



[The exiled Coordinator of Uganda's Intelligence Services has called for the removal of President Yoweri Museveni from the High Command of the Uganda People's Defense Forces (UPDF). General David Sejusa said Mr. Museveni has abused the army, killed its officers and stolen money intended for the army which he has instead used to rig elections. He said the UPDF is a people's army, not Mr. Museveni's, and must therefore reclaim its place in society.]

BURUNDI :

Burundi, Côte d'Ivoire, Gabon: une rentrée scolaire entre bouleversements et débrouille

Par RFI/lundi 16 septembre 2013

Finies, les vacances. Un peu partout, sur le continent, les élèves reprennent le chemin des classes. Au Burundi, la rentrée s'annonce agitée, avec l'introduction d'une nouvelle réforme ambitieuse. En Côte d'Ivoire, les inquiétudes concernent surtout le coût de la rentrée, auquel certaines familles n'arrivent pas à faire face. Quand aux jeunes Gabonaises, à une semaine de leur rentrée, elles sont confrontées à des préoccupations capillaires quasi-existentielles...

Au Burundi, c'est la rentrée de classe ce lundi 16 septembre. Cette année, tout le monde se focalise sur l'introduction de l'école fondamentale qui va faire passer l'école primaire de six ans à neuf ans, avec pour objectif d'aligner le Burundi sur ses voisins, alors que le concours d'entrée au secondaire était jusqu'ici un véritable goulot d'étranglement. La réforme prévoit encore de les préparer à entrer dans la vie active bien outillés, en introduisant de nouvelles matières telles que l'entrepreneuriat.

Les syndicats des enseignants, les associations de parents d'élèves sont très inquiets de la précipitation qui a caractérisé selon eux l'introduction de l'école fondamentale au Burundi, dès cette année. « Même l'administration a déjà souligné (un) problème de manque de pupitres, de manque de matériels didactiques, s'alarme Dieudonné Ngendakuriyo, président de l'Association pour le développement familial. Et les professeurs qui sont concernés ont subi une formation d'une semaine. Vous comprenez que ce sera la catastrophe ».

Le gouvernement burundais tente de rassurer, à l'image de la ministre burundaise de l'Enseignement primaire et secondaire, Rose Gahuru, qui pense que si l'« on parvient à organiser correctement cette formation, il devrait y avoir un niveau plus élevé parce qu'on a supprimé tout ce qui est secondaire et on s'est consacré sur l'essentiel ». Beaucoup demeurent cependant méfiants, échaudés par l'échec

d'une réforme qui avait vu l'introduction de l'anglais et du swahili à l'école primaire.

Fournitures et frais d'inscription

Dans d'autres pays, la rentrée soulève d'autres inquiétudes dans la population. En Côte d'Ivoire, pour des centaines de milliers d'écoliers, l'heure est en effet également venue de retrouver les bancs des salles de classe.

Les inscriptions en ligne dans les établissements scolaires ont duré les deux mois de vacances, mais certaines familles n'arrivent pas à faire face financièrement au coût des fournitures et des uniformes, voire, pour certaines, aux frais d'inscription.

A Abobo, à quelques heures de la rentrée, certains élèves sont dépourvus de matériel, d'autres ne pourront tout simplement peut-être pas entrer en classe. Dans la famille Kouakou Yao, la rentrée se passe donc entre fébrilité et inquiétude (écoutez le reportage ci-contre).

« Obama fashion » au Gabon

Au Gabon, la rentrée scolaire est prévue pour le lundi 23 septembre, et les préoccupations sont toutes autres pour les jeunes filles, qui profitent des derniers moments de liberté pour adopter les coiffures à la mode, comme l'« Obama fashion ».

Car passée cette date fatidique, plus question d'excentricités. Les chevelures devront retrouver une allure plus stricte. Car dans les lycées et collèges, ces coiffures ne sont pas tolérées, soupçonnées entre autres « d'appâter les professeurs ». Sur le marché Mont-Bouët, le plus grand de Libreville, les coiffeuses prodiguent donc leurs derniers soins capillaires, et se lamentent déjà de perdre leur clientèle.

Burundi: presse muselée, stabilité menacée ?

Valentine Van Vyve /lalibre.be/le lundi 16 septembre 2013

instable.

"Je suis devenu un ennemi de l'Etat". Cette déclaration sort de la bouche d'Innocent Muhozi, Directeur de la radio-télévision burundaise Renaissance et Président de l'observatoire de la presse au Burundi (OPB). Elle est symptomatique d'une profession mise sous le joug du pouvoir, étranglée dans son essence même : sa liberté est, depuis la promulgation en juin dernier d'une nouvelle loi, menacée. Et à travers elle, c'est la liberté d'expression qui est restreinte. Innocent Muhozi témoigne des attaques qu'il a subies, à l'instar de ses confrères Willy Abokenzihini, Clarisse Irakoze ou encore Prime Gahinja, malmenés ces derniers mois par les forces de police et forcés de leur remettre les fruits de leurs reportages.

