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KENYA NATIONAL ASSEMBLY

NINTH PARLIAMENT-FIFTH SESSION

KENYAN PARLIAMENT REPRESENTATIVES TO THE PAN-
AFRICAN PARLIAMENT

REPORT ON

THE 6TH ORDINARY SESSION OF THE PAN-AFRICAN
PARLIAMENT, 13TH TO 24TH NOVEMBER, 2006,
GALLAGHER ESTATE, MIDRAND, SOUTH AFRICA

Clerk's chambers,
National Assembly,
NAIROBI

November, 2006

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1. PREFACE

Hon. Speaker Sir,

The 6th Ordinary Session of the Pan African Parliament was held from 13th to 24th of November 2006 in Gallagher, Midrand, South Africa.

The Kenyan parliamentary delegation to the session comprised: -

- i. The Hon. Wycliffe Oparanya, M.P. - leader
- ii. The Hon. Njoki Ndungu, M.P.
- iii. The Hon. Nyiva Mwendwa, M.P.
- iv. The Hon. Mwanicha Okioma, M.P.
- v. The Hon. Nicholas Kiptoo Salat, M.P.

The Hon. Nicholas Kiptoo Salat was attending the session for the first time having replaced the Hon. Abdulrahman Ali who ceased being a Member of the Pan African Parliament after he was appointed Assistant Minister.

Mr. George Gazemba served as the secretary to the delegation in place of the designated secretary Mrs. Serah Kioko who was engaged in other official duties.

Hon. Speaker Sir,

The delegation is grateful to you for entrusting it with the task of representing the National Assembly of Kenya at the session. The delegation also wishes to express gratitude to the office of the Clerk for providing technical and logistical support.

Hon. Speaker Sir,

On behalf of the delegation, it is my pleasant duty and privilege to present to the House, a report of the delegation on the proceedings of the session.


Hon. Wycliffe A. Oparanya, M.P.

Leader of Delegation

Date

16/04/07

2. ABBREVIATIONS AND ACRONYMS

AU	African Union
APRM	African Peer Review Mechanism
CPC	Canadian Parliamentary Centre
EP	European Parliament
NEPAD	New Partnership for African Development
PAP	Pan African Parliament
SADC	South African Development Community
UNFPA	United Nations Fund for Population Activities
USD	United States of America Dollars
ICT	Information in computer technology

3. LIST OF APPENDICES

- i. NEPAD reports on the status of implementation of sectoral activities and prospects;
- ii. APRM country reports;

4. EXECUTIVE SUMMARY

The 6th Ordinary Session of the Pan African Parliament was held from 13th to 24th November, 2006 in Gallagher, Midrand, in the Republic of South Africa. The session was officially opened on the 13th of November 2006 by the President of the Pan-African Parliament, the Hon. Amb. Getrude Ibengwe Mongella M.P.

Sixteen new Members from Uganda, Gabon, Chad, Namibia, Malawi, Zimbabwe, Ethiopia, Togo and Kenya (Hon. Nick Salat) took oath of office in an exercise administered by the President.

The key items on the agenda were:-

(i) Launch of the PAP Trust Fund

The PAP Trust Fund was formally launched by the retired President of the Republic of South Africa, His Excellency, Nelson Mandela on the 13th of November, 2006. His Excellency Nelson Mandela called for unquestionable good governance and transparency in administration of the fund. He also appealed to well-wishers particularly the corporate entities to support the Fund. Kenyan industrialist Mr. Manu Chandaria was among those named as trustees of the fund.

(ii) NEPAD/APRM country reports

Reports on the status and implementation of sectoral activities were presented, debated and adopted.

NEPAD report on e-Africa Commission Projects and Programmes (annexed)

The programme is mandated to manage the structured development of the ICT sector on the African continent in the context of NEPAD and to develop broad strategies and a comprehensive action plan for ICT infrastructure and use of ICT applications and services. Implementation of projects was ongoing.

The projects being undertaken are; e-Schools Satellite Network for low cost access and communications, Eastern Africa Submarine Cable System Project, Associated Broadband ICT Fibre-optic Terrestrial Network for Land-locked countries, NEPAD capacity building project for e-learning in Africa and the e-

policies and strategies projects. All African countries were to benefit from these projects.

Science and technology sector report (annexed)

The report describes the evolution of science and technology sector of NEPAD. The sector had generated new institutional arrangements and programmes for science and technology in Africa and the report was intended to enable stakeholders carefully reflect on the progress made and promote the implementation of the next plan of action.

APRM country report on Rwanda, Ghana and Kenya

APRM country report on Rwanda, Ghana and Kenya was presented, debated and adopted.

The report commends Kenya for improved economic growth over the last 3 years with a resounding GDP of 5.8 in 2005, reduction of foreign debts by 36% in 2002/2003, significant strides in production and export of horticultural products, establishment of the Constituency Development Fund (CDF), facilitation of peace process in neighbouring states, freedom in exercising of political and civil rights, efficient electoral commission, commitment to weed out corruption in the judiciary by sacking 29 Judges, free primary education and reduction of the AID prevalence rate from 13% to 7% between 1999 and 2004.

The report is however critical of Kenya for pervasive corruption, inability to address the colonial legacy and set a political agenda for real and strong unity, historical imbalances in the channelling of resources and development to certain regions of country, delay in the promulgating of a new constitution, marginalization of certain groups, under representation of women in key leadership positions, ethnic oriented political parties, high levels of poverty, lack of confidence and trust in public institutions, poor implementation of government policies and weak oversight role by Parliament.

The report recommends that Kenya should enact a new constitution acceptable to all, improve the investment climate by developing infrastructure, reducing costs of business, and combating insecurity, improve in public service delivery especially in areas of business registration and licensing, accelerate the implementation of programmes aimed at poverty alleviation such as the slum upgrading project, parliament to enact Affirmative Action Bill, National Gender

and Development Bill, Equality Bill and Domestic Violence (Family Protection) Bill, need for an invigorated Executive working with a reform oriented parliament and judiciary and transformational leadership at all levels. The report also recommends that a high-level team of eminent persons be created by the AU to facilitate a resolution on the current constitutional impasse.

The Hon John Serut Assistant Minister for Planning and National Development responded to the report on behalf of the Government of Kenya, outlining steps the government was undertaking to address the findings of the report. According to Hon Serut, a government follow up report would be ready by January 2007.

(iii) **Peace and security in Darfur in Sudan, Cote d'Ivoire, Democratic Republic of Congo, Tchad, Somalia and Western Sahara (Saharawi Republic)**

Reports on peace and security in Sudan, Cote d'Ivoire, Democratic Republic of Congo, Tchad, Somalia and Western Sahara were presented, debated and adopted. The reports attribute lack of peace and security in African states to lack of social economic justice, divided societies on the basis of religion and ethnicity, scramble for resources, lack of consistency in the administration of justice, lack of political tolerance, coups, lack of strong, accountable and democratic institutions, corruption and impunity, land issues, proliferation of small arms, election results, refusal by heads of states to hand over power, interference by foreign powers in African affairs and colonial inheritance relating to the demarcation of boundaries and boarder conflicts.

The reports made the following recommendations:-

- i. The AU Assembly should enhance the capacity of all the organs of the AU in order for them to play an effective role in conflict prevention and resolution;
- ii. All governments whose constitutions impose term limits on the tenure of Heads of States and Government should maintain such limits in order to ensure the smooth transfer of power and those without limits should endeavour to adopt such;
- iii. All AU member states should sign, respect and implement all AU instruments relating to peace, security and good governance; All parties to peace agreements should adhere

to the spirit of agreements and desist from committing acts that undermine the process;

- iv. National and regional parliaments should be firm in upholding democratic constitutional provisions and resist any attempt to amend them in pursuit of indefinite tenure of Heads of State and Government;
- v. National and Regional parliaments should make effort to ensure that countries that have not acceded to APRM to do so without delay;
- vi. The UN and the AU should take a definitive decision regarding the completion of the decolonisation agenda of the Western Sahara;
- ix. The current African and international community efforts should be intensified to ensure peace in Cote d'Ivoire, Somalia, Sudan, Chad and in the Great Lakes region.

(iv) PAP/EP co-operation

The Hon. Luisa Morgantini, a Member of the European Parliament issued a statement on the new European Strategy for Africa in the Pan African/European Parliament co-operation. She underscored the European Commission's commitment to support African nations achieve their Millennium Development Goals and the African Union's achievement of operational and institutional development.

The European Commission would provide USD 55 million for the African Union's operational and institutional development in the course of the year 2007. A substantial amount would go to parliamentary development, which is African Union's paramount institution.

(v) Audit report for the years 2004/2005 and budget for the year 2007

The audit report for the years 2004/2005 prepared by KPMG, an independent auditor was considered and adopted. The report cites the following shortcomings:-

- i. Procedure was not followed in the control and monitoring of payments for goods and services procured.

- ii. There was lack of segregation of duties during the period under review and this exposed the institution to a risk of misappropriation remaining undetected.

The budget report for the year 2007 was considered and adopted. An expenditure of USD 15 million was approved against an expenditure of USD 11.9 million for the year 2006, and the AU was expected to solely finance the budget. Arrears as at 20th November 2006 amounted to 59.4 million. The budget would be presented to the AU summit for approval in January 2007 at Addis Ababa, Ethiopia.

(vi) Migration and Development

The House considered and adopted a report on the African Common position on Migration and development prepared by Ministers responsible for migration following a meeting from 3rd to 5th April, 2006 in Algiers Algeria.

The report attributed migration to socio-economic factors such as low wages, unemployment, rural underdevelopment and political and social factors such as human rights violations, conflict and civil strife, poor quality education, poor health care, influence by friends and relatives abroad, and opportunity for better life.

The report recommended that:-

- i. Efforts by the AU Peace and Security Council on conflict prevention and a management and search for lasting solutions to armed conflicts be stepped up;
- ii. The AU should facilitate the establishment of a continental data bank on migration and mobilize financial and technical resources for managing migration;
- iii. Countries should put in place strategic frameworks for migration policies to provide guidelines on the effective management of migration. Bilateral and regional legal instruments be developed to the effect to ensure better management of migration;
- iv. The AU should facilitate and promote the strengthening of co-operation between states, regions and the international community in the area of law enforcement and information sharing on migration.

- v. The AU should facilitate the elaboration and implementation of policies that facilitate African diaspora participation in the development of African countries.

The House adjourned *sine die* on 23rd November 2006 at 3.25pm local time.

5. MANDATE

The Pan-African Parliament was established in the Protocol to the treaty establishing the African Economic Community. Article 2 of the Protocol provides:-

"Member States hereby establish a Pan-African Parliament, the composition, functions, power and organization of which shall be governed by the present protocol."

The Pan-African Parliamentarians shall represent all the peoples of Africa. The ultimate aim of the Pan-African Parliament shall be to evolve into an institution with full legislative powers, whose members are elected by universal adult suffrage. However, until such time as the Member States decide otherwise by an Amendment to the Protocol, the Pan African Parliament shall have consultative and advisory powers only.

The Pan-African Parliament's mandate and objectives in accordance with Article 3 of the Protocol is to *inter alia*:-

- a) Facilitate the effective implementation of the policies and objectives the African Union;
- b) Promote the principals of human rights and democracy in Africa;
- c) Encourage good governance, transparency and accountability in member states;
- d) Promote peace, security and stability;
- e) Facilitate Co-operation & development in Africa;
- f) Strengthen continental solidarity and build a sense of common destiny among the people of Africa.

Article 11 of the Protocol provides further that during the first term of existence, the Pan-African Parliament shall exercise advisory and consultative powers and in this regard it will *inter alia*;

- a) Examine, discuss or express an opinion on any matter, either on its own initiative or at the request of the Assembly of other policy organs and make any recommendations that it may deem fit on matters relating to respect of human rights, consolidation of democratic institutions and the culture of democracy; good governance and the rule of law;

- b) Discuss its budget and the budget of the Union and make recommendations thereon prior to its approval by the Assembly;
- c) Work towards the harmonization and co-ordination of the laws of the member states;
- d) Adopt its own rules of procedure, elect its own President and propose to the Council and the Assembly the size and nature of the support staff of the Pan African Parliament;
- e) Make recommendations aimed at contributing to the attainment of the objectives of the AU and draw attention to the challenges facing the integration process in Africa, as well as the strategies for dealing with them;

6. PROCEEDINGS OF THE 6TH ORDINARY SESSION OF THE PAN-AFRICAN PARLIAMENT

MONDAY 13TH NOVEMBER 2006

OFFICIAL OPENING

The session was officially opened by the President of PAP, the Hon. Amb. Getrude Ibengwe Mongella M.P.

REMARKS BY THE PRESIDENT

The President welcomed Members to the session. She congratulated new members for their nomination to PAP. She thanked distinguished guests who had honoured PAP's invitation to grace the occasion particularly the retired President of the Republic of South Africa, His Excellency, Nelson Mandela. Others were Vice President of the German Bundestag, Dr Sussane Kastner, Secretary General of the SADC Parliamentary Forum, Dr. Kasuka Mutukwa, Mr. Dick Toonstra from the European Parliament, Madam Farma Ba of the United Nations Fund for Population Activities (UNFPA) and the Mayor of Johannesburg, Councillor Amos Masondo.

The President was honoured to have presented to the 7th Ordinary Session of the Summit of African Heads of States a report on the operations and activities of the Pan-African Parliament from January to June 2006. The session was held in Banjui, Gambia on 1st and 2nd July, 2006. Among others, the President drew to the attention of the summit the following:-

- (i) The deliberations and recommendations of the 5th session of PAP;
- (ii) The activities of PAP according to the strategic plan 2006-2010, which had been adopted by the House;
- (iii) The challenges regarding the institutional capacity of PAP
- (iv) Progress made by PAP.

The President was pleased to report to the session the following positive steps taken towards addressing the aforementioned issues

- (i) The 2006 PAP budget of 11,968,060 USD as proposed by the House had been approved by the AU;
- (ii) Funding from AU had been considerably improved. As at the time of the session, 7.8 USD had been remitted.

The financial plan for the implementation of the PAP strategic plan for the years 2006 – 2010 had been completed. The Permanent Committees had adopted work-plans with defined activities and time frames for implementation. The German Technical Foundation (GTZ), European Parliamentarians for Africa (AWEPA) and the United Nation's Department of Economic and Social Affairs (UNDESA) had been instrumental in the formulation and implementation of the strategic plan. This was through provision of financial and technical support.

The staff recruitment was also an issue requiring the session's attendance. There was need for adequate and efficient staff at PAP secretariat. Since the 5th Session, 39 out of the 94 budgeted for permanent staff had been recruited. More staff would be recruited before the end of the year depending on fund remittance from the AU.

ADMINISTRATION OF OATH

The President administered oath of office to the following new Members:-

Uganda

The Hon. Mary Rutamwebwa Mugenyi, M.P.
The Hon. Bartile Toskin Johnson Toskin, M.P.
The Hon. Edward Ndawula Kaweesi, M.P.
The Hon. Sam Kalega Njuba, M.P.
The Hon. Abrhams Peter Lokii, M.P.

Gabon

The Hon. Pascal Desire Missongo, M.P.

Chad

The Hon. Kebzago Saleh, M.P.

Namibia

The Hon. Hage G. Geingob, M.P.

Malawi

The Hon. Gondwe Loveness, M.P.
The Hon. Dafter Trifona, M.P.

Kenya

The Hon. Nicholas Kiptoo Salat, M.P.

Zimbabwe

The Hon. Mahere Sheila Chipppo, M.P.

Ethiopia

The Hon. Netsanet Asfaw, M.P.
The Hon. Aneb Abdulkadir, M.P.
The Hon. Gebru Gebrumariam, M.P.

