

## No Easy Reprieve for Africa's Bandwidth Woes

**Cable now delayed by three years: from earlier projected operational date of June 2005, it is now uncertain whether it can come on stream before late 2008.**

By CIPESAFOCUS Writers

The fallout between telecom operators and the New Partnership for African Development (NEPAD's) eAfrica Commission continues to deepen, with latest wrangles prompting the Commission to change the name of the region's premier fibre cable.

South African officials have said they are abandoning the name East African Submarine Cable System (EASSy), under which the initiative has been promoted since 2002, to The Nepad Broadband Infrastructure Network (NBIN). Telecom operators, who originated the idea of EASSy, have recently told the Commission to find its own name (see interview on page 3).

It is anticipated that late 2008 is the earliest the cable that will link the eastern coast of Africa to

the international fibre optic system could get operational. That is three years from the finish date of June 2005 the initiators of EASSy had anticipated in November 2002. Earlier in 2006, projections were that the project would become commercially operational in the second quarter of 2007, but once NEPAD effectively took over the driver's seat from telecom operators, a new completion date of first quarter of 2008 was given.

Donald Nyakairu, chair of the finance committee of EASSy Memorandum of Understanding (MoU) signatories, told CIPESAFOCUS that

the name 'EASSy' was their baby and they did not expect the Commission to use it.

Separately, Dr Edmund Katiti, the Commission's Policy and Regulatory Affairs Advisor, said in an interview with CIPESA that EASSy was adopted and incorporated into the ICT Broadband Infrastructure Network for Eastern & Southern Africa, developed by stakeholders in June 2004, and was a key component of that network. In November 2004, that network was adopted

by the NEPAD Heads of State and Government Implementation Committee as a NEPAD flagship project.

"In this context, The NEPAD e-Africa Commission, acting within its mandate as NEPAD's task team for the ICT sector, is coordinating efforts of the governments of Eastern and Southern Africa to put in place a policy and regulatory framework under which this regional ICT broadband

infrastructure network should be built," he said.

Ivy Matsepe-Casaburri, South Africa's Communications minister, was quoted by 'ITWeb' as having told parliament on February 20 that NBIN would provide a number of landlocked African countries, mainly on the eastern side of the continent, with access to two broadband networks. One would run as backbone from South Africa through Botswana, Zimbabwe, Zambia, Malawi and Uganda to terminate in Kigali, Rwanda. The second was an undersea cable that would run up Africa's east coast and land in Kenya.

**Continued on page 3**

## SADC Parliamentarians embrace ICT

By Anthony Mugeere

Southern African Development Community (SADC) legislators have recommended the establishment of a Parliamentary Forum ICT policy and strategy to guide the development and adoption of ICT at the regional level.

The development, widely seen as a move to harness and promote effective use of ICT in legislative assemblies, was adopted following a three-day workshop in Johannesburg, South Africa, in February 2007.

The workshop, attended by legislators and parliamentary staff from 12 SADC countries,

**Continued on page 2**



*Bene M'poko, DRC High Commissioner to South Africa (centre) with NEPAD officials Dr Henry Chasia (l) and Dr Katiti as Congo endorsed the NIBN protocol.*

### CONTENTS:

- Page 2:  
• Editorial: Go slow on unilateral cables
- Page 3:  
• Governing body charts EASSy way forward
- Page 4:  
• NEPAD shouldn't grab EASSy from us - Operators
- Calendar of Events

## EDITORIAL

### Go slow on unilateral cables

The debate about alleviating Africa's extensive bandwidth problems has become an endless one, but little is being done in practical terms to arrest this situation. The eastern coast of Africa, which lacks access to the international optic fibre system, continues to pay exorbitantly for bandwidth that is less efficient and less reliable than what fibre would offer. Yet bickering continues among governments and entities that were supposed to implement the landmark East African Submarine Cable System (EASSy).

EASSy promises to help alleviate the region's bandwidth troubles, especially if it is run along Open Access principles that allow as many entities as possible to hook onto its fibre at non-discriminatory prices. As it is, wrangles between South Africa and Kenya, and between telecom operators and the eAfrica Commission of the New Partnership for African Development (NEPAD), threaten to scuttle this dream. So far, these disputes have delayed the start date of the cable's construction. While at the time of its proposition in 2002 it was envisaged that EASSy would be completed in mid 2005, it remains unclear when the cable's groundbreaking will take place and the current finish date of early 2008 appears highly untenable.

