

[The European Union on Sunday urged Gambia to honour a freeze on the death penalty after the tiny west African nation's supreme court upheld death sentences against seven officials for treason. Gambian President Yahya Jammeh last month announced a temporary halt to executions, bowing to international pressure after putting to death nine prisoners in August. But on Friday, the Supreme Court upheld death sentences against the men, who were accused of having plotted a coup.]

BURUNDI :

RWANDA :

Rwanda Squeezes Tz to Remove Barriers to Trade

By Edward Ojulu/Rwanda Focus (Kigali)/22 October 2012

Landlocked Rwanda has secured some concessions from fellow East African Community (EAC) partner state Tanzania, to remove non-tariff barriers that continue to inhibit movement of goods between Rwanda and the Indian Ocean port of Dar-es-Salaam.

A bilateral trade deal sealed by the two countries last week in Kigali, comes in handy to ease growing frustration among Rwandan importers over delays caused by numerous trade barriers--either through the Kenyan port of Mombasa or Dar-es-Salaam.

At the core of the new rules of engagement is the desire to significantly reduce the time goods spend on the way between Dar and Kigali--the biggest cause of frustration for Rwandan importers.

Tanzania, itself aiming to popularize the use of Dar-es-Salaam as a port of choice and not a mere alternative to the relatively popular Mombasa, has had to give concessions on a number of issues raised by Rwandans during two days of talks.

In what has been seen as a major breakthrough for the Rwandan business community, Tanzania has promised to immediately modernize and expand cargo handling facilities at Dar port to ensure faster and efficient clearing of goods. Tanzania has also said plans are underway to build another port at Bagamoyo to ease congestion at Dar. Congestion and delays in Dar has been a major cause of unhappiness for traders in landlocked countries such as Rwanda and Uganda who have often routed their goods via Mombasa, even when the Kenyan port has had its own share of shortcomings.

Some of the major innovations expected at a modernized Dar port include 24-hour operations that will allow importers to clear goods as soon as ships dock to ensure timely deliverance to the market and minimize demurrage.

When goods leave the port and arrive at Rusumo--the main border post between the two countries, they are also expect to be cleared for onward movement within reasonable time. In order to achieve this, Rwanda and Tanzania will immediately embark of improving infrastructure at Rusumo. Such infrastructure will include a one-stop border post with facilities that can enable Rwanda Revenue Authority and Tanzania Revenue Authority to interface and share information in a way that can reduce on the paperwork traders have to deal with. Rusumo will also be open 24-hours. In addition, Tanzania will also work to ensure that other border posts such as Isaka and Nyakahura "are included

in the program of 24-hour operation for the smooth flow of goods from Isaka to Rusumo."

Japan recently extended \$30 million support aimed at developing infrastructure for a one-stop border post at Rusumo to ease trade facilitation. If completed by March, 2014, it will hopefully reduce on the almost eight stop points traders currently have to contend with.

Tanzania, according to the new agreement, will also do a study on the optimal number of weighbridges, roadblocks, checkpoints. Traders have often complained that trucks carrying goods are subjected to unnecessary checks at such facilities which they say are too many--another cause of delays. It is expected the unnecessary weighbridges, roadblocks and checkpoints will be removed soon after the outcome of this study is revealed in December.

According to the East African Community Business Climate Index, 2008, businesses in the region lose about 172,236 hours per year to numerous checkpoints and weighbridges. At the same time, businesses also pay about \$9.6 million in bribes per year to corrupt officers who man these police roadblocks and weighbridges.

Many traders complain of demands for varying and excessive documents from one country to another, insufficient use of information communication technologies as well as lack of coordination between customs bodies and other government agencies, the report says.

This bilateral trade agreement between Rwanda and Tanzania tries to harmonize trade policies among the two neighbors--the lack of which has been cited as major hindrance to intra-region trade.

In the third edition of Rwanda Economic Update subtitled titled: Leveraging Regional Integration, the World Bank says that there is a persistent general lack of policy harmony in the east African region that "holds back infrastructure in promoting intraregional trade."

"Many border crossings have antiquated infrastructure, inadequate coordination between the [concerned] two countries and congestion," the report adds.

Other major policy changes expected to ease the flow of goods across borders include simplifying certificates of origin for goods originating from within the EAC. "Tanzania will issue simplified certificates of origin for goods originating in the EAC partner states free of charge," says the agreement signed by Rwanda's minister of trade and industry, Francois Kanimba and Tanzania's deputy minister of industry and trade, Gregory Teu.

RDC CONGO :

Massacres à répétition en RDC : Le Rwanda récompensé par les puissances occidentales
21/10/2012 / KongoTimes!

Malgré les tueries, les massacres et le pillage des ressources naturelles de la RDC, le Rwanda fait partie du Conseil de sécurité des Nations unies. Pour un mandat de deux ans. Incroyable consécration de l'impunité. Pour avoir allumé du feu en RDC et participé activement à la violation des droits de l'Homme et au pillage systématique des ressources naturelles du Congo, le pyromane se trouve aujourd'hui récompensé par les puissances occidentales qui l'élèvent au rang des sapeurs-pompiers appelés à maintenir la paix sur la planète.

Massacres à répétition ayant causé plus de 6 millions de morts et des centaines de milliers de déplacés ; absence d'autorité de l'Etat dans l'Est de la RDC occupé par des seigneurs de guerre à la solde de Kigali et de Kampala, instabilité permanente et généralisée, etc. Cette addition n'était pas suffisamment salée pour émouvoir les puissances occidentales. Au point où elles viennent d'accorder une prime à l'un des agresseurs de la RDC, à savoir le Rwanda, en l'acceptant comme membre non permanent du Conseil de sécurité pour un mandat de deux ans.

La représentante de la RDC à l'ONU a tenté, vainement d'infléchir la tendance. Sans succès, les accusations sur le rôle déstabilisateur joué par le régime de Kigali dans l'Est de la RD Congo n'ont pas apporté le résultat contraire. Les dés étaient jetés d'avance. Par ailleurs, et c'est cela le plus curieux, la candidature rwandaise était l'unique du continent. C'est dire que déjà en amont, la diplomatie rwandaise avait rallié à sa cause des pays du continent africain, avant d'aller à l'assaut des autres membres de l'organisation mondiale.

La preuve éloquente que l'axe du mal est établi par des puissants de notre planète vient d'être une nouvelle fois administrée à travers le choix porté sur le Rwanda. Celui-ci étant désigné membre du Conseil de sécurité suivant des critères flous et difficilement acceptables. L'opposition de certains membres permanents du Conseil de sécurité n'est pas allée jusqu'au bout, à savoir l'usage du droit de veto. Des pays, notamment la France ont tenté de s'opposer à cette désignation, suite aux preuves éloquentes cumulées et documentées par des experts chargés d'enquêter sur l'instabilité récurrente dans l'Est de la RDC.

Du coup, le droit international en prend un sérieux coup et l'injustice fait son entrée par la grande porte dans le concert des Nations. La démonstration de l'injustice à ciel ouvert est un fâcheux précédent. Car, ne devrait siéger au sein du Conseil de sécurité que des Etats qui ont une conscience légère et non des Etats criminels et voyous pour reprendre le terme consacré.

Le Conseil de sécurité est l'organe onusien à qui échoit la plus grande responsabilité de maintenir la paix et la sécurité internationales. A travers des résolutions, cet organe prend des mesures pour l'accomplissement de cette mission essentielle à l'équilibre des rapports entre Etats. Le Rwanda, l'Argentine et l'Australie ont été élus jeudi membres non permanents du Conseil de sécurité de l'ONU pour un mandat de deux ans à partir du 1er janvier 2013. Sur les 193 pays membres de l'ONU, le Rwanda a obtenu 148 suffrages, l'Australie 140 et l'Argentine 182. Il fallait rassembler 129 voix, soit une majorité de deux tiers, pour être élu. Le Conseil, qui compte 15 membres, renouvelle chaque année cinq de ses dix sièges de membres non permanents, sur une base régionale. Prise en charge par les Anglo-Saxons

Dans cette bataille, Kigali a reçu le soutien des pays anglo-saxons. Les Etats-Unis et la Grande-Bretagne ont exercé des pressions considérables afin que l'unique candidature rwandaise soit entérinée par l'assemblée générale des Nations unies. Chose faite depuis le jeudi 18 octobre 2012. 44 Etats votants se sont opposés au choix, pour ne pas cautionner les pratiques criminelles constatées dans l'Est de la RDC. Cette prise en charge diplomatique du régime de Kigali n'est pas une surprise pour des observateurs avertis.

Kigali a toujours reçu la bénédiction de certaines capitales occidentales bien identifiées dans sa sale besogne de déstabilisation de la République démocratique du Congo. Des timides sanctions ont duré l'espace d'un matin, avant d'être carrément levées, sans autre forme de procès. Pour des raisons géostratégiques, Washington et Londres ont jeté leur dévolu sur Kigali et Kampala, comme à l'époque de la Guerre froide avec Mobutu.

Pour toutes les sales besognes, ces deux régimes ont accepté de jouer le rôle de sous-traitance. D'ailleurs, on comprend pourquoi les militaires de ces deux pays ont été déployés à travers le

monde pour des missions de maintien de la paix. C'était à l'instigation de ces deux puissances, membres permanents du Conseil de sécurité des Nations unies. Aujourd'hui, ils en tirent le meilleur parti contre toute bonne conscience.

Une prime à l'impunité

En optant pour un soutien aveugle en direction de ces deux capitales, les Anglo-Saxons octroient une prime aux dirigeants de ces deux régimes pour qui le droit à la vie et à une coexistence pacifique ne serait qu'un leurre. Ceux-ci voudraient nous donner une leçon, selon laquelle, il faut chercher à rester sous leurs bonnes grâces si on ne veut pas se retrouver du mauvais côté, même en cas de flagrance. Les 148 votes en faveur de Kigali sont obtenus loin de la transparence et du bon sens qui guident les rapports entre Etats. Le mot d'ordre des puissances du Conseil de sécurité a eu raison de toutes ces considérations dont la noblesse n'a pas échappé à certains autres Etats qui ont tenté de s'opposer à ce triomphe de l'impunité et de la barbarie.

Toutefois, les morts congolais ne resteront pas impunis, ils crient justice. Personne ne quémande des faveurs pour ces victimes. Les coupables qui portent l'immense responsabilité de ce sang qui a coulé à flocculation en répondront un jour. Tout comme leurs commanditaires tapis dans l'ombre. La justice les rattrapera et ils répondront de leurs crimes. Pendant ce temps, il se constate qu'à Kinshasa, on traîne à tirer les conséquences de cette cinglante défaite diplomatique. Le changement de stratégies est devenu plus qu'une affaire urgente. Il s'impose comme une affaire de vie ou de mort pour la République. Le spectre de la balkanisation se précise de plus en plus. Tant les puissances occidentales n'arrêtent d'en donner le signal.

Attributions et missions du Conseil de sécurité

Le Conseil de sécurité est l'institution la plus puissante de l'Organisation des Nations unies (ONU). C'est à lui qu'échoit la « responsabilité principale du maintien de la paix et de la sécurité internationales ». Agissant au nom des États membres, le Conseil prend des décisions obligatoires (par exemple, des sanctions) pour que la paix et la sécurité internationales soient maintenues. Il est appelé à œuvrer « par voie de négociation, d'enquête, de médiation, de conciliation, d'arbitrage, de règlement judiciaire, de recours aux organismes ou accords régionaux ».

Si le Conseil de sécurité constate l'existence d'une menace contre la paix, d'une rupture de la paix ou d'un acte d'agression, outre les recommandations classiques, il est autorisé à prendre des mesures de deux types : l'interruption complète ou partielle des relations économiques et de tout moyen de communication, ainsi que la rupture des relations diplomatiques. Si ces moyens échouent, ou se révèlent inadéquats, des mesures d'ordre militaire peuvent être déclenchées.

Le Conseil est en effet habilité à entreprendre – au moyen de forces aériennes, navales ou terrestres – toute action qu'il jugera nécessaire au maintien ou au rétablissement de la paix. Ces démonstrations de force, mesures de blocus et autres opérations de degrés divers, sont mises en œuvre grâce aux contingents nationaux de forces armées que chaque État membre s'engage à mettre à la disposition de l'ONU.