Togo

The Hon. Butchassi Baloukina Eza, M.P.

BUSINESS (STATEMENTS AND MESSAGES)

After the administration of oath, the President introduced some of the Trustees of PAP present. They included Kenyan industrialist Mr. Manu Chandaria and Dr. Manu Phosa from the Republic of South Africa. The President then gave the invited dignitaries the floor to deliver messages.

DR. SUSANNE KASTNER, VICE PRESIDENT OF THE GERMAN BUNDESLIGA

She commended leaders of Africa for illustrating to the world that Africa as a continent was committed to forging its path in its integration with the international community. She pointed out the NEPAD initiative and the creation of the AU as means of achieving improved integration with the international community. Africa had for the first time in history confidently asserted its claim to create its own future and to exploit for itself the vast stores of natural resources, which was fundamental for the continent's achievement of political, economic and social development.

She commended PAP on the progress made so far in achieving its objectives. PAP as an organ of the AU and its association with

national parliaments was fulfilling an important and increasingly significant function. It was important that PAP becomes a parliament with unlimited legislative capacity and financial autonomy.

Germany was keen to support the process of African integration. The German Federal Ministry for Economic Co-operation would be making contribution to the PAP Trust Fund before the end of the year. There would be increased funding to PAP next year when Germany assumes the chairmanship of the G8 summit.

MR. AMOS MASONDO, MAYOR OF JOHANNESBURG

Mr. Amos Masondo, the Mayor of Johannesburg on behalf of the people of Johannesburg saluted PAP for the excellent work it was doing in pursuance of its objectives. He thanked PAP for choosing Johannesburg as its location. The people of Johannesburg remained inspired by PAP and AU.

MR. DICK TOORNSTRA (EUROPEAN PARLIAMENT)

He congratulated PAP for launching a Trust Fund, which was a long-term vision for Africa's political development. He was of the view that the fund would lead to the financial autonomy of PAP, which was the desire of all legislatures. He was optimistic that the international community of donors would support the fund.

He recognized the tremendous progress made by PAP under the leadership of the current president and hoped that cooperation between PAP and EP would grow stronger in the years to come. He was confident that PAP's 5-year strategic plan would create base for a strong legislature, which was key in strengthening democracy.

The EP was fully aware of some of the setbacks of external funding for Parliamentary support and development. There were stringent conditions attached to external funding and some of the funds disbursed were misappropriated. The EP was working on a new policy to address the situation.

THE HON. MAURIL BELANGER, CO-CHAIR OF THE CANADA AFRICA PARLIAMENTARY ASSOCIATION

CAPA was committed to strengthening parliaments in Africa for the purposes of achieving democracy. In this regard, CAPA had facilitated training for four PAP officers in Ottawa, Canada. In

September 2006, the Canadian Speaker, Hon. Peter Milken visited PAP accompanied by four whips of parties represented in the Canadian House of Commons. In early November 2006, PAP officers from the Serjeant-at-Arms department underwent attachment at the Canadian Parliament courtesy of the Canada Africa Parliamentary Association.

A week before to this session, (CPC) an independent Non Governmental Organization in Canada hosted 12 parliamentarians from different African countries for one week to share and exchange ideas with Canadian parliamentarians on the relationship of parliamentarians with the media. The Hon. Mauril Belanger assured PAP of the Canadian Parliament support in the development of its strategic plan.

MADAM FAMMA BA REGIONAL DIRECTOR, UNFPA

UNFPA had been collaborating closely with African parliaments. Such collaboration had seen enactment of legislation on various subjects in some countries. Among the subjects were; reproductive health, family planning, child abuse, elimination of harmful traditional practices and HIV/AIDS. While the laws had been enacted, their enforcement remained a major challenge to many African countries. In response to this finding, Speakers of African Parliaments at a meeting in 2005 in N'djamena, Mali recommitted themselves to promote the acceleration of implementation of legislation geared towards the achievement of the Millennium Development Goals.

UNFPA expressed its support to PAP's continued efforts to improve the welfare of the people of Africa and to accelerate the implementation of the programme of action of the International Conference of Population and Development and also the Millennium Development Goals. In this regard UNFPA pledged 50,000 USD for the development of PAP's technical and institutional capacity.

MR. ALESSANDRO CEVESE (ITALIAN CHAMBER OF DEPUTIES)

Mr. Alessandro Cevese read a message on behalf of the Speaker of the Italian Chamber of Deputies.

The Italian Chamber of Deputies had been following the progress of PAP from the onset and appreciated the developments that had taken place so far. Indeed the people of Africa needed such an

authoritative legislative forum at continental level as a means of enhancing integration.

The Chamber was proud to have engaged PAP in a number of information and communication technology projects with the most significant one being the Global Centre for ICT in Parliament. The project was being sponsored by the United Nations and the Inter-Parliamentary Union.

LAUNCH OF THE PAP TRUST FUND BY HIS EXCELLENCY NELSON MANDELA, RETIRED PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

His Excellency Nelson Mandela, Retired President of the Republic of South Africa addressed the House and formally launched the PAP Trust Fund.

REMARKS BY HIS EXCELLENCY NELSON MANDELA

The Hon. Nelson Mandela was delighted to have been invited to attend the opening of the session and particularly to launch the PAP Trust fund. He congratulated all countries that had ratified the protocol establishing PAP and appealed to those which had not to follow suit.

His Excellency Nelson Mandela cited illiteracy, unemployment, lack of shelter and clean water and HIV/AIDS as some the impediments to Africa's economic development and was of the view that PAP would be instrumental in facilitating the arrest of the situation and making Africa a better continent to live.

His Excellency Mandela strongly supported the establishment of PAP Trust Fund and called for unquestionable good governance and transparency in administration of the fund. He invited donors particularly the corporate world to support the fund. He accepted a request from the PAP president to become an honorary member of the Fund.

TUESDAY, 14TH NOVEMBER, 2006

PRESENTATION AND DEBATE ON (NEPAD) REPORTS ON THE STATUS OF IMPLEMENTATION OF SECTORAL ACTIVITIES AND PROSPECTS

The House debated two NEPAD reports on the status of implementation of Sectoral activities presented by Firmino Mucavele, Executive Head of the NEPAD secretariat. The reports were:-

- (i) Report on e-Africa Commission Projects and Programmes.
- (ii) Report on science and technology sector

Report on e-Africa Commission Projects and Programmes (annexed)

The priority projects are essentially focussed on the development of adequate ICT infrastructure in the continent and the development of ICT, skills and capacity among'st the people. The projects are:-

- (i) The NEPAD e-schools initiative;
- (ii) The NEPAD e-schools Satellite Network Project for low cost access and communication;
- (iii) The Eastern Africa Submarine Cable System Project (EASSy)
- (iv) The Associated Broadband ICT Fibre-optic terrestrial Network for landlocked African countries;
- (v) The NEPAD capacity building project for e-learning in Africa (based on the Africa Virtual university); and
- (vi) The e-policies and strategies projects.

All African countries were set to benefit from these projects.

Report on science and technology sector (annexed)

The science and technology sector report focuses on the evolution of the NEPAD's science and technology sector. The project had generated new institutional arrangements and programmes for science and technology in Africa and was intended to enable the AU and other stakeholders to reflect on the progress made and take measures to institutionalise the African Ministerial Council on Science and technology.

PRESENTATION AND DEBATE ON AFRICAN PEER REVIEW MECHANISM (APRM) COUNTRY REPORTS (annexed)

Dr. Bernard Kouassi, an Executive Director of APRM at the NEPAD secretariat, presented to the House APRM country report on Ghana, Rwanda and Kenya. APRM is an evaluation process voluntarily acceded to by 25 member states of the AU. Through the process, member states are subjected to assessment on political and governance issues by the AU.

Dr. Graca Machel led an 18-member team on a fact-finding tour of Kenya from 3rd to 14th October, 2005. The team collected views from stakeholders in all the country's eight provinces.

The report commends Kenya for improved economic growth over the last 3 years with a resounding GDP of 5.8 in 2005, reduction of foreign debts by 36% in 2002/2003, significant strides in production and export of horticultural products, establishment of the Constituency Development Fund (CDF), facilitation of peace process in neighbouring states, freedom in exercising political and civil rights, efficient electoral commission, commitment to weed out corruption in the judiciary by suspending 29 Judges, free primary education and reduction of the AID prevalence rate from 13% to 7% between 1999 and 2004, among others.

The report however criticizes Kenya for:-

- (i) Pervasive corruption;
- (ii) Delay in enacting a new constitution acceptable to all Kenyans;
- (iii) Inability to address the colonial legacy and set a political agenda for real and strong national unity;
- (iv) Historical imbalances in the channelling and distribution of resources;
- (v) Under representation of women in key positions of leadership in the government and private sector;
- (vi) Marginalization of certain groups;
- (vii) Ethnic based political parties and voting on tribal lines;
- (viii) Lack of confidence and trust in public institutions;
- (ix) High poverty levels.

The APRM country reports were debated concurrently with the reports on status of implementation of sectoral activities and projects.

WEDNESDAY, 15TH NOVEMBER, 2006

DEBATE ON (NEPAD) REPORTS ON THE STATUS OF IMPLEMENTATION OF SECTORAL ACTIVITIES AND PROSPECTS AND APRM COUNTRY REPORTS

Debate on the two NEPAD reports on the status of implementation of sectoral activities and projects and APRM country reports resumed.

The Hon. John Serut Assistant Minister for Planning and National Development addressed the House on behalf of the Government of Kenya with regard to the APRM's findings on Kenya. He outlined steps Kenya had taken or was taking to address the findings. Notably among them were:-

- (i) The Government of Kenya had established the Kenya Anti-Corruption Commission (KACC) and the Special Anti-Corruption Courts, enacted the Public Officer's Act and the Anti-Corruption and Economic Crimes Act and strengthened the National Audit Office in the war against corruption and the results were positive. A National Anti-Corruption Conference was held on 30th May, 2006 in Nairobi where a National Anti-Corruption plan was adopted.
- (ii) There were ongoing consultative talks between the government and political parties and other stakeholders on the enactment of a new constitution before the general elections in December 2007. In this regard, a committee comprising stakeholders had been formed to agree on modalities of enacting a new constitution before the December 2007 general elections. Proceedings of the committee had been positive.
- (iii) The President of the Republic of Kenya had issued a directive that women constitute one third of any committee or commission formed in Kenya as one way of addressing the issue of gender imbalance.

Out of the three countries assessed by APRM, Kenya was the only country to send a Government Official to respond to APRM's report and the president commended Kenya for attaching seriousness to PAP's proceedings. The Hon. Serut told the House that Kenya was making a follow up on the report's findings pursuant to recommendations therein and a comprehensive report would be out by January 2007.

Debate on all the NEPAD and APRM reports was concluded and all the reports adopted.

THURSDAY, 16TH NOVEMBER, 2006

PRESENTATIONS AND DEBATE ON PEACE AND SECURITY IN AFRICA

The chairperson of the Permanent Committee on Co-operation, International Relations and Conflict Resolution presented to the House

reports on Peace and Security in Africa. The reports focused on Darfur in Southern Sudan, Cote D' Ivoire, Democratic Republic of Congo, Tchad, Somalia and Western Sahara (Saharawi Republic).

The reports attributed lack of peace and security in Africa to lack of social economic justice, divided societies on the basis of religion and ethnicity, scramble for resources, lack of consistency in the administration of justice, lack of political tolerance, coups, lack of strong, accountable and democratic institutions, corruption and impunity, land issues, proliferation of small arms, general elections results, clinging to power by Heads of State, interference by foreign powers and boarder conflicts.

The reports recommended as follows:-

- (i) The AU Assembly should enhance the capacity of all the organs of the AU in order for them to play an effective role in conflict prevention and resolution;
- (ii) That all governments whose constitutions impose term limits on the tenure of Heads of States and Government should maintain such limits in order to ensure the smooth transfer of power and those without limits should endeavour to adopt such;
- (iii) All AU member states should sign, respect and implement all AU instruments relating to peace, security and good governance; All parties to peace agreements should adhere to the spirit of agreements and desist from committing acts that undermine the process;
- (iv) National and Regional parliaments should be firm in upholding democratic constitutional provisions and resist any attempt to amend them in pursuit of indefinite tenure of Heads of State and Government;
- (v) National and Regional parliaments should make effort to ensure that countries that have not acceded to the APRM to do so without delay;
- (vi) The UN and the AU should take a definitive decision regarding the completion of the decolonisation agenda of the Western Sahara;
- (v) The current African and international community efforts should be intensified to ensure peace in Cote d'ivoire, Somalia, Sudan, Chad and in the Great Lakes region.

FRIDAY, NOVEMBER 17, 2006

PAP/EP CO-OPERATION

The Hon. Luisa Morgantini, a Member of the European Parliament delivered a statement on the New European Strategy for Africa on behalf of the EP.

REMARKS BY HON. LUISA MORGANTINI

She was representing the EP in its fourth consecutive representation at PAP sessions. She informed the House that the PAP President the Hon. Amb. Gertrude Mongella had been invited by the EP to its December sitting in Brussels where she will address the session.

The European Strategy for Africa was established by the EU in the year 2005. The purpose for the establishment of the strategy was to give the EU a comprehensive, integrated and long-term framework for a viable relationship with Africa in order to support Africa achieve its Millennium Development Goals.

In order to achieve its objectives, the strategy intends to strengthen new support in areas considered as pre-requisite in attainment of Millennium Development Goals. This will be by increasing funding and the targeted areas are peace, security and good governance. The strategy would support the economic growth of African states by enacting rules and regulations favouring trade between Europe and Africa. The strategy would also address the issues of social cohesion and environmental sustainability as factors for Africa's economic growth.

The European Commission would provide USD 55 million for the African Union's operational and institutional development in the course of the year 2007. A substantial amount would go to parliamentary development, which is African Union's key institution.

MONDAY, 20TH NOVEMBER, 2006

PRESENTATION, DEBATE AND ADOPTION OF THE 2004/2005 AUDIT REPORT AND 2007 BUDGET

The audit report for the years 2004/2005 prepared by KPMG, an independent auditor was considered and adopted. The report cited the following shortcomings:-

- i. Procedure was not followed in the control and monitoring of payments for goods and services procured.
- ii. There was lack of segregation of duties during the period under review and this exposed the institution to a risk of misappropriation remaining undetected.

The House debated and adopted the 2007 budget presented by the Hon. Wycliffe Oparanya, the Chairperson of Permanent Committee on Monetary and Financial Affairs. The total budget approved was USD 15 million against a budget of USD 11.9 million for the year 2006 and the AU was expected to be the sole financer of the budget. The budget would be presented to the AU summit for approval during the January 2007 sitting in Addis Ababa, Ethiopia.

The House was however concerned by the default of some member states in making their contributions. As at 20th November 2006, some member states were in arrears to the tune of USD 59.4 which is 85% of the AU Commission and PAP annual budget combined.

TUESDAY, NOVEMBER 21, 2006

PRESENTATION AND DEBATE ON DYNAMICS AND RAMIFICATIONS OF MIGRATION

The House debated on the need for focussed attention on the dynamics and ramifications of migration with reference to returnees, the internally displaced and refugees. Out of the world's 150 million migrants, an estimated 50 million were Africans. This was certainly an issue of concern to the PAP and AU.

The House attributed migration to socio-economic factors such as low wages, unemployment, rural underdevelopment and political and social factors such as human rights violations, conflict and civil strife, poor quality education, poor health care, influence by friends and relatives to join them abroad, and opportunity for better life.

The House was informed that though migration was advantageous to the destination states, particularly in terms of brain drain, there were instances where serious adverse effects to national security of countries of destination were being felt because of arms infiltration by the immigrants. Kenya was an example.

