REPORT OF THE ASSEMBLY OF REGULATORS, OF THE 20th EACO CONGRESS HELD AT KENYATTA INTERNATIONAL CONFERENCE, NAIROBI , KENYA FROM 24TH –28TH JUNE 2013

1.0 INTRODUCTION

The Assembly of Regulators of the East African Communications Organization (EACO) took place from 24th to 28th June 2013 at Kenya International Conference Centre(KICC), Nairobi, Kenya.

The Assembly considered report from various committees and taskforces based on tasked assigned by the 19th EACO Congress. 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 20th EACO Congress.

2.0 ATTENDANCE

The attendance of the Assembly of Regulators meeting was drawn from EACO Member states, namely; Burundi, Kenya, Rwanda, Tanzania and Uganda. South Sudan attended as an observer. The list of participants is attached in **ANNEX I**

3.0 OPENING OF THE MEETING

The meeting was opened by the outgoing EACO Chairman, Amb. Joseph Bangurambona from Burundi. He presented the report of the previous Assembly of Regulators that he chaired and presided over the election of the Bureau.

4.0 ELECTION OF THE BUREAU

Kenya was appointed to chair the Regulators Assembly.The first Rapporteur was Kenya and the second was from Tanzania.

The Bureau was constituted as follows:

Chairman	Mr. Michael Katundu	CCK
1st Rapporteur	Mr. Richard Tonui	CCK
2nd Rapporteur	Mr Clemence Kichao	TCRA

5.0 ADOPTION OF AGENDA

The Assembly adopted the Agenda attached as **ANNEX II.**

6.0 REPORT OF THE OUTGOING CHAIRPERSON

Among others, the outgoing chairman of EACO highlighted some key issues, events and programs that had taken place in the Communications sector both at regional as well as at global levels and of which involved in one way or the other the EACO Secretariat during the year 2012/13.

6.1 At International Level the Chairman indicated that:

- There had been increased use of e-services in the sector including e-governance, e-commerce, m-banking, e-payment, social media, e-learning, etc of which also has resulted into emergence of new issues as well as new challenges
- He pointed out the effort levelled against such challenges as enhanced through various approaches by the International community including ITU, ATU, etc as they organized several International for a to facilitate a multi-stakeholder dialogue and consensus
- He mentioned the forums to include World Telecommunication Standardization Assembly (WTSA – 12), ITU Telecom World 2012, 12th Global Symposium for Regulators (GSR – 12), World Summit on Information Society (WSIS Forum 2013), 13th – 17th May 2013 and World Telecommunication/ICT Policy Forum 2013.

6.2 At Regional Level:

- The Outgoing Chairman briefed on the continued growth in the sector which in turn has contributed immensely to the socio-economic development in the EACO region. This included mobile subscriptions, other communication services, applications and level of ICTs service uptake in general.

- He informed the Assembly that, all the task force groups held their meetings as directed by the EACO Congress and RURA hosted 5 task forces meetings, CCK hosted 5, Tanzania hosted 2 and UCC hosted 3.

- In terms of Programs, the Outgoing Chairman indicated that,

  o SIM card registration as a major Policy concern to all EACO Members, has been implemented and is going on throughout the region
  o Consumer Protection and Empowerment has been implemented in the region through strengthening their regulatory frameworks on consumer protection, focusing on consumer education and combating counterfeit terminal equipment.
  o A task Force on IXPs is finalizing a project to facilitate EACO's establishment of the Regional IXP i.e. EAIXP.
  o In combating Cybercrime and creation of consumer trust, National Computer Emergence Response Teams (CERTs) have been established in the member states through putting in place necessary legal and Regulatory frameworks.

6.3 Progress in the Postal sector

The Outgoing Chairman told the assembly that, there has been a drastic change of landscape in Postal sector globally hence causing much concerns to both Governments as well as the postal service operators. He informed the Assembly that such challenges are however caused by several factors including but not limited to
- Changing consumer and business behaviour
- Electronic substitution

- Inadequate postal and supporting infrastructures
- Decline in mail volumes and
- Growth in e-commerce, e-banking, financial services and other e-services and applications that have changed the postal market dynamics.

He further, congratulated EACO fraternity for the important achievements made through the 25th Congress of the Universal Postal Union (UPU) held between 24th September to 15th October 2013 whereby Ambassador Bashir Hussein from Kenya was elected as the new Secretary General of UPU for four years; while Uganda and Uganda and Tanzania were elected to the UPU Council of Administration and Kenya also as member of the UPU Postal operation council for the 2013 – 16 circle.

He also noted on the on-going effort by both Postal operators as well as Governments in the:
- Development of Postcode and the National Addressing Systems in the Region
- Improvement and monitoring quality of Quality of Service
- Implementation of Nairobi-cum-Doha Postal Strategies

6.4 Developments in the Broadcasting Sector

The Outgoing Chairperson highlighted three major developments made in the Broadcasting sector including:
- The study being undertaken through ITU –T Syudy Group JTG4-5-7 AND Working Party 5D with respect to the digital dividend for the band 694 – 790MHz.
- The first African preparatory meeting for WRC 15 organized by African Telecommunications Union held in Senegal during 18th -22nd March 2013
- Implementation of the Analog to Digital transition by the member states of which he mentioned that while others have st new swichover deadlines, Tanzania was able to start switch-over by 31st December 2012.

6.5   Establishment of the EACO Secretariat

The outgoing Chairman finally spoke on the progress, performance and Strategic plan for the established EACO Secretariat stationed in Kigali Rwanda since its inception back in September 2012.

He took the delegates to various areas of the Secretariat from its current Structure, staff capacity, the Strategic Plan Objectives as well as the Actual and Provisioned Budgets for noting.

The Outgoing Chairman concluded by emphasizing that "the environment in which we operate is drastically changing. This phenomenon poses challenges to not only Policy makers but also to Regulators as well as Operators in the sector. Therefore a united front is a necessary tool not only to face these challenges but also to pioneer the sector to the next level".

7.0 MATTERS ARISING FROM THE REPORT OF THE OUTGOING CHAIRMAN

Noted :

  (i)   Uganda thanked ARCT Chairmanship of EACO for a great report and the work done by the task forces.

  (ii)   Kenya appreciated ARCT chairmanship in the last Congress period and dedication.

  (iii) Through the representative of the Head of Tanzanian delegation, Tanzania commended the outgoing chairman of EACO. He reiterated the importance of continued commitment of members especially in the area of our contribution.

The outgoing Chairman thanked the Regulatory Agencies of the five EAC countries and the various task forces and ad hoc committees for their respective efforts in implementing and following up the decisions of the EACO during the past one-year. He thus wished the incoming Chairman and Assembly fruitful deliberations.

Agreed:
That, matters arising from the outgoing Chairman should be discussed alongside the country reports on the implementation status of the 19th EACO Congress reports as appropriate.

