

REPORT OF THE 21st EACO REGULATORY ASSEMBLY HELD AT NAURA SPRINGS HOTEL, ARUSHA, TANZANIA FROM 18TH – 21ST JUNE 2014

1.0 INTRODUCTION

The Assembly of Regulators of the East African Communications Organization (EACO) took place from 18th – 20th June 2014 at Naura Springs Hotel, Arusha, Tanzania.

The Assembly considered reports from various committees and Working Groups based on tasks assigned by the 20th EACO Congress. It also deliberated on many other relevant regional issues in the communications sector. The meeting consequently made a number of recommendations for noting the progress and further improve the Working Groups assignments.

2.0 ATTENDANCE

The attendance of the Assembly of Regulators meeting was drawn from EACO Member states, namely; Burundi, Kenya, Rwanda, Tanzania, Uganda and EAC headquarters in Arusha. The list of participants is herewith attached as **ANNEX I**

10 wG and 2 commitees presented their report Page numbers

3.0 OPENING OF THE MEETING

The meeting was opened by the outgoing EACO Assembly of Regulators Chairman, Mr. Michael Katundu from Kenya. He presented the status report on the previous agreed from the 20th Assembly of Regulators that he chaired which was held in Nairobi during June 2013.

4.0 ELECTION OF THE BUREAU

Tanzania was elected as new Chairp of the 21st EACO Regulatory Assembly in line with the new constitution. The first Rapporteur was appointed from Kenya and the second was from Tanzania.

The Bureau was constituted as follows:

Chairman	Dr. Raynold Mfungahema	TCRA
1 st Rapporteur	Mr. Dominic Ooko	CCK
2 nd Rapporteur	Mr Clemence Kichao	TCRA
Secretariat	Mr. Godliving Kessy	EACO

5.0 ADOPTION OF AGENDA

The outgoing Chairman handed over the Chair and thereafter presented his status report to the meeting. The Assembly adopted the Agenda attached herewith as **ANNEX II**.

6.0 REPORT OF THE OUTGOING CHAIRPERSON

The outgoing chairman highlighted some key issues, events, programs and developments that had taken place in the Communications sector in the East African region during the year 2013/14.

6.1 Opening Remarks:

The Chairman expressed gratitude to Tanzania and TCRA in particular and members at large for supporting EACO and their unwavering commitment since EARPTO and now EACO in ensuring that it realizes its set objectives.

6.2 Technology Evolution:

He noted that technology evolution has continued impacting the ICT's landscape as well impacting demand and supply of consumer and service providers respectively. He alluded that such phenomenon has created both opportunities as well as challenges to policy makers, regulators, operators and service providers who must come up with new innovative strategies and business models that would respond to the drastic changes in ICTs market environment.

6.3 Major progress in a nutshell:

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. Digital revolution has given rise to a number of E-Services, including E-Commerce and Mobile financial services.

He cited the fact that these services will help our countries to ensure digital inclusiveness, however, countries need to put in place the necessary Policy, Legal and Regulatory frameworks to facilitate development and regulation of these services in order to protect the consumers of these services.

In terms of Programs, the Outgoing Chairman indicated that,

- a) Sim Card registration initiatives within the EA region go a long way in ensuring Cyber security measures are in place.
- b) Include the aspect of Cyber security in the automation of E-Government services.
- c) For effective management of Cybersecurity, the National CIRTs should collaborate with other CIRTs in the EA Region as well as collaborate with other Cybersecurity actors at the international level.

6.4 Developments in the Postal sector

The Outgoing Chairman told the assembly that, the change in technology and competition from new ICT products and ICT enabled services are posing serious challenges to the postal and courier operators who are now compelled to reconsider their current business models in view to come up with new strategies that will help to transform the postal service delivery system in the region.

6.5 Developments in the Broadcasting Sector

The Outgoing Chairperson emphasized the need for policy makers, regulators and broadcasters putting in place the necessary policy, regulatory and legal framework to facilitate the transition from analogue to digital broadcasting.

He further noted that despite the challenges and legal setbacks most of the countries are on course with respect to the analogue to digital switch over process and are committed to meeting the global switchover deadline of June 2015 with Tanzania and Rwanda leading in this process.

He encouraged member countries to fast track the process in view of the expected benefits including but not limited to:-

- a) Wider choice; improved quality of service and new innovative services to service users at large
- b) Creating a conducive environment that will attract investments in the ICT sector, develop the necessary ICT infrastructure and promote innovation.
- c) Ensure provision and access to fast, reliable, secure and affordable ICT services to the consuming public
- d) Stimulating demand and increased adoption of ICT enabled services

6.6 Present Challenges in the ICT sector

The outgoing Chairman noted that the ICT sector has experienced rapid growth but need to take pragmatic action on particular issues such as:-

- a) Increasing e-waste volumes and inadequate environmentally sound e-waste management systems at the national and regional level
- b) Consumer awareness and quality of ICT service including emerging cyber security issues
- c) Transition from IPv4 to IPv6 is critical to the EACO Region. Regulators should encourage the ICT operators, create awareness as well as put in place an enabling environment for the adoption of IPv6 in the EACO Region

The Outgoing Chairman concluded by re-emphasizing the need for the EACO member countries to support the ICT Operators in the implementation of the EAIX in the EACO Region. Since the project action plan has been developed through the assistance of ITU consultant and has been circulated to the stakeholders, the regulators are requested to give the necessary support to the EACO Secretariat and the Working Group dealing with this project and to amend the ISPs licenses to include a condition for the ISPs to peer with the National IXPs

7.0 MATTERS ARISING FROM THE REPORT OF THE OUTGOING CHAIRMAN

The outgoing Chairman thanked the Regulatory Agencies of the five EAC countries and the various WGs 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. Full outgoing Chairman's report is attached herewith as **ANNEX III**

Agreed 1:

That, matters arising from the outgoing Chairman should be discussed alongside the country reports on the implementation status of the 20th EACO Assembly of regulatory matrix reports as appropriate.

8.0 CONSIDERATION OF THE REPORT OF WGs AND COMMITTEES

8.1 WG1-POLICY AND REGULATORY HARMONIZATION

Noted 1:

The report of the Policy and Regulatory harmonization as follows:

- (i) The WG1 held two meetings and deliberated on the following;
- (ii) That, the mandate of the WG1 Terms of reference maybe too wide to be achieved within the 2 years period and certain issues shall be referred to other working groups for in-depth analysis e.g matters of Broadband & Postal;
- (iii) That the Working Group shall focus on three of the TOR's that they consider most important to the realization of their objective as assigned by the 20th EACO Congress. These include:-
 - a. Development of a Regional ICT policy and regulatory framework
 - b. Development of a Regional ICT policy and regulatory implementation and monitoring framework
 - c. Development of strategy for adoption of the ICT policy and regulatory framework
- (iv) That, in preparing the three (3) regional draft frameworks, the WG1 will assess the similarities and differences across the member countries.
- (v) That, similarities and differences together with analysis of emerging issues, together with best practice shall guide the members on preparation of the final drafts as per their TORs.
- (vi) That the 3rd meeting of the working group shall be held in October 2014;
- (vii) That the EACO secretariat should invite the EAC to play a more active role in the meetings and activities of the Working Groups including but not limited to providing information on regional initiative on ICT policies, strategies and regulatory frameworks;
- (viii) That to ensure continuity the EACO secretariat should send specific invitations to members of the Working Groups;

- (ix) That the draft model regulatory framework is in place and presented for adoption, attached herewith as **ANNEX IV**;

Agreed 2:

- (i) To adopt the report of the Policy and Regulatory harmonization working group herewith attached as **ANNEX V**;
- (ii) That the Working Group 1 undertakes comprehensive study on these issues and ensure that they report the current status e.g Uganda confirmed that the postal policy is now in place;
- (iii) That EACO secretariat to fast track the negotiation and conclusion of the MOU with the EAC;
- (iv) That the draft report of the second meeting of the WG 1 to be circulated to EACO member states for review of issues pointed out to be included in the model regulatory framework;
- (v) That the WG01 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs.