The House considered and adopted a report on the African Common position on Migration and development prepared by Ministers responsible for migration following a meeting from 3rd to 5th April, 2006 in Algiers Algeria.

The report recommended that:-

- i. Efforts by the AU Peace and Security Council on conflict prevention and a management and search for lasting solutions to armed conflicts be stepped up;
- ii. The AU should facilitate the establishment of a continental data bank on migration and mobilize financial and technical resources for managing migration;
- iii. Countries should put in place strategic frameworks for migration policies to provide guidelines on the effective management of migration. Bilateral and regional legal instruments be developed to ensure better management of migration;
- iv. The AU should facilitate and promote the strengthening of co-operation between states, regions and the international community in the area of law enforcement and information sharing on migration.
- v. The AU should facilitate the elaboration and implementation of policies that facilitate African diaspora participation in the development of African countries.

The debate on dynamics and ramifications migration had been allocated two days but was concluded on the first allotted day.

WEDNESDAY, 22ND NOVEMBER, 2006

CONSIDERATION AND ADOPTION OF ACTIVITY REPORTS OF PERMANENT COMMITTEES

In accordance with the adopted agenda, this item was scheduled for Thursday, 23rd November, 2006 but had to be debated a day earlier on account of early conclusion of the preceding item on the agenda.

The House considered and adopted activity reports of the following Permanent Committees:-

- (i) Committee on Rules, Privileges and discipline;
- (ii) Committee on Education, Culture, Tourism and Human Resource;
- (iii) Committee on Justice and Human Rights;
- (iv) Committee on Gender, Family, Youth and People with disability;
- (v) Committee on Health, Labour and Social Affairs;
- (vi) Committee on Transport, Industry, Communication, Energy, Science and Technology;
- (vii) Committee on Co-operation, International Relations and Conflict Resolution; and
- (viii) Committee on Rural Economy, Agriculture and Natural Resources.

THURSDAY, 23RD NOVEMBER, 2006

RECOMMENDATIONS AND RESOLUTIONS

The House considered and adopted recommendations and resolutions of Permanent Committees arising from the activity reports tabled.

1. COMMITTEE ON RURAL ECONOMY, AGRICULTURE AND NATURAL RESOURCES

Resolution on the dumping of hazardous products and toxic wastes in Africa

The House considered and adopted the committee's resolution that the Committee sends a team to Cote d' Ivoire to fact find on the resultant impact of dumping of toxic wastes on the environment and in general, natural resources and human beings.

In spite of pending court case over the subject in a Court d' Ivoire court, the House was of the view the rule of sub judice would not apply to the committee's fact finding mission.

2. COMMITTEE ON JUSTICE AND HUMAN RIGHTS

Recommendations on conflict between Israel and Palestine

The House considered and adopted the following recommendations:-

- (i) That Israel stops immediately its aggression against the Palestine people;
- (ii) That Israeli breaks down the abominable wall which impacts severely and affects not only the livelihood of the Palestinian people but also on dignity of peace loving people of Israel population and the world at large;
- (iii) That the United Nations should take seriously the implementation of a just solution and respect the legal rights of Palestines to establish a sovereign state in Palestine;
- (iv) That PAP sends a fact-finding team to the Palestinian territory to consider the miserable conditions and the sufferings of the Palestinians and to prepare a report to be submitted to the AU and PAP.

Recommendation on conflict between Israel and Lebanon

The House considered and adopted the committee's following recommendations:-

- (i) That the warring parties should respect a ceasefire signed in line with a UN Security Council resolution on ceasefire between the two countries;
- (ii) That Israel should put to an end the violation of the Lebanese airspace;
- (iii) That Israeli should refrain from using cluster bombs and uranium weapons in its war against the Lebanese people and the UN authorities should help remove from Lebanon the mines and cluster bombs, which target individuals.
- (iv) That the International community should help reconstruct Lebanon infrastructure destroyed by Israel.

Recommendations on Commission on Human and People's Rights report concerning human rights in Africa

The House considered and adopted the following recommendations:-

- (i) That the gesture of co-operation between the Commission, PAP and AU should be enhanced and relations strengthened with all organs dealing with human rights, especially with the Council for Peace and Security in Africa; and
- (ii) That AU should seriously consider the financial difficulties experienced by the Commission and provide adequate funding to enable it be more effective.

Recommendation on Justice and Human Rights Office

The House considered and adopted a recommendation that the Bureau creates a post for a full time human rights desk officer at PAP.

Recommendation on human rights violations in Western Sahara

The House considered and adopted the committee's recommendation that PAP deliberates on the subject during the 7th session.

3. COMMITTEE ON TRADE, CUSTOMS AND IMMIGRATION

Recommendations on migration as a phenomenon

The House considered and adopted the following recommendations:-

- (i) That the practice of good governance should be deepened in all African countries in order to avoid war, conflict and civil strife which are the major contributors of migration;
- (ii) That African continents should address the challenges of economic development and human security;
- (iii) That a decade of international migration and development, 2007 to 2017 that was brought to the attention of the head of states at AU summit in Gambia this year be endorsed;

- (iv) A data bank in both the receiving and sending states be created to facilitate management of migrant flows;
- (v) That investment should be encouraged throughout the continent to create employment and rapid growth of economic infrastructure;
- (vi) That African governments should be encouraged to enter into global agreements for the treatment of migrants;
- (vii) The adherence of states to regional and international instruments protecting migrants be promoted to ensure organization of the movement of persons as well as protection of basic human rights of migrants;
- (viii) That migration be included as regular item on PAP's agenda and reinforce collaboration with national and regional parliaments to exchange experiences, views and practices related to migration policies and programmes and to monitor follow up on relevant recommendations;
- (ix) That African governments should address in a comprehensive manner the challenges of movement of people, goods and services;
- (x) That intra-African co-operation be promoted on the fight against the exploitation of clandestine migrants and trafficking of women, children, drugs, harmful substances and weapons;
- (xi) That national and regional migration legislation be harmonized and policies be developed to maximize the positive potential for migration on development and deter negative consequences;
- (xii) That information and education campaigns be promoted to raise awareness about the gender dimension of migration amongst policy makers; and
- (xiii) That capacity building initiatives and measures be taken to strengthen national and regional institutions dealing with migration management including parliaments.

4. COMMITTEE ON TRANSPORT, INDUSTRY, COMMUNICATIONS, ENERGY, SCIENCE AND TECHNOLOGY

Recommendations on NEPAD

The House considered and adopted the following recommendations:-

- (i) That the NEPAD secretariat should undertake the popularisation of its programmes in each member country by mobilising the media and organizing seminars and conferences;
- (ii) That the NEPAD secretariat should organize a workshop for legislators to enlighten them on the NEPAD's operations and activities;
- (iii) That the PAP bureau should initiate all forms of action which can lead to the organization of a forum bringing together the African diaspora and scientists in particular to enable their participation in the development of Africa;
- (iv) That PAP and NEPAD should organize a specific schedule of meetings between them and PAP committees at national, regional and continental level;
- (v) That the Committee's members gather within the framework of their national parliaments all information relating to statistics, law texts, conventions, treaties, protocols and agreements relating to their specific governments for the purposes of building up a PAP data base on transport, industry, communication, energy and science and technology.

Recommendations on APRM's findings on Ghana, Rwanda and Kenya

The House considered and adopted the following recommendations:-

- (i) That the APRM secretariat should promote greater awareness of its activities in all African member countries for more of them to acceded to the review process;
- (ii) That the APRM secretariat should strengthen its working relationship with the PAP Bureau as well as regional and national parliaments;

- (iii) That APRM should be sensitive to specific characteristics of all countries under review when evaluation modalities are being planned;
- (iv) That the APRM secretariat should involve all stakeholders in its review processes.

5. COMMITTEE ON CO-OPERATION, INTERNATIONAL RELATIONS AND CONFLICT RESOLUTION

Recommendations on peace and security in Africa

The House considered and adopted the following recommendations:-

- (i) That the AU Assembly should enhance the capacity of all the organs of the AU in order for them to play an effective role in conflict prevention and resolution;
- (ii) That all governments whose constitutions impose term limits on the tenure of Heads of States and Government should maintain such limits in order to ensure the smooth transfer of power and those without limits should endeavour to adopt such;
- (iii) All AU member states should sign, respect and implement all AU instruments relating to peace, security and good governance, especially the declaration on the framework of the OAU Response to Unconstitutional Change of Government, the Conference on Security, Stability, Development and Cooperation in Africa and the Durban Declaration on Democracy, Good Political, Economic and Co-operate Governance;
- (iv) That National and Regional parliaments should be firm in upholding democratic constitutional provisions and resist any attempt to amend them in pursuit of indefinite tenure of Heads of State and Government;
- (v) Parties with concerns regarding politico-governance issues in Africa countries should use peaceful rather than military means to address their concerns;

- (vi) That National and Regional parliaments should make effort to ensure that countries that have not acceded to the APRM to do so without delay;
- (vii) All parties to peace agreements should adhere to the spirit of agreements and desist from committing acts that undermine the process;
- (viii) The UN and the AU should take a definitive decision regarding the completion of the decolonisation agenda of the Western Sahara;
- (ix) The current African and international community efforts should be intensified to ensure peace in Cote d'ivoire, Somalia, Sudan, Chad and in the Great Lakes region.

Recommendations on the Elections in Democratic Republic of Congo

The House considered and adopted the following recommendations:-

- (i) That all parties, leaders and people of the Democratic republic of Congo should accept results of the recently concluded elections;
- (ii) That the newly elected government should adopt an inclusive approach to governance on the basis of democracy and good political and economic governance;
- (iii) That the government and the people of the Democratic Republic of Congo should focus their efforts on building of accountable and strong state institutions in order to promote and protect the culture of democracy and good political governance; and
- (v) That the AU and member states and the international community should continue to assist the government and people of DRC in their daunting challenge of reconstruction and development.

Recommendations on peace and security in Darfur, Sudan

The House considered and adopted the following recommendations:-

- (i) That the AU Assembly of Heads of States and governments take immediate measures to put to an end the humanitarian suffering and restore peace and stability in Darfur;
- (ii) That the AU should remain engaged in monitoring the implementation of the Darfur Peace Agreement and in promoting diplomatic and peaceful means of resolving conflict;
- (iii) That the AU should ensure that parties which have not yet done so, sign and respect the Darfur Peace Agreement;
- (iv) That the AU and the UN should ensure the full implementation of a Comprehensive Peace Agreement in order to serve as an incentive to the parties to the Darfur conflict to sign and respect the Darfur Peace Agreement;
- (v) The AU and the UN should take measures to ensure that the Darfur conflict does not spill over to other countries.

Recommendations on decolonization of Saharawi Arab Democratic Republic

The House considered and adopted the following recommendations:-

- (i) That the AU should develop a stronger partnership with the UN in monitoring the implementation of various UN resolutions in relation the independence of the Saharawi Democratic Republic;
- (ii) That the AU should prevail on Morocco to respect the rights of the Saharawi people to self-determination and political independence in order to ensure the peaceful settlement of their dispute;
- (iii) That the AU should encourage POLISARIO to continue to use peaceful rather than military means in their struggle for independence;
- (iv) That the AU should protect the territorial integrity, political independence and national unity of the Saharawi people in the occupied territory;

- (v) That the AU and the UN should take measures to address the humanitarian crisis affecting the Saharawi people in the occupied territory and protect their fundamental rights; and
- (vi) The AU and the UN should declare illegal all economic activities conducted in the Saharawi Arab Democratic Republic by international and Moroccan enterprises on the basis of agreements entered into with the government.

Recommendations on peace and security Cote d' Ivoire

The House considered and adopted the following recommendations:-

- (i) That parties to the conflict should urgently implement the signed agreements. In this regard, emphasis should be placed on the AU position which calls upon the twin processes of disarmament and identification to proceed concurrently and without delay; and
- (ii) That the AU should take adequate measures to ensure that all parties to the Ivorian conflict accept the decision of the AU Peace and Security Council and desist from committing acts that could undermine the process.

Recommendations on peace and security in Somalia

The House considered and adopted the following recommendations:-

- (i) That the AU convenes an inter-Somali dialogue forum involving the Transitional Government of Somalia, the Union of Islamic Courts and various sectors of the civil society to develop a road map towards the establishment of a legitimate Government of Somalia; and
- (ii) That the AU engages in a consultative process involving states that are directly and indirectly involved with a view to ensuring that these states make a positive contribution to the peace process in Somali.

Recommendations on peace and security in Chad

The House considered and adopted the following recommendations:-

- (i) That the AU encourages and is involved in dialogue embarked upon by the people of Chad;
- (ii) That the AU takes the necessary measures to limit the effects of the Darfur conflict so as to avoid Sudanese refugee camps in Chadian territory from being used as a pretext for Janjawid incursions;
- (iii) That the people of Chad should enter into a process of national dialogue to resolve their internal political problems;
- (iv) That the AU should facilitate the convening of an Inter-Chadian Dialogue to forge a national consensus on matters pertaining to the resolution of the national discord, and to find lasting peace and good governance; and
- (v) That the AU should build upon the spirit of the Tripoli Agreement by supporting the Countries of the Sub region with a view to finding a lasting solution to the border conflicts in the area.

The House also considered and adopted the Committee's resolution to send a fact-finding mission to the Central Africa Republic to gather first hand information on the prevailing situation.

6. COMMITTEE ON EDUCATION, CULTURE, TOURISM AND HUMAN RESOURCES

The House considered and adopted the following recommendations:-

- (i) That a PAP day is organized every five years for the continent, two years for the 5 regions of the continent and each year for the AU member countries; and
- (ii) That a promotion campaign on African culture and heritage be initiated all over the continent.

The House adjourned *sine die* at 3.25pm local time.

**Science and Technology
Sector Report of the New
Partnership for Africa's
Development (NEPAD)**

SCIENCE AND TECHNOLOGY SECTOR OF THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT (NEPAD)

INTRODUCTION

This report describes the evolution of science and technology sector of the New Partnership for Africa's Development (NEPAD). It is about a process that has generated new institutional arrangements and programmes for science and technology in Africa. The report is prepared to enable AU, NEPAD, and other stakeholders to carefully reflect on the progress made and what needs to be done to institutionalize the African Ministerial Council on Science and Technology (AMCOST) and promote the implementation of its plan of action: Africa's Science and Technology Consolidated Plan of Action.

1. PROCESS AND EMERGING RECOMMENDATIONS

1.1 2001 Nairobi Roundtable

At the launch of NEPAD in October 2001 African leaders explicitly recognized that the continent's socio-economic transformation and integration into the global economy cannot be attained without investments in science, technology and innovation. They agreed that there is a need to develop NEPAD institutions and programmes for science and technology.

One of the overall objectives of NEPAD is to bridge the technological divide between Africa and the rest of the world. It calls for the formulation and implementation of measures to: "promote cross-border co-operation and connectivity by utilizing knowledge currently available in existing centres of excellence in the continent"; and "generate a critical mass of technology expertise in targeted areas that offer high growth potential, especially in biotechnology and geo-science."

In August 2001 the African Centre for Technology Studies (ACTS) and the African Technology Policy Studies Network (ATPS) jointly convened more than 30 African policy-makers and scientists in Nairobi at a 'Roundtable on Africa, Science and Technology in the Age of Globalization' to explore specific ways and means of translating the goals set in the NEPAD framework into concrete actions. The roundtable made the following recommendations:

1. A technology foresight exercise should be launched for the whole of the African continent;
2. Regional programmes for science and technology and related centres of excellence should be established in Africa;
3. A study on what constitutes centres of excellence should be conducted and used to identify institutions that would be designated as NEPAD centres of excellence;
4. There is a need to undertake an assessment of the status of scientific and technological development in Africa;

5. The OAU (now AU) should prepare and submit to the G8 Summit specific proposals on financing regional science and technology initiatives.

