East African
Communications
Organisation

Communications for all in East Africa

EAC MODEL ICT POLICY

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GLOSSARY

E-Commerce / Electronic Commerce – Business activities involving consumers, manufacturers, suppliers, service providers and intermediaries using computer networks such as the Internet.

E-government/ Electronic-government - delivery of government services via the Internet, telephone, community centers, wireless devices or other electronic communications systems.

E-governance/electronic-governance- the public sector's use of information and communication technologies with the aim of improving information and service delivery, encouraging citizen participation in the decision-making process and making government more accountable, transparent and effective.

ICTs (Information and Communication Technologies) - telecommunications, information technology, broadcasting and converging electronic technologies including the internet and any other audiovisual information and communication technology.

1.0 INTRODUCTION

1.1   Context of ICT in the East African Region

Policy is the key determinant of legislation and regulation. It sets out the vision for ICT development and its links to national development goals. Although good legislation and regulation are essential to translate policy into reality, governments must first identify and prioritize their policy objectives.

In the case of East African Community (EAC), the policy framework intends to harmonize the vision of Partner States in the ICT sector in order to facilitate the implementation of common projects and strengthen the common (single) market.

This policy seeks therefore, to facilitate sustained economic growth and poverty reduction; promote social justice and equity; mainstreaming gender in national development; empower of youth and disadvantaged groups; stimulate investment and innovation in ICTs; and achieve universal access in the process. It is based on internationally accepted standards and best practices.

The policy is based on four guiding principles: **infrastructure development**, **human resource development**, **stakeholder participation** and **appropriate policy & regulatory framework**.

1.2   Rationale for Model ICT Policy Framework

Harmonization for a single market is best achieved not by trying to establish uniformity of rules, regulations and implementation processes in every area of market activity across the single market area, but by distinguishing between those matters in which uniformity is essential and those where it is optional.

Many components of the ICT Sector are cross-cutting and hence cross-border; therefore, the free movement of investment and labor, the efficient use of scarce resources, the universal access of services and affordability together with other benefits are better achieved in a space which has common objectives and a harmonized legal and regulatory framework. The ICT policy framework is needed to guide the achievement of the vision of the EAC integration in and through the ICT sector.

2.0 POLICY DIRECTION

2.1   Vision

To become a prosperous world-class knowledge Economic region endowed by and through ICTs.

2.2   Mission

"To Pioneer the development and articulation of the people's livelihoods in East Africa by ensuring availability of integrated, accessible, efficient, connected, reliable and affordable ICTs and ICT services".

In other words, the mission of the policy framework is:

- To facilitate the harmonization of legal and regulatory framework in the EAC;
- To harmonize the objectives of ICTs sector to the whole EAC Region;
- To enhance the cooperation and collaboration wherever the case applies, by the Member States in identifying and implementing regional programs and projects;
- To facilitate Research and Development in the ICT Sector for an integrated EAC;
- To enhance socio-economic development at all levels of the populace of the EACO Member States;
- To bring together people of the region towards One ICTs Destiny.

3.0 POLICY FOCUS AREAS

The following are the ICT policy focus areas:
- Legal and Regulatory Frameworks in ICTs
- ICT Infrastructure Development
- Cross border Infrastructure Connectivity
- Complimentary Services
- Human Resources Development
- ICT Industry Development
- E- Government, e-governance
- ICT and Economic Development
- ICT and Social Development
- Rural Connectivity and Universal Access/Universal Access Fund
- Research and Development in ICT
- Norms and Standards
- Ecommerce/ e-Transaction
- E-Content Development
- Health, Safety and the Environment
- Cyber Security

3.1   Legal and Regulatory Framework in ICT

       3.1.1 Policy Issues

i. Inadequate law and regulatory frameworks particularly on emerging areas like: Cyber-Security, Data Protection, e-Transaction, Convergence
ii. Slow response of the law to technology and industry developments
iii. Limited stakeholder participation in the development of the legal and regulatory framework.
iv. Duplex Regulators in the ICT Sector.

