - November 2010
	• CERT Projects implementation	January 2011 onwards
3	Establish Regional coordination East Africa CERT Team (EA-CERT) team	February - March 2011

- Cybersecurity Taskforce to provide regional Cyber security Incident reports annually to EARPTO;

- To encourage those administrations who have not responded to the ITU's letter on **"Development of Cyber security Capabilities – IMPACT Global Response Centre (GRC)"**, to do so in order to benefit from the ITU's technical assistance;

- The Chairman of the EARPTO Congress to also respond to the ITU's letter on **"Development of Cyber security Capabilities – IMPACT Global Response Centre (GRC)"**, in order to benefit from the ITU's technical assistance as an East Africa region.

- The holding of the Second meeting of the Cybersecurity Technical Taskforce in February 2010 in Uganda review the progress;

The report of Cybersecurity Task Force is attached as **Annex VI**.

6.4 Consumers Issues Committee

Noted 15

- Report of the Consumer Issues Taskforce;
- Highlights covering experiences shared by the EARPTO Member States on consumer issues such charters, education initiatives among other issues;
- Progress made by the Committee;
- Need to take appropriate measures to manage growing concerns of quality of service among others
- That adequate legislations on consumer protection are needed;
- The Assembly after deliberated it made appropriate recommendations;

Agreed 6

- That the Consumer Issues Committee continues with its work and report to the next Assembly meeting. The ToRs of the Committee given by 2008 Assembly are:

    (i)   Develop joint consumer education content on issues of common interest
    (ii)   Develop a joint strategy on environmental, health and safety issues
    (iii) Focus on mechanisms and guidelines of provision of services to people with special needs
    (iv)   To ensure availability of products and services of operators who have cross border operations
    (v)   To ensure that consumers from partner states get access to consumer care services and redress in host countries
    (vi)   Bench Mark and Share knowledge on consumer issues in the region
    (vii) Set up mechanisms of consultation on adhoc consumer situations in the region.
    (viii) To develop agenda on consumer interests regionally that need international focus and support
    (ix)   Create harmony in complaints handling in the region
    (x)   Develop guidelines on marketing communications that goes out to the public
    (xi)   Bench marking and sharing best practices with other regions
    (xii) Develop a mechanism of clearly and regularly communicating comparative tariff offerings by each regulator

6.4 Infrastructure Sharing Taskforce

Noted 16

Paper presented by Tanzania on their experience regarding Infrastructure Sharing covering types and drivers for the sharing;

- That, member countries are in different stages of developing frameworks for ensuring infrastructure sharing;
- Regulator in Rwanda is using Universal Service Fund to develop Infrastructure such as towers, masts among others for use by operators to avoid duplication.

Agreed 7

- That the paper by Tanzania form part of inputs to the Committee on Infrastructure Sharing;

Noted 17

The Taskforce chaired by Tanzania has been given Terms of Reference as follows:

(i) To develop framework to facilitate establishment of guidelines and adoption of standards to streamline the siting of communication infrastructure, which will include public safety provisions and other relevant aspects of public interest;

(ii) Propose ways of harmonizing various legislative instruments that govern construction, installation, operation and maintenance of communications facilities in the respective EARPTO member countries;

(iii) Develop a template of Memorandum of Understanding (MoU) between the collaborating organizations in respective EARPTO Member States for effective implementation of the Guidelines;

(iv) Develop a framework to facilitate education of the public on communication infrastructure rollout and provide for partnerships to achieve this objective;

(v) Develop a framework to facilitate handling of complaints regarding communications infrastructure;

(vi) Develop and periodically review the Committee's working procedures.

Agreed 8

- The Taskforce to commence its work and report to the next meeting of Assembly of Regulators.

6.5 MOU Taskforce

Noted 18

- The snapshots of the report of the EARPTO MoU taskforce for members to be aware of what to expect to be presented to the Congress;

- That the MoU is being converted into constitution since, a permanent secretariat of the EARPTO is being proposed;

- That Joint Working Committee is being proposed to address matters that cut across ;

- That members will be expected to make contributions so as to finance the Secretariat;

- That the name of EARPTO is being proposed to East Africa Communications organization(EACO);

- The EACO will be linked to EAC so as to enjoy legal support for purposes of enforcing its decisions.