A small committee of senior policy-makers was set-up to take the recommendations to the AU and enlarge dialogue to include all African countries.

1.2 Science Forum at WSSD 2002

At the 2003 World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa the Department of Science and Technology of South Africa in collaboration with several international agencies organized the Science Forum. The Forum was structured as an open multi-stakeholders' dialogue on the role that science and technology play in sustainable development. Sessions were held on the role that NEPAD should play in promoting science and technology in Africa. Some of the issues and recommendations that emerged from the Forum are:

- (a) NEPAD provides a platform for building a strong African political constituency for science and technology;
- (b) There is need to develop a generic conceptual framework on centres of excellence in science and technology; and indicators or criteria for identifying such centres in Africa;
- (c) For Africa to benefit from advances in science and technology, national governments will need to increase public expenditure on R&D to at least 1% of GDP; and
- (d) There is an urgent need for African governments to design science, technology and innovation policies and related strategies.

The WSSD as a whole make specific decisions pertaining to scientific and technological development in Africa. Its Plan of Implementation calls on the international community to "[p]romote technology development, transfer and diffusion to Africa and further develop technology and knowledge available in African centres of excellence; and [s]upport African countries to develop effective science and technology institutions and research activities capable of developing and adapting to world class technologies".

1.3 First NEPAD Workshop on Science and Technology February 2003

To explore ways and means of translating these goals into concrete actions, NEPAD in collaboration with the Department of Science and Technology (DST) of South Africa organized a regional workshop on "Developing a Shared Platform for Science and Technology in Africa". The workshop was held February 17-19, 2003 in Johannesburg, South Africa and attended by more than 50 representatives of governments, regional and sub-regional economic integration bodies, the European Commission, the International Development Research Centre (IDRC), United Nations agencies, and the scientific community.

The workshop's specific objectives were to:

- (a) discuss factors that impinge on national and regional efforts to advance scientific and technological development;
- (b) identify specific priority areas and issues that NEPAD's science and technology programme should focus; and
- (c) identify and recommend appropriate institutional arrangements to formulate and adopt an African strategic framework and action plan on science and technology.

The workshop recommended that NEPAD should formulate and adopt a strategic framework and action plan to promote the application of science and technology for Africa's development. The process of generating the proposed framework and action plan should be driven by countries and be participatory involving representatives of all stakeholders. It should be knowledge-based and erected at the highest level of political governance in Africa. The workshop also recommended that a high-level forum on science and technology be established. The forum would comprise of a high-level committee or conference of ministers and presidential science advisors, panel(s) of eminent persons/experts, and an open-ended electronic conference of all other stakeholders.

1.4 Experts' and Policy-Makers' Workshop October 2003

In mid October 2003 NEPAD and UNESCO organized a workshop for a small group of experts and policy-makers to identify specific programmatic areas and policy issues that NEPAD science and technology programmes should focus on. Experts' papers on the following areas and issues were presented and used in group discussions:

- (a) energy research and related technological innovations in Africa;
- (b) biotechnology R&D priorities and related policy issues for Africa
- (c) centers of excellence - concepts and criteria
- (d) concept of national systems of innovation and its applicability in Africa
- (e) information and communications technologies
- (f) The Green Revolution Technologies; and
- (g) International science and technology.

The workshop identified flagship programme areas for African science and technology ministers to consider at their first meeting. Policy-makers at the workshop debated on various institutional arrangements for and governance of science and technology in NEPAD. They made specific recommendations to the first ministerial conference.

2. FROM RECOMMENDATIONS TO ACTIONS

Up to the October 2003 workshop of experts and policy-makers the process largely generated recommendations. There was agreement that NEPAD was best suited to provide leadership for designing a comprehensive African plan for science and technology.

Specific achievements to date are as follows:

1. *Political constituency for science and technology built and being enlarged*—the African Ministerial Council on Science and Technology (AMCOST) was established in 2003. It has held two conferences and made specific policy decisions to promote science, technology and innovation in Africa. Two AMCOST subsidiary bodies (a) Bureau of Ministers and (b) Steering Committee comprising of Permanent Secretaries (PSs) have been created and are actively engaged in promoting regional and continental science and technology programmes. AMCOST and its subsidiary bodies are now officially recognized as institutions of the African Union (AU). The AU Commission is now a co-convenor of meetings and/or conferences of AMCOST. AU Summit in January 2007 will have science, technology and innovation as its theme. This is a major achievement to have African presidents dedicate the summit to discussing the role of science and technology as well as considering specific policy issues recommended by AMCOST.

2. *Capacity for science, technology and innovation policy is being strengthened*—a knowledge based consultative process was initiated in 2004 to support African countries to design and adopt common science, technology and innovation indicators, and to use these to improve the quality of policies. Specific actions and achievements include: (a) a body of information on science, technology and innovation indicators has been built up and made accessible to governments, and there is growing awareness of the importance of indicators; and (b) an Inter-governmental Committee on Science, Technology and Innovation Indicators is being established.

3. *Build a better understanding of what constitutes centers of excellence and promote the creation of networks of such centers*—one of the core sets of issues that NEPAD is engaged with relates to ways and means to establish centers of excellence in science and technology. The first conference of AMCOST decided that NEPAD flagship programmes should be implemented by carefully identified and designated networks of centers of excellence. NEPAD Office of Science and Technology prepared a background paper suggesting a conceptual framework and criteria for identifying and establishing centers of excellence in science and technology. The paper is being used by AU Commission to develop specific criteria for establishing centers of excellence. NEPAD is also being guided by the paper to establish networks of centers dedicated to biosciences, water sciences and other areas.

One network -the NEPAD Biosciences Network—is already operational with four hubs on the continent. The Canadian International Development Agency (CIDA) provided CAD 30 million as seed funding for the network. Detailed business plans have been developed for each of the networks.

A network of centers dedicated to water sciences and technology development is being established under the auspices of NEPAD and the Africa Union (AU). An experts' task team was established in 2005 to develop specific guidelines for identifying centers that would be networked. Its proposals will be considered by an inter-ministerial dialogue

between AMCOST and the African Ministers' Council on Water (AMCOW) in 2006. The Government of France through the Institute of Research for Development (IRD) has provided approximately Euro 200,000 to support this initiative.

4. *Provision of advice to NEPAD and the African Union*—NEPAD Secretariat has been able to procure advice on specific issues. In addition to commissioning studies on various science and technology issues, specialized panels or working groups of experts have been created for biotechnology, and science, technology and innovation indicators. A High-level African Panel on Modern Biotechnology (APB) was established in 2005 to provide African Heads of State and Government strategic advice on scientific, ethical and policy issues pertaining to modern biotechnology. The APB will present its first report to the AU Summit in January 2007.

Another advisory body established by NEPAD is the African Science, Technology and Innovation Indicators (ASTII) Working Group. The Group has developed specific proposals and recommendations that were considered by the second conference of AMCOST in September 2005. A comprehensive proposal on ASTII is being finalized by the AU Commission and NEPAD with input from the Group.

5. *Development and adoption of Africa's Science and Technology Consolidated Plan of Action (CPA)*—The November 2003 conference that established AMCOST also adopted an outline of plan of action and agreed to develop it a comprehensive strategic plan. AMCOST instructed its Steering Committee (SC) and NEPAD Secretariat to ensure that such a plan is ready for adoption in 2005. Specific actions that were taken to develop the plan include:

- (a) In January 2004 the SC developed a work-plan for developing the strategic plan
- (b) NEPAD Secretariat commissioned a consultant to prepare a questionnaire that was used to identify priorities, and capacity status and needs
- (c) The SC designed criteria and guidelines for developing and adopting NEPAD science and technology projects.
- (d) NEPAD Secretariat recruited four regional coordinators to administer the questionnaire, prepare comprehensive surveys of science and technology status in the regions, and organize regional workshops on science and technology status and priorities¹
- (e) Five regional workshops were held between November 2004 and March 2005.² The workshops developed project proposals.

¹ There was no coordinator for Central Africa as the respective Steering Committee members failed to identify and nominate one.

² A workshop was held in Gabon, for Central African countries. It was structured differently from the other regions' workshops. It was largely used to get responses to the questionnaire and identify project ideas that for Central Africa.

- (f) NEPAD and AU Commission held consultations and agreed to consolidate their science and technology programmes into one overall plan of action
- (g) Regional coordinators, NEPAD Office of Science and Technology and AU Commission consultant drafted and submitted to the SC in August 2005 'Africa's Science and Technology Consolidated Plan of Action'
- (h) 'Africa's Science and Technology Consolidated Plan of Action' was considered and adopted by AMCOST at its second conference.

The process of developing NEPAD's science and technology programmes, and particularly the Consolidated Plan of Action has involved the participation of other international partners. It has drawn input from such international events as the UK-Canada-Africa Workshop held in January 2004 in London.

NEPAD Secretariat has in the process leveraged additional funding and started to promote the implementation of the CPA. Specific grants that have been acquired are: (a) CAD\$30 million from CIDA for biosciences (b) Euro 200,000 from France for water sciences and technologies (c) US\$20,000 from UNDP for advisory services, and (d) UK pounds 450,000 to support the design of a financial mechanism for the implementation of the CPA.

Expression of interest to support the implementation of the CPA has been received from the Swedish International Development Cooperation Agency (Sida), the Norwegian Agency for Development Cooperation (NORAD), Bill and Melinda Gates Foundation, the Finnish International Development Agency (FINNIDA) and the Dutch Ministry for Development Cooperation (DGIS)

3. THE WAY AHEAD

The past four years have seen NEPAD science and technology evolve from a concept to specific programmatic initiatives. What was largely an expression of a desire to promote science and technology considerations in NEPAD is now a body of specific programmes and projects in the CPA. The challenge now is to move in implementing the CPA.

There are a number of specific initiatives that are being launched to promote the implementation phase. These are:

1. *Building a financial mechanism*—with financial support from DFID, NEPAD's Office of Science and Technology has recruited an international consultant to provide technical advice on the design of the African Science and Innovation Facility (ASIF) for the implementation of science, technology and innovation programmes of AMCOST. The consultants shall:

- (a) Facilitate multi-stakeholders' consultations and receive submissions on the mission, governance and funding of ASIF. He/she shall prepare a comprehensive report of the consultations and submissions.

- (b) Develop and propose specific options for the mission, objectives, organizational configuration and governance of the proposed ASIF.
- (c) Identify AU Commission and NEPAD's responsibilities and capacity needs to administer the proposed ASIF. He/she shall propose specific ways of building technical and administrative capacities for ASIF administration.
- (d) Participate and make presentations at meetings of AU/NEPAD Advisory Panel on ASIF and Centers of Excellence

2. *Institutional Strengthening*—to ensure that NEPAD's Office of Science and Technology is well equipped to support AMCOST and AU Commission to make informed decisions, it is crucial that its staff capacity be strengthened. This will involve increasing the number of senior research staff to at least five, equipping it with a good library, and increasing its networking and outreach capacities by further developing the website www.nepadst.org.

3. *Design and adoption of CPA implementation strategy*—as stated earlier, a major limitation of the CPA is the lack of a clear strategy or articulation of how its various programmes will be implemented. To design an implementation strategy a series of actions and activities are being proposed. These include: (a) conducting surveys and preparing profiles of science institutions that are dedicated to the flagship programmes areas, their existing capacities and regional outreach. This will enable NEPAD, AMCOST and AU Commission to select specific centers that may be assigned specific responsibilities for implementation; (b) design of a fund raising strategy and work-plan. NEPAD will contract competent agencies to draft for the consideration of AMCOST a strategy and work plan based on specific terms of reference; and (c) a continental workshop on implementation strategy for the CPA will be held to solicit comments and enlarge its ownership.

4. *Promoting Outreach and Domestication of the Consolidated Plan of Action*—to ensure that the CPA is known and owned by as many stakeholders, a popular easy to read version of the plan will be designed and printed together with a flier. These will be distributed widely to promote science and technology generally and the CPA in particular.

5. *Regional consultations or workshops on science, technology and innovation for public goods*—To strengthen ownership and promote domestication/implementation of the CPA, regional workshops will be organized and held in each of the five regions of Africa. These will bring together a diversity of stakeholders, particularly ministries of finance, and those of science and technology as well as representatives of industry. The workshops will focus on ways and means of strengthening regional institutions for science and technology development. Emphasis will be placed on building the capacities of Regional Economic Communities (REC) to implement the CPA.

6. *Establishing an advisory panel on science, technology and innovation*—the implementation of the CPA and efficient operations of AMCOST (as well as NEPAD and AU) will require sound advice. As political leaders (at the level of African presidents,

prime ministers and AU Summit generally) get more interested and involved in science, technology and innovation policy processes, they will require evidence based advice. Politicians and policy-makers will need an institutionalized advisory mechanism. NEPAD proposes to create a panel on science, technology and innovation policy to advice AU summit and generally African presidents. The panel will drawn on or use analytical studies conducted by NEPAD Office of Science and Technology and other institutions.

7. *Building International Support and Cooperation*—there is a growing international interest in the CPA. International donors are increasingly making reference to and using the CPA as the framework for promoting regional and continental science and technology programmes in Africa. To enlarge international support for the CPA, it is proposed that a special forum bringing together donors and the Steering Committee as well as the Bureau of AMCOST be created. Terms of reference and organizational structure as well as governance of a Partners Forum for Science and Technology will be developed. The forum will be a platform for sharing information and taking common decisions on funding the CPA and regional science and technology programmes. It will also give donors/partners an opportunity to collectively review the implementation of the CPA.

8. *Resource management instruments*—there is need to ensure that there is an interim mechanism to mobilize and manage resources for speedy implementation of the CPA while the ASIF is being designed. On this, the main challenge is to identify an institution with the necessary capacity and legal as well geopolitical flexibility to hold a trust fund for AMCOST on interim basis. The AMCOST Bureau, having reviewed various options, recommends that UNP Regional Services Centre (UNDP RSC) in Johannesburg be considered given that UNDP has country offices and an establish fund management system for CPA type of programmes. In addition, UNDP is a potential partner in implementing many of the CPA programmes.



**REPORT TO THE PAN AFRICAN PARLIAMENT
ON THE NEPAD e-AFRICA COMMISSION PROJECTS AND
PROGRAMMES**

Prepared by

NEPAD e-Africa Commission

August 2006

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A. BACKGROUND

The 37th Session of the Heads of State and Government of the Organisation of African Unity, OAU, meeting in Lusaka adopted a new African Initiative, the New Partnership for Africa's Development, NEPAD.

NEPAD recognises the significant development role and crosscutting impact that Information and Communication Technologies (ICTs) can have on all aspects of human life and therefore identified the development of the ICT sector as one of the priority focus areas of NEPAD, aimed at defining the continent's effort to accelerate Africa's economic development and growth.

The NEPAD e-Africa Commission (the Commission) was established in 2001 and is NEPAD's task team responsible for Information and Communication Technologies (ICT). Its mandate is to manage the structured development of the ICT sector on the African continent, in the context of NEPAD. It is also required to develop broad strategies and a comprehensive action plan for ICT infrastructure and its use for ICT applications and services.