8.0 CONSIDERATION OF THE REPORT OF THE TASK FORCES AND COMMITTEES

  8.1   TELE-TRAFFIC MONITORING

  Noted:

     The report of the Tele-traffic monitoring taskforce as follows:

  (i)   That, the mandate of the Task Force group on Tele-Traffic was among others "to look into the issue of Telecommunications fraud in EACO country members and thereby identifying/exploring known strategies /best practices to address the same;

  (ii) That there are different approaches that can be used to monitor Tele-traffic to contain fraud, including establishing a centralized gateway, or installing an international traffic control monitoring system;

  (iii) That the International Traffic Control Monitoring system is the current best practice to address this problem;

  (iv) That all member states are at different stages of looking into possibility of addressing this problem;

  (v)   That Rwanda and Burundi have implemented the system;

(vi) Tanzania has consulted stakeholders and signed the contract with a consulting firm to implement the same once regulation are finalized;

(vii) Uganda has completed preparations of ToRs and is currently outsourcing a Consultant for the same;

(viii) That the task force recommends for a deeper study by each member state in its local situation and environment to guide them on the best way forward;

Agreed:

(i) To adopt the report of the Tele-traffic monitoring Taskforce;

(ii) That the task force undertakes a further study on this issue;

(iii) Encourage each member state to undertake a study in their local situation and environment to guide them on the best way forward;

(iv) Encourage member states to benchmark within and outside the region.

8.2 REPORT OF THE CYBERSECURITY TASK FORCE

Noted:

The report of the Cybersecurity Task Force as follows:

(i) That the EACO Member States are in different stages in the implementation of National Computer Emergency Response Teams (CERTs);

(ii) That there is need for the National CERTs in the EACO Member states to continue collaborating with each other in the cybersecurity management;

(iii) That there is need for continuous capacity building and awareness creation, sharing experiences and liaising in Cybersecurity management, including issuing of Cybersecurity advisories, warnings and alerts;

Agreed:

(i) To adopt the report of the Cybersecurity Taskforce;

(ii) To encourage EACO countries to actively participate in the ITU-T Study Group 17 dealing with cyber security issues;

(iii) Member states should continue to implement recommendations made by the Cybersecurity Taskforce and adopted by the Congress towards establishment of National CERTs;

(iv) The established National CERTs should collaborate with other National CERTs at the regional and international levels;

(v)   EACO Member States should participate in the development and harmonization of Cybersecurity laws under the coordination of the EAC Secretariat;

(vi)   EACO Member States should ratify the existing regional and international legal instruments on Cybersecurity, where applicable;

(vii) To encourage the Cybersecurity Taskforce members who have not benchmarked with other established National CERTs, to consider doing so;

(viii) Regulators to encourage participation of operators in the Cybersecurity Taskforce.

8.3   REPORT OF E-WASTE TASK FORCE

Noted:

The report of the E-Waste Taskforce as follows:

(i)   The e-waste task force met on 12th to 14th November 2012 and 25th to 27th March 2013 in Nairobi and Bujumbura respectively;

(ii)   Findings from analysis and mapping of the current status of policy and legal frameworks, ICT Regulator initiatives, other stakeholder initiatives and challenges in EAC Members States;

(iii) Need for Regulators to collaborate with relevant authorities dealing with Environmental issues;

(iv)   Proposed model framework for e-waste management. The proposed model framework is attached as **ANNEX III.**

Agreed

(i)   To adopt the report of the E-Waste Taskforce;

(ii)   To adopt the revised ToRs of the E-Waste taskforce as follows:

   a)   To study and identify the drawbacks in the existing policies, laws, regulations and guidelines related to management of e-waste in the region;
   b)   To propose appropriate and achievable remedies of the identified gaps in e-waste management; and
   c)   To recommend a harmonized model framework, policy, regulations and guidelines for the region.

(iii) To adopt the draft model framework for e-waste management in the region;

(iv)   To consider future work beyond E-waste management such as ICT roles in achieving environmental sustainability towards a green economy in the region;

(v) The Regulators to continue collaborating with all relevant organizations dealing with E-waste management.

8.4 REPORT OF E-TRANSACTIONS TASK FORCE

Noted :

The report of the E-Transactions Taskforce as follows:

(i) The E-transactions taskforce met in Nairobi, Kenya between the 26th and 28th of November 2012;

(ii) The key role of ICTs in enabling financial inclusion including the use of mobile-banking (M-Banking);

(iii) The need to review the impact of taxation on electronic services in light of the key role of ICT in meeting socio-economic needs of EAC citizens;

(iv) The need to address risks emanating from the provision of e-banking services including financial, operational, solvency, fraud and security, among others.

Agreed

(i) To adopt the report of the E-Transactions Taskforce;

(ii) To encourage all the member states to share experiences on the development of e–transactions and challenges faced in the development process;

(iii) To encourage member states to speed up implementation of e-transactions frameworks and put in place necessary policies, laws and regulations;

(iv) The Congress to task the EACO Secretariat to follow up implementation of item (iii) above through networking with development partners including but not limited to the East African Community (EAC), the European Union (EU), the African Telecommunications Union (ATU), the East African Development Bank (EADB), the African Development Bank (ADB), the International Telecommunication Union (ITU) and the World Bank;

(v) Congress to encourage member states to ensure close collaboration across sectors that may be involved in one way or another with e-transactions standards; this includes institutions such as the Central Banks, National Bureau of Standards and Information Technology Authorities, among others.

8.5 REPORT OF HARMONIZED CONVERGED/UNIFIED LICENSING FRAMEWORK TASKFORCE

Noted:

The report of Harmonized Converged/Unified Licensing framework taskforce as follows:

(i)   The presentation of the task force on harmonisation of converged/unified licensing framework;

(ii)   That the legal frameworks on converged/unified licensing frameworks in the EAC member states are at different stages;

(iii) That none of the member states was exclusively licensing broadband;

(iv)   That indeed broadband technologies and services fit well in the CLF/ULF due to inherent service and technology neutrality;

(v)   The recommended guidelines on harmonised Converged/Unified Licensing Frameworks.

Agreed

(i)   To adopt the report of the Harmonized Converged/Unified Licensing framework taskforce;

(ii)   To consider carrying out a study on broadband services and related issues;

(iii) That in order to have a harmonized licensing framework in the region, the following minimum requirements are recommended for implementation:

	Recommendation	Rationale	Responsibility/ Actor(s)
1.	Establishment of an enabling and desirable legal and regulatory framework that takes into account convergence	- Legal backing that puts into place converged/unified licensing framework	i. Government ii. NRAs
2.	Determining the licence categories and their description within the converged/unified framework	- To establish market/ investments certainty - To promote competition - To offer flexibility in technologies, services and markets	NRAs
3.	Timeframe for migration	- To provide an acceptable timeframe for existing licensees to migrate to converged/unified licensing framework - To ensure smooth transition to the converged/unified licensing	i. NRAs ii. Existing Licensees

	Recommendation	Rationale	Responsibility/ Actor(s)
		framework	
4.	Provide regulatory incentives for migration	- To encourage existing licensees to migrate	NRAs
5.	Reviewing the framework within three (3) years time in tandem with sector developments	- To accommodate the technological advancement in the sector and also license terms and conditions	i. Government ii. NRAs iii. Operators

(iv) Member states to adopt the guidelines on harmonised Converged/Unified Licensing Frameworks taking into account their respective policies and laws, attached as **ANNEX IV**.

8.6   THE REPORT OF CONSUMER PROTECTION TASK FORCE

Noted

The report of the Consumer Protection Task force as follows:

a) Implementation of Roaming Guidelines;

(i) That the guidelines on Roaming were adopted during the 19th EACO Congress held in Bujumbura;
(ii) Member states are expected to facilitate implementation of the guidelines on Roaming; and
(iii) That roaming tariffs in the region remain relatively high.