6.6 Numbering Resources Committee

6.6.1 IP addresses allocations and ccTLDs management in the region and Transition to IPV6

Noted 19

- A paper presented by Kenya on the progress regarding transition to IPV6;

- Kenya has formed a taskforce comprising various stakeholders and chaired by the Ministry of Information and Communications to oversee the transition to IPv6 in Kenya.

- Rwanda has begun the process and has held stakeholders meeting to discuss the same;

- Burundi is yet to start the process;

- Tanzania is in the process of carrying out survey to assess the her readiness for transition;

- Uganda is working on change of domain names management.

Agreed 9

- Member States are encouraged to develop national frameworks to coordinate the transition to IPv6;

- Member States to continue sharing national experiences on their levels of adoption of the IPv6.

6.6.2 Implementation status of regional harmonized Short Codes for East Africa administrations

Noted 20

- Some operators in Uganda have experienced challenges in implementing the proposed Short Codes because they are clashing with codes being used for other services;
- Kenya and Tanzania have started implementing the codes

- Presentation by Rwanda on their new telecommunications numbering system;

- That Rwanda should ensure that their new system is not interfering with signalling points

- The request by Rwanda to be allowed to as 004 as their regional access code.

Agreed 10

- To urge all the operators to implement the short codes

Agreed 11

- To request the EARPTO Congress to allocate regional access code 004 to Rwanda

6.6.3 Review of GSM colour codes at the border areas

Noted 21

- That Kenya, Tanzania and Uganda had developed colour codes for use at their borders before Rwanda and Burundi joined the EARPTO. Thus there is need to review the colour codes to include them.

Agreed 12

- That colour codes at the border areas be reviewed to include Burundi and Rwanda. The Numbering Resources Committee to take

up the matter and to report to the next meeting of Assembly of Regulars.

6.6.4 *Implementation of Child Help Lines*

Noted 22

- Currently, Kenya and Tanzania are using **116**, as a Child Help Line;

Agreed 13

- To submit a joint contribution to ITU-T SG 2 proposing review on E.164 supplement 5.

- EARPTO Member States be urged to support the proposal to the ITU.

7.0. IMPLEMENTATION OF THE WTSA-08 RESOLUTIONS

7.1 Quality of Services/Experiences issues at a regional level

Noted 23

- Quality of services /experiences is critical to the region;

- The ITU has recognized the need to bridge standardization gap in African and consequently set up an African Group on Quality of services /experiences to assist in bridging the gap;

Noted 24

- The invitation by Uganda to member countries to:

    – Attend meetings of ITU WTDC-2010 Preparatory Meeting for Africa Countries and ITU-Study Group-3 to be hosted by Uganda in July and September 2009 respectively;

    – Participate in the preparatory meetings for the said ITU meetings.

Agreed 14

- To urge EARPTO Members to participate in the activities of the African Group through contributing proposals.

7.2 Participation in ITU-T Meetings

Noted 25

- There is adequate participation in ITU-D and ITU-R. However, there is weak participation in the ITU-T which deals with standardization hence the need to enhance participation in the same;

- The need to consider ways to improve effective implementation of the WTSA-08 Recommendations and Resolutions;

Agreed 15

- Emulating from other sub regions (e.g. Arab, European Union) it is recommended that the Congress forms a standardisation group. This EARPTO Standardization Group may have a Management Team which could include all the Vice Chairs of the Study Groups and eight co-opted members –

  i) Eng. James M. Kilaba   -Vice Chair ITU   - TSG 2:
  (Tanzania)
  ii) Mr. Matano Ndaro   -Vice Chair ITU   -TSG 3:
  (Kenya)
  iii) Mr. Simon Bugaba   -Vice Chair ITU   -TSG 13:
  (Uganda)
  iv) Eng. Patrick Mwesigwa   -Vice Chair ITU   -TSG17:
  (Uganda)
  v) Mr. Daniel K. Waturu   -Chairman Africa Region Group
  (QoS/QoE)   -ITU-T-SG12(Kenya)
  vi) Co-opted members on merit to join the Team.

- The TORs for the Management Team to include:-

  i) Prepare plans and mechanisms to promote the standardization activities in the region;
  ii) Co-ordinate consultative and preparatory meetings;
  iii) Co-ordinate drafting of regional contributions to ITU-T meetings;
  iv) Co-ordinate participation in the ITU-T meetings;
  v) Prepare and present reports as feedback to relevant EARPTO Meetings.