3.1.2 Policy Objectives

i. Established Laws to combat cyber-crime ensure data protection and facilitate e-transactions.
ii. Articulated responsibilities and prioritized ICT Activities
iii. Enhanced ICT stakeholder participation at all levels
iv. Established Converged Regulators for ICTs.

3.1.3 Policy statement

i. Member States to enact laws on: cyber-security, data protection, e-transaction, convergence and other emerging issues
ii. Member States to enhance capacity for research and development in ICTs to ensure prompt response to legal and regulatory issues
iii. Member States to put in place a mechanism for public consultation in the development of the legal and regulatory framework
iv. Member States to have a single regulator in the ICT Sector.

3.2 ICT Infrastructures Development

3.2.1 Policy Issues

i. Limited Interoperability of infrastructure;
ii. Limited Infrastructure sharing and collocation;
iii. Interconnectivity Challenges;
iv. Capacity Challenges.

3.2.2 Policy Objectives

i. Shared and best practice manuals on standards adopted in the EAC;
ii. Regulations and Guidelines on infrastructure sharing;
iii. Analyzed and projected capacity needs for the region (Demand v/v Supply).

3.2.3 Policy statements

i. Member States to put in place a framework for interoperability of infrastructure;
ii. Member States to put in place a framework for infrastructure sharing and collocation;
iii. Member States to put in place a framework on interconnectivity;

iv.   Member States to encourage Sharing of the capacity of public and private utility providers to develop the national information infrastructure;

v.   Member States to enhance capacity in promoting convergence of technologies.

3.3   Cross border Infrastructure connectivity

3.3.1 Policy Issues

i.   Lack of Framework on Cross border Connectivity;
ii.   Inadequate cross border connectivity.

3.3.2 Policy Objectives

i.   Regional Regulations on Cross-border Connectivity;
ii.   Regional guidelines for Cross-border Connectivity.

3.3.3 Policy statement

i.   Member States to put in place frameworks for cross-border connectivity issues including: infrastructure standards, maintenance, infrastructure planning, No-man's land management, Interoperability, etc…

3.4   Complimentary Services (CS)

3.4.1 Policy Issue

i.   Limited complimentary services e.g. roads, electricity, and water.

3.4.2 Policy Objectives

i.   Member States commitment to the EAC-TCM Protocol to consider always plan and provide the CSs that supports other service provisions in time and place.

3.4.3 Policy statement

i.   Member States to align provision of supportive infrastructure utilities to enhance provision of ICT enabled Services.

3.5   Human Resources Development

3.5.1 Policy Issue

i.   Low competencies and skills in ICTs;
ii.   Poor mechanism in evaluation and certification of ICT trainings and programs;

iii.   Lack of incentives for private sector to organize/support IT capacity-building;

iv.   Migration of ICT workers from EAC (brain drain).

3.5.2 Policy Objectives

i.   Curriculum and empowerment measures to improve teaching, training and coaching on ICTs in Member States;

ii.   Established taxation incentives to avail affordable ICT equipment's and accessories to low income populace;

iii.   Established subsidy mechanism to enhance students' intake as well as soft loans to start up SMEs.

4.5.3 Policy statement

i.   Member States to incorporate ICTs in their Educational Curricular Development and enhance Computer Literacy at all levels;

ii.   Member States to ensure Standardization of ICT syllabus and Training Institutions;

iii.   Member States to establish Mechanism for Skills Transfer from multinational corporations operating in the Region;

iv.   Member States to establish Incentives for Private sector to organize/support ICT Capacity Building;

v.   Member States to develop mechanism for Attracting and Retaining Skilled human resources.

3.6   ICT Industry Development

3.6.1 Policy Issues

i.   Insufficient finance and investment in the ICT sector (High cost of ICT infrastructure , services);

ii.   Limited technological transfer;

iii.   Limited use of local and open source software;

iv.   Limited capacity-building of SMEs in the ICT sector.

3.6.2 Policy Objectives

i.   Established funds to avail subsidies and loans for students sponsorships and equipping of Institutions;

ii.   Member States Plans/Strategies of ICTs uptake and Development.