La loi sur la presse, qualifiée de "liberticide" par les syndicats de journalistes burundais, entre en collusion avec la déontologie journalistique dont la sacro-sainte protection des sources. Au motif de sûreté de l'Etat. Le texte prévoit par ailleurs des peines allant de l'amende à la prison pour les journalistes qui ne respecteraient pas les sujets considérés comme "sensibles" par le gouvernement.

Si des cas de violence avaient déjà été enregistrés fréquemment auparavant, faisant par ailleurs reculer le Burundi à la 132e place du classement des pays selon le degré de liberté de la presse, "la loi a donné

libre-cours à des actions de limitation de la liberté de la presse", explique Alexandre Niyungeko, Président de l'Union burundaise des journalistes (UBJ). "Elle a donné une licence pour frapper",

renchérit le Président de l'OBP. Les cas de violence se sont en effet multipliés ; on en comptabilise plus d'une dizaine depuis le mois d'avril. Certes, la répression "n'est pas systématique", mais elle s'inscrit dans un climat de "nervosité accrue". Le contexte préélectoral n'est pas anodin. Des élections générales auront lieu en 2015 et, déjà, les esprits se crispent. "Il faut assainir le climat, sous peine de le voir se dégrader jusqu'aux élections", répètent en chœur les deux acteurs et observateurs avisés des médias burundais.

Journalistes et... opposants politiques ?

Assiste-t-on à une dérive autoritaire du pouvoir en place, représenté par le Président Pierre Nkurunziza ? C'est plutôt une tentative de museler... l'opposition, analyse Innocent Muhozi.

A l'issue des précédentes élections (2010), n'acceptant pas les résultats d'un vote pourtant considéré comme démocratique, l'opposition politique avait décidé de se retirer de toute représentation, laissant le champ libre au Conseil national pour la Défense de la Démocratie - Forces pour la Défense de la Démocratie (CNDD-FDD). "Ce vide d'opposition a mis la presse dans une position de contre-pouvoir", déplore Innocent Muhozi. "La seule embûche du gouvernement pour atteindre les pleins-pouvoirs était alors la société civile, surexposant par la force des choses la presse", lui infligeant un rôle dont elle n'avait pas la responsabilité. Pourtant "nous ne sommes pas plus d'accord avec l'opposition qu'avec le pouvoir", se défend-t-il avec vigueur.

Aujourd'hui, les journalistes pourraient être poursuivis pour avoir donné la parole à "ceux que le pouvoir considère comme des pestiférés"... mais qui pourraient bien se révéler être les dirigeants de demain.

La liberté d'expression, rempart contre le retour des violences

"Cela devient grotesque et la répression n'est pas uniquement dirigée vers les médias mais vers toute la société civile", raconte Innocent Muhozi. Le tour de vis à l'encontre de la presse semble s'inscrire dans un contexte plus large de mise sous silence des voix dissidentes.

Cette actualité lui en rappelle une autre : entre 1993 et 2006, "les accumulations d'exclusions et l'impossibilité de s'exprimer autrement avaient amené les Burundais à prendre les armes". Pour rappel, la guerre civile avait fait 300.000 morts. Aujourd'hui, de l'aveu même de l'ambassadeur du Burundi à Bruxelles, "l'équilibre est instable". Cependant, "une telle loi ne remet pas en cause les acquis du dialogue", réagit le représentant du gouvernement burundais. Il esquisse les coups sans toutefois convaincre. Et, paradoxalement, introduit une réflexion plus profonde sur la portée salvatrice de la parole. "Elle a libéré les gens, les a lancés dans un processus de réconciliation nationale", observe-t-il. "C'est justement la raison pour laquelle il faut se défendre contre la fermeture de l'espace d'expression... dont on connaît les conséquences", tonne Innocent Muhozi. "Le Burundi a montré qu'il y a moyen de transcender les différentes appartenances", constate Franck De Coninck, envoyé spécial belge pour la région des Grands Lacs. "Attention aux dérapages", prévient-il en substance, alors que la thématique concerne l'ensemble des pays de la région et que la crainte est grande de voir les tensions déborder des frontières nationales. "La liberté d'expression est un outil pour se libérer du traumatisme de voir le passé resurgir", réagit ce juriste burundais vivant en Belgique. "Pourquoi dès lors créer des situations de peur et de répression ? A qui bénéficie cette loi ?" interroge-t-il sans fausse naïveté.

Du côté d'Amnesty International, on garde à l'œil la résurgence d'actes de violence perpétrés par les mouvements de jeunesse des partis politiques, CNDD-FDD en tête.

Une loi illégale ?

Devant l'évidence d'une loi qu'ils jugent rétrograde, répressive et dangereuse, les journalistes se sont "engagés à ne pas la respecter" à la faveur du "contrat passé avec le public sur le devoir de l'informer", conclut Alexandre Niyungeko. L'affaire a été portée auprès de la Cour constitutionnelle burundaise. La Cour de justice de la communauté est-africaine a également été saisie. En attendant le prononcé, les professionnels de la presse doivent s'y soumettre ou s'exposer à de lourdes amendes voire à des actes de répression violente.

