



CONFERENCE REPORT

Parliamentary Democracy in the Great Lakes Region

REPORT ON THE FIRST REGIONAL CONFERENCE, **NAIROBI, 14-16 APRIL 2005.**



Parliamentarians seek bigger role in peace process

MPs adopt Nairobi Action Plan; commit to bringing voice of the people to the negotiating table. P 3

Women raise their voice

A call to promote the participation of women in peace initiatives and the democratic process. P 14

MPs call for ratification of small arms reduction agreements

Push towards implementing accords on limitation of small arms proliferation. P 17

CONTENT

- **President's welcome** **2**

- **Results of the conference** **3-4**

- **Background** **5-7**
 - Dar es Salaam Declaration 5
 - Opportunities for Intervention 6
 - How Parliaments Work for Peace 7

- **Speeches and discussion** **8-13**

- **Women raise their voice** **14-16**

- **Fighting small arms** **17-19**

- **Next conferences/Colophon** **20**

AWEPA President welcomes active role of MPs

'New Hope for the Great Lakes Region'

"I am very grateful that AWEPA, together with its partners, had the opportunity to organise this conference on Parliamentary Democracy and Peace. Parliamentary input in the peace process in the Great Lakes Region is crucial. Parliamentarians can bring the voice of the people to the negotiating table. In doing so, they significantly improve the prospects of full acceptance and implementation of the peace agreements."

The Great Lakes Region has been war-torn for decades. But there is new hope. Last year, regional governments committed themselves to the Dar es Salaam Declaration, a new outline for an encompassing plan for peace. As a follow-up to this declaration, government leaders were scheduled to hammer out concrete and legally binding agreements in the fall of 2005. Parliaments had not yet been closely involved in the process.

I am very proud to say that at the April 2005 regional conference on Parliamentary Democracy and Peace held in Nairobi, representatives of 25 African and European parliaments took the opportunity to raise their voices and seek active parliamentary involvement in the peace process. There are already strong signs that senior officials involved in the peace process are responding to their call.



Dr. Jan Nico Scholten, AWEPA Executive President: "Parliamentarians take the opportunity to influence the peace process"

The MPs also took steps to help translate the Dar es Salaam Declaration into concrete action by adopting the Nairobi Plan of Action, in which they commit themselves to ratify and implement agreements, increase the role of women and curb the proliferation of small arms in the region.

A warm thank you to the North South Centre and the AMANI Forum for their

help in organising this conference with us. We also express our deep gratitude to UNIFEM and the governments of Belgium, Denmark, Sweden and The Netherlands for their indispensable support for this initiative.

Dr. Jan Nico Scholten
AWEPA Executive President

Four-year plan to boost peace and well-being

KEEPING MOMENTUM IN THE GREAT LAKES REGION

The Regional Conference on Parliamentary Democracy and Peace in the Great Lakes Region was the first in an ambitious series of regional meetings and national follow-up seminars aimed at taking concrete political steps towards peace and to improve humanitarian and socio-economic development in this dynamic part of Africa. AWEPA, along with several partners, agreed to facilitate at least 16 conferences in four years' time. The conferences will focus on strategies to make significant progress in four areas:

- Strengthening parliamentary democracy
- Fighting HIV/AIDS
- Poverty reduction (PRSPs);
- Private sector development.

Each theme will be discussed once a year from 2005-2008 at a special meeting for parliamentarians from the Great Lakes Region convened by AWEPA and its partners. It is of crucial importance that each conference will build on the results of the previous one, thereby keeping the momentum for peace, stability, health, and socio-economic and humanitarian development in the region. Each regional meeting will be followed up by national meetings in the participating countries.

The four-years-four-themes process is supported by the Dutch government. Other donors have been - and will be - involved as well, in varying partnerships depending on the issues addressed.

Additional subjects for debate may also be added to the conference agenda as and when developments in the Great Lakes Region require.

The next meeting on Parliamentary Democracy and Peace is scheduled for late 2005/early 2006. Conferences on HIV/AIDS, Poverty Reduction Strategy Papers (PRSP), and private sector development are also planned to take place over the next few months. AWEPA will keep you informed about progress made on each of the four themes in a series of conference reports. The report you're holding is the first in the series.

MPs Adopt Nairobi Action Plan at Regional Conference on Parliamentary Democracy

Parliamentarians Seek Bigger Role In Peace Process

Great Lakes Region MPs have decided to claim a bigger role in the region's peace process. They adopted the Nairobi Parliamentary Action Plan, which provides input to the Peace Pact due to be signed by Heads of State in December 2005. The parliamentarians' commitment to bringing the voice of the people to the negotiating table was one of several encouraging results of the regional conference on Parliamentary Democracy and Peace in the Great Lakes Region, held in Nairobi on 14-16 April 2005.

The parliamentarians also urged governments to give women a bigger say in the design of government policies and treaties, and called on countries in both Africa and the North to step up efforts to curb the proliferation of small arms in the Great Lakes Region.

At the meeting in Nairobi, some 80 African and European Parliamentarians, key regional experts and other stakeholders explored the conditions necessary for parliaments to maximise their potential as Instruments for Peace. They did so against the background of the Dar es Salaam Declaration, a document signed by the Heads of State of 11 countries in the region in November 2004. In the Declaration, the leaders committed themselves to "transform the Great Lakes Region into a space of sustainable peace and security for states and peoples". They also announced they would design a legally binding peace plan, called the Pact on Security, Stability and Development, to be signed in the fall of 2005 at the Second Summit of the International Conference on the Great Lakes Region.

NEED TO BE BETTER INFORMED

"Members of Parliament can contribute to

peace. They are the ones who are going to discuss the budgets and ratify treaties. So we must be part and parcel of these



Exploring ways to maximize the role of parliaments as Instruments for Peace. Some 80 MPs met at the regional conference on Parliamentary Democracy and Peace in Nairobi

processes," said Hon. Norbert Mao, Chairman of the AMANI Regional Executive Committee. Although civil society, youth and women had already been involved in the peace process to some extent, parliamentarians had so far been virtually absent. In the build-up to the Second Summit of the International Conference on the Great

Parliamentarians to be better informed" about the peace process. The Parliamentarians' desire for more information was partially met at the conference, as several experts meticulously informed the MPs about the technicalities of the build-up to the Pact on Security, Stability and Development, thus enabling the parliamentarians to identify where and when they might intervene.

NOT TOO LATE TO JOIN

Ambassador Ibrahima Fall, UN Special Representative for the Great Lakes Region and a key coordinator of the peace process, signalled that the parliamentarians' call for a place at the negotiating table would not fall on deaf ears. He said he welcomed the active stance of MPs regarding the Pact and stimulated Parliamentarians to continue to lobby for a higher level of involvement. "It is not too late for MPs to join," said Fall. The UN official also reiterated, however, that parliamentary inclusion in the peace process should be sought >



"Members of Parliament can contribute to peace. They are the ones who are going to discuss the budgets and ratify treaties."
Hon. Norbert Mao, Chairman of the AMANI Regional Executive Committee.

> through the channels of each of the Parliamentary delegations' national governments. It is not up to the UN/AU Secretariat to decide if and how MPs should be included, he emphasised. The parliamentarians said they would start lobbying their governments and plan press conferences in their respective countries to support their claim and raise awareness about the peace process.

TAPPING INTO AFRICAN EXPERIENCES

Another valuable result of the conference was the extensive exchange of detailed information among African MPs about experiences with conflict and democracy. For many years AWEPA has brought together parliamentarians from Europe and Africa, often allowing Africans to learn from Europe's long tradition of working with parliaments and governments. Increasingly, however, African MPs are tapping into the experiences of fellow Africans. At the conference in Nairobi, South-Africa's experience with

reconciliation and building a stable democracy in the midst of deep ethnic animosities, for instance, turned out to be a rich source of information and inspiration for MPs from countries coping with similar problems. MPs also made several references to Mozambique's peace process and reconstruction and rehabilitation efforts that have evolved over the past decades. In a lively exchange, MPs from relatively developed democracies, such as Botswana, Namibia and South Africa traded experiences with MPs from countries whose parliaments have gained clout only recently.