À la différence de l'Assemblée générale (principal organe de délibération de l'ONU, composée des représentants de tous les États membres), qui se contente d'émettre de simples recommandations, le Conseil de sécurité se voit donc reconnaître un pouvoir de décision sur les questions fondamentales.
Composition et fonctionnement

Le Conseil de sécurité se compose de 15 membres, dont 5 ont la qualité de membres permanents : la Chine, les États-Unis, la France, le Royaume-Uni et la Russie (qui a remplacé l'Union soviétique). Les 10 membres non permanents sont élus pour une période de deux ans par l'Assemblée générale, qui tient compte de la contribution des membres de l'Organisation au maintien de la paix et de la

sécurité internationale, ainsi que d'une volonté de répartition géographique équitable.

Chaque membre disposant d'une voix, les décisions du Conseil sur les questions dites de procédure nécessitent un vote affirmatif de 9 membres. Quant aux autres « questions de fond », elles requièrent une majorité de 9 voix également, comprenant celles des 5 membres permanents. Par conséquent, en cas de refus de l'un de ces derniers, la décision se trouve paralysée : c'est le droit de veto. Ainsi, aucune action ne peut être entreprise sans le concours d'un membre permanent ou contre lui.

Deux procédures permettent de limiter cette obstruction. D'une part, l'abstention ou l'absence d'un membre permanent n'équivalent pas à un vote négatif. D'autre part, en application de la résolution 377, dite « Union pour le maintien de la paix » (résolution Acheson, votée lors de la guerre de Corée, en 1950), l'Assemblée générale peut être saisie d'une question touchant à la paix et à la sécurité internationale si le Conseil de sécurité se trouve dans l'impossibilité de s'acquitter de sa « responsabilité principale », notamment du fait du droit de veto.

L'Assemblée, si une majorité des deux tiers est atteinte, peut en ce cas se substituer momentanément au Conseil, jugé défaillant, comme lors des crises de Hongrie (1956), de Suez (1956) ou de l'ancien Congo belge (1960). Après la décolonisation, puis la disparition de l'Union soviétique (1991), les questions de veto ne semblent cependant plus se poser avec la même acuité. Il règne un certain consensus, comme l'illustrent les résolutions du Conseil prises au sujet des événements dans l'ex-Yougoslavie (1992) ou de l'intervention en Somalie (1992).

[Le Potentiel]

UGANDA :

Uganda: Jubilee Boycott Displayed Immaturity

By Henry Mayega/The New Vision/21 October 2012

opinion

OCTOBER 9, was yet another celebrated day, fortunately, by majority Ugandans here and abroad.

Independence Day does not exclusively belong to any one individual, party, religion or race.

It is a day we remember the lowering of the Union Jack, the British flag, and raising Uganda's tri-colour flag.

It was, therefore, a comedy for sections of the "opposition" to have boycotted the golden jubilee independence celebrations because of the following:

October 9, 1962 when Ugandans first celebrated independence, others rather than the NRM administration were in charge of the country.

Those in charge at that time led the preparations for the occasion. Successive governments, after 1962, have organised these annual events.

So the flimsy argument by some that the preparations this year were dominated by the NRM cannot

arise.

A mandate to govern Uganda was given to President Yoweri Museveni and the NRM Party in last year's elections and therefore the celebrations had to be organised by the sitting Government in accordance with the tradition and political responsibility handed down to successive Governments since independence.

In 1962, the opposition attended the Kololo celebrations in spite of the fact that one party was in Government.

In future, successive Governments will organise the celebrations. The opposition would have had a reason not to attend the celebrations if invitations were not extended to them.

This proves Uganda has an immature opposition that has demobilised itself to a point of absurdity. They cannot, for instance, differentiate what brings Ugandans together from strategic or ideological points of departure between the NRM administration and others in our national political contest.

The DP, the main opposition party in 1962, and later years save for Amin's time did not boycott these celebrations.

The current DP and Olara Otunu's UPC portray a stark contrast with their earlier leaderships which coalesced whenever national matters of mutual interest were at stake.

For the FDC, it is a new creation and its ideological orientation is yet to be tested on the political scale as they navigate our political terrain though they have been attempting, without success, to shoot down whatever the Yoweri Museveni administration does.

President Museveni laid down his plans for running the state including the identified 10 strategic bottlenecks that independent Uganda faced since 1962 and the remedial measures being taken to address them.

If the opposition was at Kololo, they would have had an opportunity to hear him first hand and then scientifically respond, as a responsible alternative to Government, rather than get his distorted remarks from third parties.

They also missed reading his body language that usually accompanies messages. A listening culture is still lacking amongst those who are jostling to take over leadership of the Government.

Some of them chose the path of engaging in running battles with the Police in the days to the golden jubilee celebrations ostensibly to disrupt the celebrative mood amongst Ugandans.

Some think there is a political leadership vacuum or void.

As a result they are always trying to have rallies in congested/commercial areas hence disrupting business.

Such anarchists have always met the Police ready for them. The organisers of these rallies should take them to their respective birthplace areas and also make sure their relatives attend to receive a bit of the tear gas.

The Police Force has so far used modest methods to stop riotous crowds. Therefore, this era cannot be referred to as "tear gas rule" as some have alleged.

Uganda, as statistics below indicate, is on the move towards economic advancement and we should not allow megalomaniacs to disrupt this progress.

Uganda's national income is \$19.7b as compared to \$450m in 1962.

Power generation stands at 810 MW as compared to 80 MW in 1962.

Literacy stands at 73% as compared to 30% in 1986.

Life expectancy at birth has remarkably raised sharply from 43 years in 2000 to 54 years currently.

The tourism industry has grown from \$662m in 2010 to \$805m in 2011 - a 20% growth.

There is a vibrant and modern telecommunication system.

There is prevailing peace and security.

There is astronomical growth of the education sector.

Over 2,800 km of tarmac roads have been constructed since 1986.

So why are some people saying that in the last 50 years nothing positive has happened? They seem to suffer from functional illiteracy without their knowledge.

The remedy to such a disease is constant education.

Writer is a Special NRM mobiliser

View Point: Curriculum reforms were long overdue

letters@observer.ug/Written by Our Readers/Sunday, 21 October 2012

Letters

This is in response to a letter titled 'Curriculum body has no direction?' that ran in The Observer of October 3-4.

The National Curriculum Development Centre is in the process of reforming the lower secondary (O-level) curriculum. This will be the first secondary curriculum reform since colonial times. Over the past 30 years, the curriculum has only been changed by adding content and merging and grouping subjects in an attempt to reduce content overload as an interim measure.

However, this has not helped in delivering a curriculum required by the needs of a modern Uganda. The current lower secondary curriculum has an approach that focuses on acquisition of knowledge as opposed to the development of cognitive competencies required in today's globalised world. It is a collection of examination syllabuses and teaching is directed at students achieving the highest grades in a high-stakes terminal examination.

Failure rates under the current examination regime are high. Learners are attempting to amass knowledge that is largely abstract, fact centred, de-contextualized and irrelevant. To date a lot of content has been added but little has been removed. Hence the reform seeks to drop irrelevant

content.

The new curriculum aims at a shift from a list of academic subjects to a framework of competencies that are woven across and delivered through learning areas. The reform necessarily includes changes to the assessment and examination system.

Curriculum research and benchmarking have been carried out in a range of countries including Namibia, South Africa, Kenya, Singapore, USA, Netherlands, Australia, New Zealand and UK. The findings inform our curriculum reform process. We will customise these to the Uganda context and needs.

Management,
NCDC..

Police is insulting the judiciary

If I were the head of this nation, I would disband the entire police force under Kale Kayihura. It is unbelievable to see the police rearresting acquitted suspects inside court premises. Is the police sending a message to the population that it is superior to the courts?

After ignoring the judge's ruling, one just wonders to which courts the rearrested persons will be taken for retrial?! The police force under Kayihura is undoubtedly becoming a menace to the citizens. Is that how law and order is administered in Uganda today? Police officers, what if it was your parents being treated in such a manner; would you feel comfortable?

It is not justifiable to rearrest suspects that court has found innocent of any wrongful doing. Judges should be left to exercise their powers. Besieging court premises and rearresting acquitted suspects is abuse of justice of the highest order!

Alamiga Muzamil,
Arua.

Please don't rock UNRA boat

After living in Europe for 10 years, my family and I came back to settle in our lovely country, Uganda, two years ago. We found our motherland had changed; there were a lot of infrastructural developments taking place.

The commercial and residential buildings, the energy sector had totally improved, and the most important developments that caught my eye were the physical works on the national highways from West Nile, Northern, Eastern, Central and Western Uganda, where you would find roads being upgraded from gravel to bitumen.

However, a week ago, I was disturbed by a story I read in the media which reported that the Executive Director of UNRA had been denied another contract by the UNRA board, yet to my knowledge, UNRA is among the best performing government institutions that is implementing the President's manifesto.

I don't understand the politics at UNRA, but I think something is wrong with the minister of Works and Transport or the UNRA board. It is common knowledge that UNRA is doing a great job. I would like to advise the minister of Works and the UNRA board not to torpedo UNRA's work because this will affect the President's dream of a good road network in our country.

The minister may want to get rid of the former minister's appointments, but please let him not

antagonize UNRA at this point.

John Okello,

o.2016john@gmail.com

Torch awards good for community development

Last week the National Social Security Fund unveiled the Torch awards in commemoration of Uganda's 50th Independence anniversary by recognising projects that make a difference to communities in the areas of Youth, Education, Health and the Elderly.

I would like to commend the NSSF for this initiative because it will encourage more people to solve problems in their communities instead of waiting for the government to act. This will obviously lead to community development, albeit at a slower pace. It is widely known that government programmes take quite a long time to be implemented, yet individuals and companies can act swiftly.

I urge other companies and organisations to join hands with NSSF to make the awarding process even bigger than it now is because there are many people out there who deserve this recognition. I personally look forward to projects that are helping the boy child who, in most cases, is not a beneficiary of community projects because a lot of attention has been focused on the girl child.

It is important that society balances its love towards all children so that some don't feel left out.

Jenkins Opolot,

Bukoto.

Makerere library leaves a lot to be desired

I am very concerned about the library facilities at Makerere University. When I joined this university in 2011, I was given a fees schedule consisting of all the university requirements. Besides tuition fees of Shs 980,000 per semester for my course, I had to pay other functional fees of Shs 525,000 including library fees of 20,000 per year, amounting to Shs 1,520,000 per semester.

On July 10, 2011, Makerere University Librarian Prof Maria Musoke commented in a newspaper that the library had over 369,577 books, 8,876 print journals, 1,9707 files of archives and nearly 100 book-banks with 224,686 books. But to my dismay, in most cases when I want to borrow a book from either the main library or one of the book-banks, there is either a single copy of that book, meaning I can't access it since it is a reserve copy, or all the copies are out.

The situation is even worse at the department of Journalism and Communication book-bank where you are asked to photocopy what you want to read at your own expense and return the book immediately because there are only single copies for almost all the books there.

Therefore, it is little wonder that the university's performance has declined in the past years and may continue do so if the administrators don't address such weaknesses. Having such a big library is useless if there aren't enough books!

Lillian Namagembe,

Makerere University.

Buganda fires seem to be connected

I was shocked, but not surprised, about the mysterious fire that burnt the quarter guard at Bulange, Mengo, the seat of Buganda Kingdom. Fire has also gutted a Kawempe Muslim SS dormitory, and

it did not even occur in the irrational arsonist's mind that students are sitting their exams [a second dormitory at the school got burnt days later-Editor.]

These fires raise a lot of puzzles but what is not even clear are the lines of inquiry and the outcomes of the investigations of the previous fires. Although the mysterious fires do not seem to end, they have of recent taken a linear path. All Buganda's most prominent and outstanding traditional centres of excellence have been torched.

From Budo Junior School, Kasubi royal tombs, the various local markets, including Owino and the Naggalabi coronation site, the fires have now spread to people's homes. The most recent was MP Barnabas Tinkasiimire's house in Mukono where his wife Agnes died. Ironically, all this happens under the watchful eye of our security organs and to-date no report has ever been released.