- The Management Team leadership to be on rotational basis as follows:-

  UGANDA   -   2009

  RWANDA   -   2010

  TANZANIA   -   2011

  KENYA   -   2012

  BURUNDI   -   2013

7.3 ICANN Meeting in Nairobi

Noted 26

- The Internet Corporation for Assigned Names and Numbers (ICANN) board has approved the Nairobi, Kenya, as the venue of its meeting which will take place from 7th to 12th March 2010;
- That the ICANN is an International not-for-profit body formed in 1998. It coordinates Internet unique identifiers across the world. The unique identifiers include Domain names and Internet Protocol (IP) addresses. Without this coordination, there would not be one global Internet. ICANN holds its global meetings three (3) times a year, across the world, and it draws its participants from all over the world;
- The invitation by Kenya to EARPTO Member States to attend ICANN meeting in Kenya so as to benefit from its discussion towards capacity building through knowledge sharing.

Agreed 16

- To urge EARPTO member countries with pending ccTLD re-delegation issues to take advantage of the Kenya ICANN meeting, to resolve their re-delegation issues.

8.0. IMPLEMENTATION OF THE FINAL ACTS OF WRC-07

Noted 27

- Papers presented by Kenya and Tanzania on decisions of the WRC -07 covering among others:

  - Harmonization of spectrum plans for International Mobile Telecommunications

  - Revision of International Regulations for Maritime mobile services

  - Upgrading and Allocation of additional of spectrum for Aeronautical services

  - Need to develop Spectrum management guidelines for radio communication in emergency and disaster relief.

- The reports from Burundi, Kenya, Rwanda, Tanzania and Uganda highlighting the respective implementation status of the WRC-07 Final Acts;

- All the five administration have revised their national frequency tables based on the decision of WRC-07 including the Final Acts, taking in consideration their respective national requirement in the use of the

radio frequency spectrum;

- That Uganda had successfully coordinated the preparation for WRC-07 with full cooperation from EARPTO Member States.

Agreed 17

- Member state to continue implementing the WRC-07 decisions

10.0 PREPARATION FOR WRC-11

Noted 28

- That preparations for WRC-11 has started in all five EARPTO Member States although in different stages

- That representatives from EARPTO Member States are attending some of the ITU-R Study Groups that are undertaking studies on various WRC-11 agenda items.

- The report as well as information circulated by CCK on CD on the preparations for WRC-11 in Kenya.

Agreed 18

- That EARPTO Member States to form National Preparatory Committees to prepare for WRC-11;

- That representative from all EARPTO Member State to continue participating in the Work of ITU-R study groups in preparations for WRC-11;

- That under the coordination of Tanzania, the EARPTO Member States formulate common proposals for WRC-11;

- That EARPTO Member States liaise with other regional groups e. g SADC

11.0 PREPARATIONS FOR THE ITU 2010 PLENIPOTENTIARY

Noted 29

- Presentation by Kenya showing the various committees that will be meeting during the ITU 2010 plenipotentiary Conference and their agendas for members to appreciate and prepare for participate in those meetings;

- That election will be conducted for various elective posts such as those of Secretary General and deputy among others;

- That EARPTO member countries need to initiate preparations for the Conference

Agreed 19

- That a regional committee be constituted to look at the likely issues that could be tabled at the plenipotentiary conference and develop proposals for the same;

- The committee should present the proposals to the African preparatory forum;

- The committee should further advocate for the issues and ensure their articulation in other regions of the world in order to ensure they sail though at the conference;

- In cases where East Africa Region is fielding a candidate for any of the elective positions, the region should collectively, put in place measures to lobby for the success of the candidate;

- The Committee to lobby support from other region organization of the world.

12.0 ICT AND CLIMATE CHANGE

Noted 30
- An information paper presented by Kenya on ICTs and Climate Change indicating areas initiative being undertaking by ITU on climate change;

- That ICT is generating 2.5% of global green house gases;

- Need to mitigate climate change and disasters management in East Africa;

- That ICT play critical roles in mitigating climate change and disaster management;

- That needs to develop communications infrastructure for disaster management in the region.