8.2 WG2 – INFRASTRUCTURE DEVELOPMENT, CONNECTIVITY & DIGITAL INCLUSION

Noted 2:

The report of the Infrastructure Development, Connectivity & Digital Inclusion as follows:

- (i) That, two (2) meetings were held in Kigali and Arusha respectively of which the WG2 managed to review the TORs and completed the status analysis matrices of items in the TOR;
- (ii) That, EACO member states are at different levels of implementation on their National Fibre Optic Projects (NOFBI);
- (iii) That, there is gap and lack of clear rules to guide cross border connectivity;
- (iv) That, WG1 & WG2 mandates have issues with close commonalities thus need to be worked out with a clear understanding of the specific roles involved;
- (v) That, WG2 to review and take note of previous reports and works done in the area of infrastructure development and connectivity under EARPTO.

Agreed 3:

- (i) To adopt the report of the WG02; Infrastructure Development, Connectivity & Digital Inclusion herewith attached as **ANNEX VI** as work in progress;

- (ii) That, WG02 refers to existing reports on infrastructure that had been developed earlier to enhance and enrich their present work;
- (iii) That, WG02 develops the best practise procedures or applications to resolve issues related to cross border/regional connectivity.
- (iv) That the WG02 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs. A paragraph be inserted covering all WG
- (v) That, WG02 issue liaison statement to WG01 to address cross cutting issues in order to avoid duplication of efforts.

8.3 WG03 – ICT SERVICES TRANSACTIONS AND E-APPLICATIONS

Noted 3:

The report of the ICT Services Transactions and E-applications was noted as follows:

- (i) During the 1st meeting in January 2013 held in Rwanda, WG03 revised their TORs and requested the EXCOM approval for the name of the Working Group be transformed to “ICT Services Transactions and E-applications” to eliminate ambiguity i.e. Bank transactions are already included in E-applications;
- (ii) That, frequent changes of representations from the EACO members hampers achievement of the groups mandate, therefore needing to maintain continuity of the participating representatives.
- (iii) That, WG03 formed (3) working parties to deal with the following thematic areas;
 - a) ICT services,
 - b) Strategies on ICT service applications
 - c) Contributions on ICT services and e-applications
- (i) That, WG03 had assigned editors and assistant editors to each WG03 TOR to enhance coordination and delivery of its implementation;
- (ii) To note the report of the WG03: ICT Services Transactions and E-applications herewith attached as **ANNEX VII**;
- (iv)
- (v)

Agreed 4:

- (iii) To adopt the revised name of the WG03: ICT Service Transactions and E-applications;

- (iv) That, WG03 to consider issues on cross border services and recommend enhancement of security to service consumers.
- (v) That, WG03 appointment of the editors and assistants should be in line with the constitution of EACO.
- (vi) That the WG03 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs.

8.4 WG05 – IP NETWORKS, STANDARDS & CYBER SECURITY

Noted 5:

The report of the IP Networks, Standards and Cyber Security was noted as follows here under:

- (i) That, two meetings of WG05 were held in Kigali, Rwanda from 12th to 13th December 2013, 15th to 17th April 2014 and in Arusha, Tanzania 16th to 17th June 2014 respectively;
- (ii) That, WG05 constituted two working parties; WP1- IP Networks & Standards- & WP2 – Cyber security
- (iii) That, WG05 has carried out review on the status of EAIX action plan in covering the East African countries.
- (iv) That, EACO secretariat sent request for nominees to the EAIX steering committee consisting of at least two nominees one each from the regulator and from the ISP/IXP association whereby Kenya, Uganda and Burundi have nominated their representatives already;
- (v) That, African Union Commission (AUC) has agreed to fund establishment of national IXPs in three member states.
- (vi) That, EACO member states are urged to respond to the provided AUC selection criteria and apply for the funds;
- (vii) That, WG05 carried out site visits in all the countries in the EA region to assess the status of Phase 0 of the EAIX Action Plan;
- (viii) That, some members of the WG05 were not able to participate in the country visits due to budgetary constraints;
- (ix) That, all the countries in the EA region had started their implementation of Phase 0 of the EAIX Action Plan and the countries are at different stages of the implementation;

- (x) That, Budget estimates for the implementation of EAIX project are herewith attached as **ANNEX VIII**.
- (xi) The participation and the report of EACO to the just ended AU-Eastern Africa Regional Internet Exchange Point (RIXP) and Regional Internet Carrier (RIC) Workshop that took place in Kigali, Rwanda from 26th – 30th May 2014 herewith attached as **ANNEX IX**
- (xii) The recommend strategies for implementation of Cyber security national frameworks, including establishment and operationalization of National Computer Emergency Response Team (CERTs), Computer Incident Response Team (CIRT) and Computer Security Incident and Response Team (CSIRT) in each EACO Member country herewith attached as **ANNEX X**
- (xiii) That, regulators need to consider financing of the regional EAIX using the Universal Service Fund following best practise adopted by TCRA in financing TIZNIC;

Agreed 6:

- (i) To adopt the WG05 report herewith attached as **ANNEX XI**
- (ii) That, EACO Secretariat to make funding requests to its development partners including ITU, AUC etc. and that regulators should allocate budget towards funding of EAIX;
- (iii) That, regulators should support local content development through resources such as Universal Access Funds initiatives;
- (iv) That, EACO secretariat shall in consultation with WG05 harmonize the national EAIX project with the AUC Axis project so that EACO can benefit from their financial and technical resources;
- (v) That, EACO secretariat communicate to member countries to inform and advise the regulators on the requirements/criteria for selection and to application to funding from AUC;
- (vi) That, EACO members continue benchmarking on EAIX implementation within and outside the region as necessary including working closely with EAC;
- (vii) That, EACO Secretariat send letters to Regulators by May 2014 requesting them to facilitate the nomination of two (2) representatives to the EAIX steering committee, one representative from the regulator and another representative from the ISP/IXP association by June 2014;
- (viii) That, EACO secretariat to send invitation letters to EACO backbone carriers to participate in the WG05 meetings;
- (ix) That, Regulators are expected to complete and submit the National Cyber security questionnaire semi-annually (June and December) herewith attached as **ANNEX XII**;

- (vii) That, WG05 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs.

8.5 WG6 BROADCASTING SERVICES DEVELOPMENT

Noted 6:

The report of the Broadcasting services development was noted as follows:

- (i) The EACO WG06 on Broadcasting Services Development and Regulations held 3 meetings on 16th-18th November 2013 and 6th-10th May 2014 in Kigali, Rwanda and 16th-17th June 2014 in Arusha, Tanzania; with participation of a public broadcaster from Kenya;
- (ii) The members reviewed the Terms of Reference for the working group as prescribed by the 20th EACO Congress which the Executive Committee (EXCOM) later adopted with amendments;
- (iii) That, all EACO member countries have established the Digital migration steering committees, but only Rwanda & Tanzania have in place laws and regulations on the same. Communication strategy, awareness guidelines & Logo are in place except in Burundi;
- (iv) That, Kenya has the highest number of both analogue & digital transmission sites. However the WG06 need to consider the technical parameters including power and geographical reach.
- (v) That, Rwanda has all the analogue transmission sites covered with the digital transmission sites;
- (vi) That, Burundi, Uganda & Kenya have not switched off analogue signals;
- (vii) That, the pay TV set top boxes are cheaper than FTA since the operators are subsidizing;
- (viii) That, lack of legal instruments and the regulatory challenge on FTA channels since the pay TV have packaged with pay bouquets;
- (ix) That, the signal distributors are transmitting as many as 20 channels instead of the recommended 8 channels thus affecting quality of service;
- (x) That, there's need for proper regulation on number of multiple channels belonging to a single operator;