I have consistently argued that any serious investigation would most likely find that the recent Bulange or even Kawempe school fires are not isolated incidents. They are closely connected to the whole cycle of fires that are raging in this country. There seems to be a mysterious fire tricks force on the rampage!

George W. Ntambaazi,
Kampala.

Uganda: Justice Ogoola's Mind

By Joan Akello/The Independent (Kampala)/20 October 2012

Justice James Ogoola has a knack for waxing poetic at the smallest opportunity. The Chairperson of the Judicial Service Commission and former principal judge got a grand opportunity when he was asked to speak on the Rule of Law in Uganda on the Rule of Law Day, on Oct.8, the eve of celebrations to mark 50 years of independence.

The controversial judge divided the country's judicial life into five ages, namely; the age of reason, the age of tension, the age of chaos, anarchy, and tyranny; the calm before the storm; and the Twilight to the Jubilee Year. Every president, he said, swears an oath to uphold, protect and defend the nation's constitution as by law established but the reality of that "oath has been less than horrifying."

Rule of guile and intrigue:

The founding non- executive President, Kabaka Sir Edward Mutesa II, declined to assent to certain parliamentary enactments affecting the results of the , constitutionally mandated post- independence referendum on the fate of Buyaga- Bugangaizi counties. This event, which straddled the history, geography , politics and economics of Bunyoro and Buganda, eventually led to the 1966 storming of the Kabaka's royal palace, his London exile and the seizure of power by the then Executive Prime Minister, Milton Obote.

Ogoola says: "It is perhaps safe to say that this act, in combination with others closely associated with it, did set into motion the seismic political -cum-constitutional crisis that engulfed the young nation."

Ogoola said Obote arrogated to himself the title of Executive President (with exaggerated executive powers) and effectively dissolved the then kingdoms and pseudo kingdoms. He said the second president will forever be remembered for many things good and bad alike in equal measure.

"But perhaps significantly among them all , his name will forever be engraved in the concrete of history as the pigeon- hole- president- a constitutional engineering feat that was anathema to and the very antithesis of the rule of law," Ogoola said. He tagged Obote's regime as the rule of guile and intrigue, less than the rule of law.

The rule of chaos and anarchy:

Idi Amin Dada (RIP) never manifested even mere pretense for either constitutionalism, good governance or the rule of law. It was him who 'callously butchered and dispatched' the Chief Justice, Archbishop, Inspector General of Police, the Vice Chancellor of the then only university and his own minister of defence among the hundreds of thousands of others. In short, the presidency of 1971- 1979 knew not, cared not, and gave no damn at all about the rule of law. Ogoola tagged Amin's regime as the rule of chaos and anarchy, less than the rule of law.

The rule of tension:

Ogoola says the fourth, fifth and sixth presidents under the transitory regimes of Yusuf Lule, Godfrey Binaisa, the Commission of Edward Rugumayo and Paulo Muwanga and General Oyite Ojok were all 'remarkable more for the raw, clandestine , undignified and Machiavellian ousters of their respective incumbents , than for their protection or defence of the rule of law'.

He presented Binaisa as one who would not be allowed to appoint, deploy or reshuffle his own cabinet ministers. "When he dared to do so,... he faced the rough end of the boot of his more superior 'juniors'. Hence not the rule of law but the rule of puppet strings, not the age of reason but the one of tension.

The rule of kifuba:

The seventh presidency brought back the apparition of the second president - who largely pursued the same policies as before- only this time with vengeance : Following the controversial general elections of 1980, a rag tag army of " bandits" run to the bush , only to return to the capital a mere five years later wielding the victorious gun of war- with which they captured power from a duo of largely illiterate army generals, who had themselves grabbed that same power a few months before from the coup - prone presidency of Dr. Milton Obote. In all this, Justice Ogoola says, the lexicon of the day, the vocabulary of the age was military might, gun power and crude force. This, the 'rule of Kifuba', not the rule of law.

Rule of teargas:

Justice Ogoola said the chronicles of Uganda's history will record many momentous things done or left undone in the areas of economics, politics and peace. However, in the arena of the rule of law, he said the record will not fail to script the bitter spots on the large canvass of "Uganda's nascent history": the infamous double invasion of the High Court premises in December 2005 and 2007 by the elite agents of the army under their nome de guerre (battle name) of Black Mambas and ; the ugly bloody scenes of excessive bare -knuckles force by the People's Police Service cleansing the country's streets, highways, and byways of opposition pedestrians who choose to walk to work ; or even worse who dare to walk to freedom.

He said currently," there is the danger that when all the gas in the cloud has settled, history will record this as the rule of Tear Gas rather than the rule of law"

"For an administration that has bequeathed to the country a stellar constitution : the best researched, the most debated , and the most liberal and efficacious constitution of all our former constitutions - the tear gas cloud coming, as it has (especially on the very eve the jubilee celebrations of our country's emancipation and liberty), would be a most regrettable legacy".

Uganda: How Billions Were Lost in Prime Minister's Office

By Raymond Baguma/The New Vision/ 21 October 2012

THE final audit report into the loss of billions of shillings in the Office of the Prime Minister (OPM) has blamed internal control weaknesses in the Treasury.

The Auditor General said there was collusion by officials in the OPM, the finance ministry and Bank of Uganda. The probe found that officials in the three institutions exploited the weaknesses, which led to the loss of billions through irregular money transfers.

The weaknesses the audit identified include the use of generic passwords by officials in the finance ministry, minimal and irregular supervision by the Bank of Uganda, lack of involvement of internal audits in the Treasury and an absence of Closed Circuit TV (CCTV) cameras.

The report was yesterday sent to the CIID, OPM, the Governor Bank of Uganda and the finance ministry.

The Auditor General also wants investigations to be extended to the implicated private companies, staff personal accounts, districts and banks, with a view of recovering the funds and prosecuting the staff involved.

The audit also established that over the period of two financial years between July 1, 2010 and June 30, 2012, the principal accountant in the OPM, Geoffrey Kazinda, fraudulently approved invoices amounting to over sh16.2b.

"The responsibility of invoice approval was irregularly assigned to the principal accountant by one of the database administrators on February 1, 2011," the audit report said.

The Auditor General also pinned Kazinda on other irregularities. Kazinda is said to have, at one time, authorised payments of funds onto a cashier's personal account, which were described as a refund of money lent to Government.

However, there was no evidence that the cashier had ever lent money to the Government.

Also, there was fraudulent approval of funds, which were later transferred to private companies.

In another fraudulent transaction, funds were sent to Centenary Bank disguised as an appreciation to the Luwero veterans.

Muwanga established that all money transfers made by Kazinda were fraudulent.

The Auditor General also blamed the permanent secretary in the OPM, Pius Bigirimana, for not reviewing all payments made on a daily basis, as laid out in the guidelines of processing payments using Electronic Funds Transfer. This would have identified the fraud.

There were also irregularities in the procurement of fuel, motor vehicle servicing and food to

disaster-stricken areas.

The audit further established that the amount of food supplied by different companies differed from the money paid to suppliers.

A total of 23 companies were overpaid to a tune of sh8.6b.

Some of the private companies had no filed tax returns; others had no records of registration and no addresses.

In another irregularity, one individual was a shareholder and director in four of the companies.

Some of the companies include M.J.Z Enterprises (1999), Mbalaba Enterprises (2007), Bimala Enterprises (1999) and ASB Enterprises (1999).

Others are Maliaka, M.JZ, Katikamu, Mbalaba, Bimala, Kapitol, Rural Enterprises and Khadali, Rural Enterprises, Jesus Enterprises and Bulondo's apartments.

There were also irregular advances and payments of sh2.9b to cashiers Boniface Obbo and Oonyu Isaiah. Another sh767m was deposited on personal accounts of OPM staff.

In one of the bizarre irregularities, an officer procured 50 cartons of salt from a shop, which was later found to be selling hardware. Also, fuel receipts from Total Ntinda were serially following each other, yet they have different dates.

In another incident, an official used fuel worth sh3.6m for two trailers to transport only 35 bags (1 tonne) of nails to Kiryandongo.

Signatures for RDCs, CAOs and district chairpersons also kept on varying on different accountability sheets, which pointed to forgery.

Accountabilities for some workshops had no attendance sheets, making the workshops doubtful.

Also, two trailers from Kampala were hired to transport six trucks of firewood procured in Kigumba to a nearby town of Kiryandongo.

The full final report into the loss of billions of shillings in the Office of the Prime Minister

SOUTH AFRICA :

SA mourns death of Alf Khumalo

Monday 22 October 2012 /SABC

South Africa is mourning the death of world-acclaimed photographer Alf Khumalo. He died of suspected kidney failure at the age of 82, yesterday.

Khumalo was one of South Africa's most renowned photojournalists and documentary photographers. He was born in Alexandra and began his career at the Bantu World in 1951 and spanned six decades.

Kumalo was at the forefront of documenting critical moments in South Africa's history, including the protracted Treason and Rivonia Trials. Former president Nelson Mandela was a key figure in both court cases. Kumalo first met Mandela during a court case in the Vaal Triangle.

Kumalo also captured the emergence of the Black Consciousness movement, the 1976 Soweto student uprising and the States of Emergency in the mid-to-late 1980s. He earned a reputation for taking iconic portraits of well-known South Africans and international heroes, such as former President Nelson Mandela and his former wife, Winnie Madikizela-Mandela, Steve Biko, Desmond Tutu, Oliver Tambo, Hugh Masekela, Caiphus Semenya, Kaizer Motaung, Muhammad Ali and Pele.

Kumalo reportedly had the largest photo-collection of Madikizela-Mandela and her two daughters Zenani and Zindzi - most of which were taken when Madiba was jailed on Robben Island.

Another award-winning and seasoned photographer, David Goldblatt, was shocked to learn of Kumalo's death. Goldblatt says Bro Alf, as he called him, will be sorely missed.

During his lifetime, Kumalo was honoured with the National Order of Ikamanga in Silver for his "excellent" contribution to photography in South Africa; Sanef's Nat Nakasa Award of media integrity and also the Vodacom Lifetime Achievement Award. The editor of The Star newspaper, Makhudu Sefara, says he'll always remember Khumalo for his humility.

He was arrested, detained and harassed many times for his work.

At the time of his death, Khumalo was running a photography school in Soweto for poor youths. He also has a photographic museum where his work is portrayed.

Fasken Martineau makes big move into Africa

JEFF GRAY - Law Reporter/The Globe and Mail/Published Sunday, Oct. 21 2012

Bay Street's Fasken Martineau DuMoulin LLP is merging with a South African law firm in a move it says will cement its rank as the Canadian-based law firm with the most lawyers outside the country's borders.

The merger will see the 76 lawyers at Johannesburg-based Bell Dewar Inc., a firm with more than a century of history and a legacy of opposition to apartheid, become part of Fasken Martineau and operate under the Canadian firm's name.

It's a move that comes as South Africa suffers a wave of strikes – punctuated by the shocking shooting of 34 striking miners by police in August – and concerns over faltering economic growth. Fasken Martineau says its expansion there is primarily driven by its mining industry clients as they increasingly invest not just in South Africa but across the continent. The firm has had a small office of its own in Johannesburg, with five lawyers, since 2003.

The merger, scheduled to take effect in February 2013, comes after years of speculation in the Canadian legal world about potential mergers with large U.S. or British firms. It means Fasken Martineau, which has offices across Canada, will now have 167 lawyers abroad, many more than any other law firm headquartered in Canada.

That number includes more than 70 in London, where Fasken Martineau merged with British firm Stringer Saul LLP in 2007. It also has an office in Paris.

“There’s no doubt if you look at the Canadian-based firms, we are the most international,” David Corbett, Fasken Martineau’s managing partner, said. “Frankly with the Canadian market, you have to look outwards. So we’ve been looking outward for a number of years.”

Many Canadian law firms have small offices in key markets overseas. Several have recently expanded their presence in far-off places, including in the Middle East and China. But rarely does a Canadian law firm expand by merging with a major firm in another market.

And certainly none has done so before in Africa, where no Canadian-headquartered law firm even has a physical presence - except Fasken Martineau, which will now have 773 lawyers in total. In 2010, however, London-based legal giant Norton Rose announced a merger with a South African firm as it merged with Montreal’s Ogilvy Renault, making it a competitor there with Canadian connections.