Agreed 20

- Member state to raise awareness on climate change and disaster management among stakeholders in their countries;

- Member States be encouraged to develop necessary legislation on ICT and Climate change

13.0. E-WASTE MANAGEMENT

Noted 31
- An information paper presented by Kenya on E-Waste Management highlighting concerns on E-Waste and its impact on developing countries particularly in Africa;

- That only Nokia brand vendor have started waste recycling in Kenya;

- That the ICT policy promulgated in 2006 is cognizant of the e-waste making demonstration on readiness to minimize the effect of communication infrastructure development on the environment as part of prerequisite for renewal and awarding of communications licenses;

Agreed 21

- EARPTO Member States to develop frameworks that will address the issues of handling e-waste spearheaded by the Governments;

- Consider inclusion of e-waste management as part of the communication license conditions and type approval requirements;

14.0. PROGRESS ON THE DEVELOPMENT OF ADDRESSING AND POSTCODES INITIATIVES IN THE REGION

Noted 32
- Papers by Kenya, Tanzania and Uganda covering progress on the development of addressing and postcodes initiatives in their countries;

- That the three Member States are in different stages of development and implementation of Addressing and Postcode Systems;

- That Kenya is already having postcodes system;

- That the three countries are/or will be using numeric system;

- That there is a common challenge regarding street naming and numbering a prerequisite for door to door pick-up and delivery of mail particularly in unplanned settlements;

- There is need to establish a taskforce to handle regional postal regulatory and development issues;

Agreed 22

- That the Governments of the EARPTO Member States to coordinate the development of addressing and postcodes systems so as to mobilise necessary funds for the projects;

- There be established Taskforce to handle Postal Regulation and development issues in the region whose Terms of Reference include:

  (i) Development of Postal regulations;

  (ii) Guidelines on cross border postal and courier services;

  (iii) Use of ICTs in Postal Networks;

  (iv) Postal addressing and postcodes development;

- The taskforce to report its works to the next meeting of Assembly of Regulators

- Kenya to chair the Taskforce.

15.0. THE HARMONISATION AND CONSOLIDATION OF REGIONAL POSITIONS IN PREPARATION FOR BOTH THE PAPU EXTRA ORDINARY PLENIPOTENTIARY CONFERENCE DUE TO BE HELD IN EGYPT IN JUNE 2009

Noted 33

- That the Extra Ordinary Plenipotentiary Conference of PAPU will be held in Egypt in June 2009;

- The Conference will consider revised PAPU Constitution.

Agreed 23

- EARPTO member countries to convene a meeting in Cairo, Egypt during the session of the Conference to harmonise their positions revised PAPU Constitution and Strategic Plan;

- Tanzania to chair the meeting.

16.0 TRANSISTION TO DIGITAL TV BROADCASTING

Noted 34

- that Member States are at different stages of transition to digital TV Broadcasting and some of them have constituted National Committees to oversee the transition;

- That all broadcasting systems in Rwanda have been digitalised and ready to switch over in August, 2009 while Kenya is planning to switch over by 2012;

Agreed 24

- To urge countries that have not formed National Committees to oversee the transition to Digital Broadcasting to do so;

- Member States to sensitise their respective stakeholders on transition and ensure that they all switch over by 2015.

17.0. EXPERIENCE ON LICENSING FRAMEWORK FOR BROADCASTING IN THE EAST AFRICAN COUNTRIES

Noted 35

- Papers presented by Kenya and Tanzania on their country experience regarding licensing of Broadcasting Services;

- That until 2009, Broadcasters in Kenya were being licensed by the Government;

- In Kenya and Tanzania, regulators are mandated to regulate contents while it is not so to other EARPTO member countries;

- There is need to harmonise broadcasting regulations in the region.

Agreed 25

- Member countries are urged to develop necessary frameworks for regulating broadcasting services;

- To form a Committee on Broadcasting whose Terms of Reference include:

    (i)   Development of Content Regulations;
    (ii) Local content development;
    (iii) Broadcasting Service Licensing in era of convergence;
    (iv) Cross border broadcasting;
    (v)   Programmes exchange among Member States.

- The committee to further develop their ToRs and report their work to the next meeting of Assembly of Regulators. The committee to be chaired by Tanzania.