The eleven core countries involved in the regional peace process - which revolves around the International Conference on the Great Lakes Region - are Angola, Burundi, the Central African Republic, DRC, Kenya, Rwanda, Republic of Congo, Sudan, Tanzania, Uganda and Zambia. Co-opted members to the preparatory process are states neighbouring these



UN Special Representative Ibrahima Fall (left) and member of the AWEPA Eminent Advisory Board Mose Titjendero discuss how MPs can be involved in the peace process

core countries. The Group of Friends of the region, consisting of several donor countries and international organisations also supports the peace process. ●

Nairobi Parliamentary Action Plan

The Nairobi Parliamentary Action Plan sums up the results of the conference on Parliamentary Democracy and Peace in Nairobi. The MPs from Africa and Europe who adopted the Action Plan tailored most of their recommendations and demands to the four themes of the Dar es Salaam Declaration: Peace and Security; Democracy and Good Governance; Humanitarian and Social Issues; Economic Development and Regional Integration.

In the area of Peace and Security, the key recommendations included the following:

- Parliaments must be more pro-active in setting the political agenda for peace and prosperity, while articulating the needs of all people, to build confidence and prevent escalation of conflict
- Parliaments must accelerate the ratification of treaties
- Parliaments must ensure that their oversight role of parliament is engraved in every protocol by participating in discussions to establish regional peace mechanisms
- Parliaments must bear witness to the suffering of the people
- Parliaments must press governments to include parliamentary representation, on a gender-balanced basis, in peace initiatives.



Militia fighting in the Great Lakes Region. It should be a thing of the past if the Dar es Salaam Peace Pact, supported by parliamentarians, materialises

Recommendations regarding Democracy and Good Governance and the two other themes:

- Parliaments must establish regional forums, such as a centre for democracy, an anti-corruption mechanism and civic education centre, making use of modern means of communication and information
- Parliaments must establish regional forums, such as a mechanism on gender equality, a centre for youth, and a poverty reduction programme

- Parliaments must stimulate intra-regional trade initiatives, and seek to harmonise Africa's position in trade negotiations, such as those at the WTO.
- Parliaments must be supported to participate in regional parliamentary dialogue formats on conflict prevention and peace building, as part of an overall post-war reconstruction process

The conference participants emphatically urged governments to ensure that parliamentarians with relevant expertise will be included in the thematic task forces that are preparing the text of the Pact on Security, Stability and Development. They said they would introduce the Nairobi Parliamentary Action Plan to the Second Summit of the International Conference on the Great Lakes Region scheduled for late 2005.

For the Action Plan's recommendations on the role of women see pages 14-16 and on small arms reduction pages 17-19.

For the full text of the Nairobi Parliamentary Action Plan see: www.awepa.org (publications - action plans). ●

Heads of State commit themselves to peace process

The Dar es Salaam Declaration: Towards a Prosperous and Peaceful Region

At the regional conference on Parliamentary Democracy and Peace, African and European parliamentarians explored the conditions needed for parliaments to work as Instruments for Peace. They did so against the background of the Dar es Salaam Declaration, a document outlining a vision and plans for a better future.

The Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region was signed in Tanzania in November 2004 at the first summit of Heads of State at the International Conference on the Great Lakes region (IC/GLR), aimed at finding ways to build lasting peace and prosperity in the region. In the Declaration, the eleven core members of the conference outline their vision and their roadmap towards a brighter future.

“We declare our collective determination to transform the Great Lakes Region into a space of sustainable peace and security for states and peoples,” the Heads of State said. They identified four areas where they would concentrate their efforts to stabilise and revitalise the region:

- 1 Peace and Security
- 2 Democracy and Good Governance
- 3 Economic Development and Regional Integration
- 4 Humanitarian and Social Issues

On Peace and Security, the Declaration touches on issues ranging from implementing non-aggression and Common Defence Pacts to establishing a regional security framework for prevention, management and peaceful resolution of conflicts, promoting common policies to put an end to the proliferation of illicit small arms and light weapons, as well as fighting genocide.

PROMOTE PARTICIPATION OF CIVIL SOCIETY

On Democracy and Good Governance, the Heads of State and Government commit themselves to promoting and respecting the values, principles and norms of democracy and good governance, as well as observing human rights. They also decided to promote an effective participation of the different socio-

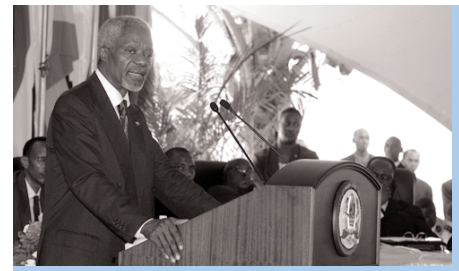
economic actors, specifically the private sector, civil society, women and youth, in the consolidation of democracy and good governance.

With regard to Economic Development and Regional Integration, the leaders of the Region have decided, among others, to build a unified economic space for enhanced economic efficiency and for the eradication of poverty, and achieving sustainable economic development.

On Humanitarian and Social Issues, the Heads of State and Government committed themselves to strictly comply with obligations and principles of the Universal Declaration of Human Rights, ratify, implement at the national level and operationalise all relevant and related international and regional human rights instruments.

LEGALLY BINDING PACT

The Heads of States promised they would translate their commitments into concrete plans and protocols, which would be integrated into a new legally-binding Pact on Security, Stability and Development. They said this Pact should be ready for signing after the last details have been hammered out at the Second Summit of the International Conference on the Great



UN Secretary General Kofi Annan delivering a speech at the opening of the First International Conference on the Great Lakes Region in Dar es Salaam in November 2004, which resulted in the signing of the Dar es Salaam Declaration. Annan is a driving force behind the peace process in the region Photo: UN/Eskinder Debebe

Lakes Region originally scheduled for 14 and 15 November 2005 in Nairobi, later postponed until 16-17 December 2005. The Dar es Salaam Declaration was signed by the Presidents of Angola, Burundi, the Central African Republic, Congo-Brazzaville, DRC, Kenya, Rwanda, Sudan, Tanzania, Uganda and Zambia. Presidents of other African countries, including South-Africa and Nigeria, along with UN Secretary General Kofi Annan signed as witnesses. The regional peace process, the International Conference on the Great Lakes Region in particular, is being coordinated by a joint secretariat of the UN and the AU. Key political and logistic support is being provided by the region's Group of Friends, consisting of western donor countries, several African countries and international organisations.

Latest developments regarding Dar es Salaam Declaration

Progress Towards Security, Stability and Development Pact

At a meeting of the Regional Preparatory Committee in Angola on 26-30 September 2005, more than 100 delegates from the Great Lakes Region reached agreement on the texts of peace and security documents as well as a non-aggression and mutual defence pact, which are to be included in the new Security, Stability and Development Pact for the Great Lakes Region.

The adoption of the texts was a major step forward for the region, which has no such non-aggression and mutual defence agreement in place. In addition

to adopting texts on peace and security, the Preparatory Committee reviewed draft protocols on democracy and good governance, judicial cooperation, and economic and regional integration.

The meeting in Luanda was the third in the IC/GLR's preparatory process. More than 100 delegates from the Great Lakes Region and from the UN/AU Secretariat, the Group of Friends and observers attended the meeting. The next Regional Preparatory Committee meeting was scheduled for 14-16 December 2005 in Bangui, Central African Republic.



*Pär Granstedt, AWEPA Vice-President:
...in-depth research into role of parliaments as
peace makers*

AWEPA Scrutinises Role of Parliaments

AWEPA is currently conducting an in-depth study into the role of Parliaments in conflict management and peacebuilding in Africa, its vice-president Mr. Pär Granstedt told MPs in Nairobi .

“Building on AWEPA’s rich experience in collaborating with parliamentarians during conflict and peace processes in countries such as Mozambique, Rwanda, Burundi, the DRC and Somalia, our research will first focus on assessing what role parliaments have actually played in conflicts,” explains Mr. Pär Granstedt, vice-President of AWEPA. “After identifying the factual role of parliaments, AWEPA will - through a process of analyses - determine what the optimal conditions are

for parliaments to act as instruments for peace,” he added.

JOINT AFRICAN-EUROPEAN EFFORT

The study’s analyses and recommendations will be relevant to national parliaments, as well as regional parliaments and the Pan African Parliament. The research report ‘The Roles of Parliaments in Conflict Management and Peacebuilding in Africa’ is expected to be published in 2006. AWEPA Director Jeff Balch heads the research team, which collaborates intensively with governmental and non-governmental institutions in Africa and Europe as well as with African academia.

After the Dar Es Salaam Declaration

Opportunities for Parliamentary Intervention in Great Lakes Peace Process?