Résolution au Sénat... belge

La Belgique est l'un des partenaires de développement principaux du Burundi. La coopération bilatérale entre les deux pays est considérable. " Nous sommes entre le marteau et l'enclume", résume Marie Arena, sénatrice socialiste. Si Didier Reynders, ministre des Affaires étrangères, et Jean-Pascal Labille, ministre de la Coopération au développement, ont agi sur le terrain diplomatique, émettant de "fortes préoccupations" quant à une telle loi, le Sénat belge n'a pas été en reste. Il a adopté une résolution à l'unanimité, demandant que soit garantie la liberté de la presse et des ONG. De plus, les sénateurs demandent de " travailler dès maintenant à la préparation des élections et de ne pas se satisfaire d'une courte mission d'observation", explique Mme Arena. En découle la demande de protéger les partis et les opposants politiques ayant fuit le pays et désireux de s'engager à nouveau, à la faveur d'un réel dialogue politique. Et qu'un processus avec une CNI indépendante soit mis en place, garantissant un processus électoral libre.

Il s'agit bien d'une demande et non d'une exigence, insistent Marie Arena et Franck De Coninck, l'envoyé spécial belge pour la région des Grands Lacs. " Le Burundi est un pays indépendant et souverain", répètent-ils à l'envi. La real politik prend-elle le pas sur les droits fondamentaux ? " On fait du réaliste mais en aucun cas du 'mou' ", se borne à répéter Franck De Coninck. Ce qui importe dès à présent, ce sont les modalités de mise en oeuvre de la loi. Ni lui ni Arena ne sont des adeptes de la conditionnalité de l'aide, dont la société civile " serait la première victime", alors que son mieux-vivre est " la meilleure garantie du bon fonctionnement démocratique", dans la " poudrière" que constitue le pays. " Les indicateurs sont alarmants, la situation explosive rend la manipulation aisée" précise Arena. Innocent Muhozi est de cet avis. " Avec son statut de bailleur, la Belgique a le droit de dire ce qu'elle pense. Elle a le droit de dire que ces choses-là sont inadmissibles afin que soient respectés les standards universels dont la liberté de la presse. Et d'ainsi pousser les gouvernements dans la bonne direction. Mais arrêter son aide au Burundi serait une erreur". D'autant plus, ajoute Arena, que la Belgique a un rôle d'impulsion au sein de l'Union européenne dans la région des Grands Lacs. Si elle décidait de " fermer le robinet", d'autres risqueraient bien de l'imiter.

RWANDA :

Rwanda votes in parliamentary elections

By Aymeric Vincenot (AFP)/16092013

KIGALI — Rwandans were voting Monday in parliamentary polls seen as a shoo-in for President Paul Kagame's Rwandan Patriotic Front (RPF), the party that has held sway over the central African state since ending the genocide 20 years ago.

Some six million people are eligible to cast their ballots, with polling stations having opened at 7:00 am (0500 GMT), with turnout expected to be robust despite a low-key campaign and the absence of any serious opposition to the RPF.

"I'm 20, it's the first time I can vote so it's important," said Sandrine, a mobile phone seller who was among the first to vote at a polling station in the capital Kigali.

Voting appeared calm on Monday, with orderly queues and cars with loudspeakers driving around at dawn and reminding residents not to forget their ID cards.

The only incident to upset the pre-vote atmosphere was the explosion of two grenades over the weekend in a Kigali market, a city reputed to be among Africa's safest.

There was no claim of responsibility, but the Rwandan government blamed dissidents linked to the Democratic Forces for the Liberation of Rwanda (FDLR), a rebel group which operates across the border in Democratic Republic of Congo.

The FDLR includes remnants of Hutu extremist militia who carried out the 1994 genocide in Rwanda but who were pushed out by Kagame's RPF, at the time a rebel army.

For the parliamentary polls, the RPF is leading a coalition that includes four smaller parties.

The tiny opposition or independent parties -- including the Liberals, Social Democrats and the PS-Imberakuri -- will be trying to scrape a handful of the seats by winning at least five percent of the popular vote, but are seen as having little chance in denting the dominance of the RPF.

Out of the 80 seats in parliament, 53 are directly elected and 24 are reserved for women, the youth and handicapped -- who are indirectly appointed by local and national councils on Tuesday and Wednesday.

This configuration has ensured that Rwanda has the only parliament in the world where women are in a majority -- 56.3 percent after the last elections.

Kagame's RPF currently holds 42 out of the 53 directly elected seats, while deputies holding the indirectly elected seats, although in principle non-partisan, have been supportive of the majority.

With Rwanda's economy one of the continent's fastest growing, the government is keen to show off the elections as a badge of national unity and democratic health.

The small nation was left in ruins by the brutal genocide of 1994, in which close to a million people, mostly from the ethnic Tutsi minority, were butchered by Hutu extremists before RPF rebels managed to take control of the country.

Rwanda has undergone a dramatic transformation in the past two decades, with robust economic growth and the strangling of corruption credited to the strong rule of Kagame.