18.0 UNIFIED LICENSING: THE EAST AFRICAN EXPERIENCE

Noted 36

- The paper presented by Kenya on their experience on their Unified Licensing indicating progress of migration among others;

95

- That there is a need to ensure that licensing frameworks provides for service and technology neutrality.

Agreed 26

- To urge member countries that has not introduced Unified Licensing to ensure that their framework should provide for service and technology neutrality.

19.0 INTERNATIONAL CONNECTIVITY: ACCESS AND HARMONISATION OF POLICIES AND REGULATIONS FOR INTERNATIONAL CONNECTIVITY IN THE EAST AFRICA REGION

Noted 37

- Presentation by Uganda which among others proposed ways to address Access and Regulatory issues for East Africa Region in readiness for the landing of Submarine Cables in the East African Coast;

- That international connectivity is an essential element for connectivity to the global information infrastructure;

- That limited national backbone infrastructure and over reliance on satellite systems have been one of the reasons for the high cost of internet in the region;

- That the availability of capacity between countries can translate into cheaper prices only where there is effective competition, uniform policy and regulatory approach.

Agreed 27

a) To develop uniform policy and regulatory framework related to the operation of international cable networks and interstate infrastructure development and access within the EA region. The policy should among others:

  - Adopt an Open Access Regime, where any entity/entities offering international high capacity undersea cables in the Region are required to offer fair, transparent and Non-Discriminatory terms and conditions to the cables for Member States;

  - Make recommendations for enhancing competition and adopting a cost oriented approach to pricing of the undersea cable and inter-state backbone;

b) To urge Member States to put in place the necessary National Backbone Infrastructure (NBI) and develop mechanisms to interconnect the NBIs to ensure seamless traffic flow in the Region;

c) To set up a Task Team with representation from all Member States to ensure the implementation of this recommendation with the following Terms of Reference:

i) By July 2009, review the status and level of the national backbone infrastructure in each member state and make recommendations with a view of ensuring smooth connectivity and routing of traffic within the region,

ii) By July 2009, review the legal and regulatory framework for international and interstate infrastructure connectivity and make recommendation for harmonization,

iii) By July 2009, develop a regional framework and guideline for international and interstate internet connectivity. The guideline should among others;

- Detail the principles and conditions for open, non discriminatory access at the international access (landing point) and inter-state level

- Define the principles for charging and access for international connectivity and transport within the region;

- Define technical requirements and conditions for access and or interconnection of networks within the region

- A framework for monitoring and implementing the terms and conditions of the guideline

The first meeting for the task force shall be held in Kampala in the last week of June 2009.

20.0 ANY OTHER BUSINESS

There was no any other business for the Assembly to consider.

21.0 DATE AND VENUE OF NEXT MEETING

[Uganda] is the next venue of the Assembly of Regulators. The dates to be confirmed.

22.0 RECOMMENDATION

The 16th EARPTO Congress is invited to note the report of the Assembly of Regulators and approve the Recommendations/Agreeds therein.

REPORT OF HRDT/ WC TO THE 17th ANNUAL MEETINGS OF THE EAST AFRICA REGULATORS, POSTAL AND TELECOMMUNICATIONS OPERATORS 25TH - 27TH MAY, 2009 DAR ES SALAAM

1.0   INRODUCTION

The 14th meeting of the Human Resources Development and Training Working Committee (HRDT / WC) was held during the 17th Meeting of the East African Regulatory, Posts and Telecommunications Organization at Kunduchi Beach Hotel & Resort in Dar Es Salaam from 25th - 27th May, 2009.

2.0   ATTENDANCE

The meeting was attended by delegates from Uganda, Kenya and Tanzania. The names of the delegates are as shown in Annex 1.

3.0   ELECTION OF CHAIRMAN AND RAPPORTEURS

The meeting elected the following as Chairman and Rapporteurs;

3.1   Mr. Goodluck J.S. Ole – Medeye   -   Chairperson

3.2   Mr. Michael Kawesa Sekadde   -   1st Rapporteur

3.3   Dr. Kassim K. Kiliza   -   2nd Rapporteur

4.0   PERFORMANCE REVIEW

4.1   **Achievements**

The following activities approved by the 16th Meeting of the East African Regulatory, Posts and Telecommunications Organizations were implemented:-

4.1.1 The   workshop   on   'Employee   Retention   in   a   Dynamic Communications

Sector: *A myth or reality?* was held on 15th-16th January 2009 in Bagamoyo, Dar es Salaam, Tanzania.