Despite appearing to set Fasken Martineau on a different path as an independent, Canadian-based global firm, Mr. Corbett said he would not rule out a future merger with a larger international player.

“Our market is subject to all sorts of rumours, and I am sure it will continue to evolve and to change. We’re always looking at opportunities, but our focus is to develop a Canadian-based firm,” he said. “That may well result in us having appeal to a number of other players in the overall marketplace.”

Bell Dewar focuses on many of the same areas as Fasken Martineau: Mining, energy, infrastructure and financing all of the above. Both are increasingly focusing on international arbitration, since mining in African countries often involves disputes with governments that are referred to international tribunals.

Blaize Vance, the managing director of Bell Dewar, said the firm was looking to better serve its expanding South African mining clients by linking up with an international partner with a presence in Toronto and London, where the bulk of the world’s mining companies seek financing.

“If you had asked us maybe a few years back whether a Canadian firm was who we were going to tie up with, we might have said no,” he said in a phone interview from Johannesburg. “But when we did our research it became very, very clear that Faskens was the firm for us.”

Bell Dewar lawyers were known in the apartheid era for assisting opposition newspapers facing government restrictions on press freedom.

TANZANIA :

Tanzania: Country Disowns Tusks Seized in Hong Kong

By Marc Nkwame/Tanzania Daily News (Dar es Salaam)/ 22 October 2012

Arusha — TANZANIAN wildlife authorities have disowned a consignment of elephant tusks seized in Hong Kong that were reported to have been shipped from the country.

The Wildlife Officer in the Ministry of Natural Resources and Tourism, Mr Paul Sarakikya, said

that such a consignment could not have been collected from Tanzania. Hong Kong authorities at the weekend reportedly confiscated US \$3.4 million (nearly 6bn/-) worth of elephant tusks found in two containers.

The contraband weighed more than 8,000 pounds, making it one of the biggest ever seizure of ivory in Hong Kong.

He said that in most cases, the Dar es Salaam port could have been used simply as gateway by illegal ivory dealers who usually collect such "forbidden treasures" from as far as Zambia, Democratic Republic of Congo, Mozambique and other landlocked countries.

"Tanzania has succeeded in curbing elephant and other wildlife poaching to a great extent, it may be occurring as isolated cases, but such large consignment of ivories could not have been collected from the country," said Mr Sarakikya.

The Wildlife Officer, however, admitted that Tanzania's ports of entries, such as the Dar es Salaam harbour need to take greater care in screening containers from other countries being exported from the port because many of them could be carrying illegal goods including ivories.

The containers, according to Hong Kong Customs officials, had been shipped from Tanzania and Kenya. The agency seized a total of 1,209 pieces of ivory tusks and three pounds of ivory ornaments from the two containers. The reports have come when Tanzania has once again applied for a go-ahead to sell over 101,005kg of its ivory stockpile valued at over \$55.5million (about 88.8bn/-) with a pledge that the money, if availed, would be used for anti-poaching operations.

The deputy minister for Natural Resources and Tourism, Mr Lazaro Nyalandu confirmed recently that the government had reapplied to the Convention on the International Trade in Endangered Species (CITES) for the sale of its ivory stockpile.

Last weekend, the Police in Arusha region in association with Kilimanjaro National Park officials impounded a rifle said to have been smuggled from Kenya and arrested one person in connection with the incident. China has reportedly taken over Japan as the world's largest ivory consumer.

And from 2006 to 2012, the ivory price in China has tripled, causing some Chinese to buy ivory products in Africa with dollars and smuggle them back to China to sell for a better price.

Tanzania: Towards People Centred Constitution

By John Kulekana/Tanzania Daily News (Dar es Salaam)/22 October 2012

LAST month, members of the Constitution Review Commission (CRC) visited Lindi Region on its mission to collect people's views on the new constitution.

The team covered all six districts in the region, namely - Lindi Municipal, Lindi Rural, Nachingwea, Ruangwa, Liwale and Kilwa. During the mission, the team visited some of the very remote area of the vast region, including villages in the world famous Selous Game Reserve and historic sites in Kilwa.

Apart from collecting people's views on the proposed basic law scheduled to be in place by April 2014, when Tanzania would be marking the 50th anniversary of the Union between Zanzibar and the then Tanganyika on April 26, 1964, the team provided public education on the exercise and the importance of the constitution.

The leader of the team, Ms Salama Kombo Ahmed, repeatedly told the people who turned out at the meetings that for the first time in the country's history in the government was extensively involving the people in the process of writing the basic law.

"You are now required to give your views by speaking at the meetings or in writing to the commission. Your views will later be presented to a special constitutional assembly and finally you will be required to be decided through a referendum," she explained.

Ms Ahmed said in presentation of the views the scope is so wide. "In fact the sky is the limit. We want to hear from you challenges that you are facing in educating children, issues of moral decay in the society including behaviour of the youth, use and trade in narcotic drugs and access to land including the right of women to own property.

"We also want to hear your views on economic challenges such as farming, fishing, livestock-keeping and trade, as well as environmental constraints like climate change and unpredictable rain patterns," she explained. Mr Said el-Maamry and Ms Esther Mkwizu, who were also members of the team admitted that there were various misconceptions on various issues and the fact that some people had never seen a copy of the Constitution before.

Some people even claimed that the country's basic law is in English and therefore millions of Tanzanians cannot understand its contents. Ms Kombo and her team at every meeting distributed copies of the Constitution, which is in Swahili and encouraged the people to go through. In some cases they presented highlights on the basic law when responding to people's views and also demanded suggestions on criticism on the present constitution.

Ms Kombo said some critics say that current constitution had undergone 14 amendments since its enactment 35 years ago and some people claim that it is now full of patches, calling for total overhauling. A constitution may be defined as the country's basic or fundamental law, which lays down its executive, legislative and judicial institutions. It provides for the function of these institutions and distribution of powers among them.

The present Constitution of the United Republic of 1977, fits exactly into the above definition. In its preamble, it declares the resolve of the people of Tanzania to build a society founded on the principles of freedom, justice, fraternity and concord. "...those principles can only be realised in a democratic society in which the executive is accountable to a legislature comprising elected members and people's representatives and a judiciary which is independent and dispenses justice without fear or favour," it is stressed in the preamble.

The 1977 Constitution has a total of ten chapters: Chapter one declares fundamental principles of state policy; as well as the fundamental rights and duties of the country's citizens. The rights include equality as human beings, and equality before the eyes of the law, freedom of worship and the right to life and protection as well as work for a decent income.

Chapters two through six make provisions for establishment of the three branches of state authority, namely the executive, the legislature and the judiciary; and describes the distribution of powers and functions among them. Chapter two establishes the office of the President of the United Republic, as the Head of State, the Head of Government and Commander-in-Chief of Armed Forces. It also provides for establishment of the Government of the United Republic with authority over all Union matters and other matters concerning Tanzania Mainland.

Chapter three establishes the Parliament, sets out qualification for members of parliament and

procedures for their elections as well as their rights and privileges. Of special interest is Chapter four which establishes the Revolutionary Government of Zanzibar, with authority over all matters which are not Union matters. The Chapter recognises the Head of Executive for Zanzibar, who shall be the President of Zanzibar, Head of the Revolutionary Government of Zanzibar and Chairman of the Zanzibar Revolutionary Council.

Chapter seven makes provisions regarding the finances of the Union government. Chapter eight establishes local government authorities including municipal, district and town councils. Chapter nine makes provisions for existence of and control of armed forces of the United Republic. The last chapter, which is chapter ten, makes essential miscellaneous provisions, such as the procedure for the resignation of persons who hold any of the offices which are established by the Constitution, and also provides definition of some of the terms which are used in the Constitution.

Tanzania: All is Well at Lake Nyasa Border, Says Mbeya RC

By Abdulwakil Saiboko/Tanzania Daily News (Dar es Salaam)/22 October 2012

MBEYA Regional Commissioner, Mr Abbas Kandoro has warned some dishonest people who spread messages of fear through social media, over the situation along Lake Nyasa that borders Malawi.

"Some unpatriotic people are spreading messages over the social media and through text messages with intent of creating fear and panic. This is very unfortunate," he said. Mr Kandoro was commenting on the rumours that several bombs were thrown from the Malawian side of the lake to Kyela District in Mbeya Region and that the situation was tense.

The messages which were being circulated through text and social media, said that the government had issued an alert for people in the area not to pick anything that they came across as bombs were rampant. "Situation is calm and there is no cause for panic. People in the said areas are safe. It is high time that we thought of positive use of modern technology because the current trend is not healthy," he said.

In another development, the Director of Information Services (Maelezo), Mr Assah Mwambene has also negated the rumours categorically, saying there was no need for panic. "There is a message spreading that over 30 bombs with not less than 100 tons in weight have been thrown from Malawi, calling on people in the regions bordering the lake to take precaution measures," reads Mwambene's statement issued in Dar es Salaam .

The statement further said that the message directs people to contact number-0756000042 and claimed that it was an alert from the Tanzania People's Defense Forces (TPDF). "The information is not true and is being engineered with bad motives to Tanzanians. Citizens are urged not to send any information on the provided number and not to give any attention to such a message," he said.

Talks between the two countries (Tanzania and Malawi) are set to resume over the next weekend, in a bid to find an amicable solution to the border dispute that is currently threatening to jeopardize diplomatic relations. Lake Nyasa has been a source of disagreements since colonial times, which were rekindled recently when Malawi claimed ownership of the whole lake and allowed international companies to conduct research for investment in gas and oil exploration in the lake.

The Permanent Secretary in the Ministry of Foreign Affairs, Mr John Haule, said recently that Tanzania was optimistic that the forthcoming talks would help to solve the conflict. In early October, the President of Malawi Ms Joyce Banda made an order calling off discussions with Tanzania

before threatening to take the matter to another level - the International Court of Justice (ICJ).

However, Malawi later withdrew its decision after learning that Tanzania had not ratified ICJ and agreed to return to the negotiation table with Tanzania.

Tanzania: Modern, Efficient Border Post Ready Soon

22 October 2012/Tanzania Daily News (Dar es Salaam)

THE first ever one-stop border post (OSBP) that will cost more than 6bn/- is expected to be completed in December and handed over to the government.

The OSBP Projects Director, Mr Theo Lyimo, told journalists at Holili in Kilimanjaro Region over the weekend that the system would reduce time for clearance of goods and passengers at Tanzania/Kenya border.

He said Trade Mark East Africa (TMEA) will finance ICT requirements of the OSBP, including wireless connectivity across the border and agencies, as well as provide computers and the required software.

Holili is now being modernised into the OSBP, meaning that traffic on each side of the border would stop at the entry point instead of both points on the border. "Upon its completion means a bus to Mombasa will not stop at Holili but only at Taveta where Tanzanian as well as Kenyan officials will carry out clearance formalities, while a truck or a bus from Mombasa to Tanzania will stop at Holili," said Mr Lyimo.

At the OSBP, officials from both countries will be working together, hence reduce costs of cross border trade and support the government's efforts to promote investments and exports. Mr Lyimo said although both countries have competent border officials, they will still require induction into the new environment of OSBP to be knowledgeable on the flow of the new traffic and rules of working together.

Its full operational after completion awaits signing of a bilateral agreement between the two governments. "The Holili OSBP is one of the four OSBPs in Tanzania that TMEA is funding. Others are Mutukula on the border with Uganda, Kabanga (Burundi) and Tunduma on the border with Zambia," he said.

While Holili will be ready at the end of the year, Mutukula and Taveta are expected to be completed by 2013. The Minister for East African Cooperation, Mr Samuel Sitta and his Kenyan counterpart recently held a meeting at Holili to discuss different issues on how to strengthen trade and relationship at the border

KENYA :

Bensouda jets in Monday

Written By:Wangari Kanyogo/kbc.co.ke/ Posted: Sun, Oct 21, 2012

International Criminal Court prosecutor Fatou Bensouda arrives in the country Monday for her first official trip to Kenya as the Prosecutor of the Hague-based court.