The Heads of State and Government who signed the Dar es Salaam Declaration decided to organise a second summit in Nairobi in the fall of 2005 to sign a Security, Stability and Development Pact. This legally-binding agreement envisages translating the commitments on building peace and prosperity into concrete action. The build-up to the Pact might offer opportunities for parliamentarians to provide input into its design.

The Security, Stability and Development Pact will consist of the Dar es Salaam Declaration and a series of Protocols and Programmes of Action. The details of the protocols and programmes have been designed in committees at three levels:

- a **Regional Inter-Ministerial Committee**. Comprising 11 Ministers of the 11 core countries in charge of the IC/GLR, this committee supervised the process of formulating the protocols and programmes of action.

- a **Regional Preparatory Committee (RPC)**, made up of (Deputy) National Coordinators of each member country, assisted by specialists in the four themes of the conference as well as representatives of women, youth and civil society groups. Parliamentarians might become involved in the Committee as experts in specific areas.

- the draft of the Protocols and Programmes for Action of the Pact are to be written by **Thematic Technical Task Forces (TTTF)**, set up on each of the four themes. The task forces comprise renowned experts, drawn from the governments of the core countries, as well as from UN agencies, civil society and regional and sub-regional organisations and partners. The task forces seem to offer the best opportunity for parliamentarians to become involved and make an active contribution. Before the conference, only Uganda had nominated an MP in its delegation to the preparatory process. The experts identified at least 15 programmes of actions, consisting of several projects.

Although the technical preparatory process theoretically provided opportunities for parliamentarians to influence the content of the Pact, many MPs expressed their disappointment that hardly any parliamentarians were invited to join the committees and task forces. At the conference in Nairobi, parliamentarians pledged they would seek to change this situation.



The core role of Parliamentary Democracy

How Parliaments Work For Peace

Parliaments are by definition instruments for peace, because the core role of any parliament is to replace the power of physical violence with the power of words and argument. Political conflicts are settled peacefully in a democracy. However, due to the change in the nature of conflicts, especially the surge of intra-state conflicts, scholars believe that parliaments can play an even more active role as instruments for peace than by just conducting their everyday parliamentary business. If parliamentarians respond well to specific developments and threats, by creating optimal conditions for dialogue, they can make a huge difference and actively help avert conflicts escalating into violence.

Experts have identified several areas where parliaments can actively contribute to peace-building processes*:

REPRESENTATIVE CAPACITY

First of all, parliaments can work to improve their representative capacity. A democratic system requires meaningful participation of all groups in society, whatever their religious, ethnic, tribal, political, socio-economic or cultural backgrounds. Ideally, the composition of parliament should mirror the views and interests of the population at large. Improving representative capacity of parliament improves its ability to reach out to all sectors of society. MPs will be highly aware of opinions and sentiments in all sectors of the population and can address these sentiments.

LEGISLATION AND OVERSIGHT

Parliaments can also contribute to peacebuilding in their role as providers of oversight over governments and lawmakers. They can, for instance pass freedom of information laws, resist privacy legislation that could be used to suppress freedom of speech or media, reject or repeal laws that empower the state to censure, or pass laws that strengthen human rights protections and minority right guarantees.

DIALOGUE WITH CIVIL SOCIETY

Parliaments can adopt strategies for establishing a dialogue with civil society groups. Conflicts often arise between groups because of ignorance or the lack of

credible information about the decision-making process. Parliaments can build trust and counter ignorance through liaising with civil society groups.

RESPECT THE OPPOSITION

Acknowledging the role of the opposition can be crucial to allowing opposition parties to contribute to peacebuilding. In situations, for instance, where the relationship between the government and sectors of the community have deteriorated to the point of total mistrust and the conflict has the potential to escalate, opposition parties can act as a bridge between the conflicting parties and the government.

PROMOTING SOCIO-ECONOMIC EQUALITY

Many scholars have recognised the premise that there is a correlation

strengthen peace and stability by helping to build confidence in the operation of the courts. They could do this by providing enough resources to the court system and abiding by the rule of law themselves, including the peaceful transfer of power after periodic free and fair elections.

DECENTRALISATION

Decentralisation can have a positive or negative impact on peacebuilding. Decentralised decision-making reduces the risk that decisions infringe on local interests, reducing the risk of local or regional dissatisfaction with the government. Allocating too much authority to local administrative bodies, however, carries the risk that the central government is no longer capable of implementing national peacebuilding efforts. As a result, local conflicts may



Democracy at work – casting ballots in Africa. Parliamentary democracy can strengthen peace and stability in many different ways

between conflict and poverty. Parliaments might be able to lower the risk of conflict by adopting legislation that increases social and economic equality. They could for instance, broaden access to scarce assets, especially agricultural land.

RULE OF LAW

Assuming that stability is achieved through justice, parliament could

escalate unchecked by national peacebuilding mechanisms.

* Also see: *Parliament as Peacebuilders: The role of Parliament in Conflict-affected Countries*, abstract of a report of the World Bank Institute, 2004. (distributed during the Nairobi Conference)

Coordinator of peace process welcomes MPs involvement

‘You Have A Strategic Role to Play’

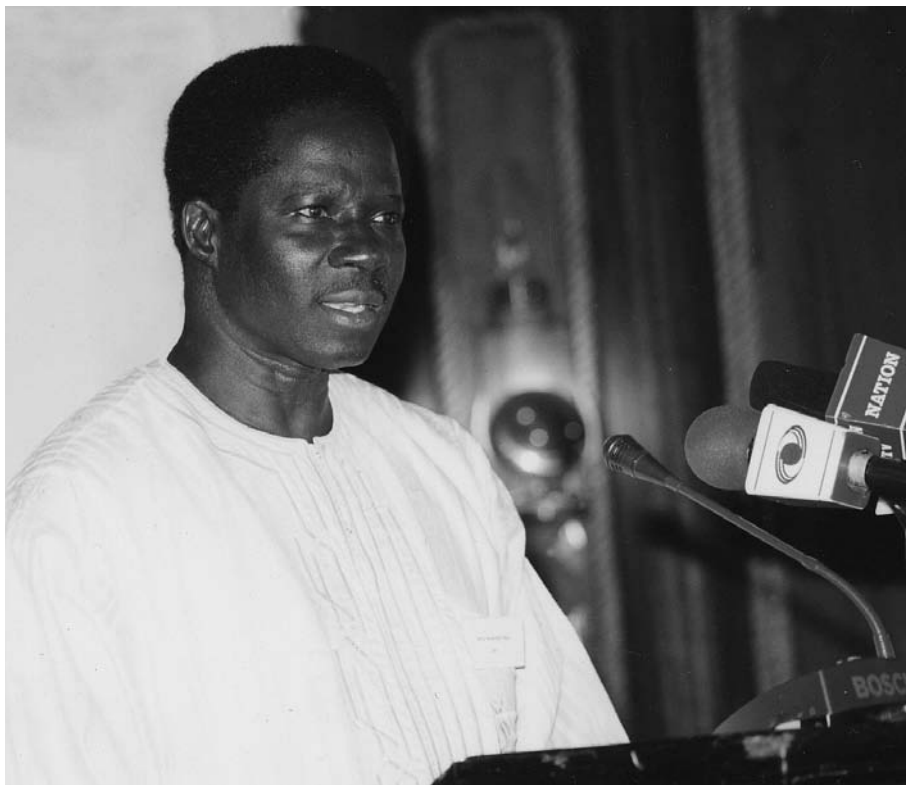
Parliamentarians should be aware that involvement in the Great Lakes peace process is not only possible, but would be warmly welcomed by its facilitators, the UN and the AU, said Ambassador Ibrahima Fall, Special Representative of the UN Secretary General for the Great Lakes Region, in a motivating speech.

“Let me take this opportunity to praise the parliamentary involvement in the International Conference on the Great Lakes Region,” said the Ambassador, adding that the conference on Parliamentary Democracy and Peace in Nairobi was not the first occasion African MPs had discussed the scope and meaning of the ongoing International Conference on the Great Lakes Region. In June last year, the AMANI Forum had already undertaken a parliamentary initiative in Nairobi. And in March 2005, the newly established Great Lakes Interparliamentary Forum organised its first meeting in Kigali on issues of regional peace and security. “We appreciate this cooperation within the framework of the international conference process. The close cooperation between the parliamentarians of the region and the Great Lakes Region conference secretariat is fundamental to a successful all-inclusive integrated approach to tackle the problems of the region,” he said.

PRIVILEGED POSITION

Fall’s invitation to parliamentarians to become actively involved carried weight, because he plays a key role in the peace process, which gravitates around the International Conference on the Great Lakes Region (IC/GLR). Ambassador Fall has been leading the process of the IC/GLR for more than two years.