- (xi) That, inclusion of previously FTA to Pay TV bouquets limits the accessibility by the public;
- (xii) That, regulator need to determine number of channels that can be considered as FTA content channels since there's cost implication by the multiplexers ;
- (xiii) That, Signal distributors are selectively in rolling out the projects and avoiding installations to remote and underserved areas.
- (xiv) That, the WG06 to advise if the pay TV channels are regulated in other countries since they were available on satellite platform only and the license issued was "right of landing"
- (xv) That, since the recommendations request individual member states to establish their regulations it contradicts the work of WG01 which aims at developing regional recommendations to be adopted by all member states;
- (xvi) That, the WG06 informed the Assembly that critical issue should be migration from analogue to digital TV broadcasting and not levels of technology. Let the technology use be encompassing;

Agreed 7:

- (i) To adopt the report of the Broadcasting Services Development herewith attached as **ANNEX XIX**;
- (ii) To fast track legal guidelines for adoption of Digital transmission;
- (iii) That, regulators should monitor and enforce the compression of channels on transmission of DTT to the internationally agreed standards of compression.
- (iv) That, regulators should lobby for exclusion of VAT on the set top boxes to make them more affordable;
- (v) That, there's a need for every member state to define a "MUST CARRY" obligation by multiplex operators due to its cost implication to multiplexers.
- (vi) That, Member countries have to come up with strategies for protection of digital transmission sites after migration deadline;
- (vii) That, EACO members conduct cross border frequency coordination by March 2015;
- (viii) That, WG06 define "MUST CARRY" obligation since it's a contentious issues with the FTA.
- (ix) That, National Regulators must ensure that FTA channels are freely available in any bouquet and that the pricing models should not charge the same to Pay TV channels;

- (x) That, WG06 presented the report on Quality of service parameter for terrestrial digital broadcasting for adoption;
- (xi) That, WG06 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs

8.6 WG7 – Telecom Numbering and internet resource planning, allocations and governance

Noted 7:

The report of the Telecom Numbering and Internet Resource Planning, Allocations and Governance as follows:

- (i) That, two meetings were held in Kigali Rwanda 25th – 27th November 2013 and 28th – 30th April 2014, lastly they met in Arusha, Tanzania between the 16th to 17th of June 2014;
- (ii) That, due to revised TORs the WG07 changed its name from Resource Planning, allocation and management to “Telecom Numbering and Internet Resource Planning, Allocations and Governance.
- (iii) That, EACO secretariat to explore the reasons for non participation of the telecom operators since the deliberations affects their operations.
- (iv) That, WG07 reviewed the title and TOR's to 10 items with WP1 dealing with telecom numbering resource management & WP2 dealing with all internet resource governance issues following the EXCOMs decision to create new WG11;
- (v) That, ITU-T SG2 in May/June 2014 considered the EACO submission and approved the ITU-T SG2RG-EA leadership, TOR and operational procedures.
- (vi) That, EACO secretariat follows up on the financial resources required to establish the MRCC in Mwanza since the allocation of code 110 has already been made.
- (vii) That, EACO secretariat follows up harmonization without further delay on short codes and network color codes implementation by visiting the countries in the region; e.g. EU countries have already adopted the color codes which was a proposal from the EACO member team.
- (viii) That, EACO member countries are urged to participate and prepare draft policy to be presented at the upcoming AFRINIC meeting in Mauritius because this shall articulate the issues of managing regional IP addresses more effectively.
- (ix) That, the association of ISPs to conduct baseline study to ensure successful adoption of IPv6. Further, allayed the concerns of the ISP regarding the shutdown of IPv4 upon the upgrade to IPv6

- (x) Encouraged member countries to benchmark and share experiences in ccTLD. Countries should be reminded that in the year 1998 most African countries were left out since they never submitted for reservation or protected and the names were thereafter commercialized entrenching the digital divide.
- (xi) Noted that member countries should note that the reservation of the names is only for two years renewable.
- (xii) The WG07 to consider an analysis if within the region we are able to pursue GTLD or reserve .eac and the impact of GTLD on CCTLDs so that they can adapt to the changing operating environments. This has been implemented by Brazil and thus the possibility should be pursued since hosting them will keep the traffic local.
- (xiii) CCTLD and internet community encouraged to join EACO as Sector members.

Agreed 8:

- (i) To adopt the report of the Telecom Numbering and internet resource planning, allocations and governance herewith attached as **ANNEX XXIV**;
- (ii) EACO secretariat to send invitation letters to all members in line with guidelines prepared by Legal and Constitution Committee.
- (iii) EACO secretariat to invite other telecom and ISP operators to participate and join as members.
- (iv) EACO mission team comprising the Secretariat and Bureau of WG7 to visit all the EACO member countries to establish the reasons for the delay of harmonized short codes and network color codes in September 2014;
- (v) Members countries to administratively consider participation in ITU-SG2 by sending a minimum of 2 people as required;
- (vi) EACO secretariat to continue awareness to telecom operators to attend the EACO meetings;
- (vii) EACO secretariat to pursue the implementation of the MRCC in Mwanza by EAC.
- (viii) EACO member countries to not only participate but prepare draft reports for presentation to AFRINIC
- (ix) Members countries to identify their GTLDs of interest to be compiled and presented as a regional bloc through WG7.
- (x) Member countries advised at national level to host IPv6 workshops by December 2014 to enhance capacity building
- (xi) EACO secretariat to organize and host IPv6 workshop before June 2015

8.7 WG08 COMMUNICATIONS SERVICES PRICING AND INDUSTRY ANALYSIS

Noted 8:

The report of the Communications services pricing and industry analysis was noted as follows:

- (i) Regional Interconnectivity Framework a draft framework has been developed.
- (ii) Regional Roaming Pricing Framework – meeting for regulators in Kampala came up with wholesale and retail prices for voices recommendations, however roaming & SMS charges are still under review, assisted EACO Secretariat in evaluation consultants for evaluating the regional roaming study
- (iii) Broadband Pricing Framework draft is available but need to coordinate with WG handling broadband issues
- (iv) Framework for Determining Tariffs for Infrastructure Sharing – The WG decided that before they consider how infrastructure is priced, each country should have a specific agency because of the multiple layering of costs and be forwarded to EAC
- (v) The allocation mechanisms affect price discovery hence there shall be different models to arrive at the price
- (vi) Signal distribution framework complete with costing is ready for adoption by the assembly. The working model relates with existing Kenya and Tanzania approaches.
- (vii) The feasibility of the regional competition body so that companies that operate in more than one state face the same treatment regime is redundant since EAC Competition Act 2006 have already identified
- (viii) EACO member states to ratify the Competition rules suggested by the EAC Competition Act 2006
- (ix) TOR on Tele traffic monitoring system be forwarded to the EAC since countries have differing positions with 3 countries having installed the system
- (x) WG review the existing surveys including postal courier market review from Kenya in order to develop a harmonized report on exclusivity of certain postal services.
- (xi) The WG to note the impact of Northern corridor summit since some members of EACO are not members of the NICP.
- (xii) The WG should consider the impact of OTT on the consumers and not operators alone
- (xiii) The WG to consider infrastructure sharing pricing on both passive and active equipments and backhaul sharing

- (xiv) The WG to note that COMESA and SADC both have competition Act and differing composition of EACO members which may not be in harmony with the EAC competition Act.
- (xv) The WG to consider emerging issues of pricing on Building Infrastructure and rent to operators instead of putting up the infrastructure themselves. Tanzania has already issued infrastructure licence to private operators.
 - (i) That, WG06 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs

Agreed 9:

- (i) To note the report of the Communications services pricing and industry analysis herewith attached as **ANNEX VI**;
- (ii) Noted the digital signal distribution pricing framework the report to be shared widely among the members of EACO for internalisation and review.

