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PROGRESS REPORT ON **RASCOM** ORGANIZATION

271

45

I. INTRODUCTION

The Conference of African Ministers of Transport, Communications and Planning, meeting in Abuja, Nigeria from 7-8 February 1991, endorsed the report submitted by the special Conference of African Ministers Responsible for Telecommunications, which, among other things, recommended that RASCOM Project should proceed to its implementation phase in two stages, namely the transitional and operational stages. The main activities envisaged to be undertaken during the transition stage were:

- (i) Developing a modality to explain to all countries what is required from them to participate in the project and also the advantages that may obtain,
- (ii) Undertake a comprehensive, legal, technical and economic study on the possibilities of pooling domestic transponders in Africa. This shall be carried out on one hand in consultation with the African countries who lease or own these transponders for their domestic network, and on the other hand, with INTELSAT, ARABSAT and all the other satellite communication organizations;
- (iii) On the basis of the feasibility study, to formulate the setting up of a commercial satellite organization by discussing the structural, legal, financial, technical manpower and management considerations.
- (iv) To present to the Second Conference of African Ministers Responsible for Telecommunication all the elements required to enable it take appropriate decisions on the establishment of the RASCOM organization.

II. Transitional stage activities

The RASCOM transitional stage has been carried out under the supervision of the Committee of Country Experts (CCE)^{1/} created by the Conference of African Ministers Responsible for Telecommunications to supervise the activities of the RASCOM Interim Office (RIO), with ITU acting as the Executing Agency and

^{1/} The CCE is composed of the following countries: Benin (Chairman), Cameroon, Egypt, Ethiopia (Vice Chairman), Ghana, Kenya, Lesotho, Madagascar, Morocco, Nigeria, Sao Tome & Principe, Senegal, Tanzania (Rapporteur), Zaire (Rapporteur) and Zimbabwe.

the Inter-Agency Coordinating Committee (IACC)^{2/} acting in an advisory capacity. The National Coordinating Committees which were established during the feasibility study phase were maintained through the period of the transitional stage to coordinate the various activities at the national level in close collaboration with RIO.

The transitional stage was funded jointly by the ITU, UNDP, contributions from 35 African countries and savings made during the feasibility study. (See Table 1)

The transitional stage has carried out all necessary activities required for the establishment of the RASCOM organization, the main ones of which included:

- (a) Pooling of domestic satellite transponders from African countries who are currently operating systems, on leased and purchased basis, for their national network.
- (b) Preparation of the legal documents, i.e. the convention and operating agreement, of the RASCOM organization.
- (c) The setting up of management structure and manpower requirements and the financial plans of the RASCOM organization.

The Economic Commission for Africa, in collaboration the ITU, organized the second meeting of the Conference of African Ministers Responsible for Telecommunications in Abidjan, Côte d'Ivoire, from 25-27 May 1992 to consider the various reports submitted by the Interim Executive Committee. The meeting examined all the relevant issues, in particular matters concerning the pooling of transponders, the management structure, the legal instruments, and the seat of the RASCOM organization. Having discussed the above issues and other items presented to it, the Ministers adopted the reports and recommendations put to it with some amendments. The Ministers decided to create the RASCOM organization and selected Abidjan, Cote d'Ivoire from six candidate countries which offered to host the organisation as the Headquarters of the RASCOM organization.

The Conference of Ministers further endorsed the pre-operational activities of the RASCOM organization, a brief account of which is given below.

^{2/} The IACC is composed of OAU (Vice Chairman), ADB, AFCAC, ITU, PATU, UPAT, UNDP, UNESCO, and URTNA.

III. Pre-operational stage (as of 30 November 1992)

This brief report provides an updated status on the RASCOM pre-operational work programme. As evident from the report, the programme is already experiencing some delay. There is therefore need for urgent action on the part of various countries in order to avoid further delay in the programme.

A. Payment of initial investment shares

The Abidjan Ministerial Conference decided to fix the minimum amount required by RASCOM to commence operations at US\$ 2 million. According to the timetable adopted, this minimum amount should have been paid by end October 1992 in order to enable the RASCOM interim Board of Directors to meet by end November 1992. As at 30 November 1992, the total amount of investment shares paid was about US\$ 1.2 million. In view of this situation, the first meeting of the Board is therefore to be rescheduled. Since, according to the RASCOM Convention, the Board of Directors can only be convened if the minimum amount of US\$ 2 million is paid, countries who have not paid should make efforts to ensure that their payment is made soonest. The status of payment is provided in Annex 1 to this report.