Agreed:

(i) To send a liaison statement to the EACO Tariff Taskforce to revisit this matter, with a view to incorporating the competition angle;
(ii)   That Regulators transform the adopted guidelines on roaming and marketing communications into regulations for implementation.

b) Guidelines on Persons With Disabilities (PWDs) and Cross border Customer Care Provision

The committee discussed and reviewed the draft documents of the two sets of guidelines on People with Disabilities (PWD) and Cross-border Customer Care respectively.

Agreed

(i) To improve the guidelines on PWDs further; and
(ii)   To forward the draft guidelines for stakeholder comments.

c) **Consumer Education**

Member states had carried out consumer education on various projects in the region, including:
(i)   SIM card Registration;
(ii)   Digital Migration; and
(iii) Counterfeits Elimination.

Agreed

(i) That Burundi considers adopting the harmonized complaint handling mechanism developed by the Taskforce;
(ii)   To send a liaison statement to the E-waste Task force in light of consumer protection issues relating to environment, health and safety;
(iii)   The Task force to address Child Online Protection (COP) issues in a harmonized manner.

d) **Consumer issues in regard to mobile financial services**

There is complexity in the nature of mobile financial services regulatory environment.

Agreed

That research be carried out in the following areas related to Mobile Financial Services provision:

(i)   Online fraud;
(ii) Service outage;
(iii) Interoperability;
(iv) Complexity in regulatory environment where services are governed by several statutes;
(v)   Disclosure and transparency; and
(vi) Data protection and privacy issues.

e) **Capacity building for consumer protection**

Concerns with regards to the challenge of prerequisite of skills and competencies to address consumer issues in the region.

Agreed

There is need to build capacity in the region on consumer issues.

f) **Comparative Tariffs Information**

(i)   The importance of tariffs comparison to enable better consumer choice;
(ii)   That these tariffs change frequently especially with regard to promotion.

Agreed

That Regulators' websites should have direct links to Operator's tariffs sites.

g) **Consumer Issues for consideration and greater collaboration at international level;**

Agreed

The following topics to be advocated for at International fora as critical consumer issues in the region:

(i)   Child on line protection (CoP);
(ii)   Quality of Experience (QoE).

h) **) Benchmarking Activities**

(i)   During the year 2012/2013 the following benchmarking Activities were done:
- Ñ   Kenya benchmarked with Tanzania on digital Migration;
- Ñ   Uganda and Rwanda benchmarked with Kenya on Counterfeits Elimination management;
- Ñ   Uganda benchmarked with the Philippines on Mobile Financial Services; and
- Ñ   Burundi benchmarked with Kenya and Tanzania on digital migration.

(ii)   That experiences from the benchmarking exercises were shared amongst the member states during the Taskforce meetings.

8.7   REPORT OF QoS TASK FORCE

The report of the QoS Taskforce was noted as follows:

(i)   The EACO quality of service (QoS) taskforce meeting was held on the 22nd to 26th April 2013 in Nairobi-Kenya;

(ii)   That different EACO member states have different QoS targets and monitoring mechanisms;

(iii) The ICT networks, ICT services, QoS & QoE parameters, targets and QoS monitoring tools that have been identified by the different member states;

(iv)   That parameters, targets and computations have only been harmonised for mobile networks but have been identified (not harmonized) for other networks.

Agreed

(i)   Adopted the report of the QoS Taskforce;

(ii)   The need to develop a model industry SLA by QoS/QoE the Taskforce, as an enforcement tool in the region;

(iii) To consider non-technical mechanisms such as customer service surveys as part of QoS/QoE monitoring and measurements;

(iv) To incorporate operators and other stakeholders to contribute to the QoS/QoE taskforce work;

(v) The Taskforce to develop a comprehensive guidelines on QoS/QoE for member states;

(vi) Member states are requested to sponsor QoS/QoE Taskforce members for benchmarking with other regional and international bodies to build their capacity in handling QoS/QoE matters. They are in particular encouraged to sponsor taskforce members to attend ITU-T SG 12, and Regional Group for Africa meetings/workshops on QoS/QoE;

(vii) EACO member states are requested to maintain consistency in their representation in the Taskforce meetings for effective contributions to the work of the taskforce;

(viii) EACO member states are requested to ensure that they are represented and participate in the QoS/QoE task force meetings.

8.8 REPORT OF REGIONAL INTERNET EXCHANGE POINT (EAIXP) TASK FORCE

Noted:

The report of the Regional Internet Exchange Point (EAIXP) Taskforce was noted as follows:

(i) The members of the EAIXP task force met in Bujumbura, Burundi and in Dar es Salaam, Tanzania to progress the work as agreed by the 19th EACO Congress;

(ii) The current status of the implementation of IXPs and existing interconnection fiber links in the respective member states;

(iii) That for effective connectivity of IXPs, the required bandwidth and latency is only feasible from fiber links;

(iv) The concept and project proposal document for the regional EAIXP developed by the Taskforce;

(v) The draft EAIXP Operational Guidelines developed by the Taskforce;

(vi) The need to develop content to attract traffic for the regional EAIXP project.

Agreed:

(i) To adopt the report of the EAIXP Taskforce;

(ii) There is need for the EACO Secretariat to finalize the project proposal document on regional EAIXP;

(iii) To adopt the draft EAIXP Operational Guidelines as work in progress;

(iv) EACO Secretariat should develop a workplan for the implementation of the EAIXP, including finalization of the project document and operational guidelines.

8.9 REPORT OF LEGAL AND CONSTITUTION COMMITTEE

Noted:

The report of the Legal and Constitution Committee.

Agreed

The report of the Legal and Constitution Committee to be presented to the Joint Working Committee (JWC) for consensus building.

8.10 REPORT OF THE NUMBERING TASK FORCE

Noted

The report of the Numbering Taskforce was noted as follows:

(i) The Numbering Task Force met in Kigali from 29th to 31st October 2012 to review, discuss and deliberate on 19th EACO Congress related to Numbering Management issues and Mobile Number Portability;

(ii) That in some countries the harmonized short code were implemented for national use instead of the anticipated services for roaming customers within the region;

(iii) That Signal Spillovers was being experienced at Malaba and Busia at the Kenya-Uganda Border and Isebania and Namanga, at the Kenya-Tanzania border;

(iv) That not all countries have implemented Regional Access Codes;

(v) Burundi is yet to apply for Regional Access Code 003;

(vi) The Maritime Regional Coordination Centre (MRCC) in Mwanza is yet to be established;

(vii) Automated system is not needed for the harmonized short codes;

(viii) The number of participants in ITU activities or other forums related to numbering is one or two among the EACO Country members, and the consistency in the participation is still a challenge. And both fellowship and budget are used.

Agreed:

(i)   To adopt the report of the Numbering Taskforce;

(ii)   Regulators to follow up and ensure all operators implement harmonized short Codes;

(iii) Operators should always give information on harmonized short codes to all roaming customers through welcome messages as they switch on their mobile phones;

(iv) Regulators to follow up with operators in their respective countries to ensure the EACO agreed Network Colour Codes are implemented;

(v)   Regulators to follow up (through testing) and ensure that all Regional Access Codes (004 for Rwanda, 005 for Kenya, 006 for Uganda and 007 for Tanzania) are implemented;

(vi) EACO secretariat to follow up with Burundi for the formal application for regional access code 003;

(vii) EACO secretariat to follow up with the EAC Secretariat for the timely implementation of MRCC in Mwanza;

(viii) There should be a minimum of 2 people participating in ITU-T Study Groups, other regional and Africa group forums relevant to Numbering issues including setting aside adequate budgets and where applicable to take advantage of fellowship;

(ix) Also regulators should consider consistency in the participation in study groups in order to build capacity.

