**RECORD OF THE MEETING OF THE POLICY AND REGULATORY HARMONIZATION WORKING GROUP 1 HELD ON 5TH – 7TH MAY 2014 IN ARUSHA TANZANIA AT NAURA SPRING HOTEL**

## 1.0 ATTENDANCE:

1. Ms. Fortunata B.K. Mdachi- TCRA -Tanzania
2. Ms. Beata Mukangabo- RURA –Rwanda
3. Mr. Emmanuel Dusenge – Ministry of ICT Rwanda
4. Ms. Rita Z. Sekadde – UCC - Uganda
5. Mr. Alexis Sinarinzi – ARCT -Burundi
6. Mr. Jean Marie Vianney Ndayishimiye – ARCT -Burundi
7. Ms. Marie Chantal Gakima – RURA -Rwanda
8. Ms. Clara Mramba – Smile Communications Tanzania Ltd
9. Mr. John W. Daffa – TCRA - Tanzania
10. Ms. Agnes Okello – Orange Kenya Limited
11. Ms. Lyn Cherono – CAK - Kenya
12. Mr. Godliving Kessy- EACO Secretariat

## 2.0. AGENDA:

The Agenda for the meeting was adopted as follows:

1. Opening of the meeting
2. Introduction of members
3. Adoption of the Agenda
4. Communication from the Chair
5. Communication from the Liaison Manager
6. Brief on the activities at the last WG meeting held in Kigali Rwanda – Actions required of this meeting
7. Presentation of the respective states ICT Policies and regulatory frameworks
8. Breakaway sessions to prepare the model Regional ICT policies and Regulatory frameworks
9. Presentation of the draft report of the meeting and adoption of the same
10. Any other Business
11. Closure of the meeting

### 3.0. OPENING OF THE MEETING AND COMMUNICATION FROM THE CHAIR

Members were informed that in order to generate synergies between the East Africa Community and EACO, a representative from EAC was supposed to have opened the meeting but had however not been able to attend.

The meeting was opened by the Chairperson of Working Group 1 – Fortunata Mdachi. She reminded members about the deliberations and resolutions made at the first working group meeting in Kigali Rwanda. Members were informed that this earlier meeting had resolved that member states would prepare a status of their respective countries ICT policies and regulatory frameworks which should have been comprehensively discussed online. The chair pointed out that since this task had not been done, the focus of this meeting would be to complete this assignment in a bid to develop the first draft of the model ICT Policy and regulatory framework.

### 4.0. INTRODUCTION OF MEMBERS

Members introduced themselves as per the attendance list above. Members noted however that some of the operators' representatives from the first meeting were not present. Members AGREED that in order to ensure the continuity in the business of the working group, in as much as is possible, each member state should ensure that the representatives to the working group remain the same.

### 5.0. ADOPTION OF THE AGENDA:

The agenda for the meeting was adopted as highlighted above.

### 6.0. COMMUNICATION FROM THE LIAISON MANAGER

The EACO Liaison Manager Mr. G. Kessy informed members about the highlights of the previous working group meeting.

He clarified to the members that the purpose of holding the meeting in Arusha Tanzania, was driven by the need to draw synergies between EAC and EACO. He pointed out that there was need for the working group to focus on activities that would not result into an overlap of activities between EAC and EACO. He informed members that the modalities of the co-operation between EAC and EACO were being designed and would be agreed upon by the respective Director Generals of the member

regulators. He informed members that these modalities would guide the implementation of the agreed actions. He emphasized that this modus operand would avoid duplication of efforts by both organizations.


**7.0 MEMBER STATE BRIEFS ON THE STATUS OF THE ICT POLICY AND REGULATORY FRAMEWORK**

Burundi, Kenya, Rwanda, Tanzania and Uganda presented the status of their respective ICT and Regulatory policies and Frameworks.
Members agreed that in outlining the Regulatory framework, the following key areas would be addressed:

a] The name of the regulatory body;
b] The Laws and Regulations governing the sector;
c] The areas of regulation;
d] The mandate and functions of the regulator – the clarity of roles of the regulator;
e] Market access issues like licensing, pricing, standards, planning;
f] Financial sustainability of the regulators; and
g] Dispute resolution mechanisms.

With regard to the National ICT Policies, the following areas were considered:
a] Name of the National ICT Policies;
b] Institutional frameworks – separation of functions of organs (government, operators, and regulators);
c] Key highlights of the policies and the review status; and
d] Key policy issues like liberalization and privatization of the sector, regulatory independence, cross border issues, emerging issues and priority areas.


**8.0 PREPARATION OF THE 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 guided members on preparing a draft ICT Policy and Regulatory Framework.

**A detailed account of the member's analysis of the ICT Policy and Regulatory Framework is attached hereto as Annex 1 and Annex 2 respectively.**

**9.0 WAY FORWARD:**

Members AGREED that in light of the need to develop a skeletal ICT Policy and Regulatory framework, members would review the proposed draft skeletal that would be circulated to members. Members agreed that these skeletal ICT Policy and Regulatory framework would be studied by members before the 16th June 2014 (preliminary comments).

It was AGREED that for online discussions, the Chair would circulate the documents and members would forward comments to the respective sub group leaders. Clara and Chantal would co-ordinate the input on the ICT Policy while Alexis and Lyn would co-ordinate the input on the Regulatory framework.

**10.0 RECOMMENDATIONS:**

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

- 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.

- EACO should share/forward the reports of the meeting to EAC for further input to avoid duplication of the working group meeting with the activities of EAC.

- That EACO should request EAC to provide to EACO information on regional initiatives on ICT Policies, strategies and regulatory frameworks.

2. Members were informed that the working group had on 7th May 2014 received a request from working group 4 with respect to the need to address new issues. This 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.

Members were informed that WG4 had requested that this issue be addressed by December 2014. The Group noted that while this issue raised by WG 4 was of great importance, there was need to recall that WG1 had in October 2013 established a work plan that was supposed to cover a period of two years and this second meeting was

convened in accordance with this approved action plan. Members RECOMMENDED as follows:

- 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 analysis of the ICT Policy and Regulation.

- That since the activities of the working groups was cross cutting, there was need for EACO to share all the working group reports with the working group 1 in order to manage expectations and also avoid duplication and/or omission of key issues.

3. That in order to ensure continuity in the activities of the working groups, in as much as is possible the same members should attend the meetings. Members agreed to confirm the attendance at this second Arusha meeting as the permanent membership of the working group.

Members further RECOMMENDED that in order to ensure this continuity, EACO Secretariat would ensure that the invitations for the working group 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.


## 11.0. PROPOSAL FOR THE NEXT MEETING DATE

Members Noted that the Assemblies would be meeting in Tanzania on 16th -20th June 2014. The next meeting of working group 1 was therefore scheduled to **October 2014 in Kigali**, Rwanda.