On 9th March, 2003, a meeting of the NEPAD Heads of State and Government Implementation Committee (HSGIC), in Abuja, Nigeria, adopted a set of high priority ICT projects and mandated the NEPAD e-Africa Commission to proceed with their implementation. The priority projects are essentially focused on the development of adequate ICT infrastructure on the African continent and the development of ICT skills and capacity in the African population. These projects are:

- a. The NEPAD e-Schools Initiative;
- b. The NEPAD e-Schools Satellite Network project for low-cost access and communications;
- c. The Eastern Africa Submarine Cable System project – EASSy;
- d. The associated Broadband ICT fibre-optic terrestrial Network for land-locked African countries
- e. The NEPAD capacity building project for e-learning in Africa (based on the Africa Virtual University) and;
- f. The e-Policies and e-Strategies projects



SIGNIFICANT DEVELOPMENT DURING THE PERIOD 2005/2006

B. THE NEPAD e-SCHOOLS INITIATIVE

The NEPAD e-Schools Initiative is a multi-country, multi-stakeholder, continental initiative intended to impart ICT skills to young Africans in primary and secondary schools and improve the provision of education in schools through ICT applications and the use of the Internet. The first phase of the Initiative is a Demonstration (Demo) project that is being implemented by the NEPAD e-Africa Commission in partnership with a number of private sector organisations. This is a ten-year project that will start with the DEMO and build up to eventually encompass 600,000 African primary and secondary schools.

Specifically, the objectives of the NEPAD e-Schools Initiative are:

- ↓ To provide ICT skills and knowledge to primary and secondary school students that will enable them to function in the emerging Information Society and Knowledge Economy
- ↓ To make every learner health literate
- ↓ To provide teachers with ICT skills to enable them to use ICT as tools to enhance teaching and learning
- ↓ To provide school managers with ICT skills so as to facilitate the efficient management and administration in the schools

The NEPAD e-Schools Initiative will be implemented in three phases of between 15 and 20 countries in each phase. The countries that constitute the phase one are:

Algeria	Angola
Benin	Burkina Faso
Cameroon	Republic of Congo
Egypt	Ethiopia
Gabon	Ghana
Kenya	Lesotho
Mali	Mauritius
Mozambique	Nigeria
Rwanda	Senegal
South Africa	Uganda

Implementation of the NEPAD e-Schools Initiative is progressing, with all activities expected to converge into large-scale rollout in 2007.

During 2005/2006, the Commission focused its efforts on three major components of this initiative: the NEPAD e-Schools Demonstration Project (DEMO), the NEPAD e-Schools Business Plan and the NEPAD e-Schools Satellite Network.

1. The NEPAD e-Schools Demonstration Project.

The NEPAD e-Schools Demo is intended to provide a continental learning mechanism, based on real-life experiences of implementing ICTs in schools across the African continent. The DEMO will provide critical information for the rollout of the broader NEPAD e-Schools Initiative. To consolidate lessons learnt, the Commission incorporated an independent monitoring and evaluating component in the DEMO phase of the NEPAD e-Schools Initiative. Six NEPAD e-Schools each, in up to twenty African countries are participating in the DEMO.

Public Private Partnership (PPP)

The NEPAD e-Africa Commission has put together an innovative public-private partnership (PPP) to ensure the most effective and expedient implementation of the DEMO. This multi-stakeholder partnership and implementation approach adopted for the NEPAD e-Schools Demo is working well.



President Y Museveni at the Uganda launch



Dr Henry Chasia and HP Representative

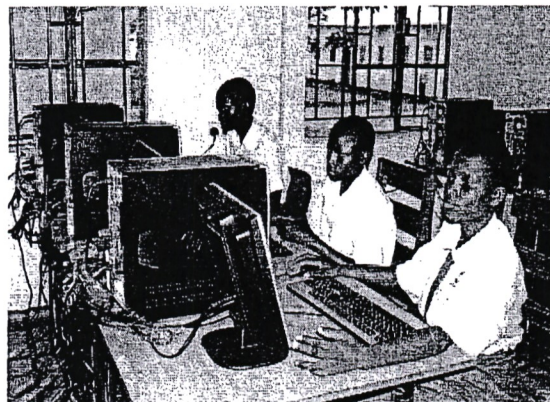
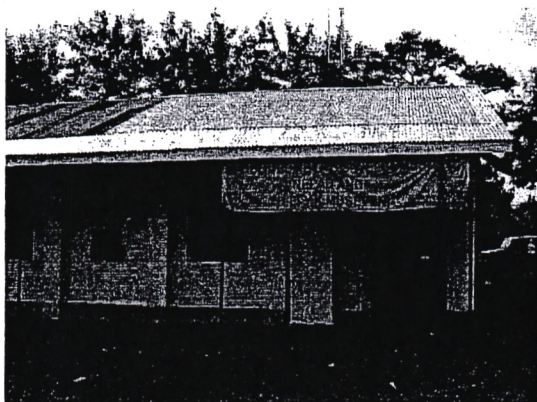
Partners

The partnership has been further strengthened by the support and contribution of a number of development partners including the CSIR in South Africa who are making available the expertise to undertake the continental management of this project; the Commonwealth of Learning and the World Bank InfoDev Programme who are responsible for conducting the monitoring and evaluation of the NEPAD e-Schools

DEMO Project; the International Telecommunications Union who are supporting the teacher training programme as well as other aspects of management and coordination; and the MRC who are assisting with the development of the "Health Points" in NEPAD e-Schools.

The Private sector, organized in five consortia, led by Microsoft, HP, Oracle, Cisco and AMD, are each responsible for providing, deploying and operating an appropriate Education and Health ICT solution, including content, connectivity and training in 120 secondary schools participating in the DEMO, at their own cost.

Six secondary-level schools were selected by the countries, to participate in the DEMO Project in each of the following countries: Algeria, Burkina Faso, Cameroon, Egypt, Gabon, Ghana, Kenya, Lesotho, Mali, Mauritius, Mozambique, Nigeria, Rwanda, Senegal, South Africa, and Uganda.



Memoranda of Understanding and Official NEPAD e-Schools Launches

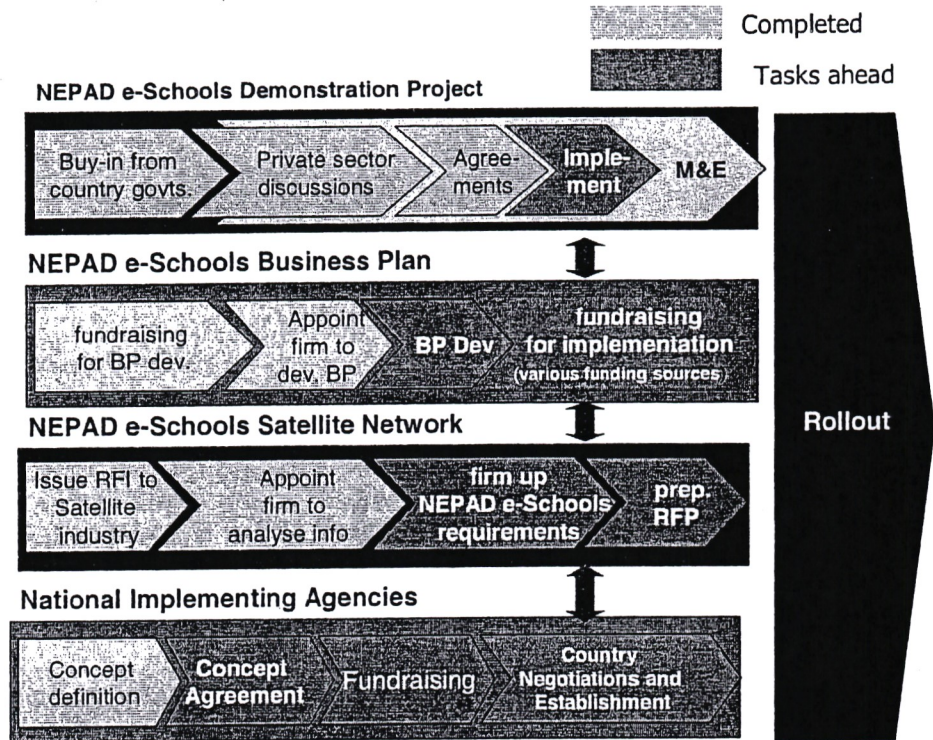
As of July 2006, fourteen **MOUs** have been signed with Burkina Faso, Egypt, Gabon, Ghana, Kenya, Lesotho, Mali, Mauritius, Mozambique, Nigeria, Rwanda, Senegal, South Africa and Uganda.

The DEMO project has been officially launched in Uganda, Ghana, Kenya, and Lesotho with the fifth official launch of the NEPAD e-Schools Project in Rwanda, scheduled for September 2006.

Continental Coordination and National Implementation

In January 2005, the NEPAD e-Schools Continental Coordinating Body, comprised of representatives from the participating country governments, agreed and approved the framework concept for implementation of the DEMO Project.

While coordination of the Demo takes place at a continental level, implementation is carried out at a national level. Each participating country has formally appointed a Country Liaison Person (CLP), responsible for facilitating all aspects of the day-to-day implementation of the project at the selected schools including acting as principal contact persons within the counties. The CLPs are assisted by an interdepartmental National Implementation Team (NIT), and work closely with the principals of the participating schools.



Progress on NEPAD e-Schools

National Implementing Agencies

The approach adopted by the NEPAD e-Africa Commission for this Initiative is one of "Continental Coordination – National Implementation". It is therefore necessary that each participating country formally establish and capacitate NEPAD e-Schools National Implementation Agency, which will be responsible for all operational aspects of implementation.

Health Point

A unique feature of the NEPAD e-Schools is the establishment of a "Health Point" to provide access to health information to the youth and ensure that the learners are health literate. The African Development Bank has offered to sponsor the appointment of a consultant to undertake the definition of the "health point" within the context of NEPAD e-Schools.

Monitoring and Evaluation (M&E)

At the request of the Commission, the Commonwealth of Learning (COL) in partnership with World Bank InfoDev, is conducting the M&E of the DEMO Project.

The first M&E interim report has been produced and provided useful benchmark data of the school environments and the competencies of teachers and students prior to implementation of the DEMO Project. The baseline data collected is of critical importance for comparative purposes of the project impact at the end of the DEMO. The report provided important feedback to the stakeholders that will contribute to the improvement of the implementation process. The second Monitoring and Evaluation Interim Report will be released by the Commission in collaboration with the Commonwealth of Learning and World Bank InfoDev at the end of August 2006.

Teacher Training

The International Telecommunications Union (ITU) funded a consultant to develop the teacher training and professional development framework for NEPAD e-schools. The Commission is currently finalizing a further project proposal to the ITU to support the implementation of the NEPAD e-Schools Initiative Teachers Training Programme.

2. Development of the Business Plan

The NEPAD e-Schools Business Plan is a critical component for the subsequent roll-out of the NEPAD e-Schools Initiative. It will provide the key stakeholders including the governments, with the necessary information to substantiate funding, other resource requirements and the critical elements, inputs and processes that will form the basis for the full-scale NEPAD e-Schools implementation rollout. With funding from the South African government, the Commission engaged Ernst and Young to develop the Business Plan for the NEPAD e-Schools Initiative, to be ready by November 2006. Ernst and Young are being supported in this effort by a group of 28 experts nominated by the participating countries, regional economic communities, the African Union and the African Development Bank (AfDB).

The first meeting of the appointed Group of Experts was held in Tunis in November 2005 and the second meeting in May 2006 in Addis Ababa. Both workshops were sponsored by the African Development Bank (AfDB). The third working session with the appointed Group of Experts will take place in Ghana at the end of August 2006.

In consultation with the NEPAD e-Africa Commission, five countries were selected for site visits during the development of the Business Plan, representing each of the continent's geographical regions, different levels of education and socio-economic conditions and the main official languages of the AU. The selection also attempted to include a range of countries at different stages of ICT integration in the schooling system. Ernst and Young, undertook its first country visit to Uganda. Other countries to be visited are: Nigeria and Egypt in August, Senegal and Mozambique in September.

The purpose of the country visits is to facilitate face-to-face discussions between senior officials in the Ministries of Education and Communications and the appointed Group of Experts, and to review the relevant structures and agencies that implement ICT in education in the respective countries. The visits also aim to determine the ICT developments, socio-economic and educational environment that will impact on the implementation of the NEPAD e-Schools Initiative.

3. Establishment of NEPAD e Schools Satellite Network

Considering the relatively poor state of connectivity on the African continent, the NEPAD e-Africa Commission has commissioned studies to facilitate the establishment of a satellite network which will connect all the NEPAD e-Schools to the Internet.

Through a request for information (RFI) process, detailed information from thirty global satellite service providers was received and analyzed. The Swiss Agency for Development and Cooperation (SDC), provided funding for the appointment of a consulting firm MBV Ubumbano System (Pty) Ltd, to design the network architecture and provide the preliminary technical design of the NEPAD e-Schools satellite network. The NEPAD e-Schools Satellite Network will connect more than 600,000 NEPAD e-Schools to the Internet, the majority of which are located in rural areas, remote from existing telecommunications networks.

C. NEPAD BROADBAND ICT INFRASTRUCTURE PROGRAMME

African economic integration and participation in the global economy is constrained by factors such as the high cost of access for end-users to foreign-owned satellite telecommunication providers for cross-border, regional and international telecommunications traffic. In addition, high

Internet access costs, low bandwidth, poor ICT infrastructure and often unreliable communication facilities further exacerbate the challenges the African countries face.

The NEPAD ICT Infrastructure Programme for Africa aims to accelerate the development of ICT infrastructure, and its use for ICT services and applications, through the development of a broadband ICT fibre-optic network connecting all African countries to each other and in turn to the rest of the world through existing or planned submarine cable systems. The prime objective of the programme is to integrate the African continent by harmonizing ICT Infrastructure initiatives across the continent, enabling trade, social and cultural interchange to take place with ease and affordability.

The e-Africa Commission has approached this task by advancing three development projects to;

1. Close the submarine optical fibre loop around the African continent; i.e. through the construction of the Eastern Africa Submarine Cable System (EASSy);
2. Connect all African countries, including the land-locked ones to a submarine cable system;
3. Establish an integrated, robust, continent-wide network of broadband optical fibre systems.

4. Rationalization and Development of a Broadband ICT Network for Eastern and Southern Africa, including the Eastern Africa Submarine cable System (EASSy)

The NEPAD Broadband ICT Network for Eastern and Southern Africa, which includes the Eastern Africa Submarine Cable System – EASSy, was agreed by stakeholders during a workshop on **"The Integration and Rationalisation of ICT Broadband Infrastructure for Eastern and Southern Africa"**, convened by the NEPAD e-Africa Commission in July 2004. A map showing the various segments of the network is attached in **Appendix A**.

The agreed network was subsequently adopted as a **NEPAD flagship project** by the 12th summit of the Heads of State and Government Implementation Committee (HSGIC) of NEPAD, in Algiers, Algeria, on 23 November 2004. The HSGIC called on the World Bank Group and other development partners to support the speedy implementation of this priority project.

At the conclusion of the meeting, the Commission was tasked with monitoring progress and assisting the various initiatives in practical ways, as well as initiating dialogue with ICT Policy Makers in the region

with a view to resolving such policy and regulatory issues as may impede or prevent the realisation of the rationalised regional network. It was noted that a transparent policy and regulatory environment needed to be promoted and regulatory barriers removed in order to encourage and increase private sector investment in the network.

Since May 2005, the Commission has been coordinating the harmonization of policy and regulatory frameworks whilst promoting the development of the broadband ICT infrastructure on an "open access" basis to ensure that the capacity of the infrastructure is available to current and future licensed or authorised operators, without discrimination and on fair terms. The policy framework should therefore aim at removing bottlenecks, encouraging investment, leveling the playing field between competing service providers and reducing costs to end customers. To date, the Commission has engaged with stakeholders, including ICT Policy Makers and Regulators, Telecommunication Operators and other utility infrastructure operators (i.e. power line, gas, and oil pipeline).

As of April 2006, 29 African and international telecom operators had signed the EASSy Memorandum of Understanding to develop the cable. Construction of the EASSy cable has, however, been delayed due to the complex negotiations between the key stakeholders involving ownership, financing and governance structures.