Transparency International ranks Rwanda as the least corrupt country in Africa, while the World Bank's ease of doing business index for 2013 ranked Rwanda 52nd out of 185 countries, and third best in sub-Saharan Africa -- after Mauritius and South Africa.

But critics say the economic growth and security have come at the expense of freedom of expression.

The Liberals and Social Democrats both backed the overwhelming election of Kagame in 2003, and while they put forward candidates for the next polls five years later, that did not stop Kagame from an overwhelming win again with 93 percent of votes.

Meanwhile PS-Imberakuri, whose former leader was jailed in 2010 for crimes against state security and "sectarianism", is now believed to have been effectively taken over by supporters of the ruling party.

Rwanda's Green Party won official recognition last month but chose not to field candidates as it said it did not have time to prepare.

RDC CONGO :

UGANDA :

Ugandan President Accused of Abusing Army, Misusing Funds

James Butty/voanews.com/September 16, 2013

The exiled Coordinator of Uganda's Intelligence Services has called for the removal of President Yoweri Museveni from the High Command of the Uganda People's Defense Forces (UPDF).

General David Sejusa said Mr. Museveni has abused the army, killed its officers and stolen money intended for the army which he has instead used to rig elections.

He said the UPDF is a people's army, not Mr. Museveni's, and must therefore reclaim its place in society.

"He abuses the system, he abuses the institution of the army, he doesn't follow the law, he subverts the workings of the institution and, when he's criticized about it, he turns around to those people who say that he should change he and depicts them in the bad light, and they are the ones who should leave the institution, not the one who subverts the institution. Things have got to put into their proper perspective. He who is causing a problem must be void, not the other way around," he said.

Sejusa fled Uganda in April after writing a letter alleging that there was a scheme to assassinate senior government and military officials perceived to be against an alleged plot to have Mr. Museveni's son, Brigadier Muhoozi Kainerugaba, succeed his father as president.

The government has since denied the existence of such a plan, and the army has said it will charge Sejusa with treason for "failing to protect classified documents."

Sejusa said President Museveni cannot charge anyone with treason when he himself has abrogated the constitution.

"Why should Mr. President remove people from the High Command illegally and he himself thinks he cannot be challenged for breaking the law? The president who does not respect the law, or who cannot respect the constitution, cannot take refuge in the law. If you want the law to protect you, you must not abuse the law. So, Mr. Museveni, in order for him to invoke the protection of the law, he must follow the constitution of Uganda," Sejusa said.

Sejusa said the UPDF must liberate itself as an army. He accused President Museveni of involving the army in prolonged fighting with the Lord's Resistance Army rebels for profit and political survival.

"We came to power in 1986. Since that time, we've been fighting the insurgency in the country for 27 years. Because of Mr. Museveni's mistakes, he couldn't win this war. This conflict now has been externalized, and you cannot have an army fighting for 27 years without rest. So, (Mr. Museveni) he's been using this conflict for political survival, and I'm saying enough is enough."

Sejusa, who is also a member of Uganda's parliament, left the country after requesting for leave under the pretext he was traveling on "official security assignment." He has since applied for an extension of his leave.

He said, while the speaker of parliament is currently looking into his request for an extension, he has also asked his lawyer to look into the legality of what happens if someone leaves parliament because his life is being threatened.

"My contention, which I told my lawyer, is I didn't leave Uganda willingly. I'm not sitting out of the country because I want to. Therefore, I need the lawyer to look at this aspect. What happens when someone is absent from parliament, not out of his own free will, but because a regime is hunting him down," Sejusa said.

Sejusa said his request is not so much about being in parliament, but rather the principle behind it, the rule of law and about institutionalizing the rule, not personalizing the rule.

SOUTH AFRICA :

South Africa causes blushes in handling of policy on Syria

by Nicole Fritz/bdlive.co.za/septembre 16 2013

PRESIDENT Jacob Zuma, addressing a Commonwealth parliamentary conference earlier this month, called on delegates not to remain silent "when one country is being bombed to ashes before our eyes". It was plain he was referring to Syria: not so clear was the party he believed to be responsible for the bombing. It may be he thought a US military strike was imminent and sought to urge opposition to an attack. That is the position of South Africa's diplomatic officials and many in its foreign policy community.

They may well be correct to urge abstention — after all, the complexity of the Syrian crisis permits no easy options. And yet you wouldn't guess that by their rhetoric. The arguments they deploy do little to elevate a debate which, if it cannot secure immediate justice for the victims of the gruesome poison gas attack in Damascus on August 21, might at least allow us to better define what "humanitarian intervention" and the "responsibility to protect doctrine" could and must look like.

Chief among their arguments is that military action can only be contemplated if authorised by the United Nation (UN) Security Council. But this ignores the immutable deadlock that characterises the council on this issue. Russia has blocked three statements expressing humanitarian concern and calling for humanitarian access to conflict sites in Syria. It blocked two resolutions condemning the generic use of chemical weapons and two statements expressing concern about their use. Of the

August 21 attack, it has not even been able to agree to a statement of condemnation.