Parliamentarians should be included in the peace process, Fall reiterated, because of their strategically important political and diplomatic role. “Parliamentarians are key actors in all the four themes of the conference,” he pointed out. “You have a key role to play in peace and security, to help stabilise the region and promote a culture of peace and good neighbourliness. You have a fundamental role in democracy and good governance, as members of one of the central institutions designed to check and balance the



Ibrahima Fall, UNSG Special Representative for the Great Lakes Region, praises parliamentary involvement and is keen on working with parliamentarians in the regional peace process

authority and as a pivotal institution to question the policies of the executive. You have strategic role in economic development and regional integration, as you are the representatives of every constitution in your respective countries and are therefore in a privileged position to identify priorities in development policies and strategies. You are in the prime seat with regard to humanitarian and social issues as the voice of the people, mandated by the people and sensitive and responsive to their basic needs,” explained the Ambassador .

TECHNICAL PHASE WILL SHAPE PACT

The regional conference on Parliamentary Democracy in the Great Lakes Region, said Fall, came only a few days after the first round of negotiations on the details of the Pact on Peace, Stability and Security, which government leaders hoped to sign at the Second International Conference on the Great Lakes Region in the fall of 2005. Fall suggested MPs should look into the results and process

of these negotiations, conducted by the Technical Thematic Task Forces (TTTFs). “It is essential that you bring your invaluable input to this technical phase, which will shape the Pact to be signed” later this year, he said.

“Your role, however, does not stop with the signing of the Security, Stability and Development Pact by your Heads of State,” he added. “In many countries, parliaments will need to ratify the Pact, including its protocols, to make them legally binding. Parliaments are also one of the most important and powerful monitoring mechanisms of far-reaching agreements. This Pact will necessarily need monitoring so that it is respected and implemented, so that it takes life. You will have a key role in doing that, in the short, medium, and long term.” ●

Norbert Mao, MP Uganda and Chairman AMANI Regional Executive Committee

‘Create a New Image of Africa’

“We have to confront the disease called Afro-pessimism,” said the Hon. Norbert Mao, MP Uganda and Chairman of the AMANI Regional Executive Committee, who proposed a list of initiatives parliamentarians could take to enhance peace and development. “We want a new image of Africa,” he said.

The conference on Parliamentary Democracy and Peace provides an ideal platform for parliamentarians to discuss how they can help solve Africa's problems, said Mao. He suggested several avenues MPs could take to achieve improvements:

SET THE AGENDA

- Parliamentarians can set the agenda. When MPs talk about issues they are covered in the media. They fuel discussion. “It is time for MPs to talk more intensively about issues such as peace and security, prosperity, the unity of Africa and good governance,” he said.

POWER OVER SPENDING

- Parliamentarians discuss budgets, giving them considerable power over spending. This competence enables them to work toward economic equity. As most conflicts in Africa arise from deep social and economic inequality, ensuring that more people get a fair share of a country's resources and wealth will most likely reduce conflict.

TELL THE TRUTH

- Members of parliament can “shine the torchlight of truth” telling the world about dark events in corners where nobody wants to go, such as Northern Uganda

and Eastern Congo. Even in cases where MPs are not yet in the position to really solve a problem, it is important to bear witness to human suffering and to keep records. “When justice is done in a later stage, witnesses' reports are needed,” Mao explained.

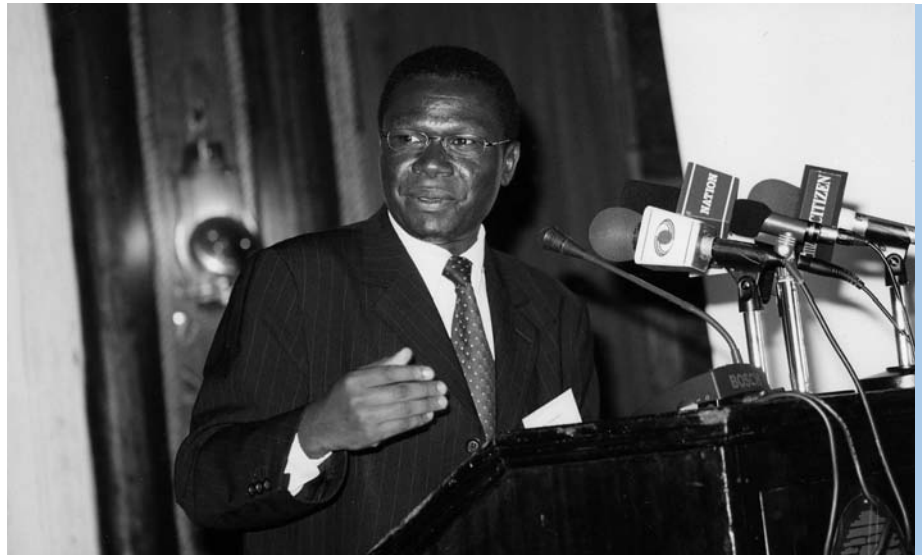
END PROTECTION OF CORRUPT LEADERS

- European parliaments could raise the issue of ending the protection of the privacy of those African leaders who have moved billions of dollars of “stolen money” into western bank accounts. “When you question African corruption, don't get demotivated if you're blamed of imperialism,” Mao stressed.

RATIFY AGREEMENTS

- MPs can play an important role as stewards of peace by making sure that important agreements, such as the Dar es Salaam Declaration signed by their governments are actually respected.

Mao reiterated that he was pleased that the office of the International Conference in the Great Lakes District has indicated that it acknowledges the important role of parliaments in ratifying treaties and allocating budgets for reconstruction and development. He pledged AMANI would work with AWEPA to continue highlighting the regional peace “Together we can make a difference,” he said. ●



Norbert Mao, MP Uganda and Chairman AMANI Regional Executive Committee
Parliamentarians can “shine the torchlight of truth”

David Gakunzi, North-South Centre

‘Create a Regional Fund to Support Civil Society’

Africa must find African solutions to African problems, said Mr. David Gakunzi, Coordinator of the Africa-Europe dialogue programme of the North-South Centre. It is just as important that the rest of the world supports Africa in its efforts to alleviate poverty and build peace.

Despite widespread poverty and war, the Great Lakes Region has always maintained its capacity to find creative solutions, such as the decentralisation in Uganda and the

Agacaca justice system in Rwanda, Gakunzi said. The enormous human and economic potential of the region holds the promise of imaginative and effective

answers. He suggested several initiatives to cope with today's issues:

CIVIL SOCIETY FUND

- One of them was establishing a regional fund to support initiatives of civil society - not just NGOs, but also churches, unions, women groups etc.. “The road towards the rebuilding of a social contract and >

> trust leads through a strengthened civil society,” he pointed out.

PARLIAMENTARY INFRASTRUCTURE

- “It is just as urgent to set up a regional programme to support ongoing initiatives and structures at the parliamentary level in the region. There will be no lasting peace unless we strengthen parliamentary infrastructure,” he said.

REVIEW INTERNATIONAL AID

- In addition, it is necessary to review international aid “in order to ensure it responds to the needs, priorities and interests of the people in this region,” Gakunzi added. Aid should be coherent and more effective, and efforts to provide micro-credits should be included. Aid should also be more closely directed to the support of regional initiatives aiming at economic integration and a common currency, he said.

CENTRAL ROLE FOR PARLIAMENTS

Parliaments should play a central role in all these effort. “Parliaments are the most appropriate instruments to prevent problems from evolving into conflicts.



David Gakunzi, North-South Centre: “Set up a fund to support regional civil society initiatives”

They are the place where dissent and colliding interests in society are settled peacefully through debate.”

Gakunzi added that the North-South Centre, as the “window on the world” of

the Council of Europe, will continue to facilitate dialogue between European countries and the South. “Building peace is a long-term effort. You can count on my organisation’s support and solidarity,” he told the conference. ●

Halifa Sallah, Member of the Pan African Parliament

“Parliaments Must Build Sense of National Unity”

The Hon. Halifa Sallah, Member of the Pan African Parliament and Minority Leader in the National Assembly of Gambia, stressed that African parliamentarians should be aware of history.

“African countries emerged from colonialism without consolidating the



Halifa Sallah, Member of the Pan African Parliament: “First build a sense of nationhood”

culture of nationhood. The division into ethnic groups, survival of feudal relations in land ownership, and inequitable distribution of wealth gave rise to a struggle for power,” Sallah stated.