5. Development of ICT Policy and Regulatory Framework for the Regional Broadband Network Infrastructure in Eastern and Southern Africa

At the request of the Commission, several governments in Eastern and Southern Africa have contributed the expertise of policy makers, regulators and other experts in order to support the Commission in its endeavors to develop a policy framework under which the Broadband ICT Infrastructure Network should be developed and implemented. The experts were drawn from Botswana, Kenya, Madagascar, Mozambique, Rwanda, South Africa, Uganda and Tanzania and, collectively, they became known as the Group of Experts for the development of the broadband ICT network in Eastern and Southern Africa (GExp(ESA)).

On the 7th November 2005, the Commission convened a meeting of the Policy Makers and Regulators. The meeting agreed on a set of 5 policy principles that Governments of the region should adopt to provide framework for, and facilitate rapid implementation of the broadband network infrastructure:

THE 5 POLICY PRINCIPLES

1. The urgent need to build broadband ICT infrastructure for terrestrial and submarine cable networks for Eastern and Southern Africa.
2. The application of open, non-discriminatory and affordable access to these networks.
3. Acceptance that cross-border terrestrial and submarine cable segments of these networks can be developed, owned, and maintained, as appropriate, by special purpose vehicles.
4. Agreement on the application of the principle of public private partnerships to these networks.
5. Governments should create regulatory and policy frameworks conducive to the development of these networks

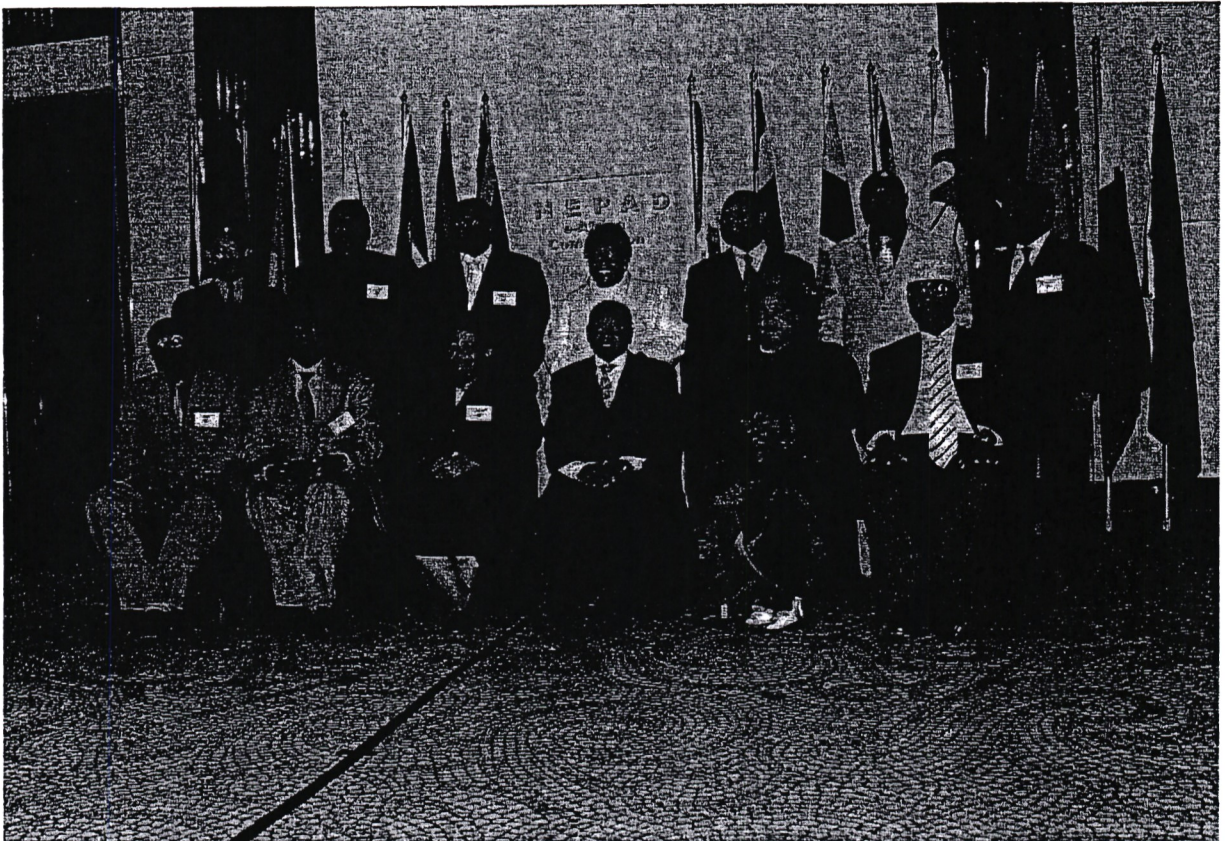
The meeting also agreed on set of actions aimed at articulating the agreed principles, and making recommendations for presentation to the Ministers of the region. With the assistance of the Commonwealth Telecommunications Organisation (CTO), the Commission drafted a Legal, Policy, and Regulatory Framework within which the Broadband ICT Infrastructure Network for Eastern and Southern Africa, including the EASSy cable, can be developed. The Industrial Development Corporation (IDC) assisted with the Structuring of a Special Purpose Vehicles that can own, operate and manage the Broadband ICT Infrastructure Network for Eastern and Southern Africa, including the EASSy cable.

Government Officials and Regulators prepared proposals for submission to a meeting of Ministers responsible for ICT in the Eastern and Southern African region, held in Johannesburg from the 5th to the 6th of June 2006. At the end of the meeting, a declaration was adopted by the Ministers representing fifteen countries and the following actions taken, the Ministers:

1. Made the Johannesburg Declaration on the Policy And Regulatory Framework For NEPAD ICT Broadband Infrastructure Network For Eastern And Southern Africa (attached in **APPENDIX C**);
2. Took a decision on measures necessary to Fast-Track the implementation of the EASSy cable;
3. Passed a resolution supporting the recommendations for the structure for the SPV model to own and operate the NEPAD

Broadband ICT Infrastructure Network, including the EASSy Cable;

4. Expressed agreement with the recommendations for the proposed Policy, Legal, & Regulatory framework and undertook to refer the recommendations to their Governments and / or the Regulators;



Ministers of ICT at the NEPAD ICT Infrastructure Meeting

5. Adopted the draft Protocol on a high level Policy and Regulatory Framework for the NEPAD Broadband ICT Infrastructure, including the EASSy Cable. This Protocol is to be reviewed at the national level and recommendations made for its amendment as appropriate. The Protocol will then be signed, under the auspices of the African Union in Kigali, Rwanda, during August 2006.
6. Adopted 3 resolutions to:
 - Extend the EASSy submarine cable to Mauritius;
 - Establish a domicilium for the EASSy SPV in Rwanda;
 - Sign the protocol as indicated above.

A Draft Protocol that encapsulates the decisions of the Ministers of ICT of the region has been developed for inclusion in regional treaties. The main objective of the proposed protocol is to facilitate and or commit the parties to the construction and operation of the NEPAD Broadband ICT Network for Eastern and Southern Africa, including the EASSy cable, on open access principles. This protocol should be developed in the context of provisions of existing treaties such as the AU, COMESA or SADC, which call for regional cooperation in various fields.

It further aims at providing for the formation of single special purpose vehicles for the construction, ownership, maintenance and operation of the broadband network. Given that there is an intention to involve private sector in the provision of the broadband network, the Draft Protocol commits countries to undertake to introduce policy and regulatory reforms to facilitate the development and operation of the open access network independent of who owns the network. Also included in the protocol are other overriding policy objectives (other than open access principles) which include the need to ensure that the network is constructed, owned, maintained and operated in line with NEPAD Objectives and Principles. It is expected that the protocol will be signed by Ministers of ICT of the region, by the end of August 2006 in Kigali, Rwanda.

6. Rationalization and Development of a Broadband ICT Network for Central, West and North Africa

In July 2005, the Commission, in cooperation with the International Telecommunication Union (ITU), hosted a workshop in Dakar, Senegal, that was attended by telecommunications operators, regulators, funding agencies and government representatives. The outcome of the workshop was an agreed basic broadband ICT network for Central, West and Northern Africa (**Appendix B**). This network still has to be accepted and ratified by countries that were not represented at the workshop.

With support from the "Groupe Agence Française de Développement (AFD)", the Commission is in the process of recruiting a Project Manager who will spearhead activities in this region. In parallel, the Commission is engaging a consultant to validate existing and planned ICT infrastructure projects in Central, West and North Africa. This consultancy is funded by the African Development Bank (AfDB).

D. OTHER PROJECTS

7. NEPAD e-Africa Youth Programme

In June 2006, the NEPAD e-Africa Commission, in partnership with the Department of Communications and the Presidential National Commission on Information Society and Development, of South Africa, launched the three-year programme for the "**NEPAD e-Africa Youth Programme**" at a Conference convened in Badplaas, South Africa. Representative youth from 13 of the countries that form the NEPAD Heads of State and Governments Implementation, Committee, participated in the meeting and discussed the development of the programme as well as the Terms of Reference.



Specifically the NEPAD e-Africa Youth Programme aims to ensure that the youth of Africa play an important role in the reconstruction of the continent using Information and Communications Technology (ICT) as an enabler.

The three-year plan for the NEPAD e-Africa Youth Programme will address issues such as Skills development, unemployment, business opportunities, provision of information and the involvement of youth in other NEPAD projects.

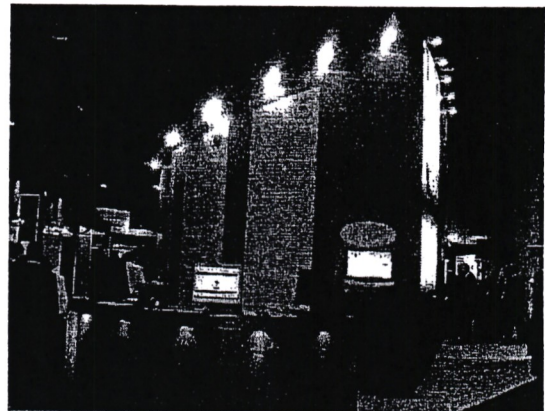
8. NEPAD e-Governance Programme



The Commission, with the support of the Commonwealth Secretariat completed an e-Readiness Assessment on a sample of twenty African countries. The study was used at workshop held in Johannesburg during June 7-9, 2006. The workshop identified areas of opportunities for NEPAD and chart the way to an e-Governance Strategic Plan, which will be the NEPAD framework for using ICT to support governance and the delivery of government services on the African continent.

9. The World Summit on the Information Society – WSIS

The World Summit on the Information Society (WSIS), initiated by the Government of Tunisia in 1998, was held in two phases. The first phase took place in Geneva, hosted by the Government of Switzerland, from 10 to 12 December 2003. The second phase took place in Tunis, hosted by the Government of Tunisia, from 16 to 18 November 2005. NEPAD participated in the two phases and was accredited under the auspices of the African Union (AU).



The AU NEPAD Stand

At the summit, NEPAD secured a stand of 100 sqm in the Exhibition Hall (PalExpo Kram) where the African Union, the NEPAD Secretariat, and the NEPAD e-Africa Commission showcased their activities and projects. In addition, NEPAD held two workshop sessions of two hours each, and secured one five-hour round table discussion for the Academy of African Languages (ACALAN).

The workshops gave the Commission the opportunity to present the NEPAD e-Schools Initiative and the NEPAD ICT infrastructure programme to various ICT decision makers who attended the Summit.

High profile visitors to the stand included President Thabo Mbeki of South Africa, President Wade of Senegal, President Konare, the Chairman of the Commission of the Africa Union, and Dr Ivy Matsepe-Casaburri, Minister of Communications of South Africa.



Presidents Mbeki and Konare signing the Golden Book

E. PARTNERSHIP

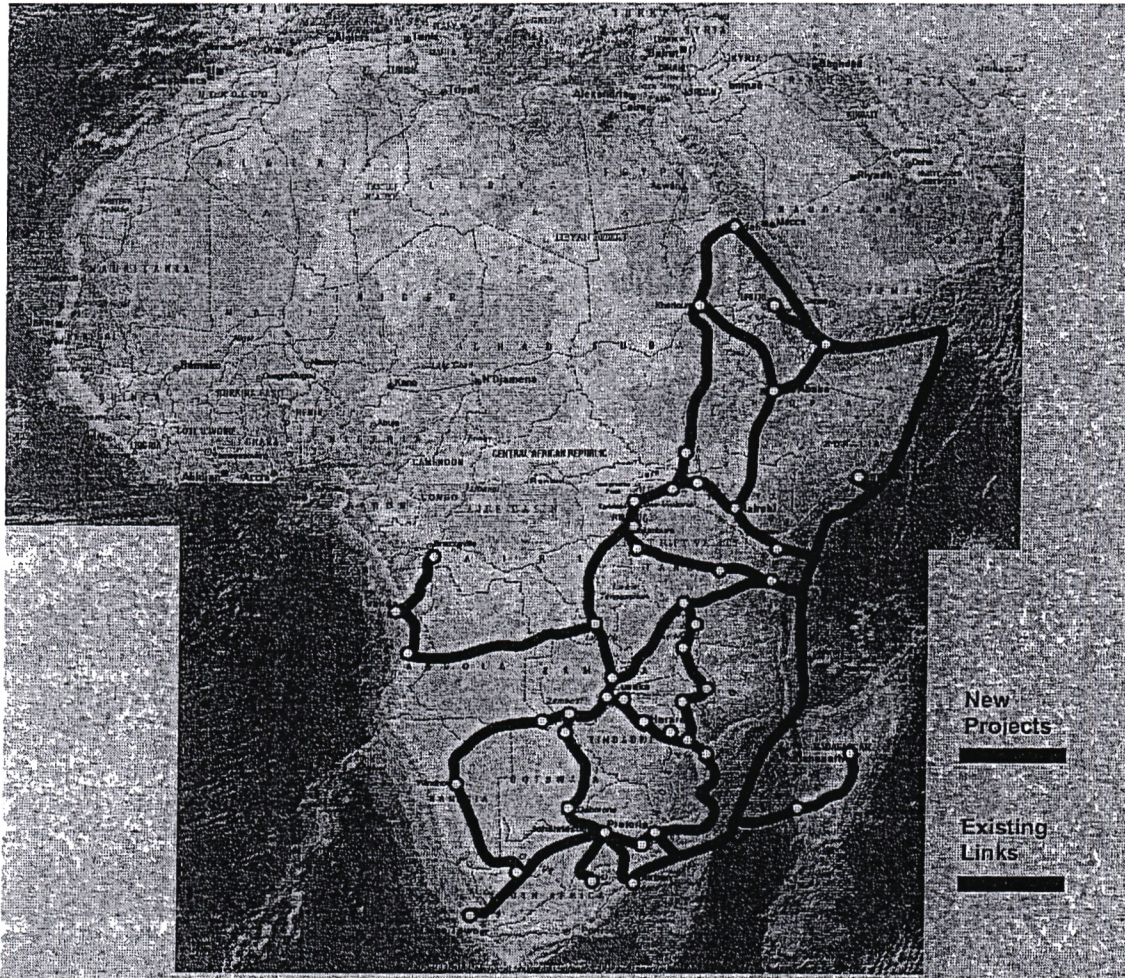
10. The Information Society Partnership for Africa's Development (ISPAD) is one of the programmes of the e-Africa Commission. This initiative was set up with the aim of creating partnerships with private sector companies, development partners and civil society organizations to enable the Commission to further develop its projects and programmes through funding and resource mobilization support. Since inception 3 years ago, the NEPAD e-Africa Commission has recruited 16 private sector companies and a number of development partners including governments. Current partners include the following:

- a. **Development Partners:** African Development Bank (AfDB), the Commonwealth including the Commonwealth of Learning (COL), Council for Scientific and Industrial Research, South Africa (CSIR), Department for International Development (DFID), Department of Communications (DoC) of South Africa,

Development Bank of Southern Africa (DBSA), Egyptian government, Groupe Agence Française de Développement (AFD), International Telecommunications Union (ITU), Medical Research Council (MRC) of South Africa, Swiss Agency for Development and Cooperation (SDC), UN Agencies, World Bank Group (WBG) including InfoDev, and the World Health Organization (WHO).