8.11 REPORT ON EACO PREPARATION TOWARDS WRC15

Noted

The report on the EACO preparation towards WRC-15 was noted as follows:

(i)   The WRC-15 will discuss issues which include Mobile and Amateur issues; Science Services; Aeronautical, Maritime & Radiolocation issues; Satellite services; Satellite Regulatory issues and General issues.

(ii)   Report on the preparation for the WRC-15 as presented by Rwanda;

(iii) Key Agenda items of interest to the region as follows:

   a) **Agenda Item 1.1:** to consider additional spectrum allocations to the mobile service on a primary basis and identification of additional frequency bands for International Mobile Telecommunications (IMT) and related regulatory provisions, to facilitate the development of terrestrial mobile broadband applications;

b) **Agenda Item 1.2:** to examine the results of ITU-R studies, in accordance with Resolution 232 (WRC-12), on the use of the frequency band 694-790 MHz by the mobile, except aeronautical mobile, service in Region 1 and take the appropriate measures

c) **Agenda Item 1.3:** to review and revise Resolution 646(Rev.WRC-12) for broadband public protection and disaster relief (PPDR).

Agreed

(i) To adopt the EACO preparatory report towards the WRC-15;

(ii) Member states are encouraged to actively involve stakeholders through a National preparatory committee in the development of country position towards WRC Agenda Items;

(iii) National Regulatory Authorities should be active in the Works of the ITU Study Groups;

(iv) Countries that have not amended their National Frequency Allocation Table according to the WRC-12 Final Acts should do so.

8.12 REPORT OF THE EACO POSTAL REGULATION AND DEVELOPMENT TASK FORCE

Noted

The report of the EACO postal regulation and development task force was noted as follows:

(i) The task force held a meeting from the 28th – 30th November 2012 in Kampala, Uganda;

(ii) The Taskforce developed revised ToRs, among others.

Agreed

(i) To adopt the revised ToR of the task force as follows:

a) Promote implementation of Postal Strategies as enunciated by the UPU;

b) Advise Governments on necessary review of policies and strategies aimed at re-positioning the postal sector in the region as a major player in the Supply Chain;

c) Develop and harmonise postal sector plans in the areas of growth, quality of service improvement, enhancement of Postal Security, information sharing and setting of common targets;

d) Promote the usage of appropriate technology to be applied in postal sector , including Postal Automation;

e) Monitor the progress and advise on the development of the National Addressing and Postcode infrastructure in the region

f) Develop an appropriate mechanism for enabling EACO member countries to acquire and use modern mail quality measurement solutions for postal services;

g) Develop strategies for enhanced active participation of EACO members in the programmes of UPU, PAPU and other international organizations;

h) Conduct joint EACO Postal regulators inspections of; airports, Offices of Exchange, and border points for security and QoS purposes.

(ii) To urge all Regulatory bodies in the member states to acquire RFID mail quality measurement systems for Regional QoS monitoring and analysis;

(iii) To urge Regulatory bodies in member countries put in place appropriate mechanisms for cooperation in minimizing illegal/unlicensed cross-border postal service operations within the East African region;

(iv) To urge regulatory bodies in the member countries to continuously examine causes of the decline in quality of service as revealed in the UPU Regional Quality of Service reports;

(v) To urge Burundi to join the UPU Regional Quality of Service initiatives and also share QoS measurement results with the other EACO members;

(vi) To urge all EACO member states continue identifying and committing appropriate resources towards the development and implementation of National Postcodes and Addressing Systems in the region, considering their important roles in national development.

9   ADOPTION OF INTERNET PROTOCOL VERSION 6 (IPV6) IN THE REGION

Noted

The status of adoption of the IPv6 in the region as follows:

a) Kenya

(i) Kenya formed a National IPv6 Steering committee whose members are drawn from the Telecommunications Service Providers of Kenya (TESPOK), Ministry of Information and Communications Technology (MICT), Communications Commission of Kenya (CCK), Kenya Network Information Centre (KENIC), among others;

(ii) The functions of the IPv6 Steering committee include:
   - Development of Policy and Strategy on adoption of IPv6;
   - Capacity building and awareness creation, among others.

(iii) Intends to carry out a study to establish the uptake of the IPv6 in the country to assist in coming up with modalities of increasing the uptake of IPv6.

b) Rwanda

(i) The Regulatory Authority has carried out a survey with all local ISPs and operators to assess their state of readiness to offer IPv6 services to the public in Rwanda. Out of the 7 ISPs surveyed, 6 replies were received;

(ii)   The Regulatory Authority also held an awareness meeting with major ICT stakeholders on 9th August 2012 and shared the findings of the survey and discussed the way forward to overcome identified issues;

(iii)   Some of the findings were, inter alia, that only one ISP had requested IPv6 blocks from the AFRINIC and there was no single customer that had requested IPV6 addresses to ISPs.

c)   Tanzania

Tanzania is in the process of conducting baseline survey to establish the status of the IPv6 uptake in the country.

d)   Burundi

(i)   The Regulator of Burundi is yet to develop a roadmap for adoption of the IPv6;
(ii)   Operators have contacted the suppliers to ensure that the devices they are acquiring comply with the IPv6;
(iii) Operators to contact Afrinic for IP addresses and free training.

e)   Uganda

Under the leadership of the Ministry of ICT, Uganda has initiated development of IPv6 migration strategy.

Agreed

(i)   EACO member countries should collaborate on the adoption of IPv6 in the region as follows:
   a.   Capacity building and awareness creation on the adoption of IPv6;
   b.   Encourage operators in the EACO member states to apply for IPv6 address blocks from the African Network Information Centre (AfriNIC).

(ii)   Member states should conduct baseline study/survey in order to inform efforts needed to ensure successful adoption of IPv6 in the region;

(iii)   In order, to facilitate the adoption of IPv6, it is necessary that the regulatory authorities, public agencies and the government provides an initial form of catalyst by creating awareness and providing education about IPv6 through Workshops and seminars.

10 PROGRESS REPORT ON ANALOGUE TO DIGITAL MIGRATION IN REGION, EXPERIENCE AND CHALLENGES

Noted

The progress reports from the member states on Analogue to Digital migration as follows:

a)   Kenya:

(i) Experiences:

- The Government established a Multi stakeholder Task Force to provide a framework for digital migration. The members of the Taskforce are drawn from the Ministry of Information and Communications Technology (MICT), Communications Commission of Kenya (CCK), National Communications Secretariat (NCS), Media Owners Association (MOA), Media Council of Kenya (MCK), Kenya Broadcasting Corporation (KBC), Association of Practitioners in Advertising, among others;
- The task force finalized its work in Sept. 2007 and published the report on the CCK website;
- Adopted a phased analogue switch-off involving establishment of Digital Transition Committee to manage the migration process;
- Licensed two (2) Broadcast Signal Distributor (Multiplex Operators) to provide signal distribution services;
- Simulcast period of three years from 2009 to 2012;
- Government to provide incentives and fund migration;
- Adopted DVB-T2 technology for digital TV transmission;
- Government exempted all taxes on Set Top Boxes (STBs);
- The Regulator (CCK) is financing the consumer awareness campaign programmes including radio/TV/print productions.