South Africa knows the dysfunctionality of the security council produced by the veto system and its power politics — a dysfunction which bolsters South Africa's insistence on reform of the council. And so for it now to suggest breezy deferral to that same body as the only proper means of addressing the crisis in Syria seems disingenuous.

An ancillary line of argument is that US President Barack Obama's support for punitive strikes against Bashar al-Assad's regime is another instance of US imperialist warmongering. Admittedly, there are reasons to treat the Obama administration's position with circumspection, but the ready conflation of Obama with George Bush makes South Africa look like the neophyte of the diplomatic world and callously dismissive of the suffering of Syrians. Obama's stance on Syria is not Bush's on Iraq. US Secretary of State John Kerry is no Donald Rumsfeld and US ambassador to the UN, Samantha Power, who authored *A Problem From Hell: America and the Age of Genocide* — a critical look at the US role in the perpetration of genocide in the 20th century — is no secret front for US neoconservatives.

Of course, an appreciation of the changed context doesn't suggest the military strikes are the way to go. There are too many unknowns: no irrefutable proof as to who was responsible for the attacks; no reliable identification as to who would benefit from military strikes. There is also no appreciable sense of what the nature and targets of military strikes would be nor of how a campaign might be waged that is punitive and yet not so upsetting of the balance of forces that more dangerous entities are ushered in.

However, it is irrefutable that the hundreds of Damascus inhabitants, many of them young children, laid out lifelessly on morgue floors after the poison gas attacks, are the very persons who should be the beneficiaries of the international community's fabled "responsibility to protect" obligation. But how to make the doctrines of humanitarian intervention and the responsibility to protect have any purchase in conditions as messy and obscure as those which obtain in Syria?

South Africa, which has signalled its ambitions for an elevated role within a reformed global order, should be looking not just for a seat at the table but also to provide normative leadership. In respect of the Syrian crisis, it could, for instance, be working with other emerging powers such as Turkey, India and Brazil to secure a UN General Assembly resolution unequivocally condemning the chemical attack, but without identifying the perpetrators. This would in no way legitimise military strikes but would underline just how outrageous the attack was and how unacceptable the current security council impasse is.

South Africa's contribution to the discussion on the Syrian crisis and how it might be resolved requires an acknowledgement of the fraught complexity of the situation — a reality belied by reductive reference to US imperialism and unrealistic insistence on security council resolution.

TANZANIA :

Tanzania: All Illegal Immigrants Must Be Flushed Out

16 September 2013/Tanzania Daily News (Dar es Salaam)

IN early August, President Jakaya Kikwete gave a two-week ultimatum to all illegal immigrants to voluntarily leave the country.

A good number of them complied with the president's directive, with about 8,000 illegal immigrants who were hiding in several villages in Kagera Region having left for their countries of origin by the expiry of the deadline.

The president had warned that force would be used against those disobeying the order and, true, many illegal immigrants disobeyed, giving room for the strong arm of the law to do its work.

The president had made it clear that the operation was not targeting any particular country, but all the people who entered and had been staying in the country illegally.

It was actually in response to a lengthy outcry by people, especially those living close to the country's borders, over increased incidents of crime including robbery, cattle rustling, rape and illegal grazing.

We support the operation to flush out and deport illegal immigrants, firmly believing that the move is long overdue for illegal immigration is subjecting the country to serious challenges and risks. We never know whether or not the people who cross into our land, illegally, are criminals in their respective homelands.

Very unfortunately however some countries have personalised the operation. The BBC for instance has quoted Rwanda's Minister for Disaster Management and Refugee Affairs Seraphine Mukantabana as saying that the expulsion of Rwandans from Tanzania was politically motivated.

Malawi as well has come up with unfounded claims that her people were beaten up, tortured and driven out of Tanzania. We see such utterances as deliberate moves aimed at tarnishing the good image of Tanzania, a country with international reputation of being a place of safety and protection.

It's our country's political stability, diverse ethnic and cultural make-up that attract immigrants from neighbouring--Rwanda, Burundi, Democratic Republic of Congo, Somalia, Mozambique, South Africa, Kenya and Uganda. Aliens are always welcome as long as they follow relevant immigration rules and procedures. Tanzania is a hospitable country and so are its people.

Likewise, many Tanzanians live in other countries world over. And, Tanzania has always encouraged her people to follow rules and regulations in the host countries--because we well understand that raising issues with law breakers, as our neighbours are doing with their citizens, amounts to touting crimes simply because the committers are outside their homeland.

Crossing one country's border illegally is a crime that should be checked against by not only the receiving country but also the countries of origin which suffer badly from brain drain. Effective and fruitful fight against illegal immigration will therefore require good cooperation and exchange of information among countries.

After all, there is nothing unique with the Tanzanian operation for many countries in Europe, America, Asia, Middle East and Africa do the same. Who wants to keep up with criminals?