- b. **Companies:** Alcatel, AMD, Cisco, Grintek Telecom, HP South Africa, Inmarsat, Intel, Intelsat SA Pty (Ltd), Microsoft, MTN Foundation, Multichoice, Oracle Corporation SA, SAP, Sentech, VIASAT and ZTE Corporation Africa.

APPENDIX A
RATIONALISATION AND DEVELOPMENT OF THE ICT BROADBAND
NETWORK IN
EAST AND SOUTHERN AFRICA
July 2004, Johannesburg

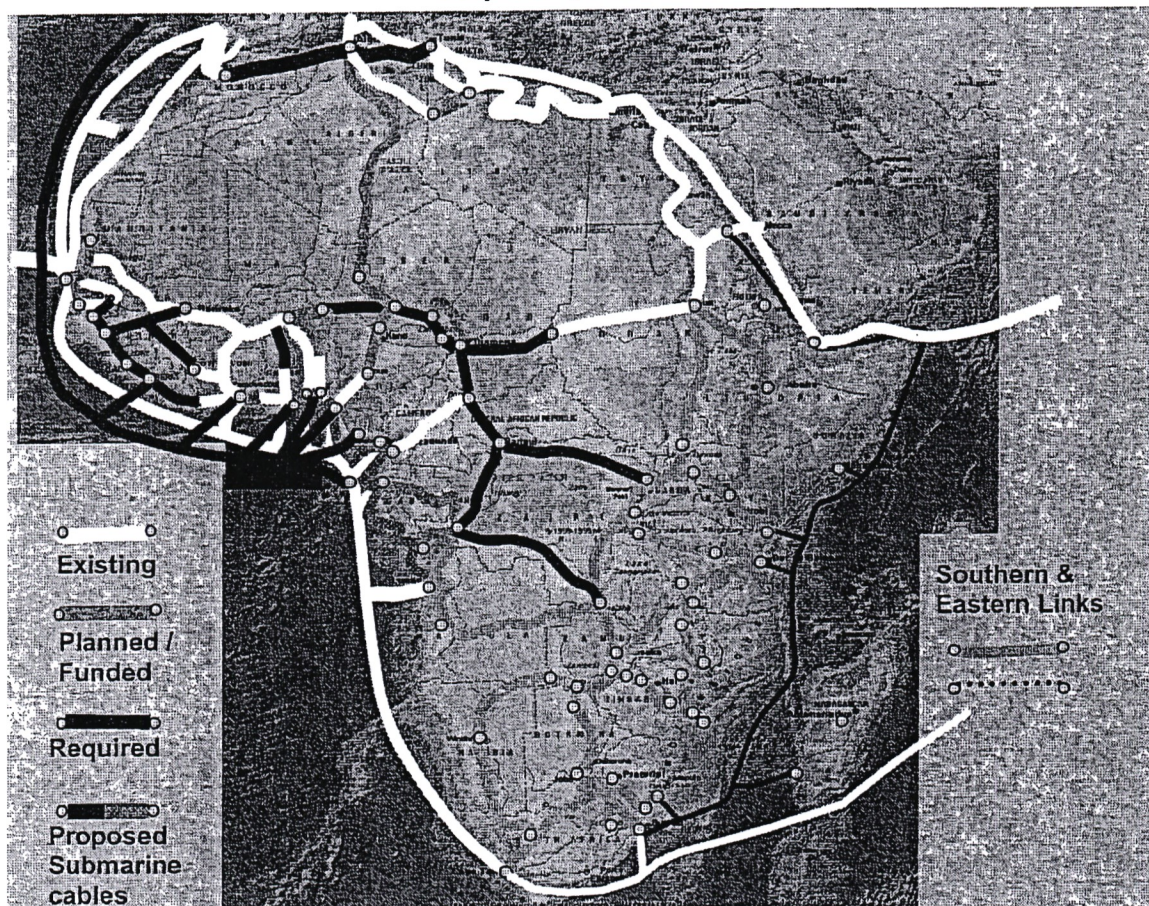


AGREED BASIC RATIONALISED BROADBAND ICT NETWORK

The NEPAD e-Africa Commission, in collaboration with the Common Market for Eastern and Southern Africa (COMESA), the East African Community, the Inter Governmental Authority on Development (IGAD) and the Southern African Development Community (SADC), as well as other stakeholders, have undertaken to integrate and rationalise plans for the development of the fibre-optic network in the Eastern and Southern region of the continent. COMESA has an initiative known as COMTEL, while SADC has its own plan known as SR11. There are other initiatives (including those of utility companies), for fibre-optic networks in this region. The Heads of States at the Algiers HSGIC, November 2004, endorsed this network and called upon the World Bank Group (WBG) and other development partners to support its implementation.

- **July 2004, Johannesburg** – Workshop on the Integration and Rationalisation of ICT Broadband Infrastructure for Eastern and Southern Africa: for ICT network operators; electricity, railway, and pipeline operators; ICT policy makers and regulators; and development funding agencies,
- **June 2005, Johannesburg** – Establishment of an advisory Informal Group of Experts, nominated by governments to assist the NEPAD e-Africa Commission in addressing policy, regulatory and implementation arrangements.

APPENDIX B
RATIONALISATION AND DEVELOPMENT OF THE ICT BROADBAND NETWORK IN
WEST, CENTRAL AND NORTHERN AFRICA
 July 2005, Dakar



AGREED BASIC RATIONALISED BROADBAND ICT NETWORK

In collaboration with the West, Central and North Africa Regional economic communities; the Arab Maghreb Union (UMA), the Community of Sahel Saharan States (CEN-SAD), Economic Community of Central African States (ECCAS) and the Economic Community of West African States (ECOWAS); project promoters including INTELCOM II, Infinity and other stakeholders, the e-Africa Commission is coordinating the integration and rationalization of the development of the fibre-optic network in West, Central and Northern Africa.

- **July 2005, Dakar** – Initial Workshop on the Integration and Rationalisation of ICT Broadband Infrastructure for West, Central & Northern Africa for ICT network operators; electricity and pipeline operators; ICT policy makers and regulators; and development funding agencies.



AFRICAN PEER REVIEW MECHANISM COMPLETED COUNTRY REVIEWS: MAIN FINDINGS

PAN AFRICAN PARLIAMENT, MIDRAND, SOUTH AFRICA

14 NOVEMBER 2006

Bernard Kouassi, PhD

EXECUTIVE DIRECTOR, APRM SECRETARIAT

11/13/2006

1



Outline of presentation

- Introduction
- Ghana;
- Rwanda and
- Kenya

For each country, we present:

- Best Practices
- Thematic Findings
- Panel Recommendations
- Overarching or Cross-Cutting Issues

11/13/2006

2



INTRODUCTION

- The African Peer Review Mechanism (APRM) is a self-monitoring instrument **voluntarily** agreed to by member states of the African Union.
- Its primary purpose is " To foster the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic integration through sharing of experiences and reinforcement of successful and best practice, including identifying deficiencies and assessing the needs of capacity building."

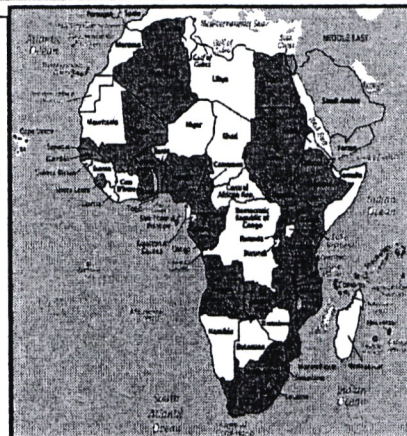
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3



APRM COVERAGE

- Twenty-five Countries have so far acceded to the APRM
- Coverage: 652, 476, 125 out of Africa's total population of 885,977, 259 or 73.67%.
- Membership of the APRM constitute the largest countries on the continent.



■ APRM Countries

11/13/2006

4



Introduction Cont....

- The APRM has since its inception launched reviews in twelve countries; namely, Ghana, Rwanda, Mauritius, Kenya, Uganda, Nigeria, Algeria, South Africa, Benin, Tanzania, Burkina Faso and Mozambique. Of these, three reviews have been completed and peer reviewed by the APR Forum-Ghana, Rwanda and Kenya.
- The Country Review Report for South Africa has been completed and the Country will be peer reviewed hopefully in January 2007.
- In what follows, we present a summary of the major findings for the three countries which have been peer reviewed.

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Ghana

- A 16- member Country Review Team (CRT) from 12 African nationalities led by Dr. Chris Stals, APR Panel Member visited Ghana from 04-16 April, 2005.
- In line with the APRM mandate, the CRT, among others, held extensive consultations with a variety of stakeholders and ascertained that the National Assessment Process was technically competent, credible and devoid of political manipulation.
- The CRT observed that Ghana is committed to improved governance and the populace is resolute in achieving a better quality of life. Ghana has been at the forefront and a shining example in the NEPAD/APRM process.

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Best Practices



Democracy and Good Political Governance

- Unique processes for fostering democracy including the Annual Governance Forum and the People's Assembly, an annual unstructured interaction between the President and the people;
- Ghana's role as a "peace-keeper" and "peace-maker on the continent"; and
- Successful democratic institutions including the National Commission for Civic Education (NCCE) and the Commission for Human Rights and Administrative Justice (CHRAJ).



Best Practices

Corporate Governance

- A hospitable business environment. In August 2003, Ghana received a B+ (stable) credit rating from Standards and Poor's. The government has initiated specific policies to lay a solid foundation for private sector development;
- Government funding of SMEs including the National Microfinance Project located in the Ministry of Finance and Economic Development. Some of these projects exclusively targets rural women;
- The Ghanaian Stock Exchange, which in recent times, has been the second fastest growing stock exchange market in Africa after Nigeria.

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Best Practices

Socio-Economic Development

- As one of the principal architects of the Millennium Declaration, the precursor of the MDGs, Ghana has remained at the forefront of efforts to situate national development targets within the context of these globally acclaimed priorities.

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Democracy and Good Political Governance



Key Issues/Findings

- Ghana could rightly be described as an oasis of peace and tranquility in a sub-region perpetually in turmoil.

- Three successful post-transition competitive multi-party elections were held in 1996, 2000 and 2004, respectively. The result has been the democratic and orderly transfer of power from one party to another and from one President to another.

- Competition for political power is robust and open.

- Internal democracy within the parties and potential long-term effect in weakening democracy in the country.

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Democracy and Good Political Governance



- Low representation of women in politics.
- Large number of ministers- 88 in all.

Recommendations

- Accede/ratify African Union conventions within binding time-frame
 - Protocol on the African Court of Human and Peoples' Rights
 - AU Convention Against Corruption; and

- Implement proposals introducing a comprehensive land law; and Enact Whistle-Blowers', Domestic Violence and Freedom of Information bills into law

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Economic Governance

Key Issues / Findings

- Annual real GDP growth rates 4 - 5.4 % over the last decade
- Economy is relatively weak and vulnerable to external shocks
- There is (a) weak internal capacity in economic management; and (b) heavy dependence on external resources for financing government development expenditure.

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Economic Governance

- The ability of Parliament to perform its representative, legislative and oversight functions is still limited.

Recommendations

- Pursue steps supporting sustainable development;
- Raise capacity in public finance area;
- Make fiscal decentralization a reality; and
- Facilitate oversight role of Parliament;

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Corporate Governance

- Key Issues/Findings
- Ministry for Private Sector Development (MPSD) spearheads policy towards a competitive and vibrant private sector
 - Ghana has a promising emergent capital market with remarkable performance.
 - Awareness of corporate governance and corporate social responsibility is low.
 - Difficulties in access to finance and domestic resource mobilisation.

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Corporate Governance

- Ineffective use of private sector including small and medium enterprises (SMEs) to generate economic growth
- Recommendations
 - Implement Business Registration & Licensing Reform Strategy;
 - Put in place proper identification of property titles and judicial enforcement;
 - Improve Corporate Social Responsibility through environmental law/land act
 - Enhance human and institutional capacity of supervisory institutions

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Socio-Economic Development

- Key Issues/Findings
- The national aspiration is to become a middle-income country by 2010.
- Ghana Poverty Reduction Strategy (GPRS) Paper has since provided the overarching policy context for the country's socio-economic development.
- Generous government incentives have expanded the economic, political and socio-cultural space
- Lack of progress in gender mainstreaming due to cultural and other impediments;
- Weak human, financial and physical resource capacity;

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Socio-Economic Development

- Recommendations
 - Balance sound macroeconomic policies against policies to reduce poverty;
 - Increase access to basic services and public facilities;
 - Re-energise and reform Ghana Statistical Service;
 - Strengthen policies and delivery mechanisms in key social areas to effect greater equity; and
 - Specify benchmarks of progress in gender mainstreaming.

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Overarching issues

Issues that require immediate and critical attention

- **Capacity Constraints**

Lack of capacity is indeed a major constraint on the ongoing efforts to improve the quality of governance in all spheres of activity.

- **Gender**

The marginalisation of women remains a very real problem in Ghana. It is manifest at all tiers of government and the number of women in formal political structures remain conspicuously low.

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Overarching issues

- **Corruption**

Corruption remains prevalent in all spheres in Ghana despite government's policy of zero tolerance.

- **Decentralisation**

The devolution of power to regional and local authorities still faces immense challenges.

- **Land Use**

Ghana has a peculiar and complex land tenure system that reflects the country's unique traditional political organisations such as chieftaincies, the sociocultural differences and divergent regional traditions. Insecurity of tenure is endemic and has a bearing on both poverty reduction and economic growth.

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Overarching issues

- **Chieftaincy**

Chieftaincy institutions are unique establishments and have been integral parts of the Ghanaian system of governance for centuries. Chieftaincy disputes have been quite rife in recent year.

- **External Dependence**

Resource mobilisation efforts have also been more successful from external than from domestic sources. The Panel underscores the desirability of increased mobilisation of domestic resources through for example, increased productivity, promotion of the private sector and improved institutional capacity for tax administration and collection.

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RWANDA

BEST PRACTICES, FINDINGS AND
RECOMMENDATIONS

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RWANDA

- Rwanda was among the first countries to accede to the APRM Process on 9th March, 2003.
- The Review Mission by a team of 16 led by Prof. Dorothy Njeuma was conducted from April 18 – 30, 2005.
- The Team held a wide range of consultations with all stakeholders in the entire Country.
- What follows is a summary of the Country Review Report together with Panel Recommendations.

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Best Practices

Democracy and Good Political Governance

- Gender equality has been given a high profile in politics. 30% of parliamentary seats are reserved for women.
- Rwanda has the singular distinction of having the highest proportion of Women in Parliament (49%) in the world, and a significant proportion in Government (36%).

Economic Governance and Management

- Rwanda has been able to implement economic reforms to the level of attaining the HIPC completion point.



Best Practices

Socio-Economic Development

- Rwanda's efforts in providing social services especially **education** is a commendable best practice worthy of emulation (free education and cost-sharing program in tertiary education).
- The institutionalisation of **participatory and consultative processes** at all levels of society, (CDF, Formulation of district budget, Ubudehe, Mutuelle de Santé, Umuganda etc.)
- Rwanda's vision in using **ICT** strategy to transform the country into a service-based economy is a best practice in development strategy.
- Efforts being made to mainstream **gender** concerns in decision-making processes at various levels (women's councils); Rwanda has an equal balance of girls and boys in primary school.