Bensouda will be making a 5 day familiarization tour of Kenya and especially the hotspots of violence that rocked the country after the disputed presidential election in January 2008.

She is scheduled to meet President Mwai Kibaki and Prime Minister Raila Odinga including other government officials.

Bensouda will be the prosecutor in the case pitting four Kenyans accused of bearing the greatest responsibility over the infamous post election violence.

She is expected to visit most affected areas by the post poll chaos including Naivasha, Nakuru and Kiambaa where she will meet the victims still living in IDP camps.

According to the itinerary of the ICC prosecutor she will address a press conference on arrival where she will explain her visit to Kenya.

Tuesday she will pay a courtesy call on the two principals at Harambee house and also meet several government officials.

Among the key issues expected to be addressed during her visit is Kenya's progress in judicial reforms, witness protection and the cooperation of Kenya with the ICC.

Bensouda's visit also coincides with the warming up of the campaign season involving two ICC suspects Deputy Prime Minister Uhuru Kenyatta and Eldoret North Legislator William Ruto whose fate at The Hague remains uncertain.

The prosecutor will be accompanied by the Head of the Jurisdiction, Complimentarity and Cooperation Phakiso Mochochoko and Shamiso Mbizvo who is the Cooperation Adviser.

Bensouda will again address the media on Friday after wrapping up her tour.

Aviva Corporation given green light for sale of Aviva Mining Kenya

MENAFN - ProactiveInvestors - Australia / 22/10/2012

(MENAFN - ProactiveInvestors - Australia) Aviva Corporation (ASX: AVA) has received approval from the Kenyan Competition Authority to go ahead with the sale of Aviva Mining Kenya to African Barrick Gold.

African Barrick Gold is one of the five largest gold producers in Africa and is majority owned by Barrick Gold Corporation (NYSE: ABX, TSX: ABX), the world's largest gold producer.

The sale of Aviva Mining Kenya represents a good deal for shareholders as continued funding of Kenyan exploration at the level required to drive value into the project would have been very dilutive for shareholders.

The granting of approval by the Kenyan Competition Authority satisfies the last remaining condition precedent of the sale and purchase agreement that will see Aviva net an initial A20 million.

Under the agreement, there is a further payment of 10 million due to Aviva if a National Instrument 43-101 Indicated resource of 3 million ounces or more is declared over Aviva Mining Kenya's

project areas.

Lindsay Reed, chief executive officer of Aviva Corporation, commented: "Aviva is delighted that the final condition precedent to the sale of AMK to ABG has been satisfied.

"We will work closely with ABG to achieve completion of the transaction as soon as possible. Aviva is continuing to consider their strategic growth options and opportunities both inside but also outside of Botswana."

Aviva expects the completion of the sale of Aviva Mining Kenya to be completed within one week.

The funding from the sale provides certainty of cash and allows the company to assess its strategic growth options for its coal-based projects in Botswana.

Earlier this month Aviva was issued the Environmental Impact Statement from the Department of Environmental Affairs for its Mmamantswe coal project in Botswana.

Mmamantswe has a 1.3 billion tonne coal resource, including a JORC reserve of 895 million tons.

Aviva is considering its strategic options in Botswana including adding to its coal portfolio with the outcome of the Coal Road Map review in Botswana considered to be very positive for the Mmamantswe project and Botswana's coal industry.

Studies have suggested that the Mmamantswe project, which is close to the South African border, could support a 10 million tonne per year run-of-mine operation.

Surrender or face arrest, Kenya tells rebel group

Monday, October 22, 2012/omantribune.com

MOMBASA (Kenya) Kenya on Saturday told members of a separatist group to surrender or face arrest as the east African country intensified a crackdown on the movement ahead of an election next year.

The Mombasa Republican Council's (MRC) campaign for the secession of Kenya's Indian Ocean coastal strip, a tourist hotspot and trade hub, is just one of many concerns ahead of the March election, the first since the 2007 poll after which some 1,200 people were killed and thousands displaced.

"I am asking all MRC officials and members who are still out there to surrender voluntarily and also surrender their weapons this weekend," Coast province commissioner Samuel Kilele said at a gathering for national day celebrations in Mombasa.

"We know them and we will go for them if they don't heed this call. We will go for them and arrest them," he said.

President Mwai Kibaki also said his government would take decisive action against those who "issued threats of secession or those who threaten our security".

Earlier this week, Kenyan police arrested MRC leader Omar Mwamnuadzi and later charged him with possession of firearms and incitement to violence.

A Kenyan court charged a lawmaker and prominent Muslim preacher for inciting violence after he said he would be willing to fund the group.

On Saturday, machete-wielding men attempted to raid a police station in Kaloleni district, 30km west of Mombasa, before being repelled by police, Erastus Kidor, Kilifi's government commissioner, said.

They then managed to raid a police camp further away, wounding a police officer and escaping with a rifle, he said.

Police recovered "machetes and printed material bearing the MRC logo" from the scene of the first attack.

"So preliminarily we are linking the incident to MRC," Kidor said, adding three people had been arrested for interrogation.

The MRC could not immediately be reached for comment.

A Mombasa court issued arrest warrants on Friday for five MRC officials for failing to appear in court to answer charges of being members of an unlawful society.

MRC's grievances stem from what it calls decades of social and economic marginalisation of the people in the coastal region of Kenya, east Africa's largest economy.

Earlier this month, MRC spokesman Mohamed Mraja and secretary Randu Nzai Ruwa were charged with inciting members to disobey the law, shortly after a gang of youths brandishing machetes attacked a cabinet minister and killed his bodyguard.

Police linked the attack to the MRC, but the group denied involvement. Kenyan security agents investigating the group, formed in 1999.

Kenyan officials say MRC is infiltrated by fighters from Al Qaeda-linked group Al Shabaab, which has waged a five-year insurgency against Somalia's government in 2007.

Kenya's troops crossed into Somalia a year ago to crush the militants whom it blamed for attacks and kidnappings on its soil.

Three weeks ago, Kenya's defence forces - under the umbrella of African Union troops (Amisom) - took control of the Somali port city of Kismayu, Al Shabaab's last major bastion. Police have carried out raids in the coastal region against suspected al Shabaab members. Three suspects were killed in a raid on Wednesday in which a police officer also died.

Agencies

ANGOLA :

AU/AFRICA :

Africa News Round Up October, Monday 22, 2012

Posted on October 22, 2012/ by Administrator/independent.co.ug

We start off this week's news roundup in Guinea-Bissau where RNW reports that six people have been confirmed dead after gunmen raided a Guinea-Bissau army barracks housing an elite unit near the capital's airport on Sunday.

Unidentified armed men launched the assault on at about 4:00 am (0400 GMT), but soldiers fought off the attack after about an hour of fighting, forcing the assailants to flee, witnesses said.

The pre-dawn attack is certain to add to tensions in the deeply troubled West African country, where a junta seized power in a coup in April.

A military source confirmed the attack but would not say whether there had been any casualties among the elite "red beret" ground force unit targeted in the raid.

There was no information immediately available about who carried out the attack, but observers said there was some anger in the military about a recent round of promotions.

Since independence from Portugal in 1974, the army and state in the chronically unstable nation of 1.6 million people have remained in constant conflict, and no president has ever completed a full term in office.

The Guinea-Bissau government has accused Portugal, the Community of Portuguese Language Countries and a former prime minister of backing a coup bid.

"The government considers Portugal, the CPLP and Carlos Gomes Junior as the instigators of this attempt at destabilisation," said a statement read out by Communications Minister Fernando Vaz.

Its aim had been to overthrow the transitional government, undermine the political process, bring Gomes Junior back to power and justify an international "stabilisation" force, the statement added.

In Zimbabwe, a crucial meeting is to be held on Monday to review a draft of a new constitution, a key step toward elections meant to end the uneasy power-sharing government between President Robert Mugabe and Prime Minister Morgan Tsvangirai, news24 reports.

Two years in the making, the draft charter will be debated at a two-day conference in the capital Harare attended by civil society groups and supporters of Mugabe, Zimbabwe's ruler since 1980, and Tsvangirai, his top rival.

Mugabe and Tsvangirai formed a "unity government" in February 2009 in a bid to end deadly political violence that erupted after disputed elections in 2008.

Under the power-sharing deal, which was brokered by regional mediators, Zimbabwe is to draft a new constitution and put it to voters in a referendum, paving the way for fresh polls.

But the process of drafting the new constitution was plagued by chronic delays and violence at public meetings.

A draft negotiated by Mugabe's ZANU-PF party, Tsvangirai's MDC party and a smaller MDC

splinter group was finished in August.

The current draft would rein in presidential powers and bolster those of parliament, set a presidential term limit of 10 years and strip away the president's immunity from prosecution after leaving office.

In Kenya Attorney-General Githu Muigai was on Sunday accused of holding up preparations for the election by refusing to authorise payment to a French company, Daily Nation reports.

The Independent Electoral and Boundaries Commission said the registration of voters, which is two months behind schedule, remains in limbo until the AG gives Treasury the go-ahead to issue letters of credit (LC).

Until he does so, Biometric Voter Registration equipment cannot be delivered and no date can be set for the registration to begin.

Mr Hassan blamed the State Law Office for standing in the way of the supplies, saying voter registration plans have stalled due to the stand-off between the AG and the Treasury over authorisation.

According to deadlines set by IEBC in August, voter registration was supposed to be carried out in September and October. However, the exercise was now set to start on November 14.

The commission has been forced to amend its timelines several times over the past three months due to the BVR crisis.

Elsewhere in Kenya, the Daily Nation reports that the High Court in Nairobi begins hearing of petitions filed by sacked judges, who are questioning both the legitimacy and the decisions of the Judges and Magistrates Vetting Board.

Sacked Court of Appeal judges Joseph Nyamu, Samuel Bosire, Riaga Omollo and Justice Jeanne Gacheche formerly of the High Court moved to court after the vetting board declared them unfit to serve the Kenyan Judiciary.

After being dismissed, the five judges applied to the board to review its decision, but the board upheld its initial verdict.

The board had found that Justice Nyamu was found to have been a "gate-keeper" for powerful individuals when he served at the High Court, while the board held that Justice Bosire was unfit due to the manner in which he handled the Goldenberg Inquiry.

Justice Omollo was found to have exhibited inconsistency in his decisions touching on political matters, and authoritarianism, while Justice Gacheche was found to have abused her judicial powers.

No headway on Mali after AU meets world bodies

by Adama Diarra and David Lewis/bdlive.co.za/octobre 22 2012

BAMAKO — Regional leaders, including African Union (AU) chairwoman Nkosazana Dlamini-Zuma, and international organisations met in Mali's capital, Bamako, on Friday for talks on the occupation of the north of the country by al-Qaeda-linked Islamists, but failed to resolve differences

on how to tackle the growing security threat.

Mali remains paralysed by twin crises, with the leadership in Bamako still divided since a March coup that toppled the president, and the subsequent takeover of the north by Al-Qaeda in the Islamic Maghreb (Aqim). Regional and international efforts to deal with the situation, which has created a safe haven for Aqim insurgents and international criminal gangs, have been hampered by divisions over how to help.

"The main challenge today is how to deal with the dangerous situation in the north of the country expeditiously," Ms Dlamini-Zuma told the meeting. "This is a threat we cannot afford to take lightly, and ... the danger it poses extends far beyond the African continent. The sooner we deal with it, the better."

In a document adopted during the talks involving Mali's west and north African neighbours, the AU, the United Nations (UN) and the European Union (EU), delegates called for sanctions against terrorist networks and Malian rebels who refuse to break ties to them and join talks. The AU and UN also announced plans to open permanent offices in Bamako.

But scant measurable headway was made towards harmonising the positions of those calling for military action and others who prefer talks.

With six hostages held by Aqim and fearful of an attack on home soil, former colonial power France is eager for military action. Some West African leaders who worry that Mali's conflict will spill over into their own largely fragile states also favour military action.

The UN Security Council earlier this month gave African leaders 45 days to draw up a plan for military intervention to retake control of the north. The UN and EU have agreed to provide training for Malian troops "which can start immediately", French Foreign Minister Laurent Fabius said on Sunday.

"The Malian troops will be trained and they will try to retake the cities in the north like Timbuktu, Kidal etc," he said.