One of the basic tasks of parliaments, he pointed out, is to help build a sense of unity and common interest. “We must realise that nationhood requires setting aside ethnic, ideological, religious and gender differences. We need to create an environment where people are empowered. If parliamentarians are to contribute to peacebuilding in Africa, they must be committed to the empowerment of the people,” he explained

IMPLEMENTING PEACE AGREEMENTS

Enabling parliaments to be an instrument for peace starts at the very beginning: the making of a constitution. “The first task of a parliamentarian is to ensure that the constitution of African States provides for the ratification by parliament of all peace

agreements and protocols. Secondly, parliaments must ensure that in all protocols, provisions are made for annual reporting on the implementation of protocols,” he said. “In addition, parliaments could advocate for the establishment of special bodies to oversee implementation. Vulnerable groups such as children and refugees should be allowed to file complaints to these bodies.”

PARLIAMENTARY STUDIES

In addition to their pure legislative role, parliamentarians can help build peace by conducting studies. A study conducted by the Pan African Parliament into the situation on the ground in Darfur, Sudan, was a good example and had an impact on the response to the humanitarian emergency there, Sallah said. “Parliament must move from being a talking shop into a working body with committees that monitor the implementation of policies and projects,” he added. ●

Willis Mchunu, Speaker of the Parliament of KwaZulu Natal “Installing Conflict Resolution Mechanisms is a Democratic Necessity”

Building peace and democracy in South Africa required solving two major problems: conflicts of ethnicity and scarcity of resources. The Hon. Willis Mchunu, Speaker of the Parliament of KwaZulu Natal, explained how his government addressed these issues.

A major step towards creating stability was the adoption of a new constitution in 1996. “The National Constitution ensures each of South Africa’s citizens equal rights and is the guarantee that ethnicity, religion, gender, age or sexual orientation are not the basis for allocating rights to South Africans,” said Mchunu. “In adopting the Constitution,” he added, “South Africa has, as it were, a major blue print to address the conflicts of ethnicity and the scarcity of resources.”

DECENTRALISATION

One of the key factors behind the stability of post-apartheid South-Africa has been decentralisation. Problems such as lack of water, sanitation, electricity and health

were addressed by provincial legislatures. They have their own budgets and are empowered to take their own decisions on how to use the money. Another important stabilising factor has been to provide for channels through which South Africans could air their grievances. The Constitutional Court, where citizens can appeal, and the Human Rights Commission, are two of these channels. Mchunu also pointed out that the Truth and Reconciliation Commission defused tension by enabling victims and perpetrators of atrocities under apartheid to tell their stories and because it enabled justice to be done.

PEACE COMMISSION

Several other instruments were used that might be an example for the Great Lakes Region, the Speaker pointed out. KwaZulu-Natal for years had a Peace Commission, which consisted of elected members of the parties in dispute, along with members of the army, police and NGOs. It investigated conflict and

brought the stakeholders to the table. “This has worked consistently for many years,” Mchunu said. In addition, so called Ten-a-side meetings were organised to iron out differences between the major political parties. “It is very clear that, unless you have these conflict resolution mechanisms (...) there can be no progress in building up the society and the state,” he stressed.



Willis Mchunu, Speaker of the Parliament of KwaZulu Natal ...similarities between South Africa and Great Lakes Region...

Discussion on role of MPs in task forces

How To Break Into Negotiations

During a discussion following Ambassador Fall’s conference speech, several MPs expressed their regret on the virtual absence of parliamentarians in the negotiating sessions of the International Conference on the Great Lakes Region

(IC/GLR). According to official procedures, it is up to the national governments of the region to decide whom they delegate to the Regional Preparatory Committees and the Thematic Technical Task Forces. But, asked an MP from Tanzania, couldn’t the

UN/AU Secretariat, which coordinates the IC/GLR, ensure parliamentary involvement directly, by simply requiring that MPs take part in all the technical committees?

“I would be delighted to be empowered to take such a decision,” Ambassador Fall answered, “but the conference is owned by the countries of the Great Lakes Region and they are the ones to decide who should be there, not the UN/AU Secretariat. That is why I suggest MPs put pressure on their governments so that they can be included in the national delegations.”

SANCTIONING THE LACK OF WOMEN

MPs are not the only under-represented stakeholders in the negotiating forums of the IC/GLR, a woman MP from Burundi said: the same goes for women. She recalled that the Regional Inter-Ministerial Committee had decided that 30 percent of members of the Thematic Technical Task Forces should be women, but this rule is not observed. Can’t the Secretariat do something about it?

Again, Fall pointed out that it is up >



> to the national governments to nominate members of the task forces. The Secretariat “has strongly insisted” that the national coordinators respect the quota, he said, but doesn’t have the power to impose it. The Hon. Mose Tjitendero,

Former Speaker of the Namibian Parliament, suggested the IC/GLR could sanction national delegations to the Thematic Technical Task Forces that fail to meet the gender quota by reducing their voting power. He said a similar

mechanism proved successful at the Inter Parliamentary Union (IPU). “Those delegations that come to IPU meetings without having met the criteria for women representation, are normally punished by reducing their votes,” he explained. ●



Is the Organisation for Security and Cooperation in Europe (OSCE) an inspiration for better relations between rival countries in Africa? Photo: OSCE/Mikhail Evstafiev

Debate on the Dar es Salaam Declaration

Learning From European History

In a debate on the scope of the Dar es Salaam Declaration, several poignant aspects of European history were evoked as possible examples or sources of inspiration for Africa.

“Europe, which in the 20th century has been the scene of some of the most horrible wars in the history of mankind, is now comparatively secure. Several models of regional security were tested in Europe and its experience can be of value to Africa,” one of the MPs said.

Some attendants said the Dar es Salaam Declaration looked very similar to the initial stages of the Organisation for Security and Cooperation in Europe (OSCE), also known as the Helsinki process, which started in the 1970s. This platform for talks and meetings between two antagonistic camps turned out to be successful and is said to have contributed to avoiding a major conventional or nuclear war in Europe after World War II. “The OSCE allowed better relations between rival countries to develop, and started to work towards peaceful resolution of conflicts, conventional arms limitation, and respect for human rights. Many of these things are necessary in Africa today,” one of the speakers said.

HOSTILE COUNTRIES

Taking their European counterparts’ experience with the OSCE as an inspiration, one of the African MPs said: “So let us talk as parliamentarians of different, sometimes even hostile

countries. Let’s agree on what are our common interests. Making an agreement on even the smallest issue may be a step towards the first day without conflict. Let’s proceed along this road, and eventually we will see that the strength of diplomacy can sometimes be more powerful than the force of a gun.”

Reiterating their regret that parliamentarians are insufficiently represented at regional peace negotiations, the MPs stressed that the Security, Stability and Development Pact regional leaders were planning to sign in late 2005 should prioritise measures against serious violations of human rights, especially of vulnerable groups, establish a mechanism for the peaceful settlement of conflicts and seek to end impunity. The parliamentarians also identified a difficult dilemma regarding security and the struggle against the proliferation of small arms. While acknowledging that curbing the use and proliferation of small arms would obviously improve security in the region, several legislators also noted that demand for arms remains strong as long as other security measures are failing. “People need small arms to guarantee their individual safety and sometimes see them as a necessary security measure,” said one of the participants in the debate. ●

Debate on Strengthening the Role of Parliament

“Ruling Party Criticises Executive Outside of Parliament”

“Being an MP in Africa is very frustrating,” a parliamentarian from Ghana said. “We have nice constitutions, with all the checks and balances, but in practice parliament has not been able to exercise its proper role, because the executive always uses its majority in parliament to pass through anything.”

Several other MPs also raised the issue of pre-cooked proposals and lack of genuine debate in parliament. The problem might be solved, or at least put into perspective, by giving greater emphasis to the stage preceding the official debate in the legislature. In South Africa, MPs can criticise and influence their own ministers during an intra-party process where members who are in the executive have to account for party policy before the caucuses, a representative of Southern Africa explained. “Even the President has to report to his party caucus,” >



Debate continued outside of the conference hall. Many discussions culminated in recommendations that were included in the Nairobi Parliamentary Action Plan

> the MP said. “Our experience is that, within the party, it is possible to debate against your Minister and change policies. So MPs of the ruling party do debate the policies of the executive, but in the party Caucus, instead of the Chamber.”

The difficulty for the opposition to enter into a real debate and influence the executive’s policy, could be resolved by starting a debate on the issue in the media, several MPs suggested.