4.1.2 The   workshop   on   'Training   Needs   Analysis   (TNA)   for   all   HR managers,   Training Managers and Facilitators in Training Institutions was organized on 2nd-3rd March 2009 in Kampala.

4.1.3 Member organizations have started to promote research and development in ICTs through collaboration with higher learning institutions.

4.1.4 Member organizations have adopted corporate social responsibility (CSR) policies that support education and training of physically challenged persons by providing financial support towards training from primary to tertiary level.

4.1.5 Regulators are providing support to Training institutions.

4.1.6 Each member state has appointed a contact person to facilitate effective dissemination of information for HRDT working Committee.

5.0 RECOMMENDATIONS

The Committee prays for leave to submit the following recommendations to the Congress for consideration and approval:-

5.1 Training institutions are urged to collaborate in providing training solutions and exchange information amongst themselves.

5.2 In order to retain talents EARPTO Member organizations are advised to put in place Retention policies and programmes.

5.3 Due the fact that Communications sector is dynamic Member organizations should identify and mainstream training needs and strategies to address challenges in the sector.

5.4 Training institutions should develop training programs which address technological developments and challenges as well providing opportunities for sharing experiences.

5.5 Member Organizations to continue promoting research and development of ICTs with higher institutions and Networks i.e NetTel @ Africa.

5.6 Efforts should be made by all member organizations to include lecturers of ICTs among their delegations taking part in the ITU and

UPU study Groups in order to keep abreast with new technological developments.

5.7   EARPTO members are urged to make their financial contribution to the NeTtel@Africa network since EARPTO was one of the owners of this network and has benefited from its activities.

5.8   Efforts be made by Member organizations to develop Strategies to address the effects of the global crunch including developing and encouraging innovative solutions to mitigate the impact of the crunch.

5.9   Efforts be made by Regulators in the member countries to bring together academia and industry players to review ICT curricula as well as mode of delivery in line with current ICT trends.

5.10   EARPTO members, operators in particular be encouraged to approach their business partners to support academia with training resources.

5.11   AFRALTI encouraged to updating its offerings to conform to the latest developments in the sector that operators should be incorporated into the programs of this network.

5.12   The E-Learning approach sandwiched with the classroom approach during delivery should be enhanced to address the challenges currently being faced.

5.13   All stakeholders in the sector should take part in the peering arrangements of the NetTel @Africa network.

5.14   The proposed establishment of East Africa Communications Organizations under Article 7, the HRDT/WC be elevated to the level of Assembly as an organ of EACO taking into account the fact that the HR function is critical to the successful implementation of the strategic objectives of organizations.

5.15 The next meeting will be held in Uganda at a date and actual venue to be determined in consultation with the host.

ACTION PLAN

S/N	ACTIVITY	RESPONSIBLE ORGANISATION	TIME FRAME
1.	Exchanges of information by Training Institutions.	Training Institutions i.e. MMU,TPC, NetTel@Africa, AFRALTI	Immediate
2.	develop workable policies and programmes for retaining talents	Member Organizations	Continuous
3.	Develop training programs which address technological developments and challenges	Training Institutions	Immediate
4.	Provide opportunities for lecturers in ICTs to take part in the ITU and UPU study Groups in order to keep abreast with new technological developments.	All Regulators	Immediate
5.	EARPTO members to make their financial contribution to the NeTtel@Africa network	All Regulators	Immediate
6.	Training Institutions to consult the industry with objective of identifying their needs and consequently up date their Curriculum to keep abreast with technological developments.	Training Institutions	Immediate
7.	Promotion of research and development in ICTs through collaboration with higher learning institutions.	Member organizations	Immediate
8.	Adopt corporate social responsibility policies that support education and training of physically challenged persons by providing financial support towards training from primary, secondary, tertiary to university level.	Member organizations	Continous
9.	Regulators to bring together academia and industry players to review ICT curricula as well as mode of delivery in line with current ICT trends.	All Regulators	By next EARPTO Meeting
10.	Development of partnership between Training Institutions and operators in the industry.	Training institutions	Immediate