But diplomats say any such intervention is months away and there is still no agreement whether an election should be held to replace Mali's caretaker government before a military operation takes place.

Islamists controlling the north have imposed their strict version of sharia law, arresting unveiled women, stoning to death unmarried couples and amputating the limbs of suspected thieves, according to residents and rights groups.

They have also destroyed ancient Muslim shrines that have been revered for centuries and are classed as World Heritage sites, but which the radicals consider blasphemous.

Mali's Foreign Minister Tieman Hubert Coulibaly repeated the position of interim president Dioncounda Traoré on Friday.

"We are not willing to organise elections while the north of the country is occupied," he said. "We were very clear with our partners."

Algeria, the region's top military power which fought a long war against Islamists in the 1990s, has not ruled out military force, but it has led calls for a dialogue-first approach. Other neighbours such

as Guinea argue that no time can be wasted in mediation efforts.

"How are we supposed to negotiate with terrorists?" Guinean President Alpha Conde said last Wednesday. "We have no solution but to use force."

Reuters

Libye : combats dans un ex-fief de Kadhafi

Par Pierre Prier/lefigaro.fr/le 22/10/2012

Forces pro-gouvernementales et groupes armés locaux s'affrontent à Bani Walid.

Envoyé spécial à Bani Walid

Au milieu du désert libyen, une vingtaine de pick-up équipé de canons anti-aériens, de mitrailleuses lourdes et de lance-roquettes multiples quittent brusquement la route. Ils foncent à droite dans l'immensité sableuse. «Des kadhafistes de Bani Walid tentent une sortie de ce côté» dit l'un des miliciens restés sur place, un professeur barbu, entouré d'un groupe à la pilosité tout aussi prononcée. Ils appartiennent au «Bouclier de Libye» un rassemblement de brigades qui affirment obéir au gouvernement libyen.

Ceux-là disent venir de Khoms, une ville située à l'est de Tripoli. Ils participent à l'assaut contre Bani Walid, à une trentaine de kilomètres de là. Les affrontements auraient déjà fait 26 morts. La guerre contre cet ex-bastion kadhafiste a repris récemment après la capture et la torture par les miliciens de Bani Walid d'Omar Ben Chaabane, l'homme réputé avoir débusqué Kadhafi il y a un an à Syrte. Soigné à Paris, il y est mort fin septembre. Chaabane était originaire de Misrata. L'incident semble avoir rallumé un conflit ancien entre Bani Walid, fief de la tribu Warfalla, et Misrata, centre de la tribu du même nom. Ces derniers, eux aussi labellisés «Bouclier de Libye», seraient désireux de se venger.

Le gouvernement provisoire affirme pour sa part lutter contre un dernier carré de partisans de Kadhafi. Pour accréditer cette version, il a annoncé samedi, jour anniversaire de la mort du dictateur, la capture près de Bani Walid de son ancien porte-parole, Moussa Ibrahim. Puis celle de Khamis Kadhafi, septième fils du colonel et ancien chef des troupes d'élite.

L'exode des civils

Aucun des deux n'a été montré à la télévision. Moussa Ibrahim, réfugié à l'étranger, a démenti sur Internet. Quant à Khamis, tué en août 2011, il est sans doute toujours mort, bien que son corps n'ait pas été formellement identifié. Au bord de la route, les combattants de Khoms doutent un peu de la survie de Khamis mais croient dur comme fer à l'arrestation de Moussa Ibrahim. Ils sont aussi persuadés de se trouver en face d'un regroupement de «tous les partisans de Kadhafi, venus de toute la Libye, et aussi d'Algérie et d'Afrique.»

Faux, répond au Figaro Salem al-Waer, l'homme fort de Bani Walid, joint dimanche par téléphone. «C'est une guerre tribale, où Misrata est en pointe. Entre Misrata, et Bani Walid, la haine est ancienne. Elle est devenue encore plus forte sous la révolution.» Salem al-Waer, ancien opposant en exil à Khadafi, s'est taillé un fief à Bani Walid en s'alliant avec des éléments armés locaux, dont sans doute d'anciens partisans du colonel. Aujourd'hui, il en appelle «à l'Otan et à la France, pour qu'ils viennent nous protéger». Pour lui, on est en face d'une «catastrophe humanitaire.»

Sur la route arrivent soudain sept voitures de familles fuyant la ville, puis un pick-up militaire, deux

travailleurs égyptiens cramponnés sur le marchepied arrière. «Nous avons ouvert un corridor humanitaire», assure l'un des combattants. Brusquement, la tension monte. «La colonne qui est partie à droite tout à l'heure est encerclée par des kadhafistes, il faut l'aider!» clame un milicien arrivé en voiture. Les combattants deviennent nerveux. La victoire n'est peut-être pas pour tout de suite.

Slim hope of Syria truce during Muslim holiday: Arab League October 22, 2012/dailystar.com.lb

DUBAI, United Arab Emirates: Hopes of a ceasefire being implemented in war-torn Syria during the upcoming Muslim Eid holidays are "slim," the Arab League's deputy secretary general Ahmed Ben Helli told AFP on Monday.

Speaking on the sidelines of the World Energy Forum in Dubai, Ben Helli said a truce was increasingly unlikely "because the signs, both on the ground and by the government ... do not point to the presence of any real will" to implement a ceasefire.

"Unfortunately, hope for implementing the truce during Eid al-Adha are slim so far," he said, adding that efforts however, "are being made at all levels."

UN-Arab League peace envoy Lakhdar Brahimi on Sunday appealed to both sides of the Syrian conflict to observe a truce during the four-day Eid al-Adha holiday, which begins on Friday.

Brahimi has visited several countries with influence in the Syrian conflict over the past week, including Lebanon and Iran, warning that the violence could spread and set the entire region ablaze.

The revolt against Syrian President Bashar al-Assad has entered its 20th month with the death toll estimated at more than 33,000.

Israeli forces clash with Hamas, kill two gunmen in Gaza foray Mon Oct 22, 2012/Reuters

GAZA

(Reuters) - Israeli forces killed two Palestinian militants during an incursion in the northern Gaza Strip on Monday that touched off clashes with gunmen from the governing Hamas movement, local officials said.

They said militants fired mortar bombs at Israeli troops spotted inside Gaza's boundary fence, drawing air strikes against a Hamas training camp and other targets. Hamas claimed one of the dead gunmen as its own, and the other was not immediately identified. Two Hamas fighters were wounded.

Though Islamist Hamas is hostile to Israel, it has often sought to stay out of recent cross-border confrontations as it shores up its Gaza rule in the face of more radical challengers and reaches out to potential Arab allies abroad.

The emir of pro-Western Qatar was on Tuesday to become the first head of state to enter the blockaded Palestinian enclave, a high-profile visit opening a crack in Hamas's diplomatic isolation.

Israel's military said the air force struck a Palestinian rocket crew after "a routine (army) patrol in the area" came under mortar attack.

(Reporting by Nidal al-Mughrabi, Writing by Dan Williams in Jerusalem, Editing by Jeffrey Heller)

Libye : les locaux d'une télévision privée saccagés à Benghazi

Le Monde.fr avec AFP / 22.10.2012

Les locaux d'une télévision privée libyenne à Benghazi ont été saccagés dimanche soir par des dizaines de manifestants qui protestaient contre la couverture du conflit de Bani Walid par cette chaîne, a constaté un journaliste à l'AFP.

Les manifestants qui criaient le nom de la tribu des Werfella, dont le fief est à Bani Walid, ont pris d'assaut les locaux de la télévision Libya Al-Hurra (La Libye libre), saccageant les lieux et mettant le feu dans un bureau. Des membres du personnel, dont au moins un journaliste, ont été agressés, tandis que d'autres ont pu s'enfuir, selon le correspondant de l'AFP. La chaîne a cessé d'émettre peu de temps après.

Les protestataires reprochent notamment à la chaîne d'avoir annoncé la capture de Khamis, un des fils de Mouammar Kadhafi, à Bani Walid, pour justifier selon eux l'attaque lancée par d'anciens rebelles enrôlés par l'armée contre cette ville accusée d'abriter des partisans de l'ancien régime kadhafiste. L'arrestation de Khamis ainsi que celle de l'ex-porte-parole de l'ancien régime, Moussa Ibrahim, avaient été annoncées par les autorités qui s'étaient rétractées par la suite.

"FAUSSES INFORMATIONS"

Des dizaines de manifestants de la ville de Bani Walid avaient manifesté à Tripoli devant le Congrès général national, la plus haute autorité politique du pays, pour dénoncer le bombardement de leur ville et les "fausses informations diffusées par les autorités pour justifier une tuerie à Bani Walid", selon un des manifestants.

Les services de sécurité ont tiré en l'air pour empêcher l'entrée des manifestants dans le bâtiment.

Ces manifestations interviennent après un deuxième jour de combats meurtriers entre les forces pro-gouvernementales et des groupes armés de Bani Walid. Dimanche, des dizaines de voitures transportant des familles quittaient la ville de 100 000 habitants, située à 185 km au sud-est de Tripoli, pour fuir aux violences.

Tripoli estime que Bani Walid est "devenue un abri pour un grand nombre de hors-la-loi hostiles à la révolution", tandis que les habitants de cette oasis accusent des "milices" de la ville voisine de Misrata de manipuler les autorités pour détruire Bani Walid et chasser sa population en raison de rivalités historiques.

Six killed in failed Guinea-Bissau 'counter-coup'

Reuters / Oct 22, 2012

BISSAU: Six people were killed in a gun battle at an airforce base near Guinea-Bissau's capital early on Sunday in what diplomatic sources described as an apparent failed counter-coup attempt.

The tiny former Portuguese colony on Africa's west coast is in the midst of a messy recovery after the army overthrew the government in April, derailing elections midstream, and diplomatic and military sources said the violence may have been orchestrated by supporters of the self-exiled

former premier.

"It appears to have been a failed counter-coup," one diplomatic source said, asking not to be named.

Military sources said "rebels" had attacked the airforce base in Bra, about 7 kilometres (5 miles) from the capital Bissau at about 3 am but were repelled after two hours of fighting.

"There was an exchange of Kalashnikov fire and then the rebels took refuge in a building near the base," a military source said on condition of anonymity.

He said government soldiers used rocket-propelled grenades on the building before killing several of the attackers. A Reuters witness saw six bodies near the base.

Witnesses said the army had set up checkpoints and was checking vehicles on the main road leaving Bissau, but added that the capital appeared otherwise calm.

The same military source said that some of the attackers appeared to be from an ethnic group, Djolla, common in neighbouring Senegal's southern Casamance region.

Decades of turmoil in Guinea-Bissau since it became independent in 1974 have made its maze of mangrove-lined islands a hub for Latin American drugs cartels smuggling cocaine to Europe.

DISRUPTED ELECTION Elections earlier this year were meant to put the country on the road to stability and to improve its chances of clamping down on drugs trafficking, but instead triggered more chaos after the army detained poll front-runner and former Prime Minister Carlos Gomes Junior before the second round.

The junta said Gomes Junior had a secret pact with Angola, which had a contingent of soldiers in Bissau at the time, to eliminate the military's leadership.

Gomes Junior fled into exile in Portugal after being released under international pressure, while several of his allies took refuge in Gambia, a sliver of land sandwiched by northern and southern Senegal.

Led by General Antonio Injai, the junta has since handed power to a transitional civilian government charged with setting up elections, though international divisions over its legitimacy have stalled progress.

Diplomatic and military sources said the fighting on Sunday may have been launched by Gomes Junior supporters, incensed that the military had blocked his widely anticipated election win.

Guinea-Bissau's interim president Manuel Sherifo Nhamadjo has backing from West African regional block ECOWAS - which has played a leading role in mediating the crisis.

But Nhamadjo lacks the full support of the United Nations, the European Union and the CPLP grouping of Portuguese-speaking countries who say his government remains under army influence.

U.N. Special Representative to Guinea-Bissau Joseph Mutaboba said he was seeking more information on the incident from Guinea-Bissau's Defence Department as well as from ECOWAS, which has a 600-strong stabilisation force in the country.

He said he had contacted ECOWAS to "express our concern over possible political and security

implications and offer the U.N.'s assistance if needed by the local population."