“Opposition parties can look for publicity and generate public support for their stance. By doing this, the public can exert significant pressure on the executive, which might then decide it has to change its policies,” explained one of the participants to the debate, drawing on personal experience.

ABOLISH NOMINATION OF MEMBERS

Another way to make parliaments more critical of the government – at least in a

limited number of African countries – is to abolish the habit of having nominated members. An MP from Sweden said this phenomenon, still existing in some countries, is simply “undemocratic”. Colleagues from African legislatures confirmed that the nomination of MPs, in their view, is totally contradictory to democratic rules and procedures and should be abolished by parliamentarians from those countries, “not by anybody from outside”. ●

Debate on Programmes of Action

A Look at the Pact’s Projects

Regional negotiators and experts in early 2005 identified at least 15 Programmes of Action, consisting of dozens of projects necessary to implement the regional Heads of States’ commitment to enhance stability and prosperity in the region. MPs discussed several of these projects and issued recommendations.

Not surprisingly, given the still thorny political and socio-economic conditions in the Great Lakes Region, the Thematic Technical Task Forces which is preparing the texts of the Security, Stability and Development Pact, has identified a huge number of projects. After a first evaluation of some of the projects, however, MPs attending the regional conference on Parliamentary Democracy noted that many initiatives seemed to duplicate each other. They urged negotiators to address “the weak coherence between the various programmes in the sub-region”. The preparation of projects and programmes in the IC/GLR process also “goes too fast, and could be characterised as a top-down model” the parliamentarians agreed, suggesting the task forces might need to pay more attention to their constituencies’ wishes.

SADC MODEL FOR ECONOMIC DEVELOPMENT

During the debate, MPs made several recommendations to secure progress towards long-term peace and prosperity. Parliamentarians said they welcomed the government leaders’ decision to declare the Great Lakes Region a “zone of reconstruction” and called on parliaments



“Let us talk as parliamentarians of different, sometimes even hostile countries and agree on our common interests.” The AWEPA conference was the stage of intense debate between parliamentarians and experts, from both Africa and Europe

to establish a fund for reconstruction to provide the means necessary for the reconstruction work. The private sector is a key driver of economic development in the region, making it imperative to introduce legislative provisions for it to thrive and to attract investments, they stated in another recommendation to fellow MPs. The legislators added that “the example of SADC” could be used as a model for the economic development of the region.

MPs also expressed support for the article of the Dar es Salaam Declaration calling for debt cancellation and asked AWEPA to contact the G8 to lobby among industrial countries in favour of debt alleviation for the poorest nations.

ISSUE OF RIGHTS OF REFUGEES

In a discussion on social and humanitarian issues, participants to the

conference raised the issue of national citizenship of refugees. Some countries, such as Zambia, allow national citizenship to refugees who have been living within its borders for years. However, this has led to problems with some Rwandan refugees who were later indicted by the Rwandan government of the International Tribunal because of alleged crimes against humanity. The issue of nationality and rights of refugees should be looked into more closely, the MPs said. They also suggested organising an international conference to look into the consequences of the Dar es Salaam Declaration’s article allowing the free movement of people and goods in the region. Finally, the parliamentarians called for the involvement of Parliaments in the implementation of the projects. ●

Session on the
Kigali Declaration

Women Raise Their Voice

Nyaradzai Gumbonzvanda, Regional Programme Director of UNIFEM, explained what was at stake during the special conference session on the role of women: to build on the conclusions of the First Regional Women's Meeting held in Kigali in October 2004, the Kigali Declaration in particular, and take steps to promote the participation of women in peace initiatives and the democratic process.

"It is common knowledge that women and their children are the most affected by conflicts," Gumbonzvanda said. "Women face specific and devastating forms of violence related to gender, including rape as a weapon of war and sexual slavery, practices that in turn greatly increase their vulnerability to HIV/AIDS. It is also widely known that women carry a disproportionate responsibility for care, support and sustaining their households when our countries are devastated by war. At the same time, we are all aware that in our region women have not been adequately engaged in peacebuilding processes in the different countries, even though there are notable positive efforts. Therefore it is very important to support efforts of women MPs in the region to take forward the discussion on peace, security and democracy," she added.

END IMPUNITY

Gumbonzvanda pointed out that at the meeting in Kigali, women of the region, as a first and important step, sought ways to bring the voice of women into the peace process of the Great Lakes Region, which is mostly led by government leaders. The women gathering in Kigali adopted the Kigali Declaration, which includes a demand for the end of impunity for crimes such as rape, and a call for systematically integrating women into the peace process and rehabilitation and reintegration processes. She said the United Nations Development Fund for Women supports these goals. "We, as UNIFEM, recommend the active participation of women," Gumbonzvanda reiterated. ●



Investigating the impact of war in Rwanda. Women of the region seek to make a long-term contribution to peace building

Commitments Made at First Regional Women's Meeting Key Points of the Kigali Declaration

Described as "one of the most successful interventions" on behalf of women in a political process, the Kigali Declaration, issued in October 2004 after the First Regional Women's Meeting held in the Rwandan capital, set out a number of principles to strengthen the role of women in peace processes and society at large.

The Declaration was issued a few weeks prior to the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region with the specific aim of influencing this summit.

These are some of the key issues women assembled at the First Regional Women's Meeting, held in Kigali from 7-9 October 2004, asked their governments and parliaments to address:

- Enact and enforce legislation that protects and upholds the human rights and dignity of women and girls ●

- Take concrete measures to end the culture of impunity
- Put in place a regional mechanism to ensure women's equitable presentation and effective participation in peace, governance and development processes at national and regional levels
- Ensure equal representation and participation of women at all meetings organised in the framework of the Great Lakes peace process
- Accelerate ratification of the AU protocol on Women's Rights
- Ensure that those responsible for reintegration and rehabilitation processes look into the specific needs of women, ex-combatants, and all vulnerable groups. ●

The women also called on their sisters in the Great Lakes Region to continue mobilising, networking and fostering dialogue for peace. They also urged western powers to end the proliferation of small arms in Africa. ●

Loice Bwambale, Member of Parliament, Uganda, reports on women's initiative

Kigali Meeting: Women Have an Impact on the Peace Process

Reporting on the First Regional Women's Meeting held in Kigali from 7-9 October 2004, the Hon. Loice Bwambale, Member of Parliament in Uganda and Chairperson of the Pan African Parliament Committee on Gender, Family, Youth and People with Disability, explained that this meeting had immediate impact on the summit of government leaders that took place a few weeks later in Dar es Salaam. She also told her audience that more needs to be done to facilitate women to work for peace.

The meeting in Kigali was attended by parliamentarians and Ministers of Gender from eight countries. Women leaders of civil society organisations and NGOs also participated. "Our immediate challenge was to lobby the various delegates to the International Conference on the Great Lakes Region in Dar es Salaam, held on 19-20 November 2004, to carry women's issues to the Heads of States assembled at that summit," said Bwambale.

SUPPORT FOR VICTIMS OF RAPE

The lobby seemed very effective. At the summit in Dar es Salaam, government leaders explicitly acknowledged the important role and interests of women. In line with the Kigali Declaration's demand, they committed themselves to ending impunity. Key gender issues were also embedded in the official document that summed up the results of the conference in Dar es Salaam. The Heads of State mentioned gender inequality as an issue to be resolved in the preamble of the Dar es Salaam Summit Declaration and



Loice Bwambale, Member of Parliament, Uganda: "The AU Protocol on the Rights of Women in Africa should be ratified before the end of 2005"

explicitly promised to help set up regional mechanisms to provide psycho-social support, as well as medical and legal assistance to women and girls who are victims of rape or other acts of sexual violence.

MPS SHOULD BRING TREATIES TO LIFE

The women who gathered in Kigali, explained Bwambale, noted that women's

rights in the region were theoretically well protected by a series of international treaties and protocols: the Convention on the elimination of all Forms of Discrimination Against Women (CEDAW), various UN Declarations and Resolutions, the African Union Declaration on Gender Equality, the African Charter on Human and Peoples Rights, and the Protocol on Women's Rights in Africa. Many of these treaties have not been ratified or implemented. Still, this legal framework offers opportunities, Bwambale reiterated. She made a strong appeal to parliamentarians to bring the treaties and agreements to life. "We call for the immediate ratification of the AU Protocol on the Rights of Women in Africa," she said. "It should come into force before the end of 2005. Only five more countries need to ratify the protocol in order to reach the required number of fifteen ratifying countries. Then it will be effective."

