



KICTANet & DiploFoundation

Online Deliberation on the Draft ICT Bill (Kenya)

eWorkshop Report

August 25th – September 22nd 2006

Acknowledgments

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Executive Summary

Kenya ICT Action Network (KICTANet) is a multi-stakeholder Trust that aims to enhance collaboration between various Government, Private Sector, Civil Society, Academia and others interested in harnessing ICT for development.

KICTANet had earlier commissioned an ICT Bill review exercise and handed in their analysis to the Permanent Secretary, Ministry of Information and Communication in July 2006. KICTANet however felt the need to solicit for more comments on the draft ICT Bill and subsequently commissioned the Online Deliberation exercise on the ICT Bill.

In conjunction with DiploFoundation, KICTANet invited prospective eParticipants and mounted the six week Online Collaboration exercise. The total number of eParticipants was forty, and they were split into the various groups focusing on Broadcasting & Media, Information Technology, Telecommunication & Radio, Postal, Academia & Socio-Cultural and Licensing.

Despite the various challenges that included bandwidth and time constraints, several groups managed to come up with additional areas within the draft bill that needed attention. These included, but were not limited to lack of a clear provision for the management of a converged Telecommunication sector, lack of provision for an institutional framework for managing an eCommerce environment, lack of provision for the management of a national research and educational network, lack of provision for the independence of the Regulator amongst others.

Beyond the above recommendations, the Online Collaboration exercise had valuable lessons for learning. Firstly, that building virtual communities requires basic infrastructure to be in place such as sufficient bandwidth and reliable internet access. Secondly, that despite providing the reliable access, successful eParticipation requires working knowledge of the online tools such as eChats, eForums, Blogs amongst others. Finally, that even having both the access and the knowledge to use the tools, eParticipation may still not be effective - unless and until the eParticipants has a significant stake in the process in order to create the time and effort required to effectively make contributions.

Introduction

Background

The draft ICT Bill (2006) is out and open for public comment. How can comments be sought from participants who may not have had the opportunity to attend and make contributions during the various face-to-face sessions held in Nairobi? This programme was designed to capture the comments and deliberations of such participants through electronic collaboration tools.

Program Setting & Description:

The draft Info and Communication Bill (the Bill) has the following major categories:

- i) Broadcasting & Media
- ii) Information Technology
- iii) Telecommunication & Radio
- iv) Postal
- v) Academia & Socio-Cultural (implied within text)

A selected group of at least five eParticipants per category were expected to analyse the Bill over a period of four weeks and submit their findings for subsequent consideration within the Bill.

Program Design (Data Collection, Data Processing)

Data Collection:

Using various Online Tools, Information regarding the Bill was to be generated by eParticipants who will be following certain weekly tasks/activities. Typically, the following Online tools were to be used to complete these tasks:

- 1) eClassRoom Outline: Which is an electronic WhiteBoard, hosting the Bill categorised by the above five themes. eParticipants were expected to review the online content and make online comments which in turn were to be reviewed further by their peers.
- 2) eForum Discussions: Which was to be used for 'eBrainstorming' purposes on specific issues that may arise from the Classroom, Blog, or Chat environments
- 3) Online Chats: On a weekly basis, eParticipants were expected meet online to further brainstorm on the Bill in a real-time environment.
- 4) Blog: The open-space in the classroom, which was to act as a general notice-board for various issues from the Moderator and eParticipants.
- 5) eMail: The most widely used tool shall be available to ensure that all eParticipants are kept up-to-date with the all events within the portal.

Data Processing:

Each of the various Online activities was to be guided and moderated with a view to stimulate quality collaborations and contributions from the eParticipants. Their online contributions will automatically be stored by the Online Portal. More specifically, these contributions shall be eventually summarised into specific Action-items within the Bill in terms of Additions, Modification and/or Deletion of the various Clauses in the Bill.

Aim: To use Online Collaboration tools as a means of efficiently acquiring, storing, discussing and disseminating Kenya ICT Bill knowledge.

Objectives

- 1.To Review a selected set of ICT Bills, Acts, Conventions across the world
- 2.To compare and contrast the above with the Kenya ICT Bill (2006)
- 3.To identify and list the possible gaps, amendments and additions within the Kenya ICT Bill (2006)

Main Outcomes/Deliverables

- 1.Participants contributions as captured and stored within the Online Environment/Tool
- 2.Summarised ICT Bill contributions in terms of Action-Items (add, amend, delete)
- 3.Presentations of findings and experiences at the National ICT Bill Workshop

Tools

DiploFoundation Online Collaboration Tools(Online Classroom, Blog, eDiscussions, Chats, etc)

Resources.

eParticipants

Diplo Online Collaboration Tools

Internet

Kenya Info & Communication Bill (2006)

Kenya ICT Policy (2005)

Various global ICT Policies, Bills and Acts.

eWorkshop Proceedings (Week 0,1, 2, 3, 4,5)

Week 0 (By Friday 18th August 2006)

Planned Activities

- Prepare and disseminate ‘Expression of Interest’ or ‘Call for Nomination’ to various target groups and individuals.
- Receive, Process and Inform successful nominees to confirm their participation
- Issue Portal address and login credentials to confirming eParticipants

Actual Activities

The ‘Expression of Interest’ to participate in the online collaboration activity was mailed to several list servers including KICTANet, IDLELO, and AFNOG among others. Various individuals were also targeted based on how useful their experiences and practices would be to the ICT Bill discussions.