African Markets - Factors to watch on Oct. 22

Mon Oct 22, 2012/af.reuters.com

The following company announcements, scheduled economic indicators, debt and currency market moves and political events may affect African markets on Monday.

GLOBAL MARKETS

Asian shares fell on Monday as lacklustre earnings from leading U.S. companies and a sharp drop in Japan's exports, a key driver of the world's third-biggest economy, dented risk appetites and prompted investors to take profits on recent gains.

WORLD OIL PRICES

Brent crude edged up above \$110 a barrel on Monday after a four-day decline spurred by persistent worries over a fragile global economy, with supply risks also supporting prices as violence in the Middle East intensified.

AFRICA FOREX

A bond auction in Ghana this week that is open to foreign investors is likely to buoy the Ghanaian cedi, while the Ugandan shilling is seen regaining stability after a three-month bout of weakness.

AFRICA DEBT

Kenya's sale of a 2-year bond this week is expected to be well received, with yields expected to be higher than those on Treasury bills.

AFRICA COLUMN

If you are looking for some good cheer in a pretty gloomy world, consider the growing consensus among some of the world's smartest money that the next big emerging market may be Africa.

EMERGING MARKETS

For the top emerging markets news, double click on

AFRICA STOCKS

For the latest news on African stocks, click on

SOUTH AFRICA MARKETS

South Africa's rand was largely flat for most of Friday's Johannesburg trade and worries over strikes in the mining sector are seen capping any significant gains.

SOUTH AFRICA SHARES

South African stocks fell for a second straight day as bullion producers such as Anglo Gold Ashanti ANGJ.J took a hit from a decline in the spot price for the precious metal and wildcat strikes in the domestic mining sector.

KENYA MARKETS

The Kenyan shilling KES= was dragged lower by oil importers buying the dollar, while banking stocks drove a second session of gains for local shares.

NIGERIA FOREX

Nigeria's foreign exchange reserves NGFXR=ECI jumped to \$42.02 billion by Oct. 17, their highest in 32-months and an increase of 3.11 percent, month-on-month, latest figures from the central bank showed.

TANZANIA UNREST

Muslim protesters clashed with police in Tanzania's commercial capital and on the semi-autonomous island of Zanzibar, raising religious tensions in the east African country.

RWANDA,DRC SANCTIONS

The U.N. Security Council intends to impose sanctions on the leaders of the Democratic Republic of Congo's M23 rebels and others violating an arms embargo on the country, according to a statement the council unanimously adopted.

GUINEA-BISSAU COUP

Six people were killed in a gun battle at an airforce base near Guinea-Bissau's capital early on Sunday in what diplomatic sources described as an apparent failed counter-coup attempt.

For the latest precious metals report click on

For the latest base metals report click on

For the latest crude oil report click on

UN/AFRICA :

Rwanda: Plucky Rwanda Wins Big United Nations Seat

By Caesar Abangirah/Rwanda Focus (Kigali)/22 October 2012

As a country with dignity, Rwanda deserves a seat on the UNSC

The last time Rwanda occupied a seat on the United Nations Security Council, the country endured the 100 days of Genocide against the Tutsis that claimed more than a million lives.

Eighteen years later, Rwanda will once again occupy a Seat as a non-permanent member the Security Council for a two-year mandate that commences on January 1, 2013.

Rwanda garnered 148 votes out of a possible 193 votes, more than the required two thirds of the required vote from the voting countries present.

Rwanda now replaces South Africa whose mandate ends on December 31, 2012. Argentina (182 votes) Australia (140), South Korea (149) and Luxembourg (131) are the other new entrants on the 15-member council.

The five permanent Council members, which each wield the power of veto, are China, France, Russia, the United Kingdom and the United States. Other non-permanent members Azerbaijan, Guatemala, Morocco, Pakistan and Togo will remain on the Council until the end of 2013.

The overwhelming win comes hot on the heels of a leaked report of the by now discredited UN Group of Experts that alleges Rwanda and Uganda are fuelling a rebellion in the eastern part of Democratic Republic of Congo by arming M23, a group of rebels opposed to the Kinshasa government.

According to the hastily compiled 44-page report's allegations, while Rwandan officials coordinated the creation of the rebel movement as well as its major military operations, Uganda's more subtle support to M23 allowed the rebel group's political branch to operate from within Kampala and boost its external relations. Rwanda has since debunked much of what the GoE have to say in point by point reports of its own that relied on verifiable evidence and facts. The GoE is led by one Steven Hege, an American whose own writings indicate clear bias against Rwanda.

When the Group of Experts first accused Rwanda of aiding the M23 rebels in a June mini-report, the United States suspended some military aid, and Britain, Sweden together with some other European governments delayed aid disbursement to Kigali. Britain later unfroze some of that aid saying Rwanda was constructively working towards resolving the crisis in the Great Lakes region.

"We are grateful to have won the support of so many of our fellow member states who responded to our message. Rwanda values peace, and we are honored to serve" - Mushikiwabo

The latest report, leaked to the Reuters news organization a day before the UN General Assembly was to vote on Rwanda's bid to represent Africa, contained more allegations, to the effect that Kigali has ignored appeals to cease its support for the M23 rebel outfit. Kigali quickly dismissed the report, with Foreign Affairs Minister Louise Mushikiwabo saying, "The leak of the final report of the Group of Experts confirms what Rwanda has maintained ever since Steven Hege's incendiary anti-Rwanda writings came to our attention: he is pursuing a political agenda that has nothing to do with getting at the true causes of conflict in the eastern DRC."

Mushikiwabo also pointed out that any effort to engage constructively with Hege has been twisted out of context and used against Rwanda. "Rwanda will not allow itself to be dragged any deeper into this farce by responding to the Group's far-fetched but fact-free assertions," she said on Wednesday, and Rwanda waited for the votes to be cast on Thursday.

Congolese objections dismissed

But the election would not go without any blemish. As members waited to cast their vote in the UN General Assembly hall, a member of the DR Congo delegation asked for a point of order, alleging - with no offer of substantive proof - that Rwanda was "not fit to sit on the UNSC because Kigali has provided a sanctuary to criminals operating in the eastern part of the DRC and who are being sought by international justice."

This was dismissed by the General Assembly president Vuk Jeremic, who said no representative shall interrupt the voting process on any grounds and because it was not procedural. The delegation must have taken its cue from DR Congo President Joseph Kabila, who last month, without mentioning Rwanda by name, told the General Assembly's annual meeting that UN Security Council should impose sanctions against those providing 'external support' to Congo's rebels.

"We expect the community of nations will shoulder its responsibility, and the Security Council will ensure compliance," he said then. Some reports say DR Congo was the only country that abstained from the vote.

Mushikiwabo, who was at the session, immediately took to her Twitter account and said, "It's the right thing, a testament to how far we have come and our commitment to international peace."

Later, she thanked UN members, and particularly friends and allies from Africa for their overwhelming support and faith shown in Rwanda.

"We are grateful to have won the support of so many of our fellow member states who responded to our message. Rwanda values peace, and we are honored to serve," Mushikiwabo said.

Peacekeeping

The country's top diplomat also stressed that in eighteen years of focused nation-building, Rwanda is an active member of the United Nations, on track to meet or surpass all the Millennium Development Goals and the sixth largest contributor to peacekeeping worldwide.

Rwanda has about 3,200 soldiers in the United Nations African Union Hybrid Mission in Darfur (UNAMID) and 850 in South Sudan under the UN Mission in South Sudan (UNMISS). The country also maintains about 500 police officers in various missions in Haiti, Liberia, Sierra Leon, Sudan, South Sudan and Ivory Coast.

Rwanda has also reiterated its desire to see the end of chaos in the eastern part of DR Congo by committing fully to the ongoing International Conference of Great Lakes Region process.

"The contrast could not be sharper between that previous tenure - when a genocidal government occupied a prized Security Council seat as its agents waged genocide back home - and the Rwanda of today: a nation of peace, unity, progress and optimism," Mushikiwabo said, adding that this troubling recent history allows Rwanda to offer a unique perspective on matters of war and peace at the Security Council.

"Working with fellow members, Rwanda will draw on its experience to fight for the robust implementation of the Responsibility to Protect doctrine that demands that the world takes notice - and action - when innocent civilians face the threat of atrocities at the hands of their governments, with the understanding that situations have specificities that need to be taken into account," Mushikiwabo said.

Rwanda will now seek opportunities to work with fellow UNSC members to ensure it is responsive and reflective of the views and aspirations of the developing world, in particular the African continent, according to Mushikiwabo.

"Over the next two years, we hope to ensure that this new reality is reflected in the way the UN Security Council conducts itself in the 21st century," Mushikiwabo said.

Eugene-Richard Gasana, Rwanda's permanent representative to the UN - the man that might sit at the council's private deliberations with 14 other diplomats - will now be charged with formulating policies that will help maintain peace worldwide, and possibly in the DR Congo.

As the country celebrates, the mood of Rwandans was summarized by President Paul Kagame, who said, "Rwanda deserves a seat on the UNSC, as a country with dignity."

Argentina To Take Fight With Ghana To UN

Date: 22-Oct-2012 /business.peacefmonline.com

Argentina said Saturday it would haul Ghana before the United Nations over the seizure this month in the west African nation of a warship belonging to Buenos Aires.

"The president (Cristina Kirchner) has instructed the foreign minister to travel immediately to UN headquarters" in New York, Foreign Minister Hector Timerman said in a statement read out on television here.

Timerman also said Kirchner decided that all those aboard the ship -- Argentine and other nationals -- should be evacuated immediately, "leaving on board only the captain and a skeleton crew to take care of it while it remains held" in the Ghanaian port of Tema.

The crew of 326 are mostly Argentine but also include eight sailors from Uruguay, 15 from Chile, and others from Brazil, Paraguay, Ecuador, South Africa and Venezuela.

"The Argentine government holds the Ghanaian government responsible for any damage the frigate might sustain," Timerman stressed.

The Libertad, which went to Ghana for a training mission, was seized by port officials in the West African nation on October 2 under a court order secured by a Cayman Islands investment group that claims Buenos Aires owes it more than \$370 million (283 million euros).

In an effort to resolve the crisis, Argentina sent its deputy ministers of defense and foreign affairs, Alfredo Forti and Eduardo Zuain, to Ghana. Timerman has said the seizure is illegal, saying the vessel was protected by immunity that Ghana, being a signatory to international conventions, recognizes.

He also has said negotiating with what Argentina considers a "vulture fund" was not an option. NML Capital Limited -- whose court claims led to the seizure of the ship -- bought Argentine bonds

at a discount when the country's economy was in freefall in 2000. Buenos Aires later defaulted.

The country has rescheduled and refinanced much of its debt, but bonds held by speculative funds are among Argentina's unsettled business. The head of Argentina's military intelligence, Lourdes Puente Olivera, resigned Thursday over the incident.

Her departure followed that of the commander of the Argentine navy, Carlos Alberto Paz, on Monday. The government has also punished two high-ranking naval officers over the decision to have the ARA Libertad and its crew stop over at the port of Tema.

Source: AFP

US/AFRICA :

CANADA/AFRICA :

Malaysia energy minister: Canada decision is "setback" for Petronas

By Seng Li Peng and Luke Pachymuthu/Reuters/Mon Oct 22, 2012

SINGAPORE |

(Reuters) - Canada's decision to block Malaysian state oil firm Petronas' \$5.2 billion bid for gas producer Progress Energy Resources is a setback for the company, but won't stop it looking to buy assets elsewhere, Malaysia's Energy Minister Peter Chin told Reuters on Monday.

Petronas, which has reserves spanning Africa, Southeast Asia and the Middle East, is investing overseas to feed rising demand as output from ageing local fields declines.

"This is a setback, no doubt," Chin said in an interview on the sidelines of an industry event in Singapore. "I would say that any deal of such magnitude is important to Malaysia, especially Petronas as a worldwide operator. It would not deter Petronas from investing in other regions or other sources of energy, wherever Petronas can operate."

The bid had not been expected to hit roadblocks in a review process that asks whether a deal is of "net benefit" to Canada. But, in a sign that it was attracting greater scrutiny, the review period was extended by two weeks earlier this month.