Tanzania: Govt to Look Into Mugumu Airport Construction Delays - Pinda

By Mugini Jacob/Tanzania Daily News (Dar es Salaam)/16 September 2013

Serengeti — PRIME Minister Mizengo Pinda on Saturday backed the construction of the proposed international airport at Mugumu town, expressing much hope that it will help boost tourism growth

in western Serengeti.

Construction of the airport is designed to transform Mugumu town, the capital of the wildlife-rich district of Serengeti into a tourist hub in a bid to speed up economic and social development in the area.

The Premier said the government is going to look into things that might be delaying construction of the airport at Uwanja wa Ndege ward, about 40km from the world's famous Serengeti National Park (SENAPA).

"The ministries of Natural Resources and Tourism and Transport are aware of this project. We will see how to deal with this issue," Mr Pinda said on Saturday evening shortly after he arrived at Serengeti airport where he was received by several officials led by the Mara Regional Commissioner (RC) Mr John Tupa.

RC Tupa cited delay of the construction of the envisaged airport as one of serious major concerns of Mara people despite the fact that it was one of the promises made by President Jakaya Kikwete.

He blamed the delay in the completion of an Environment Impact Assessment (EIA) report conducted by experts from the University of Dar es salaam.

A US billionaire, Mr Paul Tudor Jones who has heavily invested in tourism and conservation has agreed to finance construction of the envisaged airport that will enable tourists hailing from different parts of the world to land at Mugumu and later travel by road into SENAPA.

"The investor is ready to support this project and bigger part of the work has been done but getting the EIA report has been so difficult and this is real worrying us," the regional chief said while briefing the PM at Seronera Wildlife Lodge.

The Deputy Minister for Tourism and Natural Resources Mr Lazaro Nyalandu, Tanzania National Parks(TANAPA) Director General Mr Allan Kijazi and Serengeti top district leaders were some of the officials who attended the briefing.

Mr Tupa further told the PM that Serengeti people were not happy with the contribution of tourism hotels operating in the area for their development because they do not even pay bedding fees.

The PM said, key stakeholders will be involved in looking into whether it is possible to reintroduce bedding fees without causing burden to tourists. Mr Pinda also called for full utilization of Mara River's economic opportunities in a bid to uplift the living standards of local people surround the river basin.

"I believe Mara River can be used for other gains without causing environmental threats," he observed describing Mara as one of the huge and popular rivers in Tanzania.

The PM was in the lake zone region to officiate during the commemorations of Mara Day celebrations tailored to boost Mara River conservation campaign on both sides of Tanzania and Kenya.

The river starts in the Mau forest in Kenya and discharges its water into Lake Victoria on the Tanzanian side.

Meanwhile, the Prime Minister has commended the Mara RC Mr Tupa for working so hard to

ensure that there are no more useless fights that used to claim a lot of lives and loss of property worth millions of money in the region.

"What we have achieved is not little. Keep it up. Clan clashes that used to disturb us are no more," Mr Pinda told the RC. Mr Tupa was promoted from a District Commissioner to Mara RC late 2011.

KENYA :

Kenya: Man Torch Wife, Three Kids Then Commits Suicide

15 September 2013/Capital FM (Nairobi)

Vihiga — A middle-aged man committed suicide in Vihiga County on Sunday after setting his house on fire, killing his wife and three children.

The incident occurred at Vindizi village in Maragoli at about 4 am, according to Maragoli Central Chief Kennedy Chanzu.

"We have lost five members of the same family in this incident - the man, his wife and three children," Chanzu told journalists at the scene. "It is only a 10-year-old girl who was lucky to escape."

The girl narrated to the police how her father woke up at 4 am and assembled them in one bedroom and then started dousing the bed with paraffin.

At that point, the girl decided to escape before her father set the house on fire. Her mother, father and three siblings perished.

Neighbours told police that the couple had been quarrelling since Saturday in what they described as a long-standing family dispute.

Cases of this nature are common in Western Kenya where a middle-aged man identified as James Mushikha Mukobero butchered eight family members in 2001--including his pregnant wife - in what was described then as Kenya's worst domestic violence.

The incident occurred in Shibuye, Kakamega where Mukobero also worked as a mason.

After the killings, Mukobero was reported to have swallowed rat poison in a bid to commit suicide but survived after being rescued by neighbours and police officers who rushed him to hospital.

The man was later convicted of murder charges and is serving a sentence.

ANGOLA :

Angola/Mozambique: Power lions

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There's plenty of work in resources-rich Angola and Mozambique but non-domestic lawyers and investors find it hard to get a piece of the action

As two of the world's fastest growing economies and driven by a wealth of natural resources, both Angola and Mozambique are booming, but not everyone is invited to the party. In a bid to protect the local players, foreign investors and lawyers face restrictions.

Angola has been a player in the global energy market since the 1970s. It is on track to produce 2 million barrels of oil a day by 2015 and in August it sent its third shipment of liquefied natural gas (LNG) to South East Asia after the first two went to Brazil and China.

Fellow Lusophone country Mozambique has come later to its resources, having discovered a major offshore gas field in the Rovuma basin in 2011 to add to one of the world's largest unexploited inland coal fields.