TABLE 1
Status of Finance
RASCOM Transitional Stage

A. Received Contributions (in order of receipt)

No.	Date	Country	Contributions	Remarks
1	05.03.91	Benin	US\$ 10,000.00	
2	10.03.91	Burkina Faso	US\$ 10,000.00	
3	25.03.91	Cameroon	US\$ 50,000.00	
4	09.04.91	Nigeria	US\$100,000.00	
5	17.04.91	Ghana	US\$ 38,353.00	
6	25.04.91	Niger	US\$ 10,000.00	
7	30.04.91	Chad	US\$ 10,000.00	
8	08.05.91	C.A.Republic	US\$ 10,000.00	
9	17.05.91	Zimbabwe	US\$ 20,000.00	
10	27.05.91	Gambia	US\$ 10,000.00	
11	07.06.91	Uganda	US\$ 10,000.00	
12	17.06.91	Madagascar	US\$ 10,000.00	
13	11.06.91	Mali	US\$ 10,000.00	
14	26.06.91	Cote d'Ivoire	US\$ 32,625.00	
15	02.07.91	Guinea Bissau	US\$ 10,000.00	
16	08.07.91	Lesotho	US\$ 10,000.00	
17	26.07.91	Kenya	US\$ 50,000.00	
18	05.08.91	Malawi	US\$ 10,000.00	
19	16.08.91	Zambia	US\$ 10,000.00	
20	21.08.91	S.T.& Principe	US\$ 10,000.00	
21	27.08.91	Ethiopia	US\$ 10,000.00	
22	27.08.91	Tunisia	US\$ 10,000.00	
23	23.09.91	Swaziland	US\$ 10,000.00	
24	30.09.91	Congo	US\$ 10,000.00	
25	01.10.91	Egypt	US\$ 09,000.00	
26	01.10.91	Tanzania	US\$ 10,000.00	
27	09.10.91	Senegal	US\$ 15,000.00	
28	30.10.91	Mauritius	US\$ 10,000.00	
29	14.11.91	Burundi	US\$ 10,000.00	
30	21.11.91	Guinea	US\$ 10,000.00	
31	29.11.91	Cape Vert	US\$ 10,000.00	
32	27.12.91	Mozambique	US\$ 10,000.00	
33	17.01.92	Seychelles	US\$ 10,000.00	
34	02.03.92	Sudan	US\$ 10,000.00	
35	02.03.92	Togo	US\$ 10,000.00	
Total			US\$586,000.00	

B. Other contributions received

No.	Date	Source	Amount	Remarks
1	01.03.91	Savings from feasibility study	US\$357,767.00	
		UNDP	US\$200,000.00	
2	01.03.91	RMC of UNTACDA II	US\$ 30,000.00	
3	09.03.92	ITU	US\$ 90,890.77	
4				
Total			US\$678,657.77	

B. Pooling of transponders

The pooling of transponders is expected to constitute the main business of RASCOM Organization in the initial years. In order to prepare an implementation plan, countries were requested to submit by end October 1992 their updated requirements which would be used to develop the plan for implementating the pooling of transponders. However, as at 30 November 1992, only 10 countries' responses had been received (i.e. Cape Verde, Chad, Comoros, Ethiopia, Gabon, Kenya, Malawi, Sao Tome & Principe, Senegal and Sudan).

More importantly, the countries with domestic satellite systems are expected to play a key role in this activity. Only 5 out of the 19 DOMSAT countries have provided responses so far (i.e. Chad, Ethiopia, Gabon, Kenya and Sudan). Five out of the other 32 non-DOMSAT countries have provided responses on their inter-African traffic. These are Cape Verde, Comoros, Malawi, Sao Tome & Principe and Senegal.

It must be underlined that a plan for the implementation of pooling of transponders cannot be realistically prepared if appropriate information on the real requirements of countries are not available. The bottom line is that the viability of RASCOM's business may be threatened if a plan is not developed by the time the organization begins operations. In a pessimistic scenario, the capital investment shares of RASCOM would be used up in paying staff emoluments without any corresponding revenue accruing to the organization. In order to avoid this situation, all countries and in particular the DOMSAT countries should provide the necessary information required.