Canada's Industry Minister Christian Paradis said late on Friday that Petronas' bid for Progress - one of the largest owners of exploration lands in the gas-rich Montney shale region in northeastern British Columbia - would not provide the benefit required by Canada's foreign investment laws.

Petronas holds reserves of 6.56 billion barrels of oil equivalent (boe) in overseas assets, comprising nearly a quarter of the company's total, according to its website. The company's total hydrocarbon reserves stand at 27.12 billion boe, with average daily production of 1.1 million boe.

It has exploration and production presence in over 22 countries in Southeast Asia, the Middle East,

Central Asia, Latin America and Africa.

"I suppose Petronas as a company will have to look at each area and say whether they can operate in that area, what is the government framework," Chin said. "It was going to be one of the bigger deals Petronas is working at ... it would be a disappointment to Petronas."

Chin declined to say what Malaysia's next course of action would be after Canada rejected the bid. Petronas is going to report back to the prime minister and the issue may be taken up at the next meeting of the nation's oil and gas committee, of which Chin is a member.

The surprise blocking of the Malaysian bid could signal problems for a much larger Chinese deal in Canada's energy sector, with oil group CNOOC's C\$15.1 billion offer for oil producer Nexen outstanding. Rejection of CNOOC's bid would likely damage trade ties Canada has been trying to build with China, underlining political sensitivity to Chinese corporate expansion in North America.

The Canadian government, which has said C\$630 billion (\$636 billion) in investment is needed in its energy sector over the next decade, has been trying to balance concerns over the deals with that requirement for capital.

Progress CEO Michael Culbert said he was disappointed with the ruling and his company would take the next month to try to determine what concerns led to the rejection. (\$1 = 0.9908 Canadian dollars)

(Additional reporting by Florence Tan; Writing by Manash Goswami; Editing by Ian Geoghegan)

AUSTRALIA/AFRICA :

EU/AFRICA :

EU urges Gambia to honour freeze on executions

Sapa-AFP / 22 octobre, 2012

The European Union on Sunday urged Gambia to honour a freeze on the death penalty after the tiny west African nation's supreme court upheld death sentences against seven officials for treason.

Gambian President Yahya Jammeh last month announced a temporary halt to executions, bowing to international pressure after putting to death nine prisoners in August.

But on Friday, the Supreme Court upheld death sentences against the men, who were accused of having plotted a coup.

A statement published by the British High Commission representing the EU locally in Gambia said the EU "urges the Gambia to uphold its commitment to exercising its moratorium on the death penalty."

The statement added that the High Commission was deeply concerned after EU representatives

were denied access to the Supreme Court hearing Friday.

"The refusal of access is contrary to the provisions in the Gambian constitution that court proceedings should be in public," the statement said.

Jammeh himself came to power in a coup in 1994. He has pushed aside all those who oppose him and is regularly accused of rights violations and of fostering a climate of fear.

On August 19, he said all prisoners on death row would be executed by mid-September. A week later, nine of them, including two Senegalese, were killed by firing squad, provoking an international outcry.

The EU is opposed to the death penalty in all cases.

CHINA/AFRICA :

South Africa Government : Minister Rob Davies arrives in China for South African expos
10/22/2012/4-traders.com

Trade and Industry Minister Dr Rob Davies arrives in China for the South African Expos

22 Oct 2012

The Minister of Trade and Industry, Dr Rob Davies together with his Chinese counterpart, Mr Cheng Deming will officially open the South African Expos 2012 tomorrow in Beijing, China. Sixty-eight South African companies from different sectors are taking part in the exhibitions.

The Expos are an initiative that seeks to expand the basket of export products into China, and change the current structure of trade to comprise of more value-added products over the long term.

Minister Davies says China and South Africa share a number of things in common one of them being their involvement in the BRICS bloc and have a number of cooperation agreements that have been signed over the years. He added that the two have secured a number of important networks with both the Republic of China government and business community.

"These particular expos are special in that we chose a number of companies that have the ten value-added products identified in the Comprehensive Strategic Partnership Agreement (CSPA) signed by both countries in August 2010, prioritising the improvement of the structure of trade between the two countries," said Davies

He also said companies should take this opportunity provided by the government to represent South Africa in a good light and act as ambassadors for their products.

"There is a need to establish capacity for South African companies to supply a larger market in China especially in the agro-processing and space aviation sectors that have prospects in Asia," added Davies

Johannesburg Central Business District-based company; Ithemba Diamond General Manager Ms Mosibudi-Jo Mathole said China was one of the few countries where there is abundant market for

the diamond industry.

"China has a 40% consumer ratio of all diamonds in the world in that they have more retail branches of jewellery stores and are one of the leading countries involved in beneficiation of diamonds stones. So it is very clear that this is the market where we can grow Shrenuj as a brand and Ithemba Diamond as a diamond manufacturer," said Mathole.

She also said that she was positive about the expos and was looking forward to her the one-on-one business meetings with potential partners or distributors.

The Director of Right Side Marketing Company who has been producing juice for the past ten years, Mr Tony Singh from Germiston, Gauteng, said he's looking forward to business-to-business meetings.

"I have been to several missions organised by the Department of Trade and Industry and China has never been one of them. I'm therefore looking forward to meeting potential inventors and credible distributors who are already in the market and have set of networks with big supermarkets, hotels and wholesalers," said Singh.

Minister Davies will also witness the signing of a Memorandum of Understanding between the Department of Trade and Industry and the International Brand Management Centre pertaining to the promotion of South African products in China tomorrow. It is envisaged that this particular initiative will substantially enhance the trade relationship between China and South Africa.

From Thursday the Expo will be held at Shanghai and will conclude on Friday, 26 October in Shanghai, China.

INDIA/AFRICA :

Jindal Nears Africa Mine Deal on Curbs, Bolivia: Corporate India

By Rajesh Kumar Singh/bloomberg.com/ Oct 22, 2012

Jindal Steel & Power Ltd. (JSP) is nearing a deal to buy an iron ore mine in West Africa for at least \$2 billion as curbs at home and a failed investment in Bolivia drive India's second-biggest steelmaker by value to look elsewhere for supplies.

A purchase agreement will help Jindal secure reserves of at least 1 billion metric tons, Executive Director Manish Kharbanda said in an interview last week, without identifying the seller. Jindal, which wrote off more than \$90 million after abandoning a Bolivian project in July following a dispute with the government, is struggling to get new mining permits in India because of environmental regulations.

Enlarge image Jindal Nears Africa Mine Deal on Curbs, Bolivia

"It's becoming increasingly evident that getting a new iron ore mine in India will be difficult," said Prasad Baji, an analyst with Edelweiss Financial Services Ltd. in Mumbai, who has a buy rating for the stock. "The investment is not too large for Jindal Steel."

Securing assets is crucial to the alloy maker controlled by billionaire lawmaker Naveen Jindal as it plans to more than quadruple capacity in the next two years and reverse a slide in profit that

dropped to the least in at least eight quarters. Vale SA (VALE5), Rio Tinto Group (RIO) and ArcelorMittal (MT) are among companies with projects in West Africa, a region that Oslo-based DNB Bank ASA said in a research report is the “most important growth” area for iron ore in the world.

Jindal Steel shares fell 1.3 percent to 402.30 rupees as of 10:22 a.m. in Mumbai trading, extending this year’s loss to 11 percent, compared with a 21 percent advance in the benchmark Sensitive Index (SENSEX) in 2012.

Profit Drop

Net income at the New Delhi-based company unexpectedly dropped 58 percent to about 4 billion rupees (\$74 million) in the quarter ended June 30 from a year earlier because of an impairment charge on its investment in Bolivia.

Jindal said in July that it was “forced to terminate” its \$2.1 billion contract signed in 2007 to develop 20 billion tons of iron ore reserves at El Mutun because President Evo Morales’ government was “unwilling to fulfill” its obligations. Bolivian Mining Minister Mario Virreira said July 18 that the Indian company withdrew because it lacked funds and not because of government pressure. That was the biggest project to be canceled in Bolivia since Morales took office in 2006.

In addition to developing the El Mutun iron ore mines, Jindal had planned to build a 1.7 million ton-per-year steel plant in the South American country, a sponge-iron factory, a pellet unit and a power project, according to the company’s website. Jindal had spent \$90 million on the project, according to the company.

Debt to Equity

Jindal and its units together had a long-term debt-equity ratio of 0.75 as on June 30, according to an investor presentation on their website. Cash reserves and equivalent were at 1.3 billion rupees as of March 31, according to data compiled by Bloomberg.

“The question is not whether it can digest it financially, but whether it can execute the project,” said Edelweiss Financial’s Baji. “The investment in West Africa is manageable from a debt-equity point of view.”

Jindal’s experience in Africa and its familiarity with the local culture is luring the company to the continent, said Kharbanda in the interview. The Indian company already operates coal mines in South Africa and Mozambique.

“The lesson we learnt from Bolivia is to not put all our eggs in one basket,” he said. “One shouldn’t consider western Africa if one is looking at a time span of less than eight to 10 years.”

Staggered Investment

The company has looked exhaustively at reserves in nations including Sierra Leone, Ghana, Mauritania, Sudan, Gabon and Liberia, Kharbanda said. Jindal’s investment in the region will involve building a transport line and developing a port, and the iron ore supplies will feed its factories in Oman and back home, he said. The spending will be staggered over a period of time, he said.

Projects in Sierra Leone, Guinea and Cameroon will increase iron ore shipments from West Africa, DNB Bank said in its report on Sept. 28. Total African ore deliveries will almost quadruple from last year, while global exports of ore and coal will be 3.48 billion tons in 2017, compared with 1.76 billion tons last year, according to the report.

“Being dubbed ‘the new Pilbara,’ the region is considered by many to be the most important growth region for iron ore in the world,” the bank said of West Africa, referring to the area in Western Australia where Rio Tinto and BHP Billiton Ltd. have ore mines.

Vale, Rio Tinto

Production at the Simandou project in Guinea is on course to begin in 2015, according to Rio Tinto, the world’s second- largest producer of iron ore. Jindal Steel’s potential investment will follow Sesa Goa Ltd., a unit of Vedanta Resources Plc, and ArcelorMittal (MT), the world’s biggest steelmaker, both of which own mining rights in Liberia. Brazil’s Vale, the largest iron ore miner, has assets in Guinea as well.

In August, five people were killed and three injured in Guinea after gunmen attacked the village of Zogota, following protests by locals to an iron ore mine that Vale is developing, according to the Guinean Human Rights Organization.

Jindal Steel plans to spend as much as 350 billion rupees in the next two years as it boosts capacity even as concerns over illegal mining and environmental violations in India have prompted the government to restrict mining in the biggest ore producing regions of the country.

India’s top court banned excavation in the southern state of Karnataka last year and agreed to partially lift the ban this year. Goa, the largest exporting state, halted mining after a government-appointed panel reported damage to environment.

Goa is the first among seven mineral-rich states the panel will probe, said Vishwapati Trivedi, former secretary at the mines ministry, raising concerns the curbs may widen.

Africa Challenges

Jindal Steel’s capacity will increase to 13 million tons by 2015, according to V.R. Sharma, chief executive officer of the steel business. The company, which runs a 3 million ton steel plant in the central state of Chhattisgarh, is building a mill each in the eastern states of Odisha and Jharkhand and a factory in Oman.

Challenges in Africa include uncertainty in reserve estimates, lack of infrastructure to ship iron ore from the mines and political instability, Kharbanda said. The scourge of crime, drug and arms trafficking, terrorism and piracy threaten West Africa’s slow march to stability, the United Nations Office for West Africa said in an Oct. 8 press note on its website.

Jindal Steel in July acquired Canada’s CIC Energy Corp., which is developing a coal mine in Botswana, for \$114 million. CIC Energy, based in the British Virgin Islands, is developing the Mmamabula coalfield in Botswana, estimated to hold about 2.4 billion tons of coal, according to the company’s website.

“As long as Jindal Steel doesn’t go overboard with the price it pays, the overseas acquisitions should serve it well,” said Chirag Shah, an analyst at Barclays Plc in Mumbai, who has an overweight rating for the stock. “There are risks in western Africa -- one has to be wise enough not to commit a lot of money upfront.”

BRAZIL/AFRICA :

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