Democracy and Good Political Governance



Key Issues/Findings

- Rwanda has ratified almost all international and regional standards and codes. However, the country falls short of reporting requirements.
- Inadequate domestication of ratified legal instruments seen as incompatible with domestic and foreign policy interests e.g. The African Charter of the Rights of the Child not ratified due to the provision on abolition of the death penalty for children under 18 years.
- Lack of human, financial and institutional capacity to domesticate all codes and standards.

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Democracy and Good Political Governance Cont..



Key Issues/Findings

- Externally, Rwanda's relations with its neighbours in the Great Lakes region has been a source of conflict
- Internally, land and ethnic divisions, socio-economic inequalities and poverty are primary sources of conflict.
- However, Rwanda has come up with innovative laws and institutions to address the perceived conflict such as a new land law; Gacaca, NCHR, and Mediation Committees etc.

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Democracy and Good Political Governance Cont..



Competitive political pluralism is consciously contained within clearly defined parameters. However, political parties are not able to freely operate beyond provincial level.

- Method of voting at local level compromises the principle of secret ballot enshrined in the constitution.
- The Government of Rwanda is making steady progress in promoting social and economic rights: e.g. access to education increased through waiver of school fees; decentralized health system has increased participation in health service delivery.

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Democracy and Good Political Governance Cont..



- Rwanda is making strenuous efforts to achieve national unity, stability and reconciliation through the creation of a Rwandan identity which has no recourse to ethnicity.
- Access to justice has increased through the revival of the traditional Gacaca Courts used as an instrument to ease congestion in the modern courts and prisons and to reduce the cost of administering post-genocide justice. However, the issue of legitimacy and trust in the Gacaca remains a challenge.
- Ineffective separation of powers between the executive and the judiciary.
- Insufficient efforts in mainstreaming vulnerable groups including the Batwa.

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Democracy and Good Political Governance cont..



Recommendations:

- Rwanda adapts and harmonizes its domestic laws to international legal norms and standards.
- The government of Rwanda deepens its national reconciliation efforts based on its policy of dialogue and consensus. Managing and valuing diversity is a key component of effective conflict prevention.
- Rwanda strives to ensure policy of inclusiveness and wins the trust of all citizens participating in the political system

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Democracy and Good Political Governance cont..



- Rwanda ensures that the Gacaca system is not used as a "victors' justice". Efforts should continue to be made to adapt the Gacaca into the modern judiciary system.
- Rwanda continues with efforts to build the capacity of the judiciary sector to make it more independent and efficient in administering justice. This could set new standards for other African countries.
- GoR engages in more capacity building to enhance the effectiveness of women parliamentarians

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Economic Governance and Management



Key Issues/Findings

- Rwanda faces the challenge of raising its economic growth rate while maintaining macro-economic stability and debt sustainability in order to reduce poverty.
- The GoR commitment to limit external borrowing and accelerate export promotion is a key effort to reduce dependence on external assistance.

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Economic Governance and Management Cont...



- However, given post-conflict development needs and constrained tax base, Rwanda relies heavily on foreign aid- About 90% of the capital expenditure in its budget.
- Rwanda faces the paradox of increased expenditure and increased poverty levels due to post-conflict development needs.
- The decentralization policy has moved resources and capacity from central to the districts and local levels and to enhance training of local officials in financial management and auditing.

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Economic Governance and Management Cont...



Recommendations:

- Continue Public Finance reforms and the initiatives of the Rwanda Revenue Authority to create better incentives and to provide a framework for production, exports, employment and economic growth.
- Use the attainment of the HIPC completion point in April 2005 as an opportunity to strengthen internal finances and build exports to underpin self-reliance.
- Enhance parliament's capacity to review economic documents and policy.

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Economic Governance and Management Cont...



- Re-double efforts to increase Rwanda's tax base and mobilise internal resources to offset the heavy dependence on foreign aid.
- Establish the mechanisms and systems for ratification and domestication of and compliance with international conventions.
- Intensify the fight against corruption. In this respect, rationalise anti-corruption bodies and attain better coordination of anti-corruption efforts.

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Corporate Governance

Key Issues/Findings

- Corporate Governance and Corporate Social Responsibility are still relatively new concepts in Rwanda.
- Companies and subsidiaries of multilateral companies do not invest enough in the communities where they operate.
- The appointment of a Minister for Corporate Governance is a sign that more attention is being paid to business ethics.
- The Rwandan trade union movements are still inactive and unable to guarantee the protection of the rights of workers.

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Corporate Governance

Recommendations

- Raise awareness on Corporate Governance and Corporate Social Responsibility (CSR)
- Continue reforming and enacting new laws and regulations as well as put in place other institutions geared towards creating a favourable business climate.

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Socio-Economic Development

Key/Issues and Findings

- There are signs of improving capacity in all levels of government in promoting socio-economic development – decentralization, CDCs, – although, there is still a long way to go.
- HIV/AIDS prevalence rate at 13% is worrisome. Furthermore, reliability of data has been a problem.
- Tremendous strides made in education provision based on a policy of free and compulsory education for all Rwandans.

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Socio-Economic Development

- Admirably, the shares of resources allocated to the social sectors such as health, water and sanitation, as well as land, housing and community amenities, have been steadily increasing while expenditure on defence has been falling.
- Rwanda has put in place an enviable ICT Strategy covering a 20-year period.
- Land and Population pressure continue to be key constraints for the livelihood of Rwandans, although the new land policy has addressed many of the related problems.

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Socio-Economic Development

Recommendations

- Capacity building efforts through decentralization of services should be sustained and enhanced.
- Continuous efforts in sensitizing the public in order to obtain more accurate data on HIV/AIDS prevalence is critical.
- Need for educational facilities to increase school enrollment to full capacity and construction of secondary schools nearer communities
- Need for increased commitment towards achieving MDG goals, especially poverty reduction, child and maternal health.

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Overarching issues

Issues that require immediate and critical attention

■ Land Issues

With a high population growth and density, land is a critical issue for Rwanda particularly where conflict, land use and environmental protection are interconnected. The government is encouraged to establish a clear land and population policy including plans to create more off-farm employment for the youth and rural populations.

■ Political Pluralism

Rwanda's steady move towards multi-party and political pluralism is characterized by absolute consensus rather than "voluntary participation". Removing all restrictions on political rights and freedoms would benefit democracy in Rwanda in the long run.

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Overarching issues

- **Managing Diversity**

Managing and valuing diversity is a key component of effective conflict prevention, promotion and protection of human rights towards sustainable development and poverty reduction. Rwanda should pursue its efforts in this area.

- **Gacaca Courts**

While the Gacaca courts are viewed by the government and some segments of Rwandan society as a much needed way to ease justice and reconciliation, there are some concerns about its legitimacy and ability to win trust and confidence in dispensing justice, by conforming to contemporary international human rights norms and standards.

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Overarching issues

- **Capacity Constraints**

Rwanda has made significant effort in establishing institutions and mechanisms to promote good governance and socio-economic development. Nonetheless, an emerging challenge throughout the four thematic areas is the lack of capacity within institutions to effectively perform their tasks. Rwanda is advised to initiate extensive capacity building from national to local levels in terms of training and skills development.

- **External Assistance**

The reliance on external assistance and how aid is effectively utilized is an issue of concern. It would be interesting to review specific data on proportions of aid funds that are allocated to poverty-reducing sectors and the proportion of the same aid money that goes back to the donor country or institution.

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KENYA

BEST PRACTICES, FINDINGS AND RECOMMENDATIONS

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Kenya

- Dr. Graca Machel, led an 18-member Country Review Team (CRT) to Kenya from 3-14 October 2005.
- In the course of its visitation, the CRM interacted with a diverse range of stakeholders in Nairobi and organised provincial fora in all the seven provinces in Kenya. The team also made an onsite inspection of Kibera, one of the largest slum dwellings in Africa.
- The Mission notes the visible commitment of Kenya's citizenry and leadership to the institutionalisation of democracy. At every layer of society, the people spoke on the management of their public life with candour and passion.
- The methodology adopted by Kenya to conduct its self-assessment is apt and highly recommended to other countries.

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The Follow-Up Mission

- The CRM was undertaken at the height of the campaign for the referendum of 21 November 2005.
- Other emerging issues include the raid on the Standard Newspaper by agents of the state on 2 March 2006 and the release of a number of reports including: Anglo – Leasing report which presents gory details about phantom entities, including some UK companies, used to perpetrate fraud on the Kenyan taxpayer and the Goldenberg report; which deals with huge payments made for the fictitious export of gold and diamonds.
- The Panel was convinced that these events were bound to have a significant impact on the future political direction of Kenya. A three-member team thus visited Kenya from 10-14 April 2006 to provide additional insight on these events.

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Best Practices

Democracy and Political Governance

- Kenya's role in pacifying her neighbours and bolstering various conflict resolution mechanisms.
- Under the current dispensation, political and civil rights are exercised with a considerable degree of freedom and little restrictions.
- The manner the Electoral Commission of Kenya (ECK) conducted the referendum. The body not only exercised its independence, but the results were also declared 24 hour after voting took place.
- Recent firing of 29 judges to clean up the Judiciary.

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Best Practices

Economic Governance and Management

- Kenya has made significant strides in the production and exports of horticultural products. In fact, Kenya is a leading exporter of cut flowers to the European Union, accounting for 25% of all cut flower imports.
- Government's efforts to reduce Kenya's debt to a sustainable level. The debt/GDP ratio which was well over 100 percent in 1993 had been reduced to 36 percent by end-2002/03.
- Domestic resource mobilization. With a tax-to-GDP ratio of over 20 per cent, the country is able to finance a large proportion of its budget from revenue generated locally.

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Best Practices

Corporate Governance

- The Centre for Corporate Governance which develops corporate governance codes of best practice for both private and state-owned enterprises. The Centre has also championed the creation of the Shareholders' Association and the Institute of Directors.
- The recent Initial Public Offer of KenGen, the state power company. Investors, mainly locals, paid out an unprecedented Sh26 billion (\$361 million), representing more than the value of the company and about three times the amount the Government had hoped to raise.

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Best Practices

Socio-Economic Development

- Promotion of decentralisation and participatory development by the Central Government. The government has disbursed several billions of Kenyan shillings through about seven funds including the Local Authority Transfer Fund and the Constituency Development Funds (CDFs).
- Kenya has a very commendable free and universal primary education policy.
- Kenya's ability to reduce the prevalence rate of HIV/AIDS from 13 percent to 7 percent between 1999 and 2004.

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Democracy and Political Governance

- Kenya is a relatively stable Country.
- The country has signed/ratified many of the recommended codes. However, Some important instruments such as the Convention on the political rights of women and the convention on protection of the rights of migrant workers are yet to be signed or ratified.
- The country has thus far neglected to entrench the ratified codes through legislation. Even where the codes and standards have been domesticated, enforcement capacity is lacking.
- Kenya has much strength that mitigate against the outbreak of mass violence but it also exhibits many of the factors that have been markers of civil strife elsewhere such as strong ethnic divisions, socio-economic disparities, poverty and endemic corruption.

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African Peer Review
Mechanism

Democracy and Political Governance

- In the main, President Kibaki's 2002 victory was Kenya's first taste of real democracy and it brought with it all the angst and ecstasy of a truly democratic and free society.
- It opened up the democratic space and a new dispensation that ushered in several welcome institutional and policy reforms in several facets including the civil service, executive, legislature, judiciary and local government.
- During the country consultations, Kenyans widely concede that they currently enjoy a greater degree of human rights and political freedom.

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African Peer Review
Mechanism

Democracy and Political Governance

In summary, the major outstanding challenges are as follows:

- Inability to address the colonial legacy and set a political agenda for real and strong national unity;
- Historical imbalances in the channelling of resources and development programmes to certain regions in Kenya;
- The delay in promulgating a new constitution in spite of the Boma draft being the product of the most extensive constitutional consultations in Africa's history;

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Democracy and Political Governance

- The need for all-inclusive political parties cutting across the racial and ethnic divide with broad based truly national agenda based on principles and shared values;
- Pervasive corruption;
- The existence of several vulnerable groups that are marginalized;
- High incidence of poverty;
- The under-representation of women in key positions of leadership at all tiers of government and the private sector; and
- Lack of confidence and trust in public institutions.

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Main Panel Recommendations

- Kenya needs to devise long-term and far reaching policy on management of diversity.
- The Kenya power elite to work astutely and diligently with the entire population to forge a consensus on modalities of adopting an acceptable constitution.
- In light of current internal schisms, polarization, and ethnicisation of political issues, the Panel recommends that a high level eminent persons group be created by the African Union to facilitate a resolution of the current constitutional crisis.

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Economic Governance and Management

- Kenya has the largest economy in East Africa and the third largest economy in Sub-Saharan Africa.
- Economic performance has been well below its potential. This could be attributed largely to a combination of factors including external shocks such as secularity of primary commodity prices and intermittent drought, corruption and deteriorating infrastructure among other things.
- The coalition government has demonstrated a serious intent to push forward its economic reform agenda which had seen Kenya register a positive, albeit modest, economic growth over the last three years. GDP was a resounding 5.8 % in 2005.

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Economic Governance and Management

- Overall, Kenya has some economic strengths namely, reduced dependence on foreign aid, good domestic resource mobilisation efforts and a vibrant agricultural export sector especially for horticulture.
- However, despite noticeable progress in carrying out key reforms, the country still faces many challenges. These include implementing strong and effective anti-corruption policies, enacting anti-terrorism and money laundering laws, restructuring government expenditure and reducing the government wage bill.
- Stakeholders everywhere agreed that Parliamentary oversight is weak.

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Economic Governance and Management

- Challenges are also noted regarding regional integration. Many citizens are insufficiently informed about the country's integration activities. It is also necessary to continue to reinvigorate the East African Community.
- When the EAC collapsed in 1977, the three member states lost over sixty years of co-operation and the benefits of economies of scale.

Recommendations

- Design a comprehensive policy directed squarely at the issue of diversification of the domestic production structure and of exports; and
- Appropriate steps be taken by Parliament to effectively perform its oversight role in the budgetary and planning areas.

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Corporate Governance

- Awareness on Corporate Governance is growing in Kenya.
- Major amendments to corporate laws needed as many laws inherited from the colonial era have not undergone substantial revision or amendment.
- Improvement in public service delivery is a key issue in Kenya especially in the areas of business registration and licensing, commercial dispute resolution, access to land and customs and trade facilitation.
- Corporate Social Responsibility (CSR) and care for the environment are still in infancy in Kenya.

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Corporate Governance

- The cost of doing business is high due to security problems and inadequate infrastructure including lack of power, water and sewage facilities. According to 2004 World Bank Investment Climate Survey of Kenya, firms lost on average 9% of sales due to power outages per year.

Recommendations

- Kenya to improve the investment climate and restore competitiveness by significantly developing infrastructure, reducing costs of doing business and eliminating insecurity in the country;
- Promote MSEs and SMEs activities by easing registration, improving access to finance and boosting industrial activities both in urban and rural areas.

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Socio-Economic Development

- The pursuit of socio-economic development has long been the cornerstone of public policy in Kenya although the strategy has varied over the past four decades.
- In recent years, Kenya is making great efforts to implement far-reaching reforms needed to stimulate economic growth under the Investment Programme for the Economic Recovery Strategy for Wealth and Employment Creation (IP-ERS) 2003-2007.
- On the social front, free primary education has been introduced, dramatically increasing enrollment.

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