MAINSTREAMING GENDER ISSUES

Parliamentarians should use their influence to include gender issues in peace agreements. "It is time for a change of approach," she said. "We should work towards ending violent conflict through mainstreaming gender issues in all four thematic areas of the peace plan that government leaders are planning to hammer out for the Great Lakes Region," she said.



"We as MPs should assist women in becoming leaders for peace. They can bring peace to communities." An MP from Rwanda

South-African example: Seeing it for Yourself

"One of the most important tasks for us as MPs is to go and see the women whose rights are violated and listen to their stories. For example in the refugee camps. We must pass legislation and inform the women to tell them about their rights. They will never be able to fight for their rights if they don't know them. This is what we did in South Africa, especially in the rural areas, and it had a huge impact." A Member of Parliament from South Africa.

Debate on Role of Women

Speak With One Voice: Overcoming Regional Differences

During a lively discussion, women from the Great Lakes Region made well-formulated suggestions about how to promote the role of women in the Great Lakes Peace Process. Several of their recommendations were integrated into the Nairobi Action Plan adopted at the end of the conference (see box).

Monique Kande, Gender Advisor to the Special Representative of the UN Secretary General for the Great Lakes Region, pointed out that the women's meeting in Kigali not only led to a clear set of ideas and demands to strengthen the position of women, but also had the long-lasting effect of creating a closely-knit female network. "It was not easy, but the women assembling in Kigali understood that they had to overcome their different political, social and cultural backgrounds in order to talk with one voice and develop an effective strategy for peace and security," she said. "The Kigali meeting has permitted women of the region to create a regional movement built on the strategies of various women's organisations," according to Kande.



Debating the role of women: "Women have created a regional movement building on strategies of national women's organisations"

DON'T WAIT, DEMAND YOUR PLACE

Organisers of the Kigali meeting collected the opinion of women at various levels of society and forged these into harmonised national strategies, which in turn fed into the regional strategy. "The challenge now is to capitalise on the results and ensure that gender will continue to be integrated when protocols and action plans are being elaborated," she said. Parliamentarians shouldn't be shy during this process, Kande added. "The parliament shouldn't

wait for the executive to give it a place in the International Conference on the Great Lakes region, it should demand its place!" she said.

ROLE OF EDUCATION

An MP from Ghana stressed that improving the position of women should start at an early age through education. "We need to redefine the role of men and women on an equal footing and educate and socialise our children accordingly from early on." A colleague from Rwanda urged that the position of women as the central figure in families and communities be better leveraged. "We as MPs should assist women in becoming leaders for peace. They can bring peace to communities."

Several MPs gave concrete examples of how women could try to improve their position at the national level. In Rwanda, for instance, parliament has adopted a law that classifies rape as a first category war crime, for which the perpetrators will be punished accordingly. In Congo-Brazzaville, women leaders successfully gained access to government leaders and informed them of the suffering resulting from those leaders' decisions.

WESTERN PARLIAMENTS CAN CONTRIBUTE

Nyaradzai Gumbonzvanda (UNIFEM) called on western parliaments to contribute. Western governments make pledges to take the women's agenda in Africa forward, she explained, but it would be helpful if western parliaments monitor the implementation of these commitments.

Recommendations Regarding Gender Nairobi Action Plan:

Support Women's Initiatives for Peace

In the Nairobi Action Plan, adopted at the end of the Regional Conference on Parliamentary Democracy, parliamentarians of the region acknowledged the important role of women in building peace and democracy. They called on their governments to take the following measures:

- Support women's initiatives for peace, and ensure women's participation in peace processes
- Promote the participation of women in democratic processes and in the political and economic decision-making process by putting in place adequate mechanisms
- Support the creation of women's forums for peace on national, regional and continental levels
- Support the development of women's networks for the mobilisation of resources
- Ensure the ratification and the translation into law of treaties and regional and/or international protocols on gender equality, especially the African Charter on Human and Peoples' Rights and the AU Protocol on the Rights of Women in Africa
- Ensure the implementation of the Kigali Declaration.

Fighting Small Arms

MPs Call For Ratification of Arms Reduction Agreements

In a special debate on the Small Arms Reduction Project, parliamentarians of the Great Lakes Region in Nairobi discussed strategies to push towards the implementation of accords on limiting the proliferation of small arms.

The MPs formulated several demands and appeals, which were included in the Nairobi Action Plan adopted at the end of the meeting in Nairobi.

“The illicit proliferation of small arms is one of the factors that feeds and exacerbates the conflict in the Great Lakes Region. The regulation and elimination of this problem demands a prudent approach comprising strategic measures on the supply as well as on the demand side,” the MPs said in a statement included in the Action Plan.

The participants to the conference subsequently appealed to the states of the region to:

- promote the ratification of existing protocols and harmonisation of national legislation
- implement conventions and agreements that are already in force
- Strengthen the collective capacity to monitor the trade in small arms.

On the supply side, MPs urge producing countries to support the countries in the Great Lakes Region in their efforts to regulate and eliminate this tragedy by:

- Adopting and applying treaties that deal with the control of the export of small arms
- Implementing efficient systems for parliamentary control on the export of small arms. ●



Several countries destroyed significant numbers of arms in 2005. In September, Uganda burned 3,000 small arms as a first step to eliminate 50,000 handguns. Earlier in the year Rwanda and Kenya also destroyed piles of small arms as part of their Small Arms Reduction Programmes

Struggle Against Small Arms Gains Momentum

Important Steps Taken Against Small Arms

In the new millennium several important steps have been made towards curbing the proliferation of small arms and light weapons:

- In Africa, the Nairobi Declaration was adopted in March 2000, signed by Burundi, Djibouti, the DRC, Eritrea, Kenya, Rwanda, Sudan, Tanzania and Uganda and later joined by the Seychelles, Congo-Brazzaville and the Central African Republic. Commitment: to put in place “adequate laws, regulations and administrative procedures to exercise effective control over the possession and transfer of small arms”.
- In 2001, the United Nations organised its first conference on the issue of small arms. African countries forged a common position for this conference in the Bamako Declaration (2000). At the UN conference, member states adopted the UN Program of Action on Small Arms, urging that small arms proliferation be curbed through legislation, stockpile management, destruction, identification and tracing of illicit arms.
- In 2001, the UN also adopted the UN Firearms Protocol, which is legally binding. It came into force in the summer of 2005. The Firearms Protocol commits UN Member States to regulate the manufacture, export, import and transit of firearms. It also requires firearms to be marked and records to be kept for ten years. Kenya, Uganda, Malawi and Zambia are among the African countries that ratified the protocol.
- In accordance with the Nairobi Declaration, National Focal Points (NFPs) were set up in the signatory countries to oversee implementation of the measures. The Nairobi Secretariat supervises implementation of measures at the regional level.
- At a conference organised by AWEPA and UNDP in November 2003 in Mombasa, parliamentarians of eight countries in the region adopted the Mombasa Plan of Action aimed at pressuring governments to comply with all agreements to curb small arms. Burundi, the DRC and Rwanda began a landmark process to harmonise their legislation.
- In April 2004 signatory countries to the Nairobi Declaration signed the Nairobi Protocol, as the legally binding follow-up to the Nairobi Declaration. In September 2005, six of eleven signatory states had ratified the Protocol, which at that time was expected to come into force before the end of the year.
- At the Ministerial Review Conference in June 2005, ministers agreed on formulating Best Practice Guidelines, setting minimum common standards on key issues such as stockpile management; import, export and transit; marking, tracing and brokering; public awareness about small arms; and mutual legal assistance. The Best Practice Guidelines must be aligned with national legislation of member states by the end of April 2006. ●

AWEPA has a long-term commitment to fighting small arms

The Scourge of Small Arms

According to UNDP, small arms kill 500,000 people worldwide each year. Approximately 200,000 of these deaths occur in countries or regions that are not at war. Socio-economic infrastructures, such as health and education systems suffer tremendously. The easy availability and proliferation of small arms has proven to be a major obstacle for economic and human development. AWEPA, along with UNDP and other partners, has committed itself to help parliamentarians fight the scourge of small arms in Africa.

“All studies indicate that, in both the military and criminal sphere, the greatest percentage of violent deaths occur from the use of light weapons and small arms,” the Costa Rican Nobel Peace Prize winner Oscar Arias Sanchez wrote in his study ‘A Scourge of Guns’. It is a statement that resonates in Africa, where many countries have experienced the lethal consequences of the proliferation of small arms.