C. Commitment to participate in pooling exercise and RASCOM

Apart from submitting requirements for the pooling exercise, all countries were requested to express their commitments to participate in the pooling exercise. In order to achieve this, countries (Signatories) were to write a letter to INTELSAT, by end October 1992, indicating that RASCOM would be acting on their behalf on a specified number of issues. The draft of the letter which was approved by the Abidjan Ministerial Conference was again sent to all countries recently. As at 30 November 1992, only 4 countries, namely Gabon, Niger, Swaziland and Sudan have sent such letters to INTELSAT. All other countries should therefore take the necessary steps to send this letter at the soonest.

D. Signature of the legal instruments of RASCOM

Considerable progress has been made on the signature of the RASCOM legal instruments. However some problems still remain. For example, some countries are yet to clarify the situation of their signatures, whilst some are yet to sign the Operating Agreement. Efforts should therefore be made to improve this situation. The status of the signature of the RASCOM legal instruments is shown in Annex II to this report.

E. Preparation of RASCOM Headquarters

The host country has commenced activities relating to the establishment of the RASCOM Headquarters. The Project Director had prepared a comprehensive list of the logistic facilities which the host country needs to put in the place to assist the RASCOM Organization to commence its activities. This document was based on the proposal of Côte d'Ivoire to host the RASCOM Headquarters. The Project Director undertook missions to Abidjan to assist in the preparations. Whilst much progress has been achieved, a lot remains to be done in providing the facilities that should be in place. The Project Director will continue to assist the host country in their efforts to ensure that all facilities are put in place before RASCOM commences operations.

F. Other activities of the pre-operational stage

All other activities of the RASCOM pre-operational period are on course. The Project Director would be preparing a comprehensive report at the end of this phase for the information of all countries.

STATUS OF PAYMENT OF RASCOM
INITIAL INVESTMENT SHARES
(Updated: 30 November 1992)

No.	Country	Signatory	Contribution (US\$)	Remarks
1	Côte d'Ivoire	CI-TELECOM	212,028.68	Fax advice from Minister of 07.09.92 confirmation of receipt by CITIBANK 25.08.92
2	Niger	Office des postes et des télécommunications	99,162.79	Telex advice from Minister of 10.09.92 and CITIBANK confirmation 25.09.92 for payment of US\$ 50,000 by OPT. Additional payment of US\$ 49,162.79 by STIN and CITIBANK confirmation 18.11.92. Investigations being made as to the number of Signatories
3	Sudan	Sudan Telecommunications and Posts Corporation	200,000.00	Letter advice from DG of STPC and CITIBANK confirmation 24.10.92
4	Togo	Office des postes et télécommunications	49,967.74	Letter advice from DG of 30.09.92 and CITIBANK confirmation 16.10.92
5	Gabon	Office des posts et des télécommunications	99,944.78	Confirmation from BICICI Bank 10.09.92
6	Mali	Société des télécommunications du Mali (SOTELMA)	100,000.00	CITIBANK confirmation 04.09.92
7	Swaziland	Posts and Telecommunications Corporations Corporation	50,000.00	CITIBANK Confirmation 16.09.92
8	Cape Verde	Entreprise publique des postes et télécommunications	50,000.00	CITIBANK confirmation 01.10.92
9	Burkina Faso	Office national des télécommunications	See Remarks	38,850,000 FCFA (approximately US\$ 150,000) paid to BICICI on 21.10.92. However, all RASCOM initial investment shares must be paid only in US\$. Investigations being made as to possibility of converting amount to US\$
10	Benin	Office des postes et télécommunications	198,141.26	CITIBANK confirmation 12.11.92
11	CAR	Société centrafricaine de télécommunications (SOCATEL)	50,000.00	SGBCI confirmation 04.11.92
Total			US\$ 1,109,245.26 + FCFA 38,850,000	

STATUS OF SIGNATURES OF RASCOM LEGAL INSTRUMENTS

The Convention and the Operating Agreement relating to the RASCOM Organization were opened for signature in Abidjan on 27 May 1992. This report presents an updated status of the signatures of both legal documents. The report is valid as at the date mentioned above.