11.	The HRDT/WC be elevated to the level of Assembly of EACO taking into account the fact that the HR function is critical to the successful implementation of the strategic objectives of organizations.	EARPTO Congress	Immediate
12.	The venue for the next meeting of HRDT/WC is Uganda	Uganda	TBD

REMARKS BY THE DEPUTY MINISTER FOR THE EAST AFRICAN COMMUNITY HON MOHAMED ABOOD (MP) AT THE CLOSING CEREMONY OF THE 16TH EARPTO CONGRESS HELD IN DAR ES SALAAM THE UNITED REPUBLIC OF TANZANIA, 29TH MAY 2009

The Chairman of the 2nd EARPTO Congress, Prof. John Sidney Nkoma, Director-General, Communications Commission of Kenya,

Your Excellency Ambassadors and High Commissioners,

Hon. Justice Buxton Chipeta, Chairman of the Board, Tanzania Communications Regulatory Authority,

Head of Delegation Kenya,

Head of Delegation Uganda,

Head of Delegation Burundi,

Head of Delegation Rwanda,

Chief Executive Officers of Postal, Telecommunications and Broadcasting, EARPTO member organizations,

Representatives of ATU, PAPU and ITU regional bodies,

Distinguished delegates and observers,

It's indeed my pleasure to address this 2nd EARPTO Congress here in Dar es Salaam. I extend my warm appreciation for inviting me to officiate this important forum. Thank you all for organizing this important congress and bringing together Participant from Communications and broadcasting industry to discus various common issues and challenges in our Region.

Please allow me on behalf of the Tanzania Government to welcome you in Tanzania, and thanks the organizer of this forum for wonderful arrangement that made this Congress more successfully.

Distinguished Delegates

The Treaty for the establishment of the East African Community indicate Custom Union as the entry point of the EAC integration process followed by The

Common Market, which is aiming at liberalization of the four freedoms that is Labour, capital, Goods and Services.

Distinguished Delegates

I would like all of you to note that Liberalization enters redistribution. Redistribution tends to produce winners and losers.

At the heart of this process, stand the regulatory institutions that are required to ensure that, the loser is protected while winners do not use their power to abuse the Market. Regulation and standard are important for providing information that is necessary for Economic actors to make informed decision on a level playing field.

Likewise liberalizations are intended to increase competition that has a tremendous effect to the final consumer.

Distinguished Delegates

It is also a moment of great pressure and challenge to the East African Community to demonstrate tangible achievements of regional integration efforts. The communication Industry has a great role to play in this process, as it has a serious cross cutting matter that accelerates the development of all other sectors on the ground. This is because various communications mediums form part of the daily lives of the people.

President Jakaya Kikwete during his visits in San Francisco, USA said that his dream was to make ICT a catalyst for rapid social and economic development with Tanzania ultimately becoming the hub and centre of excellence.

Distinguished Delegates

One of the prominent Economist Joseph Schumpeter Influenced Economic Thought, by introducing innovation as a source of economic dynamics. We believe that Schumpeter would be very interested in the topic we want to discuss today. The topic is about the role of economic Regulations in Regional Integration. Regulation means control of activities by an Independent agency though set of rules, regulations and standards to ensure regulatory effectiveness.

The World Bank study of 2004 find that credible regulation is essential to ensure that Liberalizations involving restructuring of Telecommunication and other Infrastructure utilities such as Water, Power Transportations improve their performance and help to reduce poverty which is the EAC goal.

Distinguished Delegates

We are all witnesses of the communications revolution in EA from fixed to mobile and internet. We very much thank all local and foreign operators for working towards achieving affordable services in our region. We however think that it is a high time for operators in the region to work together to reduce tariff to enable more East African People to benefit from economies of scale.

In additional we do hope that you can even share power supplies in the rural areas. We therefore hope that you can do all you can to share the infrastructure facilities for the mutual benefit.

Another area of my concern is the Capacity building. We could spend fewer resources if EARPTO could take deliberate efforts to gather the Training needs of the organizations and institutions in the region. The EAC Secretariat could be part of this process.

Distinguished Delegates

Regulations provide a credible commitment to safeguard the interests of both investors and customers. This is crucial to attracting the long- term private capital needed to secure an adequate reliable supply of economic infrastructure services. Regulatory Reform has been estimated to increase the level of real GDP in several Organizations of Economic Cooperation Countries, ranging from 1%to 5% in USA Japan, Germany and France.