3.6.3 Policy statement

i.   Member States to develop Appropriate Financing and Fiscal Mechanism for ICT entrepreneurs;

ii.   Member States to establish Mechanism for Technology Transfer;

iii. Member States to establish mechanisms for innovation , sensitization on available local and open source software and protection of the Intellectual Property Rights;
iv. Member States to establish incentives for SMEs capacity building (i.e. Investment incentives, taxation, enabling regulations).

3.7 E-Government, e-governance

3.7.1 Policy Issues

i. Limited interoperability of government ICT systems;
ii. Duplication and inefficient resource management;
iii. Government processes are to a large extent paper- based.

3.7.2 Policy Objectives

i. Established Technical Committees/Task Force groups advisory to National Policies on E-Governance needs;
ii. Established Regulations and Guidelines for decision makers on e-Government implementation;
iii. Regulations and Guidelines for Public Office digitization.

3.7.3 Policy statement

i. Member States to digitize Government processes and Services to reduce transaction cost and ensure efficient and quality public service delivery;
ii. Member States to ensure accessibility and integration of government ICT Systems.

3.8 ICT and Economic Development

3.8.1 Policy Issues

i. Lack of coordination of trade links and e-markets;
ii. Need for integration of ICTs in productive sectors;
iii. Unavailability of timely and reliable information;
iv. Lack of information sharing amongst key productive sectors;
v. Multiple taxes and levies in the ICT sector.

3.8.2 Policy Objectives

i. Established fora for trade-links and e-market;
ii. Established Central/National Web Portal for all-economic information;
iii. Established and recognize Economic Fora that have regular meetings.

3.8.3 Policy statement

i.   Member States to ensure coordination of trade links and e-markets at National and regional level;
ii. Member States to develop a framework for collaborating with private sector to accelerate development of e-commerce;
iii. Member States to harmonize taxation regimes related to the ICT sector;
iv. Member States to put in place infrastructure for accessing national, regional and international market information;
v.   Member States to establish national resource centers for economic activities.

3.9   ICT and Social Development

3.9.1 Policy Issues

i. Lack of awareness on the opportunities offered by ICTs for social development;
ii. Unavailability of affordable ICT services for social development.

3.9.2 Policy Objectives

i. Established and recognize ICT fora and exhibitions that have regular meetings;
ii. Established Universal Service Fund to complement implementation of the last mile.

3.9.3 Policy statement

i. Member States to create awareness of the opportunities offered by ICT as a tool for social development;
ii. Member States to ensure that ICT services are available and affordable to the public.

3.10   Rural Connectivity and Universal Access/Service Fund

3.10.1 Policy Issue

i.   Limited and poor rural connectivity;
ii. Affordability and availability of ICTs in underserved areas;
iii. Lack of knowledge-sharing networks at grass root level.

3.10.2 Policy Objectives

i. Established Universal Service Fund to complement implementation of the last mile and other essential services;
ii. Established and recognize rural population ICT fora and exhibitions that have regular meetings.

3.10.3 Policy statement

i.   Member States to establish Universal Access/Service Fund (UA/SF) for the ICT sector to meet Universal Access;
ii.   Member States to use the UAF to subsidize the cost of ICT Infrastructure roll out and expansion to un-served and underserved areas by operators;
iii. Member States to leverage on community access points to provide smart services.

3.11   Research and Development in ICT

3.11.1 Policy Issues

i.   Limited R&D and insufficient institutional capacity to innovate ICT products and services;
ii.   Insufficient financial resources in R&D;
iii. Poor protection of intellectual property rights.

3.11.2 Policy Objectives

i.   Established mechanism for cooperation between the Public and Private R & D sectors;
ii.   Established an award mechanism for researchers who have excelled in developing ICT solutions to local problems;
iii. Established standards as basis for certification of ICT services and licensing.

3.11.3 Policy statement

i.   Member States to develop strategies to support R & D and innovation;
ii.   Member States to put in place a mechanism for financing R & D in ICTs;
iii. Member States put in place mechanism for protection of IP rights.