A. RATIFICATION/ACCEPTANCE/APPROVAL

The following countries have completed the legal procedures for becoming a full member of RASCOM:

1. Côte d'Ivoire
2. Togo

Côte d'Ivoire has indicated that the signature of the Convention is not subject to ratification and the Government of Togo has ratified the signature of the Convention.

B. SIGNATURE OF CONVENTION (subject to ratification) and OPERATING AGREEMENT

The following countries have duly and appropriately signed the RASCOM Convention and the Operating Agreement. The signature of the Convention in each case is subject to ratification/acceptance/approval. The countries have been reminded to accelerate the process of ratification:

- | | |
|-----------------------------|----------------|
| 1. Benin | 14. Guniee |
| 2. Burkina Faso | 15. Kenya |
| 3. Burundi | 16. Liberia |
| 4. Cameroon | 17. Libya |
| 5. Cap Vert | 18. Malawi |
| 6. Central African Republic | 19. Mauritania |
| 7. Chad | 20. Mozambique |
| 8. Comoros | 21. Niger |
| 9. Congo | 22. Sudan |
| 10. Egypt | 23. Tunisia |
| 11. Ethiopia | 24. Zaire |
| 12. Gabon | 25. Zimbabwe |
| 13. Ghana | |

Note: In accordance with Article XXIII (f) of the Convention, the RASCOM Convention and Operating Agreement provisionally entered into force on 27 May 1992 when at least 10 States Parties met the necessary conditions as stipulated.

C. SIGNATURE OF CONVENTION (condition unknown) AND OPERATING AGREEMENT

The following countries signed the Convention and the Operating Agreement. There is however no indication whether their signature of the Convention is subject to ratification or not. The countries have been requested to provide the necessary clarification as well as to accelerate the process of ratification.

1. Algeria
2. Gambia
3. Guinea Bissau
4. Mali
5. Swaziland

D. SIGNATURE OF CONVENTION (condition unknown) WITHOUT SIGNATURE OF OPERATING AGREEMENT

The following countries have signed the Convention but have not signed the Operating Agreement. The countries have been reminded that it is necessary to sign both documents in order to be a member of RASCOM. None of the countries provided indication as to whether the signature of the Convention is subject to ratification or not.

The countries have been requested to proceed to sign the Operating Agreement as well as to provide indication as to whether the signature of the Convention is subject to ratification or not.

1. Angola
2. Lesotho
3. Tanzania
4. Uganda
5. Zambia

E. SIGNATURE OF CONVENTION (subject to ratification) WITHOUT SIGNATURE OF OPERATING AGREEMENT

The following country has signed the Convention (subject to ratification) but has not signed the Operating Agreement. The countries have been reminded that it is necessary to sign both documents in order to be a member of RASCOM.

1. Senegal

Note: A representative of Senegal informed the Project Director verbally that the operating Agreement would be signed after the ratification of the Convention.

F. SIGNATURE OF CONVENTION REQUIRING VALIDATION

The following country signed the RASCOM Convention subject to ratification but the signatory's name is not contained in the list of accredited delegates authorized to sign the Convention on behalf of the State. In addition, the country did not sign the Operating Agreement.

1. Nigeria

Note: The country has been requested to validate the signature with respect to the Convention and proceed to sign the Operating Agreement.

G. SIGNATURE OF CONVENTION WITHOUT CREDENTIALS

The following country did not submit any Credentials to the Conference but signed the RASCOM Convention. The country has been requested to submit appropriate Credentials in order to ensure the validity of the signature:

1. Namibia (signed only the Convention, did not sign the Operating agreement); Namibia has been requested to proceed to sign the Operating Agreement.

H. COUNTRIES WHO HAVE NEITHER SIGNED THE CONVENTION NOR THE OPERATING AGREEMENT

The following countries have neither signed the Convention nor the Operating Agreement.

- | | |
|------------------------|------------------|
| 1. Botswana | 9. Seychelles |
| 2. Djibouti | 10. Sierra Leone |
| 3. Equatorial Guinea | 11. Somalia |
| 4. Madagascar* | |
| 5. Mauritius | |
| 6. Morocco* | |
| 7. Rwanda | |
| 8. Sao Tome & Principe | |

* Note: Madagascar and Morocco submitted Credentials to the Conference. However,

- i) by virtue of Article III of the Convention, Morocco may only join RASCOM if it applies for membership and secures approval of its application from 3/4 majority of Parties;
- ii) Madagascar did not sign any of the legal texts.