Thirty prospective eParticipants expressed interest to attend twenty were initially selected and confirmed to be willing to proceed with the exercise. Most of the eParticipants were drawn from Kenya but a few others from outside Kenya (Ref: Appendix II- eParticipant List). Those based in Kenya were informed to attend a face-to-face orientation meeting to introduce the online working platform (Portal) that they would be using.

Those based outside Kenya were informed to use the Online Tutorial to get familiar with the portal and prepare to attend the Inaugural Online Chat that was scheduled to coincide with the face-to-face training.

Week 1 (By Friday 25th Aug 2006)

Planned Activities

- Learn Textus Tool (Blog, Chat, eForum, HTML editing, etc)
- Face-to-face training
- Post Messages on Blog, eForum, eMail, Cantina
- Attend Online Meeting

Actual Activities.

Participants were given their respective login credentials and asked to connect to the portal and start getting familiar with the environment. A face-to-face session for those based in Kenya was held in Nairobi, KCCT, City Center Campus.

Eighteen (18) participants made it to 1-day, the face-to-face training session where the various components of the Online portal were introduced. In the afternoon, an inaugural Online Chat was held in which six (6) of the participants based outside Kenya managed to link up and interact with those attending the face-to-face session.

Participants were tasked to go through the uploaded documents (ICT Bills, Policies from Selected Countries) and make online comments on them, as and where appropriate.

Week 2 (By Friday 1st Sept 2006)

Planned Activities

- Split Into Respective Groups
- Review at least 3 other ICT Policies, Bills, Acts, Conventions
- Upload, Make HTML References to the above ICT documents
- Post on the eForum the summary of Key Components of these other Bills
- Review each others Postings and make queries, comments
- Attend Online Meeting

Actual Activities:

Participants were asked to re-select their preferred categories out of the major categories that made up the ICT Bill. These were namely Licensing, Broadcast & Media, Information Technology, Telecommunication, Postal and Academia, Socio-Cultural. An additional Category titled Licensing was also added. From each Category, the moderator appointed Team Leaders to assist in coordinating the contributions from the team members.

Some Categories failed to attract a sufficient number of participants such as Postal and Telecommunications and the Moderator made a decision to invite and enrol additional 'late-comer' participants.

By the end of the week, it became evident that the level of participation and interaction by way of populating the Portal was surprisingly below expectation. Most of the Team leaders had expressed concern that they were finding it difficult to get sustained contributions from their team members.

Week 3 (By Friday 8th Sept 2006)

Planned Activities

- Review Uploaded Kenya ICT Bill(Working Document)
- Make Comments on the Working Document by way of what you find as Common, Missing, Amendable or Additional Clauses.
- Review each others Postings and Categories, making further comments/queries/etc
- Post on the eForum a summary of the Key Missing, Additional and Amendable Clauses
- Review each others Postings and make queries, comments
- Attend Online Meeting

Actual Activities:

Better participation was realised this week, particularly after it was realised that Bandwidth constraints maybe hampering participation in some cases. Participants were asked to take advantage of the eForum utility which had less bandwidth constraints.

Several eDiscussions were executed on the eForum, based on the categories outlined above. Team leaders from each category made summaries of their experiences and challenges during the weekly online Meeting.

Week 4(By Friday 15th Sept 2006)**Planned Activities**

- Prepare summary Presentations on what should be considered within the Bill for your Group
- Upload Presentation for others Comments
- Attend Online Meeting

Actual Activities:

The Moderator and Team leaders continued interacting with members with a view to consolidating and summarising the various points that needed amendments within the ICT Bill. Only three groups managed to put together the summaries in time.

Week 5 (By Friday 22nd Sept 2006)**Planned Activities**

- Upload Final Submissions/Presentations for final comments.
 - Broadcasting & Media
 - Information Technology
 - Telecoms and Radio
 - Academia and Socio-Cultural Issues
- Attend Online Meeting/Closing Meeting

Actual Activities:

Three summary submissions were uploaded on the portal. These were summaries from Broadcasting & Media, Information Technology and the Telecommunication & Radio categories. A final online meeting (Closing Ceremony) was held where participants shared their experiences and the Moderator outlined the way forward - after the five week online collaboration exercise.

Evaluation & Feedback

Technical

The technical online platform was quite comprehensive. It offered effective online collaboration facilities such as Blogging, eMail, eForum, eChatting amongst others. However, access to this platform varied according to the available internet facilities at the participant's location. Most participants found that some of the tools such as the electronic HTML annotation could not be easily utilised due to the prevailing bandwidth constraints.

eParticipants

Most participants regretted that they had failed to allocate sufficient time and effort to the exercise. They acknowledged that the exercise was far more demanding than earlier anticipated. Even those who were most active realised that given more time, their level and depth of contributions would have been much better and deeper.