Delays in actualising EASSy have spurred different entities to ponder unilateral marine cables. The multistakeholder and multi-country dimensions of EASSy make it a most desirable undertaking; one that provides higher promises for delivering affordable bandwidth in east and southern Africa. The unilateral efforts underway in Kenya and South Africa (and to a lesser extent in Ethiopia) may help alleviate bandwidth problems in those individual countries but they subtract from the vision of connecting African countries to each other and to the rest of the world through affordable and high quality cable.

Africa needs cheap bandwidth and it needs it fast. Self-centered and nationalistic interests should be put aside in pursuit of a regional effort to put in place this fibre. The unilateral cables that are being planned may not only fail to culminate into cheaper bandwidth, they could in fact turn out commercially unviable while at the same time affecting the viability of EASSy. The faster protagonists in this venture put aside their differences and got down to building the cable, the better for the future of African connectivity.

### IN CIPESAFOCUS next month:

- What issues is the Internet Governance Forum (IGF) missing?
  - World Bank draws a regional infrastructure plan
  - Kenya and South Africa get Second National Operators, but what will they do for these markets?
  - Latest efforts to develop regional fibre optic cables

## SADC Parliamentarians...

*Continued from page 1*

was aimed to discuss strategies of involving parliaments in building an inclusive information society in the region. The countries were Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Swaziland, Tanzania, Zambia, as well as members of the provincial legislatures in South Africa.

Sponsored by the United Nations Economic Commission for Africa (UNECA), the Africa Capacity Building Foundation, SADC Secretariat, South African ICT company GIJIMA AST and the UN Development Programme Regional Services Centre, the workshop was also attended by two MPs from the Ugandan legislature. The Collaboration on International ICT Policy for East and Southern Africa (CIPE-SA) was one of the facilitators.

In a communiqué issued at the end of the workshop, the legislators emphasised the critical

role of a dedicated structure within parliament to focus on strategising ICT for development to accelerate the attainment of the Millennium Development Goals (MDGs).

"Parliaments can play an important role in the development of national and regional e-strategies in developing appropriate and supportive legislation and securing innovative financial mechanisms. We also note the important role of legislation and enforcement in electronic economic exchange," read the communiqué.

Under the proposed strategy, the effective involvement of parliament in e-strategy processes at national and regional levels will include advocating for the development of national e-strategies, promoting information exchange and organising thematic debate fora

with ministries in charge of ICT.

Other programmes will include organising capacity building and awareness raising workshops on different ICT issues and organising study missions in countries with best practices, initiating and enacting adequate legislation in the framework of e-strategies and initiating debates on e-strategy pillars within parliaments.

The strategy also proposes the promotion of e-democracy tools such as e-governance, creation and use of communication tools such as websites linking to other parliaments' websites, and participating in e-parliament initiatives at sub-regional, continental and global levels.

"Our vision is that of creating an e-parliament through which we can promote partnership for ICT4D activities," said B. H. Lijenda, Chairperson of the Media and Communications Committee of

**"Our vision is that of creating an e-parliament through which we can promote partnership for ICT4D activities,"**

Malawi's parliament.

Participants said they would emulate Uganda's initiative to create a fully-fledged ministry of ICT and an independent ICT committee within their parliaments. "Uganda has set the pace and I am returning to ask my government to do the same," remarked a legislator from Botswana, following a presentation of the "Ugandan parliament's experience" by ICT committee chairperson, Edward Baliddawa.

In two separate presentations, CIPESA highlighted the need for legislation and enforcement of copyright and other intellectual property rights (IPR) laws; as well as commitment to the New Partnership for African Development (NEPAD) Broadband Infrastructure Network Project.

# Governing body charts EASSy way forward

The Interim Intergovernmental Assembly (I-IGA), the policy body set up to facilitate the realisation of the objectives of the EASSy protocol, met in South Africa on December 15 2006 to fast track the implementation of the NEPAD ICT Broadband Infrastructure Network for the region, of which EASSy is the flagship.