(ii) Challenges

- Delays in network rollout due to other Government funding priorities;
- Reduced DTT spectrum - WRC 2007/2012 decisions. Upper limit of TV Broadcast spectrum reduced from 862 MHz (ch. 69) 790 MHz (ch.59) in 2007, 694 MHz (ch.48) in 2012 thus constraining spectrum to support DTT (especially during simulcast). This created challenges in re-planning and finding alternative frequencies to replace those already assigned and limits the number of broadcast signal distributors;
- Affordability and availability of set top boxes;
- Change of DTT standard (DVB-T to DVB-T2);
- Lack of appropriate content;
- Existing analogue TV infrastructure;
- Proprietary pay TV STBs. Pay TV providers STBs proprietary curb content piracy. And their highly subsidized STBs are attractive to consumers– but majority consumers unable to sustain monthly subscription fees;
- Adherence to analogue switch-off deadlines
- Environmental challenges, including electronic waste (obsolete STBs, TVs, broadcast equipment) and increased emissions from Multiple transmitters during prolonged simulcast;
- Lack of power/electricity supply;
- Competition issues
- Inadequate Consumer awareness;
- Unending Litigation: Many court cases related to broadcasting indirectly slowing down the migration process as a result firm analogue switch-off date not yet set;

(b)   Rwanda:

(i) Experiences

- Currently, the digital TV Broadcasting Network of ORINFOR,   the public broadcaster, is up and running with an estimated coverage of 95% of the entire country;
- Regulations governing digital terrestrial television have been established and technical specifications for STBs have been published to allow importers and vendors of equipment to avail them on the market;
- RURA Board approved signal distributor license for the public broadcaster (ORINFOR) on 28th February 2013;
- Five TV broadcasters (TV10, Super TV, Lemigo TV, Light TV and Nation media group Rwanda) have already received authorization to build their own TV studio;
- TV10 has already commissioned its studio and is now included in ORINFOR bouquet;
- Dual illumination (transition period where Public Broadcasting Network will be broadcasting both analogue and digital signal to allow consumers with and without STBs to continue receiving TV channels) commenced on 1st March 2013;
- Awareness campaign to inform consumers on benefits of digital TV system; sensitizing potential vendors on the business opportunity in availing STBs and integrated digital TV. This started with distribution of 800 STBs already acquired by ORINFOR during the official launch on 21st March 2013 in Gisagara district.

(ii) Challenges

- The availability of Set Top Boxes (STBs) on the Rwandan market to adapt existing analogue TV in order to receive digital TV or integrated digital TV tuners for consumers who would like to buy a new digital TV;
- Setting up switchover (switch off analogue TV) date of analogue TV to avoid unnecessary cost for Public broadcaster in running two networks in parallel. The switchover date will depend on availability of STBs on Rwandan market;
- Availability of local content remains an issue due to limited financial resources for content production; inappropriate training opportunities for content creators; lack of access to advanced technology(production units, digital cameras, digital studios).

(c)   Burundi

(i) Experiences

- Burundi conducted technical studies on Standards for compression and distribution of digital signal, STBs parameters, sites required for country coverage, frequency plan and the budget. A study on legal and regulatory framework(licensing, number of MUX and responsibilities of regulatory bodies (ARCT) and CNC was also conducted. These studies lead to the adoption of DVB-T2/MPEG4 standards as well as legal and regulatory framework including the role of regulatory bodies;

- The approval of the national roadmap for migration as well as adoption of the communication strategy;
- Analogue Switch off to be implemented phase by phase depending on the level of STBS and digital receivers penetration;
- The total Analogue broadcasting Switch off is planned for 31st December 2014
- The public campaign is being conducted countrywide for sensitization.

(ii) Challenges

- Development of sufficient contents to utilize the capacity of digital broadcasting;
- Digital broadcasting network not rolled countrywide.

(d)   Uganda

(i) Experiences

- Digital Migration policy in place with two licensing segments; Signal distribution and Content development;
- Standards for transmission and head end adopted at regional level;
- Coordination with neighbouring countries was finalized and a DTT frequency plan based on GE06 developed. Continued coordination for additional proposed sites within the earmarked regions is handled on case by case basis;
- The 1st Digital dividend has been allocated for broadband services;
- Minimum STB specifications for FTA reception developed;
- The Signal distributor and content provider application documents, license templates and associated terms and conditions have been developed;
- Phased migration to digital broadcasting, DTT greater Kampala project is progressing, the equipment delivered to the site and civil works completed. This project is expected to cover region approximately an area of 60KM radius, system will be scalable to 96 programmes with initial capacity of 24 programmes, testing and Commissioning scheduled by end of July 2013;
- A comprehensive public awareness plan and strategy has been put in place.

(ii) Challenges

- The Pilot and incumbent operators that do not qualify as signal distributors;
- Funding for the distributor to roll out in the whole country;
- Provision of STBs by the time the Greater Kampala is switched on;
- The existing pilot project STBs to be able to receive the FTA signals;
- Readiness of the public to switch to digital.

(e)   Tanzania

(i) Experience

- Back in 2005 when the process of analogue to digital migration started, Tanzania Communications Regulatory Authority (TCRA) issued Public Consultation Document (PCD) on Switchover (Migration) from Analogue to Digital Broadcasting in Tanzania The result of the consultation proposed

- introduction of the Multiplex operators in the terrestrial digital broadcasting value chain;
- Three Companies were awarded the Multiplex licence in 2010 to make sure that there is availability of digital signals countrywide;
- Digital Broadcasting Regulations in place (Digital and other Broadcasting network, 2011);
- Established standard for set-top boxes;
- Government provided 100% tax exemption on set-top boxes digital decoders;
- Consumer awareness campaigns conducted countrywide.

(ii) Post Analogue Switch-off Challenges

- Most of customers lack the knowledge of Decoders/Antenna/ Television Connectivity;
- Interoperability of Set Top Boxes;
- Lack of knowledge on Migration;
- Lack of attractive content in Digital Platform;
- Some of Content Service Providers (CSPs) unable to migrate to digital due to technical and administrative issues;
- Unwillingness of CSPs to pay the Transmission fees to the Multiplex operators;
- Lack of enough Local and Premium Content under Terrestrial Digital Platform;
- Regional based Content Service providers faced challenges for uptake
- Poor support services/customer care including paying for calling the call centers when customer asking for support services;
- Arrangement and harmonization of the local TV channel list among the MUX operators;
- Weak signal reception in some points within a defined service area;
- Exploitation of the optic fiber in digital broadcasting networks v/s satellite for distribution networks;
- Licensing of Multiple Channels;
- Licensing of the subscription services including the issues of whether to licence a channel or a aggregator and the relation between the independent producers of subscription content and subscription service licensee;
- Separation of jurisdiction of Signal distributors and Content Service Providers;
- Requirements of having SLA between Signal distributors and CSPs;

Agreed

(i) EACO member states to continue with extensive public awareness campaigns on digital migration;

(ii) EACO member states to use the opportunity of digital broadcasting to put in place strategies for development of local content;

(iii) Facilitate 100% tax exemption for the digital set-top boxes in order to expedite digital broadcasting take-up;

(iv) Member states to continue to share experience on successes and challenges arising from implementation of the digital broadcasting;

(v)   Since the Analogue Switch Over (ASO) deadline of 31st December 2012 for all EACO member states lapsed, member states are urged to ensure that they switch off well before the ITU deadline of 17th June, 2015 and have a shorter simulcast period to avoid costs;

(vi)   Governments continue to support digital networks roll out and encourage PPP strategy.