HOLISTIC PARTNERSHIP

“The countries of the Great Lakes Region have suffered the consequences of the uncontrolled proliferation of small arms and light weapons more than any other region in the world,” said Francis Sang, Director/Coordinator of the Nairobi Secretariat on Small Arms. “It is imperative therefore that a holistic partnership develops between the governments, parliamentarians, donors, international bodies and civil society groups to combat small arms proliferation. Harmonised legislation and specific regime controls to govern the transfer of small arms and light weapons should be realised by all the member states signatory to Nairobi Declaration and Nairobi Protocol,” he added.

AWEPA'S ROLE

A number of international efforts are under way to fight the proliferation of small arms and light weapons. For a number of years AWEPA has been committed to joining this struggle. It uses its expertise and network in Africa and Europe to help parliamentarians to



Dr. Luc Dhoore, Honorary Vice President AWEPA is a driving force behind initiatives to stop the proliferation of small arms. He says harmonizing legislation is important but not enough, and MPs could take the lead in investigating additional measures to curb arms trafficking Photo: Pieter Boersma

better regulate the production and proliferation of small arms. In November 2003, AWEPA, in conjunction with UNDP, organised a conference on the issue, which led to the Mombasa Plan of Action, the first official statement in which parliamentarians of the region explicitly

committed themselves to fighting small arms. AWEPA also organised workshops to assist MPs in identifying what changes are needed to harmonise national legislation with the requirements of small arms agreements, such as the Nairobi Protocol. ●

Francis K. Sang, Director Nairobi Secretariat

MPs Can Help Fill Legal Gaps in Fight Against Small Arms

Parliamentarians play a decisive role in creating the legal framework to curb the proliferation of small arms. Francis K. Sang, Director/Coordinator of the Nairobi Secretariat on Small Arms, gave an overview of the gaps in existing legislation, providing clear direction to parliamentarians on where to focus at the national and regional levels.

Based on an analysis of national policies in nine countries, Sang identified what is going well in the fight against small arms. But he also identified the gaps and shortcomings:

IMPORT/EXPORT LICENCES

Having a mechanism of issuing licences for the import or export of small arms in place is important to control the influx and regional proliferation of weapons. All nine countries analysed in the region have import licences in place. Five of the nine

countries analysed (Burundi, Kenya, Rwanda, Sudan and Uganda) also categorically prohibit the import of certain categories of small arms. In all countries except Rwanda licenses or special authorisation are required for the export and transit of small arms.

KEEPING RECORD

All countries require that records are kept on the trade in small arms. Only Kenya, the Seychelles and Uganda, however, require the maintenance of registers of licensed small arms dealers.

MANUFACTURING LICENCE

In most countries, small arms may only be manufactured in government authorised premises. In some cases the required licence to manufacture weapons applies to this premise, in other cases to the person who manufactures the small arms. ➤

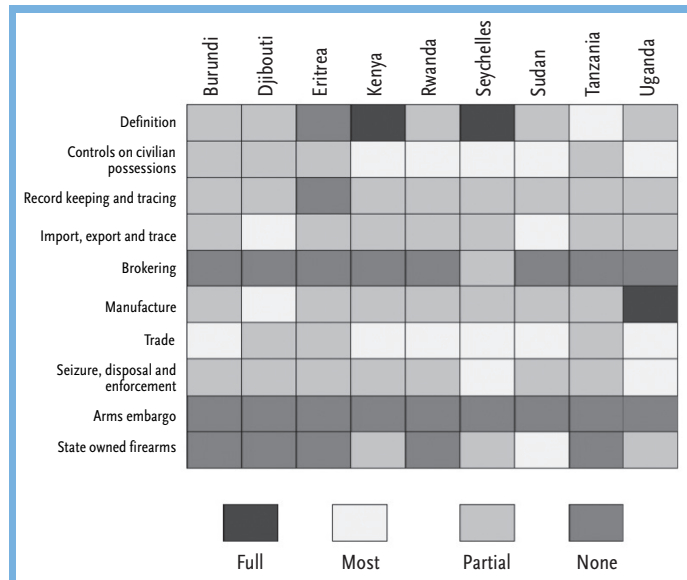
> SEIZURE AND DESTRUCTION

All nine countries except Djibouti have provisions on the seizure, confiscation and forfeiture of small arms. Provisions on the disposal of small arms are, however, missing in all countries except Kenya, the Seychelles, Sudan and Uganda. Kenya and the Seychelles are the only countries that have legislation explicitly providing for the destruction of small arms.

END USER CERTIFICATES

Only one country - Rwanda - has provisions for the use and verification of end-user certificates, although this applies to arms in transit.

One of the major gaps, Sang reiterated, is the harmonisation of legislation and specific regime controls. A lot still needs to be done in this area. Other areas governments and parliamentarians should address are arms brokering, and regulating state owned firearms. The



Level of conformity to regional and international agreements. The issues of brokering and respecting arms embargoes are still widely neglected

countries in the Great Lakes Region have so far also failed to make it a criminal offence to deliver arms to countries under a UN arms embargo. Sang said the Nairobi Secretariat is

working very closely with AWEPA and the AMANI Forum to support actions aimed at filling the gaps and realising the full implementation of the Nairobi Declaration and Protocol.

MPs from Burundi, DRC and Rwanda move closer to regional alignment

Agreement on Harmonising Laws on Small Arms

Parliamentarians from Burundi, the DRC and Rwanda are expected to reach a final agreement on the harmonisation of legislation on small arms in their three countries before the end of 2005. The agreement is expected to work as a model and a catalyst for harmonising laws in the entire region.

On the sidelines of an UNDP/AWEPA conference on small arms in Mombasa in November 2003, parliamentary delegations of Burundi, the Democratic Republic of Congo and Rwanda reached a landmark agreement on initiating common efforts to help reduce the problem of illicit arms. The MPs of these three nations were extremely motivated, because their wartorn countries had experienced the horrific consequences of the proliferation of small arms. Step by step, in several sessions facilitated by AWEPA and UNDP, the MPs worked to align their countries' laws on small arms, which is considered to be a prerequisite for stopping the spread of light weapons across borders. At meetings in Bujumbura and Brussels, the sub-regional group determined what



MPs of Burundi, the DRC and Rwanda after an AWEPA/UNDP conference in 2003 started a process to harmonize their small arms legislation. They are expected to sign a final agreement before the end of 2005

pieces of legislation should be changed in their respective countries to reach harmonisation. At these meetings, the MPs with the help of experts identified which laws didn't correspond with the UN Declaration and wrote amendments to change them. In April 2005, just after the Nairobi Conference, the MPs made further progress in Kigali and were expected to reach a final agreement harmonisation later in 2005.

"Harmonisation of legislation is important, but we should investigate what other measures are needed to effectively prevent arms from crossing through the borders," said Dr. Luc Dhoore, Honorary Vice-President of AWEPA and a driving force behind the harmonisation effort. Dhoore and the MPs of the three countries said they hoped their agreement could work as a model for the region and that other countries would join the initiative.

During a discussion at the conference on Parliamentary Democracy and Peace, several African MPs stressed that Europe and the US must contribute, especially by curbing production. "Why do European countries and the US continue to produce arms while there aren't wars there anymore?," asked an MP from the DRC. "Let them stimulate these factories to produce products like tractors or construction tools," he added. Representatives from AWEPA said the European branches of their organisation are lobbying European parliaments to take up their responsibility and control production and trafficking of arms.

Colophon

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Editing: Geertje Hollenberg, Roy van de Graaf/Congreskrant.nl,
Niall Martin
Design: Etcetera, Lena Shafir, Luran Blommers
Photo's: AWEPA, unless otherwise indicated
Printing: Drukkerij Mart Spruijt BV

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More conferences

The Regional Conference on Parliamentary Democracy and Peace in the Great Lakes Region was the first in a series of at least 16 regional meetings and national follow-up seminars on four key themes that parliamentarians wish to address in order to enhance peace and development in the region (see also p 2).

The second conference in the series will be held on 10 and 11 November 2005 in Nairobi and will focus on two of the four themes: Poverty Reduction, and HIV/AIDS, including the position of Orphans and Vulnerable Children affected by HIV/AIDS (OVC).

The next conference on Parliamentary Democracy is scheduled to take place end 2005/early 2006.

A meeting to discuss parliamentary initiatives regarding the fourth theme of the conference series – Private Sector Development – is also scheduled to take place in 2006.

More on the conference series at www.awepa.org.