Among issues discussed were the identification of firms to carry out studies to determine the regulated return on investment, draft the shareholders' agreement and nominate shareholding entities for EASSy. "The meeting also decided to re-configure the network while providing allowances for the incorporation of other countries within the region that may opt to become part of the network in future," said Samuel Mikenga, NEPAD eAfrica Commission spokesman.

It was decided that early this year, a meeting of prospective shareholders of the Special Purpose Vehicle (SPV) that will own, develop, operate and maintain the network, be held. The next I-IGA meeting will be held in Harare, Zimbabwe in March 2007. The meeting was attended by

representatives from DR Congo, Botswana, Lesotho, Madagascar, Malawi, Mauritius, Rwanda, South Africa, Tanzania, Uganda, Zambia and Zimbabwe. Burundi attended as observer.

After this first meeting, the country representatives adopted the rules of procedure for their meetings, and elected the Interim I-IGA office bearers. Commission officials said 12 countries had signed the protocol and these constituted a contiguous terrestrial network. The ratification process was on going in some countries, and they hoped that enough countries would have ratified the protocol for it to come into force by early 2007. The protocol will come into force once 51 percent of the signatory countries have ratified it.

The NEPAD Broadband ICT infrastructure Network Protocol aims to promote and facilitate the provision of ICT broadband infrastructure to support high quality, high speed and reliable electronic communications in East and southern Africa and with the rest of the world at affordable price for end users based on open access principles.

## EASSy trudges on amidst new fears

*Continued from page 1*

It is not clear when construction of EASSy will begin, but for all its many setbacks some progress is being made towards getting it off the ground. More countries have signed the protocol that designates EASSy as an Open Access project run under NEPAD, though continuing misgivings by telecom operators mean it cannot take off yet.

On November 30, Zambia signed the NEPAD ICT Broadband Infrastructure Network Protocol to become the 12th country to endorse the principles under which EASSy is to be built, owned and managed. Peter Daka, the country's Minister of Transport and Communication, signed on behalf of his government.

The Commission said in a statement that the signing by the 12th country paved the way for fast-tracking the implementation of the Network under which the 9,900 km long EASSy cable would be built from Mtunzini in South Africa to Port Sudan in Sudan. It added that the network was scheduled to be operational in 2008 and would cost about \$300 million.

"We now have a critical mass of countries that have signed the protocol, and a contiguous territory to enable us start the planning of the construction of the NEPAD Broadband ICT Network, including the EASSy cable," said Dr Henry Chasia, head of the NEPAD e-Africa Commission.

But amidst this optimism, on January 10, 'The Monitor' newspaper quoted an official of Uganda Telecom, one of the pioneer promoters of EASSy, as saying that "the e-Africa Commission's



*Kenya's Communications Minister Mutahi Kagwe*

hijacking of the cable was unfair and opportunistic and its actions were being totally disregarded."

Donald Nyakairu, Uganda Telecom's legal counsel said: "While the Commission is busy making everybody believe that they're in charge of the project, for us we are advancing pretty fast and real construction is starting soon." He said if the Commission wanted to construct a parallel cable, then it must find its own name and stop encroaching on EASSy, which he called the intellectual property of the consortium.

It is apparently in reaction to such sentiments that the Commission decided on a name change. The implications on which countries and entities sign on to NBIN, and when it gets off the ground, are not clear. Also worth pondering is whether NEPAD and the operators will indeed go ahead to construct two different cables.

EASSy was handed a setback last August when 16 of the 23 supposed member states failed to sign the protocol. These countries had up to November 30 2006 to sign the protocol, though many of them have not done so up to now. The ratification of the protocol is expected to take place around June this year.

The DRC on November 26 became the 11th country to sign the EASSy protocol after Botswana, Lesotho, Madagascar, Malawi, Mauritius, Rwanda, South Africa, Tanzania, Uganda, and Zimbabwe. Botswana and Zimbabwe signed at a ceremony in Cape Town in October, while Mauritius signed in late November.

## Calendar of Events

**March 7-9 2007, Addis Ababa, Ethiopia.** Economic Commission for Africa, International Telecommunications Union, and UN Conference on Trade and Development, Regional Workshop on Information Society Measurements in Africa

**March 19-2007, Algiers, Algeria.** Regional seminar on Internet Protocol.

**March 23 -24 2007, Delhi, India.** Commonwealth Connects 2007 International e-partnership

**March 26-30 2007, Lisbon, Portugal.** ICAAN - ICAAN 28th International Public Meeting,

**March 27-29 2007, Accra, Ghana.** The African E-governance Forum 2007. "Utilising ICT for more efficient, effective and inclusive governance"; Organised by the International Events Department of the Commonwealth Telecommunications Organisation.