11 POSTCODE, NEW ADDRESSING SYSTEMS AND STANDARDS IN THE REGION

Noted

(i)   The report of the EACO postal regulation and development task force on new addressing systems and standards in the region;

(ii)   That member countries are in different levels in development of Addressing system;

(iii)   That Address standards are part and parcel of a modern Addressing System;

(iv)   National Addressing standards are developed to:

   a) Define the structure, contents and presentation of an address;

   b) Define number of lines in the address, their order of appearance and set number of characters per line;

   c) Define standard abbreviations to be used when the maximum number of characters per line exceeds;

   d) Set the rules to be applied for writing addresses eg inclusion and exclusion of some signs, mark, and spaces in the address;

   e) Describe various elements that may appear in an address and formalize the rules for transcribing the address for postal purposes.

Agreed

To urge EACO member states to benchmark with Uganda and Tanzania in developing Addressing Standards within their respective jurisdictions.

12 IMPLEMENTATION STATUS OF DOHA POSTAL STRATEGY

Noted

(i)   The report of the EACO postal regulation and development task force on implementation status of Doha Postal Strategy (DPS);

(ii)   That the DPS has several programmes focused on the following four (4) Strategic goals:

   a) To improve interoperability of the international postal networks;

   b) To provide technical knowledge and expertise related to the postal sector;

   c) To promote innovative postal products and services; and

   d) To foster sustainable development of the postal sector.

(iii)   The Doha Congress recognized the status of implementation of the Nairobi Postal Strategy (NPS) where each UPU member country was expected to, among others:

a) Implement the necessary postal sector reforms to facilitate effective governance, which is a prerequisite for postal sector development;
b) Include postal services among the priority areas in the national development plans; and
c) Invest in appropriate ICT infrastructure and software to support the development and delivery of e-postal products like Track & Trace and Electronic Money Transfer.

(iv) Some important projects are on-going in the EACO region within the NPS framework as follows:
a) Development of National Postal Addressing Systems;
b) Improvement of Interstate Money Order services; and
c) Setting up an International Remittances System jointly supported by both the UPU and International Office on Migrations (IOM).

Agreed

(i) Urge EACO member states to assess the level of implementation of the Nairobi Postal Strategy and ensure that the necessary actions are taken to complete the on-going projects;
(ii) Urge EACO member states to examine the Doha Postal Strategy with the view of identifying the necessary activities to be undertaken by the various stakeholders: at the Government, Regulatory and operator levels, and have them incorporated in the respective National Development Plan as well as Strategic Plans of the relevant institutions for implementation.

13 BROADBAND STRATEGY AND SPECTRUM RESOURCES

Noted

(i) Report presented by Kenya on National Broadband Strategy which is based on the following principles:
a) Open Access;
b) Technology Neutrality;
c) Research and Innovation;
d) Equity;
e) Coordination and Collaboration;
f) Sustainable Interventions;
g) Competitive Choice of Technologies;
h) Policy Responsiveness;
i) Market-based Investment; and
j) Promotion of a National Value System that Catalyzes Vision 2030 and Safeguards Kenya's Cultural Heritage.

(ii) Commended the progress so far made by Kenya in development of the Strategy.

Agreed

EACO Member states to benchmark with Kenya while developing their respective broadband strategies.

14 STATUS ON SIM REGISTRATION AND ELECTRONIC IDENTITY IN EACO

Noted

Status of SIM registration and Electronic Identity in the respective member states as follows:

a) Burundi

   (i) September 2O11: Government directed ARCT to proceed with SIM card registration;
   (ii) **November 2011:** The process of SIM Card registration started, with the concerned subscribers from the five GSM operators registering;
   (iii) The operators registered subscribers using their National Identification Card or their passports;
   (iv) **March 2012:** The first evaluation was done by Regulator based on a form which operators have to file; the registration was at 35%;
   (v) **December 2012**: The second evaluation of status of the SIM card registration involved the DG of the Regulator meeting all the CEOs of the five GSM operators. In that meeting, operators invoked the following:
      a) High Cost of the operation;
      b) No sensitization of the people; and
      c) Some people don't have National Identification Card.

   (vi) Arising from the above meeting with the CEOs of operators, a Taskforce was put in place in February 2013 and submitted their report in March 2013, which proposed the following:
      a) To allow other forms of identification to be used in registration;
      b) To improve the sensitization of the people on the need to register their SIMs;
      c) Deadline of registration to be in December 2013.

   (vii)   The level of registration was 60% in February 2013.

b) Kenya

(i) Kenya has put in place laws and regulation that govern SIM registration;
(ii) By March 2013, 94% of the subscribers had been registered.

c) Rwanda

(i) The SIM Card registration was launched on 4th February 2013. The process of the registration was designed to be paperless and validated against the National Identity Agency database;
(ii) By end of May 2013, 72% of all active SIM cards were registered;
(iii) The registration is planned to be completed by 31st July 2013 for all existing subscribers.

d) Tanzania-to provide brief

   (i)   SIM registration is monitored under the Electronic, Postal and Communications Act (EPOCA) 2010;

(ii) SIM registration was 93% by the 31st March 2013;

(iii) Effective 1st June 2013, all SIM cards sold in the market are locked and can only be used upon registration whereby they are activated by the network;

(iv) All unregistered SIM (7%) will deactivated and removed from the network effective from the 10th July 2013.

e) Uganda

(i) Currently Uganda is at 91% in SIM registration. The registration was due to end on 1st March 2013. It was found necessary to extend the registration process due to challenges that had been experienced especially in the rural and remote areas. Registration was thus extended for a further 3 months and an additional 3 months was allowed for validation of the data. The registration has now been closed and the operators are carrying out data validation;

(ii) The main challenge that was faced was the fact that Uganda does not have a national identity card yet.

Agreed

(i) Member states to fast track SIM card registrations;

(ii) Member states should emulate Tanzania and ensure that all SIM cards sold in the market are locked and can only be used upon registration whereby they are activated by the network provider;

(iii) All unregistered SIM cards should be deactivated and removed from the networks.

15 MOBILE NUMBER PORTABILITY (MNP)

Noted

a) Kenya

The presentation by Kenya was noted as follows:

(i) Things to consider when implementing MNP:

- Legal Framework
- Consultation process with all concerned
- The prescribed Technical Solution with Automated Porting process
- Simplicity (Keep It Short & Simple (KISS)) with Validation;
- Recipient Operator based, One stop Shop is convenient to customers;
- Charging End Users by recipient operator
- Short execution time frames and maximum Period for Porting;
- Consumer Education
- Not allowing "Win-back" (The Donor Operator initiates contact with a subscriber who has either requested number portability, or who has already ported their number(s)).
- Providing a reasonable "Cooling Off" period (The function that enables a Subscriber to return to the Donor Operator in the case that the Recipient Operator's service fails to meet the Subscriber's expectations, this shall be a period of not more 14 calendar days;)

- Independent network not used as a framework for debt collection;
- The Decision to License a CRDB provider;
- Tariff transparency by off – net require audible tone;
- NP Provided during all business hours;
- No reject/delay for Commercial/Legal claims;
- Cutover period on receipt of cutover request.