8.8 WG9 - Quality of Service and Consumer affairs

Noted 9:

The report of Quality of Service and Consumer affairs as follows:

- (i) The 1st meeting was held in Kigali Rwanda from 4th to 6th November 2013 (attended by 5 delegates from 3 Countries), the 2nd meeting was held from 24th to 26th March 2014 in Nairobi Kenya and the 3rd meeting was held in Arusha Tanzania, from 16th to 17th of June 2014. It should however be noted with concern that some of the EACO member states have never been represented at these meetings.;
- (ii) WG 9 changed its name due to changes in the TORs from “Consumer Protection, awareness and empowerment” to Quality of Service and Consumer affairs, structured into 3 working parties Working Party 1: Consumer issues, Working Party 2: Quality of Service and Working Party 3 Coordination and follow up of international/regional activities
- (iii) Finalized the EACO guidelines on Consumer Education and ready for adoption;
- (iv) Finalized the EACO guidelines on Quality of service in mobile and fixed networks for voice services guidelines, formulas and parameters and ready for adoption ;

- (v) Finalized the EACO guideline on combating importation and supply and use of counterfeit/substandard terminals in EACO member countries and is ready for adoption.
- (vi) Request member states to send an Engineer for Quality of Service and an Officer for Consumer issues.
- (vii) The numbering formats and templates for reports should be developed for guidelines, frameworks, li and other meeting documents
- (viii) Proposal to have webpages for all the WGs on EACO website for ease of accessing documents.

Agreed 9:

- (i) To adopt the report of the Quality of Service and Consumer affairs herewith attached as **ANNEX XXV**;
- (ii) To adopt the “EACO Guideline for Consumer Education”, “EACO Guideline for Quality of Service in Mobile and Fixed Networks for Voice Service – Part 1: *Definitions and Thresholds of QoS Parameters*” and “Framework for Combating the Importation, Supply and Use of Counterfeit/Substandard terminals in the EACO Member States , and make them available for further consultation within EACO member countries before formal adoption in the next Congress;
- (iii) The guidelines proposed by WG9 are appropriate but the broad policy issues arising from them should be dealt with by WG1; all guidelines developed should fit into the regulatory framework.
- (iv) EACO secretariat to put in place procedures for passing recommendations, frameworks and guidelines developed by the WGs.
- (v) EACO Secretariat to develop a web portal for all WGs
- (vi) EACO secretariat to harmonize the numbering of reports, guidelines, frameworks and other documents.

8.9 WG10 ENVIRONMENT & E-WASTE

The report of the Environment & E-Waste was noted as follows:

Noted 10:

- (i) Revised the TORs to include identify adoption of green ICT and following up on the sector on **Infrastructure**
- (ii) Tanzania has developed draft Policy and Legislation on e-waste management; The EACO region has no reliable and comprehensive data on e-waste. The EACO secretariat spearhead the collection of data
- (iii) The need to develop concept paper on Green ICTs.
- (iv) Some members of WG10 were not participating in International forums where environmental and e-waste management issues are discussed.
- (v) There is need to create awareness on environmental and e-waste management issues; the WG is developing an implementation strategy for environmental and e-waste management issues; there will be ITU-T SG 5 and 12 regional group meeting for Africa to be held in Uganda in June 2014. In the WG Action Plan that was developed in November 2013, it was proposed that a training program on Green ICTs and E-Waste Management be organised in collaboration with HR Committee
- (vi) Strengthen the capacity of members to deal with environmental and e-waste issues and be able to advise the region appropriately
- (vii) The role of private sector in e-waste management activities. Thus it will be important to involve them in WG activities as observers; The need to visit private initiatives on environmental and e-waste issues.
- (viii) The WG10 to consider expanding the scope to include Electromagnetic effects.
- (ix) EACO secretariat resources are limited to finance the study on e-waste and request national regulators to take up the exercise and the Secretariat to coordinate the sharing of the information to the member countries.
- (x) The WG to consider the sensitive data traces in the memory components of electronic devices that re disposed.
- (xi) The WG to collaborate with other national institutions eg NEMA in Kenya and ITU
- (xii) Due to the financial resource required to undertake the study the WG could consider other options including workshops involving the private sector partners.
- (xiii) The WG shall forward the Secretariat potential stake holders for invitation to the WG meetings
- (xiv) The EACO member countries should be vigilant to ensure that the obsolete electronic devices are not dumped especially with the analogue to digital migration.

Agreed 11:

- (i) Adopted the report of the Environment & E-Waste, including the revised TORs and action plans herewith attached as **ANNEX XXVII**;
- (ii) The WG requests EACO Secretariat to consider conducting a study on e-waste to help the region gather reliable data in order for the respective governments to make informed decisions. A draft Terms of Reference for this study;
- (iii) The EACO secretariat together with member countries to conduct studies on E-waste management among member countries
- (iv) The draft concept paper will be developed by Uganda and deliberation will be done online before the forthcoming Assembly meetings
- (v) EACO Member countries need to facilitate the participation/contribution of members of WG10 in those meetings to help them expand their understanding on environmental and e-waste issues and share their best practices with other regions of the world. Such international meetings includes but not limited to ITU, ATU and CTO;
- (vi) EACO Secretariat to facilitate the WG contributions in such forums
- (vii) The WG requests that EACO Secretariat submit a proposal to the organisers to allocate a slot to the group to make a presentation on E-Waste Management as a way of awareness creation
- (viii) EACO Secretariat to submit this proposal to the HR Committee so that a programme on Green ICTs and E-Waste management is organised within the two year cycle.
- (ix) The WG proposed that EACO secretariat extend invitations to such organisations whenever the WG conducts its scheduled meetings.
- (x) To endeavour to visit private initiatives in Tanzania and Uganda during the upcoming meetings.
- (xi) That, WG06 take up the added TOR to coordinate and follow up work of the Sector Committee on Transport, Communications and Meteorology of the East African Community Secretariat and facilitate the development of EACO's recommendations or contributions relating to this Working Group TORs

8.10 WG11 SPECTRUM MANAGEMENT

Noted 11:

The report of the Spectrum Management follows.

- (i) The 2nd meeting of the EACO Working Group 11 (WG11) on Spectrum Management was held in Arusha, Tanzania from 16th to 17th June, 2014. The meeting was co-hosted by Tanzania Communications Regulatory Authority and East African Communications Organization (EACO) Secretariat
- (ii) There are new Terms of Reference for the working group 11.
- (iii) The action plan was reviewed and adopted
- (iv) The three main focus areas as Harmonisation the Spectrum Policies and regulation, Spectrum allocation usage and coordination and WRC, ITU study groups
- (v) Preliminary views on WRC15 agenda items have been developed and submitted to the EACO secretariat who in turn presented to the ATU which was presented in the ATU WRC 15 preparatory meeting in January 2014 held in Sudan
- (vi) Noted the WRC15 (6) agenda items as follows
 - a. Mobile & amateur issues
 - b. Science issues
 - c.
- (vii) There is a need to have a joint meeting of WG 11 and WG 6 to discuss on the issues relating to Spectrum Management
- (viii) Each country must provide usage of each band and the current use and proposed use to ensure compatibility
- (ix) Crucial agenda are identification of additional and allocation of spectrum bands for IMT
- (x) Agenda for the use of the band 694-790MHz for mobile broadband services
- (xi) EACO to support the allocation of the following bands for IMT including
- (xii) EACO should not support the identification of the band 470-694MHz for IMT since studies have shown that sharing between IT and broadcasting transmitters is not feasible.
- (xiii) EACO should not support the identification of band 3400-3600MHz (c-band) since it's still in use and research to be conducted to establish requirement. It's used by security installation in some countries;
- (xiv) WG to continue following the studies on utilization of frequencies and advise accordingly.
- (xv) All countries have finalised the preparations for the digital migration
- (xvi) Recommend allocation of DTT (Digital Terrestrial Television) band to happen immediately after the WRC, because countries like Rwanda have already assigned

channel 48. However, assigning of frequency is not sufficient reason to justify protection of DTT