The gas is thought to be worth \$350bn (£233bn), while projections are that from 2015 the country could produce 100 million tonnes of coal a year, putting it just outside the world's top 10.

International interests

Clearly, the main source of work for lawyers, both local and foreign, is energy and natural resources, and the huge amount of infrastructure work needed to support their exploitation and transportation.

However, infrastructure work is not confined to these sectors. In Mozambique an international airport is being built, mainly funded by an \$80m loan from the Brazilian development bank – part of a \$300m credit line from the Brazilian government.

China Road and Bridge Corporation is building a ring road around the capital Maputo that will link the country's main north-south highway to the Maputo-South Africa motorway. The Chinese government has been pledged \$300m and is also funding a bridge spanning the bay at Maputo at a cost of \$725m.

India is also taking financial positions in the resources sector, with oil explorer Oil and Natural Gas Corporation agreeing last month a deal to pay Anadarko Petroleum \$2.6bn for a 10 per cent stake in an offshore gas field, and investing heavily in rail, road, housing and water supply projects.

Apart from these projects being financed by foreign governments, many infrastructure projects are going ahead as a result of concessions required from those exploiting natural resources.

“There are a lot of obligations on investors to build hospitals, schools and roads, particularly under mining contracts,” says SCAN Advogados & Consultores founding partner Francisco Avillez.

Another issue is how to ensure Mozambique faces a future more like Norway than Nigeria. Both countries made major oil finds in the 1960s. Today, Norway exports six times more energy than it consumes, has a sovereign wealth fund worth 40 per cent more than its entire economy and, per capita, is one of the richest countries in the world.

Nigeria, by contrast, still imports energy and at least \$400bn of oil revenue is thought to have been stolen or misspent since independence in 1960. Many inhabitants live on less than \$1 a day.

“Norway is co-operating with the Mozambique government to share expertise on how it can create

funds to generate stable growth,” says Miguel Spínola, a senior associate at Portuguese firm PLMJ, which has an association with Gabinete Legale Moçambique.

Rules of the game

In Angola, where there have been similar moves to ensure such obligations are met, Miranda Correia Amendoeira & Associados managing partner Rui Amendoeira says requirements of sub-contractors in the oil industry have become “more complex as there are more legal obligations for them to comply with. Our work for them has increased enormously”.

Beyond energy and natural resources in Mozambique there are many sectors showing growth.

“Agriculture and agro-industry, hotels and tourism, fisheries and aquaculture, transport and communications, banking and insurance, public works and construction, services and power generation – these are the most thriving economic sectors,” enthuse Fabrícia de Almeida Henriques and Paula Duarte Rocha of Mozambique Legal Circle Advogados (MLC Advogados).

“Mining is certainly dragging up the other sectors,” agrees Couto Graça and Associates partner Telmo Ferreira.

The reliance on foreign investment is clear.

“At least 80 per cent of investments in this country originate from foreign inflows of funds,” says Pedro Pais de Almeida, partner and co-head of Abreu Advogados’ Mozambique desk.

While Angola has a less developed economy outside the resources sector, there have been recent developments.

“In 2004, 90 per cent of our work was related to oil and gas, but nowadays it’s completely different,” says PLMJ senior associate Bruno Xavier de Pina, who works on the firm’s Africa desk. “There are lots of other sectors of activity growing up and a lot of companies are being attracted to these sectors to service the needs of the population.”

“Sectors that signal an increase in the quality of life are rising; consumer goods, healthcare, pharmaceutical, technology, telecommunications, for example,” says Raposo Bernardo partner Sofia Ferreira Enriquez, who has also seen an increase in the number of M&A transactions around these sectors. “If larger companies were previously virtually all state-controlled, currently we can see private companies with the necessary size and capacity to awaken the interest of international operators. They’re being targeted for acquisition.”

Split decision

However, while the Angolan government sees diversification of the economy as a priority it also faces a challenge.

“It is deeply concerned about the competition between foreigners and domestic entrepreneurs,” adds de Pina. “On the one hand it’s trying to attract foreign investment and on the other it’s trying to create legislation to protect local entrepreneurs in a movement they call ‘Angolanisation’.”

This process is reflected, for example, in labour laws requiring foreign companies established in Angola to have 70 per cent of their workforce from Angola.

The importance of local representation in projects cannot be underestimated, as can be seen in the amount of joint venture work – “a source of business for us over the past three or four years”, says Amendoeira. He adds that there is “enormous pressure” on foreign clients.

“Years ago foreign clients could exist in a bubble isolated from the rest of the economy,” Amendoeira says. “That’s increasingly difficult. They have to set up offices in Luanda, find Angolan employees and have Angolan partners. As a result there have been marriages, divorces and remarriages in business partnerships. We have clients on partners number three, four or five because the mortality rate of some of these joint ventures is high.”

But when they break down there is seldom recourse to litigation.

“It would be a worse nightmare for a foreign company to litigate in an Angolan court – better just to write a cheque, turn a page and move on,” adds Amendoeira.