Distinguished Delegates

Investment of both foreign and domestic responds positively to an effective regulatory framework that provides credibility and stability to the private sector. For instance South Korea's FDI (Foreign direct investment) inflow increase resulting from regulatory reform was estimated at US $ 36.5 billion between 1999 and 2003. Likewise trade growth in Hungary was accompanied by a dramatic increase in FDI- during the reform decade. Hungary attracted over one third of all FDI in Central and Eastern Europe.

In additional to this regulation can also enhance competition For example the opening of port operations to multiple parties in Uruguay increased firm productivity by 300%.

In Chile deregulation of entry into the long – distance telephone market cut rates by 50%. I am told that, on the EAC communication regulatory front, there has been a significant drive in terms of more competition, and there is a move to wards implementing a borderless network in the EAC.

Distinguished Delegates

I would like you to tell us this significant move will cut tariff rate by how much percent. This is the information that, the common man in EAC would like to here from you.

Notwithstanding building regulatory structure can be changed in relative short period of time, but strengthening the regulatory institutions that implement reform and monitor the quality of regulations, need more time and require the Government's continuous support.

Distinguished Delegates

On top of these advantages of regulatory institutions there is a very challenging task that is how to get regulatory right. Impositions of regulations is like a double edged sword if note imposed carefully it can even cut an intended part. Like wise it is important to recognize that unbalanced and poor managed Economic Regulation can result into market failure that can lead into misallocation of resources.

Dear Delegates this can occur where a regulatory machine is captured by self or group interest at the detriment of a public interest. The tasks that I would like to leave to you today, is to make sure the East African Regulators will effectively cut an intended part and make EAC Success and be the role model in African integration process.

Distinguished Delegates

I believe your recommendation will be a fruitfully in harmonization of EAC Regulatory process. Am here to day to assure our commitment to support your initiatives that of the fair play in the market. We will always continue to support your good cause. It is also important that EAC Secretariat is full involved in your planning and strategies for the inclusion of your deliberations in the EAC working plan.

As I conclude I hope that you enjoyed since you arrived here in Tanzania. Again I welcome you all, in Tanzania the gate way of East Africa; I therefore invite you to voyage of discovering the Cities of Dar es Salaam and Zanzibar, enjoy the warm hospitality of our People in Tanzania. I also wish you all a safe journey to your various destinations.

It is now my distinct honour to declare the 2nd EARPTO CONGRES officially closed.

KARIBUNI TENA TANZANIA.

VOTE OF THANKS BY MR. PATRICK MASAMBU, EXECUTIVE DIRECTOR, UGANDA COMMUNICATIONS COMMISSION AT THE CLOSING CEREMONY OF EARPTO 2009 CONGRESS, DAR ES SALAAM, TANZANIA

Hon. Prof. Peter M. Msolla (MP), Minister of Communications, Science and Technology of the United Republic of Tanzania,
The Congress Chairman, Prof John Nkoma, the Director General, TCRA
Head of Delegations
Distinguished delegates,

I take with great honour this opportunity entrusted to me to move this vote of thanks closing the EARPTO Congress 2009.

Fore most, I wish to thank the out going Chairman, Mr. Charles Njoroge for steering well the organization from the time he assumed responsibility up till today. Most importantly, I wish to salute him for overseeing the implementation of number issues that were agreed upon at the previous EARPTO Congress in 2007 and the Extra Ordinary Congress held in 2008.

Distinguished delegates, today EARPTO is more than ever under spot light of the East African Community arrangement. This fact was underscored by EAC commissioning the study on Harmonization of Communications Regulation in the East African Community. This was further accentuated by the presence of the Deputy Secretary General of EAC at the workshop held yesterday. Our governments shall expect us to deliver on a number of things that promote regional integration. We therefore need to be steadfast in our resolution if we are to meet the expectation of our people.

I believe, together we should each play our part to accomplish our tasks. We should strengthen on what has been accomplished and strive even higher. I have every confidence, that we shall over come our challenges and remain relevant to our governments and people of East Africa.

Distinguished delegates, I thank you all in your respective capacities for making this Congress a success.

I THANK YOU FOR YOUR ATTENTION