- (xvii) Refine the lower edge of the C-band and be kept at
- (xviii) Need to have parameters for IT emissions to ensure that all services
- (xix) EACO secretariat to conduct a workshop on satellite communication since the issues is not properly understood in the region.
- (xx) Several events hosted by ITU are scheduled to happen in the coming months and EACO should prepare paper positions and participate in the meetings.
- (xxi) Coordinate the preparation of the region on WRC15 and follow of resolutions and decisions to coordinate and follow up the work of the Sectoral Committee on Transport, Communications and Meteorology of the East African Community and facilitate the development of EACO's recommendations or contributions relating Broadcasting Matters
- (xxii) The WG to consider activities to deal with cross border interference
- (xxiii) Countries are not aware of the orbital spaces and usually fail to responds to enquiries on use of satellite space, that position is normally taken as admission to use the space.
- (xxiv) The need to conduct ITU workshop/training on regulatory Satellite issues in the region before the third meeting of the WG 11. The proposal towards holding a workshop on satellite issues was developed and attached as **annex 4**. The proposal shall be submitted to EACO secretariat for further action.

Agreed 12:

- (i) Noted the report of the Spectrum Management, herewith attached as **ANNEX XXVIII**
- (ii) That, EACO member countries to state position on the utilization of the c-band, usage of the digital dividend as a result of migration from analogue to digital
- (iii) That, WG 11 to prepare a report to Regulatory Assembly indicating the issues that have been handled. The report was prepared and reviewed during the working group 11 meeting.
- (iv) That, Countries must develop concrete measure for protection beyond assignment alone.
- (v) The WG 11 considers participating in the already scheduled training in Burundi to held in July 2014 to take care of the Regulatory Satellite issues

8.11 REPORT ON THE WORKING GROUP MATRIX

The Assembly was informed on the status of implementations of the country specific group matrixes. The reports are attached as Annex

- (i) Tanzania ANNEX XXIX
- (ii) Kenya ANNEX XXX
- (iii) Rwanda ANNEX XXXI
- (iv) Uganda ANNEX XXXII
- (v) Burundi ANNEX XXXIII

Agreed

- (i) The Secretariat to revise the status of implementations of the matrix

Kenya

No.	Agreed	Status of Implementation
3	Report of Cyber security	Report submitted as WG6
4	Report of E Waste task force	Partnering with NEMA
15	Report of regional internet exchange point (EAIXP)	CCK has partnered with other stakeholders including TESPOK
18	Report of EACO preparation towards WRC15	Task delegated to the Committee
	SIM Card Registration	Legislation in place and linked to Cyber security
	Mobile Number Portability	Legislation has been implemented and consumers have options and added value

Rwanda

No.	Agreed	Status of Implementation
3	Cyber security	Ready to ratify the AU convention on cyber crimes, has benchmarked with S.Korea
4	E Waste task force	RURA collaborates with other stakeholders including the environmental authority and bureau of standards
	E-transactions	Reported by WG3 and signed MOU with the Central Bank
	Consumer protection	Reported by WG9
	Postal	RFID not yet implemented
	IPv4 to IPv6	Baseline survey conducted and the framework developed
	SIM card registration	completed
	Digital migration	Policy in place only import duty was removed as agreed at EAC and switch off expected in July 2014

	Mobile Number Portability	Still in progress to be implemented after results of survey are received.
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Uganda

No.	Agreed	Status of Implementation
2	Tele traffic monitoring	Consultant engaged and its benchmarking with Ghana, Tanzania
3	Cyber security	Report adopted but with the view of harmonizing with EA region laws
	Consumer protection	Draft has been circulated to the stakeholders on Quality of Service
	Establishment of EAIXP	Report was adopted
	Postal	TORs were adopted and currently in the process of procuring a postal quality of service measurement system
	Digital migration	Phase 1 completed in December 2013, and expect to have the draft guidelines for content by December 2014
	SIM card registration	In process to be conducted together with the National Registration of persons
	Mobile Number Portability	Still in progress to be implemented after results of survey are received.

Burundi

No.	Agreed	Status of Implementation
2	Tele traffic monitoring	Accomplished, but intends to benchmark with Rwanda
3	Cyber security task force	Plan to establish the CIRT in February 2015 in consultation with the ITU, benchmarked with Rwanda
4	E Waste task force	To collaborate with other stakeholders including the environmental authority and bureau of standards
	Consumer protection and education	Consumer Education program is in the action plan and training done with COMESA
	Quality of service	Burundi has organized a workshop for all EACO members
	Establishment of EAIXP	Not done
	WRC-15	National Committee has been established comprising all stakeholders

Postal	Not regulated as yet
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Tanzania

REF NO	AGENDA ITEM AND AGREED	STATUS ON THE IMPLIMENTATION OF AGREEDS
8.2	AGREED 3: Report of the cyber security task force	<ul style="list-style-type: none"> • 2 Officials participate in ITU-T SG17 • Tanzania CERT (TZ-CERT) with national mandate is in place • Regional collaboration has been established within the East Africa region through the working of WG5 and; International through the TZ-CERT engagement with Forum for Incidents Response and Security Teams (FIRST) and Trans-European Research And Education Networking Association (TRANSIT) programs facilitated by European Network and Information Security Agency (ENISA), • Development of Cyber Security Laws is ongoing under the Ministry responsible with Communication. • National CERT in place.
8.3	AGREED 4: Report of e-waste task force	Ministry responsible for Environment in collaboration with the Ministry responsible for Communication have developed draft policy and legislation for consideration by the cabinet.
8.8	AGREED 15: Report of regional internet exchange point (EAIXP)task force	<ul style="list-style-type: none"> • TCRA has completed a Study on the impacts of IXPs in Tanzania since its establishment in 2003 and 2007 for TIX and AIXP respectively. • For benchmarking purposes the Study also involved KIXP, UIXP and RINEX. • 3 Officials participate in ITU-T SG2 and 2 in EACO WG07 which are relevant to Numbering issues including • The list of relevant SGs & WGs and staff to attend are identified at the initial stage of the Budget process and approved accordingly for consistency purposes
8.11	AGREED 18: Report on EACO preparation towards WRC-15	<ul style="list-style-type: none"> • National Preparatory Committee (NPC) was formed and comprised of stakeholders from both the government institutions and Private companies • TCRA is coordinating the NPC meetings. • TCRA staff have been participating in various ITU-R Study groups including Joint Task Group (JTG 4-5-6-7) • Tanzania administration has already amended National Frequency Allocation Table according to the WRC -12 Final Acts.

8.12	AGREED19: Report of the EACO postal regulation and development task force	<ul style="list-style-type: none"> • Tanzania is in the process of reviewing National Postal Policy and intends to develop a national postal strategy in near future. • Implement the National Addressing and Postcode is ongoing. • Joint EACO Postal regulators inspections of; airports, Offices of Exchange were carried out in Mombasa and Nairobi. • Tanzania utilizes the Automatic Mail Quality Measurement system. • Cross-border postal service operations within the East African region have been monitored through regular inspections.
13.0	AGREED 24: BROADBAND STRATEGY AND SPECTRUM RESOURCES	The Task Force was formed to develop the National Broadband Strategy. The team has already visited Kenya for benchmarking. Work in progress
14.0	AGREED 25: STATUS ON SIM REGISTRATION AND ELECTRONIC IDENTITY IN EACO	<ul style="list-style-type: none"> • Public Education and Enforcement of the law is an ongoing activity. • Enhancement and of SIM registration to Achieve 100% compliance is on going. • Establishment of Central databank for the registered SIM cards along with the CEIR is envisaged..