3.12   Norms and standards

3.12.1 Policy Issues

i.   Absence of standards;
ii.   Insufficient standards, where they exist;
iii. Limited capacity to develop, monitor and enforce standards.

3.12.2 Policy Objectives

i.   Established harmonized ICT parameters shared to all ICT stakeholders;
ii.   Established norms for Monitoring and Evaluation of ICT Services in the Region.

3.12.3 Policy statement

i.   Members States to standardize Government systems and processes;
ii.   Member States to put in place mechanism for developing, monitoring and enforcing standards.

3.13 E-commerce/ e-Transaction

3.13.1 Policy Issues

i.   Lack of awareness about e-commerce;
ii.   Lack of privacy and security as regards e-commerce;
iii. Unreliability of payment and delivery networks.

3.13.2 Policy Objectives

i.   Established and published consumer rights and obligations;
ii.   Established payment systems with respective regulations.

3.13.3 Policy statement

i.   Member State to put in place a mechanism to raise public awareness at all levels on the opportunities created by e-commerce;
ii.   Member States put in place legal and Regulatory frameworks and any necessary Infrastructure required ensuring Cyber-security and Data Protection.

3.14   E-Content Development

3.14.1 Policy Issues

i.   Insufficient local content;
ii.   Limited digitization and access to local content.

3.14.2 Policy Objectives

i.   Established policy on e-content development;
ii.   Established mechanisms/norms for collection, storage, retrieval and dissemination of local content.

3.14.3 Policy statement

i.   Member States promote electronic publishing, collection and preservation of local content;
ii.   Member States to put in place strategies to support development and use of local content;
iii. Member States put in place legal framework for protection of local artistic works;
iv.   Member States to develop and manage knowledge resources for the purpose of their national heritages.

3.15 Health, Safety and Environment

3.15.1. Policy Issues

i. Lack of policy and legal frameworks on e-waste;
ii. High cost of e-waste management;
iii. Limited application of ICTs to minimize environmental degradation and manage natural disasters;
iv. Limited use of ICT in providing solutions for mitigating climate change.

3.15.2. Policy Objectives

i. Established policy and regulation on e-waste;
ii. Established ICT mechanism for environment management.

3.15.3. Policy statement

i. Member States to put in place policy and legal frameworks on e-waste;
ii. Member States to put in place strategies for management of e-waste;
iii. Member States to establish systems using ICTs to provide solutions to mitigate climate change and monitor natural and manmade disasters.

3.16 Cyber Security

3.16.1 Policy Issues

i. Inadequate capacity to address cyber-security threats and incidents;
ii. Limited awareness among ICT users on cyber-security;
iii. Limited collaboration between countries on cyber-security;
iv. Limited national institutional/sector collaboration on cyber-security.

3.16.2 Policy Objectives

i. Established regular fora for cyber-security evaluations;
ii. Establishment of CERT (Computer Emergency Response Team) nationally and regionally.

3.16.3 Policy statement

i. Member States to establish adequate policy and legal frameworks to deal with cyber-security;
ii. Member States to promote information sharing/awareness on cyber-security;
iii. Member States to establish mechanisms for Regional and International cooperation on cyber-security;
iv. Member States put in place mechanism for cooperation amongst national institutions dealing with cyber-security.

4.0 POLICY IMPLEMENTATION, MONITORING AND EVALUATION

In order to effectively coordinate and harmonize efforts and activities undertaken by many institutions in different locations, there is a need to put in place an all-encompassing mechanism which will ensure that the policy is regularly updated (i.e. from time to time), and that implementation strategies and plans are drawn and carried out in the most efficient and effective manner. The final goal should be the deployment of ICT in all sectors of the economy and to all communities in the EAC.

The implementation, monitoring and evaluation of this policy and achievement of its goals and objectives will be the responsibility of:
1. Governments;
2. National Regulatory Authorities (NRAs);
3. Operators;
4. Other stakeholder institutions i.e. Consumer bodies, Higher Learning Institutions, NGOs, R&D Institutions;
5. Individuals.