Moderation

Moderating a group of forty eParticipants from various countries and of varying profiles and expectations was a challenging task. It got more complicated when Internet access was many times unreliable or unavailable. In addition, the rigorous tasks of research and analysis of various Bills and Policies turned out to be more demanding than what most of the eParticipants anticipated.

Conclusion

The Online Collaboration exercise was a great opportunity to review the draft ICT Bill in collaboration with a group of eParticipants who were geographically dispersed and engaged in their normal day-to-day tasks. The Online Portal presented an excellent forum to capture diverse and varied experiences and bring these to positively influence the draft ICT Bill.

Whereas only about twelve (12) of the initial forty (40) participants were visibly active on the portal, the exercise would still be considered successful in that it did manage to disclose significant issues that needed to be reviewed within the draft ICT Bill. In addition, the exercise proved that indeed virtual communities can be formed and natured to exchange information for mutual benefit - as long as the eParticipants have a significant stake in the process in order to contribute accordingly.

Appendices:

Appendix I – Glossary of Terms

AFNOG – African Network Operator Group

Blog – an electronic notice board for posting public messages

eParticipant – a participant engaged electronically on a collaborative task

IDLELO – Zulu word for common grazing ground (OpenSource ListServer)

KICTANet- Kenya ICT Action Network

Portal – an Online environment that integrates various electronic collaboration tools

Appendix II- List of Participants

<u>FName</u>	<u>LName</u>	<u>eMail Org</u>	<u>Residence</u>	<u>Category</u>
1 Judy	Gathungu	OSIA	Kenya	Academia & Socio-Cultural Issue
2 Betty	Rotich	Vision Institute	Kenya	Academia & Socio-Cultural Issue
3 Hilda	Munyua	Knowledge Trends Ltd	NRB	Academia & Socio-Cultural Issue
4 Myra	Ohaga	Daystar Univ	NRB	Academia & Socio-Cultural Issue
5 Kenneth	Chelimo	SIDAREC	NRB	Academia & Socio-Cultural Issue
6 Jotham	Mwale	KCCT	NRB	Academia & Socio-Cultural Issue
7 Judy	Kimiti	KICTANet	NRB	Academia & Socio-Cultural Issue
8 Evelyne	Ofwana	KICTANet	NRB	Academia & Socio-Cultural Issue
9 Nyaki	Adeka	KICTANet	NRB	Academia & Socio-Cultural Issue
10 Susan	Wachira	American Ass. Of Retirees	Washington	Academia & Socio-Cultural Issue
11 Solomon	Omondi	African Women&Child Service	NRB	BroadCast & Media
12 Andrew	Limo	eGovt	NRB	BroadCast & Media
13 Lillian	Kimetto	eGovt	NRB	BroadCast & Media
14 Alfred	Oduor	Measure Africa	NRB	BroadCast & Media
15 Tony	Wafula	Radio Waumini	NRB	BroadCast & Media
16 Alice	Munyua	KICTANet	NRB	BroadCast & Media
17 Kevin	Ngugi	Vocanter LLC-US	Washington	BroadCast & Media
18 Kassim	Assirou	GNU/Linux	Abidjan	Information Technology
19 Andrew	Gakiria	eGovt	Kenya	Information Technology
20 Stephen	Osore	KEMRI	Kenya	Information Technology
21 Peter	Bosita	En El Consulting	Kenya	Information Technology
22 Judy	Okite	Linux Chix	Kenya	Information Technology
23 Meka	Akabuke	Private Consutant	Lagos	Information Technology
24 Maurice	Wamalwa	Private Consutant	MSA	Information Technology
25 Sam	Kamiti	Equity Bank Ltd	NRB	Information Technology
26 Lucas	Oketch	ILRI	NRB	Information Technology
27 Evans	Ikua	Linux Professional Assoc.	NRB	Information Technology
28 Harrison	Macharia	Mama Mikes	NRB	Information Technology
29 Steve	Simiyu	Capital FM	NRB	Information Technology
30 Thomas	Simiti	Private Consutant	USA	Information Technology
31 James	Nyika	Project Perfrmance-US Govt	Washington	Information Technology
32 Japheth	Odhiambo	Innovative Lawyering	Kenya	Licensing
33 Jeremy	Okonji	Innovative Lawyering	Kenya	Licensing
34 Doreen	Olembo	Innovative Lawyering	NRB	Licensing
35 Fred	Kavinguha	KCCT	NRB	Postal
36 Carl	Aniams	Telecoms Engineers	Benin	Telecommunication & Radio
37 Paul	Makobi	Adwest	Kenya	Telecommunication & Radio
39 Mwende	Njiraini	Diplo Foundation	London	Telecommunication & Radio
40 Nnena	Nwakanma	FOSSFA Chair	Abidjan	All

Appendix III- Group Submissions

Refer to Online Portal: <http://campus.diplomacy.edu/lms/ClassNav.asp?IDclass=75>

NB: Login Credentials will be provided on request.