15.0	AGREED 26: MOBILE NUMBER PORTABILITY	<ul style="list-style-type: none">• The target for MNP launching is 31st December 2014• TCRA will continue benchmarking with other EACO Members
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ANNEX I: List of Participants

ANNEX II: Agenda

ANNEX III: Outgoing Chairman's Report

ANNEX IV: WG1 - Draft model regulatory framework

ANNEX V: WG1 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014

ANNEX VI: WG2 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014

ANNEX VII: WG3 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014

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1.0. Outline

1. Terms of Reference
2. Summary of 1st Meeting
3. Summary of 2nd Meeting
4. Way Forward

Terms of Reference of WG 1

- (i) To review the existing EAC Member States ICT policies and regulatory frameworks and develop a regional model ICT regulatory framework.
- (ii) To develop a regional policy implementation and monitoring framework.
- (iii) To review the existing licensing frameworks of EAC Member States and recommend best practice for a harmonized and Converged Licensing Framework.
- (iv) To develop and recommend policy and regulatory frameworks on any issues as shall be requested by Congress.
- (v) To facilitate multi-stakeholder consultation and dialogue on communication sector policy and regulatory issues.
- (vi) To develop and recommend a policy and regulatory framework for digital broadcasting.
- (vii) To develop a model postal regulatory framework for the EAC Members States.
- (viii) To develop a regulatory framework for implementing SIM card registration within EAC Member States.
- (ix) To coordinate and follow up the work of the relevant ITU Study Group(s) and facilitate the development of regional recommendations or contributions relating to the work of this ITU Study Group(s) or other relevant international and regional organization.

Summary of the 1st Meeting

1. Review of the WG 1's TORs
 - a) The ToRs were too wide and extensive to be achieved in 2 years. Need a realistic and achievable action plan in order to achieve the desired output of the WG 1.
 - b) The issues that would be referred to the relevant WGs for an in-depth study could be considered at a later stage after the initial 2 year period. Agreed that areas not studied during the 2 year period could be discussed by the other WGs or articulated by WG1 after the initial 2 year period.
 - c) ToRs for WG1 would focus on the following as presented at the 20th EACO Congress:

2. To review the existing EAC member states
 - a) ICT policy and regulatory frameworks and develop a regional model ICT regulatory Framework.
 - b) To develop a framework for adoption of the model regulatory framework;
 - c) To develop a regional implementation and monitoring framework

WG1 designed an Action Plan plan to cover a period of 2 years indicating activities to be carried out, deliverables, time frame and focusing on the following areas:

- a) To review the existing EAC Members states ICT policy;
- b) To review the existing regulatory frameworks;
- c) To develop a framework for adoption of the model ICT policy
- d) To develop a model ICT regulatory framework
- e) To develop regional strategies on implementation and monitoring ICT policies and regulatory frameworks

Key Outputs for WG1

- a) A regional EAC Model ICT Policy
- b) A regional EAC Model Regulatory Framework
- c) A regional EAC policy implementation, monitoring and evaluation framework.

Decision of EXCOM

- a) EXCOM at its meeting held on 21st March 2014 adopted the key focus areas for WG1.
- b) Given EACO's new relationship with EAC, each working group was given an additional TOR to coordinate and follow up the work of the Sectoral Committee on Transport and Meteorology of the EAC and facilitate the development of the EACO's recommendations or contributions relating to the work of the above organ of EAC.

Summary of the 2nd WG Meeting

1. Model Regional ICT Policy and Regulatory framework

In preparing the model regional ICT Policy and Regulatory framework, members focused on the similarities and differences between the various member states ICT policies and Regulatory frameworks. These similarities and differences together with the analysis of emerging issues, priority areas for the region, analysis of Article 4 of the EAC Protocol on regional priority areas and the regional environment to guide members on preparing a draft ICT Policy and Regulatory Framework.

2. EACO and EAC Working Relationship:

In order to establish a common understanding between EACO and EAC, Members RECOMMENDED as follows:

- a) That through the EACO secretariat, EAC should be invited to play a more active role in the meetings and activities of the working groups to avoid duplication of efforts.
- b) EACO should share/forward the reports of the meetings to EAC for further input to avoid duplication of the working group meetings with the activities of EAC.
- c) That EACO should request EAC to provide to EACO information on regional initiatives on ICT Policies, strategies and regulatory frameworks.

3. Request from EACO WG 4

- a) WG 1 received a request from WG 4 with respect to the need to address a new issue related to the different postal regulatory levels of the member states, and reviews the legal and regulatory framework to curb presence of illegal and/or non-compliant operators.
- b) WG4 had requested that this issue be addressed by December 2014. WG 1 noted that while this issue raised by WG 4 was of utmost importance, there was need to recall that the work plan of WG1 covers a period of 2 years and the 2nd WG1 meeting was convened in accordance with its approved plan. Members RECOMMENDED as follows:
 - (i) In as long as the issue of postal regulation and policy was within the realm of the ICT policy framework, these issues would be considered in the next meeting's analysis of the ICT Policy and Regulation.
 - (ii) That since the activities of the working groups was cross cutting, there was need for EACO to share all the working group reports with WG 1 in order to manage expectations and also avoid duplication and/or omission of key issues.

4. Continuity in EACO Working groups:

- a) In order to ensure continuity in the activities of the WGs, in as much as is possible, the same members should attend the meetings. Members agreed to confirm the attendance at the 2nd WG 1 meeting as the permanent membership of the WG.
- b) Members further RECOMMENDED that in order to ensure this continuity, EACO Secretariat should ensure that the invitations for the WGs meetings should indicate the exact representative for the meeting. To this end therefore, the Secretariat was requested to advise the respective states Chief Executives accordingly.

Way Forward

1. The next WG 1 meeting was scheduled for October 2014.
2. Members agreed to continue working online to develop the following key output documents:
 - a) A regional EAC model ICT Policy
 - b) A regional EAC model Regulatory Framework
 - c) A regional EAC policy implementation, monitoring and evaluation framework.

ANNEX VI: WG2 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014**1.0 Introduction**

This draft status report is the first step of WG 02 in addressing the Terms of Reference assigned to the group. The status report on Infrastructure Development, Connectivity and Digital inclusion is intended to provide a baseline and basis for the future work of the group in tackling issues related to infrastructure development, connectivity and digital inclusion within the region.

1.1 Terms of Reference

The Working Group is guided by the following terms of reference:

- (i) To review the existing communication infrastructure facilities in all the EAC Member
- (ii) States and make recommendations on how to address the identified infrastructure and connectivity gaps or challenges in the region.
- (iii) To identify feasible infrastructure sharing models and strategies that can be adopted within EAC region.
- (iv) To develop Guidelines and Regulations for infrastructure sharing and interconnection in the region.
- (v) To define and identify essential facilities in communications networks for the EAC region.
- (vi) To recommend innovative and appropriate technology for the development of the communication sector in the region.
- (vii) To establish factors that cause vandalism of communication infrastructure and how the problem can be addressed.
- (viii) To review Universal Service Policies and their implementation in the EAC Member States.
- (ix) To harmonize Universal Service policies in the region.
- (x) To analyse the challenges faced by Universal Service/Access Funds in the region.
- (xi) To develop a Universal Service Access Tool kit for the region.
- (xii) Develop a strategy for establishment of an East Africa Internet Exchange Point (EAIXP), capacity building and peering of national IXPs.
- (xiii) To develop strategies and guidelines for achievement of e-Inclusion in the region.

- (xiv) To develop a tool or mechanism for Monitoring and Evaluation of the e-Inclusion programmes.