(ii) Things to avoid when implementing MNP:

- Manual, complicated, time-consuming processes for end-users need to be avoided
- Need to balance convenience with security to keep rejection rate at minimum
- Reducing time to port generally increases the adoption of porting
- Avoiding using the MNP platform for other issues like debt collection

b) Rwanda

The presentation by Rwanda was noted as follows:

(i) Rwanda decided to conduct a Cost Benefit Analysis on Mobile Number Portability (MNP) to assess whether it is really worth to implement MNP at this time, and to assess also its impact on business operations of existing operators, on competition within the cellular market, on consumer choices and on the overall economic activity;

(ii) The outcome of the study will determine whether MNP will be implemented or other regulatory tool are to be used to enhance and stimulate competition within the mobile cellular market.

Agreed

(i) The Regulator must be clear on the methodology to follow;
(ii) Must invest on consumer education;
(iii) Ensure that portability is available conveniently and universally;
(iv) The system should be Kept Short and Simple.

16 REPORT ON THE WORLD CONFERENCE ON INTERNATIONAL TELECOMMUNICATIONS (WCIT- 12)

Noted:

(i) Tanzania, Uganda, Rwanda and Burundi have signed the Final Acts;
(ii) Kenya has not signed the Final Acts and is still consulting stakeholders with a view to acceding to the Treaty;
(iii) That a Joint ATU-ITU Seminar on the outcomes of the WTSA-12 and WCIT-12 will take place from 10th to 12th July 2013 at the International Convention Center in Durban, South Africa;

Agreed

(i) Urge member states who have not signed the Final Acts to accede to the Treaty;

(ii)   Urge member states who signed the Final Acts to ratify the Treaty

(iii) Member states are encouraged to attend the Joint ATU-ITU Seminar on the outcomes of the WTSA-12 and WCIT-12 will take place from 10th to 12th July 2013 at the International Convention Center in Durban, South Africa.

17   CHARGES TO ACCESS MULTIPLEX OPERATOR (MUX) SERVICES

Noted
(i)   Tanzania determined Cost Based Digital terrestrial Television Transmission Fees Charged by Multiplex Operators to Content Service Providers;

(ii) The need to adopt cost based approaches in determination of charges by multiplex operators to content service providers in the digital broadcasting environment;

(iii) Stakeholders consultation is of utmost importance after establishing the cost based charges in order to attain the smooth digital migration;

(iv) It is difficult for operators to successfully negotiate the charges commercially, hence the need for Regulators to intervene through proper regulations.

Agreed :

There is need for member states to benchmark and share experience on the approaches and methodology to establish cost based DTT charges among member States.

18   RECOMMENDATION OF THE EACO ICT CONFERENCE ON "BROADBAND FOR ALL IN EAST AFRICA"

Noted

The presentation by the EACO Secretariat on the EACO ICT Conference on "**Broadband for all in East Africa**" held from the 15th to 19th April 2013 in Kampala, Uganda.

Agreed

To adopt the recommendations of the EACO ICT Conference for implementation, attached as **ANNEX V**

ANNEX I: List of Participants

ANNEX II: Agenda

ANNEX III: E-Waste model framework

ANNEX IV:

Guidelines On Harmonised Converged/Unified Licensing Frameworks

1.0   Scope

These Guidelines are expected to cover the following:

1.1   Procedure in which National Regulatory Authority (NRA) is required to issue licences under the Converged Licensing Framework (CLF)/UNIFIED LICENSING FRAMEWORKS (ULF)

1.2   Procedure in which operators in East Africa can migrate into the CLF/ULF.

2.0   Objectives of these Guidelines

2.1   To guide NRAs migrate into CLF/ULF;

2.2   To harmonize license categories under CLF/ULF; and

2.3   To enhance technology and service neutrality.

3.0. Licence Categories

NRAs are encouraged to issue licences under the following categories:

1. **Network Facilities**: A licence for ownership, construction, management, maintenance and making available electronic information infrastructure for providing basic connectivity and bandwidth to support applications (Passive network).

2. **Network Services**: A licence for the operation of the network to enable connectivity of a public network facility using any preferred technology (Active network)

3. **Applications Services**: Licence for provision or re-sale of electronic communication services such as voice, data, internet, messaging services, financial services (mobile banking services), gaming (including lotteries) services and other value added services to end users using network services.

4. **Content Services**:

   - Licence for provision of broadcast services such as TV and radio

- Licence for provision of multimedia services.

4.0 Terms and Conditions for licences under CLF/ULF should include the following:

1. Scope of the licence

Reference to the law in respective jurisdictions, authorising grant of licence with specific reference to the type of services to be provided and roll out plan.

2. Duration and renewal

The minimum number of years in which a licensee is authorised to provide services is five (5) years.

Application for renewal of licences with a five (5) years duration shall be made six (6) months prior to expiry while those with more than five (5) years duration, shall be required to submit their renewal application one (1) year prior to expiry.

3. Shareholding

Licensee's shareholding structure to be provided as an Appendix to licence. Licencee to comply with any ownership requirements in the respective jurisdictions.

4. Payment of regulatory fees

Payment of application fees, initial licence fees, annual operating licence fees, and any other regulatory fees to be made as required by respective jurisdictions.

5. Provision of Services

Provision of services to be provided in accordance with the requirements of the relevant law and applicable recommendations of the ITU taking into cognisance regional and international standards.

6. Modification of licence

Terms and conditions of the licence to be modified in accordance with the law of the respective jurisdiction including among others:

- Provision of any new ICT laws which are relevant to the licence; and
- Any change regarding shareholding structure and/or roll out plan.

7. Non discriminatory interconnection

Interconnection agreements where applicable shall be made without discrimination on any basis.

8. Suspension/Revocation for breach of conditions

Where there is material breach of licence conditions, suspension or cancellation of licence shall be imposed.

9. Type approval in conformity with regulatory standards

Licensee to comply with type approval requirements where applicable.

10. Quality of Service

Licensee to comply with quality of services requirements.

11. Accounting Requirements

Licensee to comply with requirements on:

(i) Maintaining financial records in accordance with global accounting best practices and standards; and

(ii) Submitting to the authority annual reports and audited financial statements.

12. Universal service obligations

Licensee to comply with universal service obligations as provided in respective jurisdictions.

13. **Dispute resolution**

Licensee to comply with dispute resolution mechanisms in respective jurisdictions.

14. **Transfer of licence**

Licensee shall transfer licence subject to approval by the respective NRA.

15. **Compliance with the law**

Licensee shall comply with provisions of all applicable laws in their respective jurisdictions.

16. **Requirement to submit any information to the NRAs**

The licensee is required to maintain such information that will enable the NRA to carry out its functions in such manner and at such times as the NRA may request.

The NRA may direct the licensee to submit periodic reports, statistics and other data as well as any other additional information with a view to supervise and enforce effectively the terms of the licence.

17. **Compliance with regional, international conventions and regulations**

Licensee shall comply with provisions of regional, international conventions and regulations addressing telecommunications/ICT issues.

18. **Privacy and Confidentiality of customer information**

The Licensee shall not disclose any information about any of its customers to any third party except to the extent that such information is required:-

(i) for the purposes of debt collection by the Licensee from the customer concerned;

(ii) for statistical or research purpose provided the information is in such a way that it does not link to a particular customer;

(iii) by the Licensee's auditors for the purpose of auditing the Licensee's accounts;

(iv) by the Licensee's attorney(s) in connection with any potential, threatened or actual litigation between the Licensee and the customer concerned;

(v) by the NRA for the purpose of performing its functions under the law;

(vi) by an order of the court in respect of legal proceedings between the customer and another party pending in court.