**May 9-11 2007, Maputo, Mozambique.** Bridging the Digital Divide by sharing knowledge, experience, lessons learnt and good practice.

**May 28-30 2007, Nairobi, Kenya.** eLearning Africa 2007: Building Infrastructures and Capacities to Reach out to the Whole of Africa.

## About CIPESA

CIPESA is one of two programmes established under the Catalysing Access to Information and Communications Technologies in Africa (CATIA) initiative and funded by the UK Department for International Development (DfID), but now is self sustaining. It aims to increase the capacity of East and Southern Africa stakeholders to participate in international ICT policy-making.

The programme focuses on stimulating discussion and policy analysis on international ICT policy issues. This is to enable African interests to be more effectively represented in international policy fora, and international policy decisions to be more effectively translated into positive outcomes in Africa. For more information see: [www.cipesa.org](http://www.cipesa.org)

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# NEPAD shouldn't grab EASSy from us - Operators

*Donald Nyakairu, Uganda Telecom's legal counsel and chairman of the EASSy finance committee set up by telecom operators who signed the EASSy memorandum of understanding (MoU), has accused the NEPAD eAfrica Commission of trying to hijack EASSy from the operators. This comes at a time when 12 countries have endorsed the NEPAD regional infrastructure plan, of which EASSy is a component, as well as uncertainty as to when construction of the cable will begin. CIPESA spoke to Mr Nyakairu about the current standoff between the operators and the Commission.*

### Excerpts:

**Q.** Who among the MoU signatories is likely to jump out of the eAfrica Commission arrangement? And how will you go about mobilising funds for constructing the cable?

**A.** I am not sure any of the MOU signatories will

gested by the eAfrica Commission and the protocol some states have signed?

**A.** We have our own financing methods which are also supported by the Development Finance Institutions (DFIs) like the International Finance Corporation, African Development Bank, Development Bank of South Africa and KFW. This is through direct investment into the system or through a Special Purpose Vehicle (SPV) which will borrow from the DFIs.

**Q.** Are you happy that the Commission continues to use the name EASSy? Now that some of the Memorandum of Understanding (MoU) signatories seem to be parting ways with the Commission, will you build your own cable and call it EASSy?

**A.** EASSy is our name which we developed in 2003. We do not expect the Commission to use it.

**Q.** Kenya and South Africa have unveiled plans to build their own links to the international fibre optic system. How will this affect EASSy? Will it not render EASSy less competitive?

**A.** If EASSy is developed, these other initiatives will not take off. Kenyan operators and South African operators are MOU Parties.

**Q.** Why is the consortium opposed to Open Access as suggested by the protocol? Do you not agree with the eAfrica Commission that the cable will deliver cheaper and more accessible bandwidth only if it is run on Open Access principles?

**A.** EASSy is based on an Open Access system through the SPV and its membership is open to licensed telecom operators who are allowed to carry international traffic.

**Q.** In this scenario, what's the best way for east and southern Africa to go about investing in marine fibre and making its bandwidth affordable, accessible, and managed to the satisfaction of various stakeholders?

**A.** EASSy makes commercial sense. All other efforts which will involve governments will take us back to the days of State control.

**Q.** Why are EASSy consortium members seem to be giving up on NEPAD's eAfrica Commission and what is your planned way forward?

**A.** We are not giving up on NEPAD. We have been [working on EASSy for a long time] and we signed an MOU amongst ourselves and contributed to the pre-development costs. We are currently over 29 operators.



Mr Nyakairu

join the eAfrica Commission arrangement. We, however, feel that the eAfrica Commission should join us to develop the project rather than reinventing the wheel.

**Q.** What are your current views on the ownership and financing mechanisms for the cable as sug-

## Verbatim

*"We wanted to avoid the club-type situation we have had with the SAT-3 undersea cable, but this did not sit well with a number of other countries and institutions." South African communications minister Ivy Matsepe-Casaburri, in remarks to parliament, February 20 2007, explaining the status of the EASSy cable.*