2.0 Status of Infrastructure development, Connectivity and Digital Inclusion

This section presents the status of infrastructure development, connectivity and digital inclusion in the five member countries of EACO as of April 2014. First an overview of the legal and institutional environment in each country, highlighting aspects that affect infrastructure and digital inclusion is presented. The status of optical fibre infrastructure is then presented along with the maps showing the routes and coverage of the fibre in each of the countries. Following this, a matrix of information on universal service and access is presented. The report concludes with points noted to be integrated in future work of the group.

3.0 Way Forward and Work plan

The working group is planning to finalise its work in the next two face to face meeting with first six terms of reference will be addressed in the first face to face meeting and the rest will be addressed in the second face to face meeting. Due to some amount of work required in some of the terms electronic work methods may be employed to facilitate completion of the work.

Status on mainstreaming Innovative Technologies

The Working group noted that tackling innovation is a challenge however it was decided that the group can start to research on the following issues:

- a) IPTV
- b) Video on Demand
- c) Digital Dividend
- d) LTE Advanced Technology
- e) Digital Audio Broadcasting

It was also agreed that regulators in the different countries share any challenging issues that arise within their jurisdiction for information and further research by the working group

ANNEX XI: WG5 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014

1.0 Introduction

The meetings of Working Group 5 (WG5) - IP Networks, Standards and Cybersecurity were held in Kigali, Rwanda from 12th to 13th December 2013, 15th to 17th April 2014 and in Arusha, Tanzania 16th to 17th June 2014. Mr. Michael Katundu, the Chairperson of the WG welcomed members and chaired the meetings of the WG5. He thanked the team members for their continued support and fruitful deliberations in the meetings.

2.0 Attendance

The meeting participants were drawn from EACO Member countries namely Kenya, Uganda, Tanzania, Rwanda, Burundi and EACO Secretariat. The full attendance list is contained in **Annex 1**.

3.0 Agenda of the Meetings

- (i) The agenda was adopted as follows:
- (ii) Opening of the Meeting
- (iii) Adoption of the Agenda
- (iv) Election of Bureau (1st and 2nd Rapporteurs)
- (v) Review of the status of the EAIX Action plan/feasibility study
- (vi) Action plan for the issues raised during EAIX Country visits
- (vii) EAIX Project Document
- (viii) Formulate TORs and selection criteria for the EAIX Steering Committee
- (ix) Budgeting for implementation of the EAIX Project
- (x) Preparations for the AUC Eastern Africa Regional Internet Exchange and Regional Internet Carrier Workshop
- (xi) Review of the Cybersecurity Action Plan and Country reports (questionnaire on Cybersecurity).
- (xii) Any Other Business (AOB)
- (xiii) Adoption of the report
- (xiv) Closure of meeting

4.0 Election of Bureau

The bureau was elected as follows:

- (i) Michael Katundu – Chairperson Kenya (Appointed by EXCOM)
- (ii) Patrick Mwesigwa - Vice Chairperson Uganda (Appointed by EXCOM)
- (iii) Caroline Koech - Lead Rapporteur EACO Secretariat
- (iv) Ghislain Nkeramugaba - 1st Rapporteur Rwanda
- (v) Ms. Connie Francis - 2nd Rapporteur Tanzania

5.0 Key Decisions

5.1 Review of the status of the EAIX Action Plan/Feasibility Study

- (i) The WG reviewed the status of the EAIX Action Plan in each of the EA countries.

THE EAIX PROJECT ACTION PLAN

(ii) The EAIX Project Action Plan consists of four phases as follows:

(iii) Phase 0 - Jan - Mar 2014

(iv) Phase 1 - Apr-Jun 2014

(v) Phase 2 - Jul -Sep 2014

(vi) Phase 3 – Oct. 2014 - Onwards

Noted 1 : That site visits to all the countries in the EA region led by the chairperson of WP1 were done by WG5 members to assess the status of phase 0

Noted 2: That some members of the WG5 were not able to participate in the country visits due to budget constraints.

Agreed 1: To come up with a comprehensive budget for the EAIX project and seek funding where necessary. The table indicating the status of the Phase 0 (Jan – March 2014) Action plan is herewith attached as **ANNEX XIII**

5.2 Action plan for the issues raised during EAIX Country visits

The issues raised by each of the member countries were documented as indicated in **ANNEX XIV**.

Noted3: That all the countries in the EA region had started the implementation of phase 0 however, the countries are at different stages of the implementation.

Agreed2 : To encourage countries to continue with the implementation of the phases as per the action plan.

Agreed3: To continue benchmarking within and outside the region as necessary.

5.3 EAIX Project Implementation Document

The WG members discussed and documented an EAIX Project Implementation Document as indicated in **ANNEX XV**.

Noted 4: There needs to have a working document for the EAIX project

Agreed 4: To develop an EAIX project Document as a guide for the project implementation

5.4 Formulate TORs and selection criteria for the EAIX Steering Committee

The working group formulated the TORs for the EAIX Steering Committee as attached in **ANNEX XVI**

Noted 5: The need for member states to nominate two (2) representatives to the EAIX steering committee, one representative from the Regulator and another representative from the ISP/IXP association.

Agreed 5: EACO Secretariat to send letters to Regulators by May 2014 requesting them to facilitate the nomination of two (2) representatives to the EAIX steering committee, one representative from the Regulator and another representative from the ISP/IXP association by June 2014.

5.5 Budgeting for implementation of the EAIX Project

Noted 6: Budget estimates for the implementation of EAIX project prepared ANNEX XVII.

Agreed 6: EACO Secretariat tasked with sourcing of funds for the EAIX project based on the budget estimates and the Project document.

5.6 Preparations for the AUC Eastern Africa Regional Internet Exchange and Regional Internet Carrier Workshop

Noted 7: The importance of the EACO Member States participation in the AUC Eastern Africa Regional Internet Exchange and Regional Internet Carrier Workshop

Agreed 7: EACO Secretariat to prepare a presentation for the workshop.

Agreed 8: EACO Secretariat to send letters to AUC and other possible funding bodies requesting for funding for the EAIX project.

Agreed 9: EACO Secretariat to present the budget to EXCOM and brainstorm on fundraising options.

Agreed 10: EACO to send invitation letters to EACO backbone carriers to participate in the workshop.

Noted 8: The EACO Secretariat report of the AU-Eastern Africa Regional Internet Exchange Point (RIXP) and Regional Internet Carrier (RIC) Workshop that took place in Kigali, Rwanda from 26th – 30th May 2014 ANNEX XVIII

Agreed 11: EACO Secretariat should liaise with the EACO Regulators and nominate three (3) National IXPs for funding by the AUC to grow into Regional IXPs.

5.7 Review of the Cybersecurity Action Plan and Country reports

Noted 9: To recommend strategies for implementation of Cybersecurity national frameworks, including establishment and operationalization of National Computer Emergency Response Team (CERTs)/Computer Incident Response Team (CIRT)/Computer Security Incident and Response Team (CSIRT) in each EACO Member countries

Agreed 12: Develop a National Cybersecurity questionnaire/ checklist of requirements for implementation and operations of national CERTs/CIRTs/CSIRTs). The Regulators will be expected to complete the National Cybersecurity questionnaire semi-annually (June and December)

Agreed 13: Regulators to submit the initial completed National Cybersecurity questionnaire by December 2014.

6.0 RECOMMENDATIONS

After deliberation, the WG5 recommends the EACO Assembly of Regulators to approve the WG5 report.

ANNEX XIX: WG6 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014

1. INTRODUCTION

The EACO Working Group 6 (WG6) on Broadcasting Services Development and Regulations has held 3 meetings on 16th-18th November 2013 and 6th-10th May 2014 in Kigali, Rwanda and 16th -17th June 2014 in Arusha, Tanzania. The Meetings have been attended by participants from broadcasting companies and regulatory agencies of EACO member states, namely Burundi, Kenya, Rwanda, Tanzania and Uganda.