19. Human Resource Development (Capacity building)

Licensee shall submit to the NRA Human Resource Development outlining strategies towards empowerment of its local staff.

20. Submission of roll out plans

Licensee shall submit to NRA roll out plan(s) indicating the type of service/facility, plan/timeframe and area to be provided. The roll out plan shall be attached as an Appendix to the licence and may be modified to accommodate new services and technology.

21. Performance Bond/ Bank Guarantee

In cases of network facilities, network services and content services by subscription, a licence applicant shall submit to the NRA a performance bond/ bank guarantee from a bank registered in the respective country for a period to be determined by the NRA.

22. Spectrum assignment if applicable

Licensee shall comply with conditions of frequency assignment as provided in the frequency user licence granted by the NRA.

23. **Safety and Environment obligations – Public Safety**

Licencee to comply with safety and environment obligations in respective jurisdictions.

24. **Force Majeure**

The Licensee seeking to rely on force majeure as an exemption shall demonstrate to the NRA that it took all reasonable steps to minimize the impact of the force majeure on the performance of its obligations and where any Licensed Systems were damaged by such force majeure, that it took reasonable steps to repair or rebuild such systems once the force majeure had ceased or been eliminated.

25. **Pre-Notification Of Joint Ventures**

The Licensee shall notify the NRA before taking effect of any the agreements or arrangements on joint venture and give particulars of the same.

26. **Prohibition Of Cross-Subsidy**

The Licensee shall not subsidise or cross-subsidise, or permit itself to be subsidised or cross-subsidised or give or receive undue preference to or from, as the case may be, any of its associated businesses or persons as concerns the provision of the Licensed Systems and/or any other licences granted to the Licensee by the NRA.

The Licensee shall maintain necessary records to evidence resource transfers between its associated businesses or persons. The NRA may at its discretion direct the licensee to submit this or other information related to the licensed businesses to satisfy the NRA that no cross-subsidy is taking place.

27. **Prohibition Of Undue Discrimination**

     The Licensee shall not (whether in respect of the rates or other terms and conditions applied or otherwise) show undue preference to, or exercise undue discrimination against, particular persons or persons of any class or description in respect to the provision of the licensed services.

28. **Fair Trading**

     The Licensee shall not engage in any activities, whether by act or omission, which have, or are intended to or likely to have, the effect of unfairly preventing, restricting or distorting competition in the respective jurisdiction.

29. **Inspection**

     The Licensee shall permit the NRA to inspect its premises, facilities, files, records and other data to enable it to exercise its functions under its applicable law(s).

30. **Requirement To Publish The Charges, Terms And Conditions Of Offering Licensed Services**

     The licensee shall file to the NRA a copy of the Charges, Terms and Conditions for licensed services at least 30 days before launch of the said service(s). Once approved, this information should be published and provided to any person who reasonably requests.

31. **Provision Of Customer Care Services**

     The Licensee shall establish and maintain efficient customer care services to assist any person to whom it provides licensed services to answer questions regarding products, services, and any other reasonable related questions.

5.0. **Obligations of NRAs in CLF/ULF**

In introducing CLF/ULF to their jurisdictions, NRAs shall:

(i) Carry out consultative meetings with stakeholders on the licensing frameworks;

(ii) Grant timeframe of at least 12 months for migrating into CLF/ULF; and

(iii) Provide incentive regulations in terms of exemption of application fees or any other measures to encourage existing licensees to migrate into the CLF/ULF.

6.0. Review of Guidelines

These Guidelines may be revised by EACO from time to time as may be deemed necessary.

_____

Issued this 2013

ANNEX V:RECOMMENDATION OF THE EACO ICT CONFERENCE ON "BROADBAND FOR ALL IN EAST AFRICA

i.   The connectivity at border points where FOCs are just lying unconnected should be expedited;

ii.   The definition of Broadband should be well crafted, disseminated and adopted within EACO;

iii.   AfriNIC should now consider in its policies to only deal with national focal registries as would be designated by respective countries to manage IP addresses meant for use by entities within each country;

iv.   The Regulatory Authorities within EACO Membership should drive and fast-track the establishment of national Computer Emergency Response Teams (CERTs) to promote trust and security of the citizens in the use of the Internet as well as protect the Region's ICT critical infrastructures;

v.   The established national CERTs should collaborate with other CERTs at regional and international levels (including the International Telecommunications Union (ITU) and the International Multilateral Partnership Against Cyber Threats (IMPACT)) as well as other Cyber security actors;

vi.   The Regulatory Authorities within EACO Membership should facilitate the establishment of IXPs in their respective countries, so as to keep local traffic local to the countries;

vii.   With the emerging deployments of Broadband infrastructure within the EACO, sharing and bulky purchases of international Bandwidth by ISPs need to be encouraged;

viii. For cost effective and faster Internet traffic exchanges, some of the available capacities within the public Broadband networks need be offered by owners to facilitate direct/dedicated connectivity between the deployed IXPs;

ix.   The Regulatory Authorities within EACO Membership should facilitate establishment of an East African Internet Exchange Point (EAIXP) to keep the region's Internet traffic local to the Region.

x.   The EACO members need to regularly update the Set-Top-Box (STB) standards and specifications from national to regional levels;

xi.   The EACO members should emulate on successful initiatives from Tanzania and conduct Benchmarking as they progress their Analogue-to-Digital Broadcasting Migration processes;

xii. The EACO members need to have Licensing framework for the Digital Dividend to support Mobile as well as Ka-Band satellite Broadband;

xiii. The EACO members should emulate from Kenya and conduct Benchmarking as they develop their National Broadband Strategies;

xiv. The EACO members make reference on Practical recommendations for digital switch-over as published by PLUM;

xv. The EACO members need to have a deliberate policy that incorporates ICT in school curricula at all levels of education;

xvi. The EACO members to consider providing in the national plans, recognize the unique and complementary elements that satellite communications can offer whilst taking the necessary regulatory steps to ensure success;

xvii. The EACO members to continue engaging the academia in the promotion of a sustainable broadband ecosystem;

xviii. EACO members be urged to influence respective governments to either develop new or harmonize the available laws, regulations and guidelines dealing with e-waste management;

xix. EACO submits an e-waste agenda in the East African Community so as to be discussed as a regional environmental matter that needs urgent redress;

xx. The EACO members facilitate the creation of government subsidies for best in-class technology on adoption to "Greener ICT solutions";

xxi. The EACO members should promote Research and Development of ICTs role in Greening the economy,

xxii. EACO member countries continue sponsoring capacity building programmes as well as active participation in the regional and international meetings/conferences related to:

- o Efficient communication resources management and utilization
- o Content development and hosting
- o Consumer empowerment
- o E-waste management
- o Cyber Security and implementation of CERTs

- o Key ICT Infrastructures like Internet Exchange Points (IXPs), Fiber Optic standards and capacity costing
- o Quality of Service issues
- o Effective utilization of Digital dividend
- o Digital terrestrial Television Broadcasting migration

xxiii.   EACO member countries should enhance the Quality of Service in ICT services in general and on Broadband in particular which are generally poor;

xxiv.   EACO Members should continue and enhance Public-Private-Partnership in supporting and building Broadband infrastructure and services;

xxv.   The EACO Members should continue and enhance the regional approach on ICT related issues.