2. THE WORKING GROUP 6 (WG 6) TERMS OF REFERENCE

a) The members reviewed the Terms of Reference for the working group as prescribed by the 20th EACO Congress which the Executive Committee (EXCOM) later adopted with amendments.

The amended terms of reference are as follows:-

- (i) To make recommendations on the development of digital broadcasting.
- (ii) To develop guidelines for content sharing, digital rights management and digital content management.
- (iii) To develop regulatory framework that will promote development of local content.
- (iv) To develop regulatory framework for emerging multimedia services.
- (vi) To liaise with other relevant Groups and Organizations on issues related to broadcasting.
- (vii) To develop performance statistics for the broadcasting industry in EACO member states.
- (vii) To coordinate and follow up the work of the Sectoral Committee on Transport, Communications and Meteorology of the East African Community and facilitate the development of EACO's recommendations or contributions relating to broadcasting services.

3. THE ACTION PLAN (ACTIVITIES, TIME FRAME AND ALLOCATION OF DUTIES)

The Working Group 6 adopted an action plan which is herewith attached as **ANNEX XX**.

4. COUNTRY UPDATE REPORT ON DIGITAL MIGRATION

Updates on the progress of digital migration by EACO member countries were presented in the 2nd Working Group meeting in May 2014. **ANNEX XXI** provides a report on the status of digital migration and **ANNEX XXII** contains update reports from each member state.

5. IDENTIFICATION OF ISSUES RELATED TO DIGITAL MIGRATION

Issues related to digital migration were discussed and categorized into the following:-

- (i) Regulatory issues

- (ii) Operators issues (Signal distributor and Content service provider)
- (iii) Consumer issues

The details of the above mentioned issues are contained in **ANNEX XXIII**.

6. RECOMMENDATIONS FOR THE EACO ASSEMBLY OF BROADCASTERS

- (i) Member countries are urged to review and fast track the enactment of the necessary legal instruments utmost end of 2014 to facilitate digital migration.
- (ii) Member countries are urged to develop clear regulations governing free to air services and subscription services.
- (iii) Member countries are urged to ensure that the local free to air TV channels are not carried in the subscription bouquet of pay TV services across all platforms.
- (iv) Member countries are urged to review their licensing framework and ensure it can accommodate additional channels for already licensed broadcasters.
- (v) Member states are urged to monitor and enforce the internationally agreed standards of compression for DVB-T /T2
- (vi) There is need to have a license for public signal distributor in order to achieve universal service obligation.
- (vii) Member countries are urged to remove VAT on STBs to make them affordable.
- (viii) Member countries are urged to define MUST CARRY obligations for TV channels in their regulations during the transition period since they are being transmitted without paying transmission fee.
- (ix) EACO Secretariat is requested to coordinate meetings for the public broadcasters from the member countries.
- (x) Broadcasters are urged to be cognizant of the implications of the ITU June 17 2015 deadline of analogue switch off as contained in Article 12 of the Final Acts of RRC06 Agreement ; which states that “the analogue broadcasting stations shall not claim protection from the digital broadcasting stations and should not cause harmful interference. In addition, the analogue plan shall be cancelled and the analog assignments cease to apply.”
- (xi) EACO member states to conduct cross border frequency coordination in March 2015 with a view of protecting digital Television broadcasting services before Analogue Switch Off date (17th June 2015).

ANNEX XXV: WG9 – Presentation to 21st EACO Regulatory Assembly, Arusha, Tanzania held from 18th – 20th June 2014

During the 20th EACO Congress held on 28th June 2013 in Nairobi, Kenya, it was agreed that there was need to reorganize the EACO taskforces into working groups with different mandates as prescribed in their individual Terms of Reference. With this decision, the Congress expected that there would be a more coordinated and focused approach in the work of the Working Groups that would enhance timely delivery on assignments.

The Working Groups are also given the freedom to review the Terms of Reference and realign them as desired. As a result, the Quality of Service Taskforce and Consumer Issues Committee were merged to form Working Group 9 – Quality of Service and Consumer Affairs. The mandate of this Working group is to provide clarity and guidance on consumer and quality of service issues in the EACO member states. The WG9 is currently structured to have 3 working parties, that is, Working Party 1: Consumer issues, Working Party 2: Quality of Service and Working Party 3: Coordination and follow up of international/regional activities.

The Management structure of the working group comprises of the chairperson, vice chairperson and rapporteurs. However, each working party is headed by a chairperson. A detailed list of the management structure and members of WG9 is given in Annex I while the Terms of Reference and Action plan are detailed in Annex II.

WG9 conducted three meetings.

The 1st meeting was held in Kigali Rwanda from 4th to 6th November 2013 (attended by 5 delegates from 3 Countries), the 2nd meeting was held from 24th to 26th March 2014 in Nairobi Kenya (attended by 12 delegates from 4 Countries) and the 3rd meeting was held in Arusha Tanzania, from 16th to 17th of June 2014 (attended by 8 delegates from 4 Countries).

It should however be noted with concern that some of the EACO member states have never been represented at these meetings.

During the first meeting of the WG9 conducted in Kigali, members reviewed the Terms of Reference and accordingly developed the action plan of activities by fixing the time frame and allocating duties to group members, as detailed in Annex II. This chapter outlines the achieved, ongoing and planned activities of the WG9.

1) EACO Guidelines for Consumer Education

The Guidelines on Consumer Education have been developed and are hereby attached as Annex III. These guidelines outline tools and procedures that National Regulatory Authorities in the region are encouraged to adopt to ensure effective Consumer Education. WG9 would like to invite Regulatory Assembly to adopt these guidelines.

2) EACO Guideline for Quality of Service in Mobile and Fixed Networks for Voice Service. The guideline on QoS of voice service in Mobile and fixed networks is consisted with two parts (Part 1 and 2) as follows:

- a) Part 1 Document: focuses on harmonizing “*Definitions and Thresholds of QoS Parameters*” for EACO member states”.

b) Part 2 Document: focuses on harmonization of “*Measurement and Statistical methodologies for EACO member states*”.

Part 1 document has been developed and is hereby attached as Annex IV. WG9 would like to invite Regulatory Assembly to adopt these guidelines.

3) Framework for combating the importation, supply and use of counterfeit / substandard terminals in the EACO member states This framework has been developed as an initial basis for guiding member states to address the subject matter. It is hereby attached as Annex V. The main highlight is the effect of the counterfeit / substandard terminals on different players, functional requirements and the practical measures to be taken in combating counterfeit / substandard terminals.

This sub-section outlines the ongoing activities with their timelines as highlighted in below table:

Table 1: WG9 Ongoing Activities

The Working Group has made tremendous progress in terms of achieving its targets and addressing the mandate as given. The group has synchronized its personnel, management and work program to guide the work.

The group discussed and finalized three documents highlighted above, two of which are being submitted to EACO assembly for adoption.

The Working Group 9 recommends the following:

- (i) EACO secretariat should send a communication to all EACO members on the need for active participation and contribution to Working Group meetings. Since WG9 is dealing with consumer and quality of service issues, all EACO members should endeavour to send at least two representatives (one representative to handle Consumer issues and the other one for QoS issues).
- (ii) EACO secretariat to avail templates and numbering formats for the following documents;
 - a) Guidelines and frameworks
 - b) Contributions from members
 - c) Liaison statements
 - d) Reports
- (iii) The WG9 noted that there has been low attendance to its meetings. While it is clear that the WG9 is a rationalization of the former two task force groups on Consumer Issues committee and Quality of Service task force, only a few of the members have attended the meetings of WG9. It is therefore recommended that the secretariat sends invitations to all members to attend the next meetings of WG9.