And even in situations where finding a local partner is not mandatory investors still look for one.

“It isn’t easy to find a suitable local partner, but when one is found it can be useful and effective in a tough market like Angola,” advises Amendoeira. “If you can find a suitable one it’s a good asset.”

Local difficulties

Finding a good local partner is a policy that has been successfully pursued by Portuguese law firms entering the Angola and Mozambique markets – markets that are still tiny by international standards, and present many challenges.

As with restrictions on foreigners operating in key economic sectors there are restrictions on foreign lawyers operating in the countries. But in all sectors there is a lack of suitably qualified local employees.

“It’s not only lawyers needed in Mozambique but also technicians, accountants, engineers – everything,” says Ferreira Enriquez.

Discussing the reasoning behind the founding of MLC Advogados in 2012 Henriques and Rocha explain: “Needs that have arisen in the Mozambican market demand synergies between a deep knowledge of the specifics of the market that only Mozambican lawyers can provide and a level of expertise and specialisation still not common in Mozambican legal practice.”

One lawyer describes the local recruitment market as “a scramble for talent. The local bar associations are more focused on restricting than improving capacity – there are only a limited number of lawyers and an even more limited number who can advise at an international level”.

“Firms can’t work without two junior lawyers for two months – there is too much work,” says Avillez, discussing the difficulty of sending lawyers to international firms to receive training.

While there are now five universities in Mozambique producing 100 law graduates each year it is difficult for local firms to compete for talent, and as Henriques and Rocha note, “recently graduated lawyers and consultants lack the skills and expertise to meet the Mozambican market’s demands”.

Avillez adds: “It’s like soccer – the other firms are Chelsea, so they buy the players while we train them, but here there’s no transfer fee.”

It is a problem for many firms operating in the markets. For PLMJ, through its association with Gabinete Legale Angola, providing a full-service offering is crucial.

“We have to be sure that the team will be there to assist clients on a daily basis and that’s not easy to achieve,” says de Pina. “We spend a lot of time recruiting but once we train them there’s a huge risk of them being attracted by another institution – typically an oil or gas company, or a bank – that can supply fringe benefits.”

Every year Miranda loses one or two lawyers in such a way, according to Amendoeira. He adds that recruiting and retaining staff is “our number one challenge”.

It is a view echoed by Abreu Advogados partner and co-head of the Angola desk Fernando Veiga Gomes.

“There are not enough lawyers to cope with demand and recruitment is not organised at all,” Gomes says. “It’s not easy to find a good, experienced, available Angolan lawyer.”

With the in-house departments of some companies approaching the size of a top 10 firm in Angola and a salary differential of around 1:4, “large companies can offer a lot of benefits in a country like Angola where day-to-day living conditions can be difficult, such as access to housing, house loans, cars and other things”, according to Amendoeira.

In Mozambique, claims Spínola, “the market is not as aggressive, but there’s still a lot of competition from companies for capable lawyers.”

Political economy

One of the challenges inherent in both markets is the legislative updating to systems inherited from colonial times. The motive of the Mozambican government is clear. SAL & Caldeira managing partner José Manuel Caldeira says the country is simplifying procedures and reducing bureaucracy.

“On the other hand, due to discoveries in gas and mining the government is trying to secure benefit for the country – there’s a perception it has given too much incentive to these companies and is now trying to reduce tax benefits and increase local content,” Caldeira adds.

Both Angola and Mozambique have been revamping their foreign exchange framework.

“This was a cumbersome process with complications,” says Miranda’s partner in charge of Mozambique, Diogo Xavier da Cunha.

“These are drastic obstacles to domestic and foreign investors,” warns de Pina. He says that controls by Angola’s central bank on the remittance of funds overseas have been “a nightmare” for Angolan companies looking to invest outside Angola and even worse for foreign investors now facing difficulty in accessing anticipated cashflow.

With the government clearly acting to stop payments to offshore or overseas bank accounts there have been a lot of restructurings, renegotiations and redrafting of contracts.

“There’s concern from all the players,” says de Pina, adding that the problems are “unlikely to be ongoing as they are not sustainable”.

The potential effect on the oil and gas industry is huge as legislation now requires all oil operators to bring their hard currency funds into Angola, meaning all the funds associated with the oil industry in the country have to come through the Angolan banking system, “bringing billions of dollars into local banks. It’s probably the most significant thing to happen to the oil industry in the past 30 years in Angola,” explains Amendoeira.

Party times

The perceived risks of doing business in Angola and the lack of laws to underpin projects has meant that PPPs have gained little favour. However, in Mozambique recent legislation has seen PPPs gain ground.

One future development involves the listing of companies on Mozambique’s stock exchange as a result of so-called ‘mega-projects legislation’ that applies to PPPs, business concessions and large investments, and calls for up to 20 per cent of the project company to be sold via the stock exchange to Mozambicans.

“This hasn’t yet been enforced, but it’s an area to keep an eye on,” suggests da Cunha.

Despite the challenges and restrictions in Angola and Mozambique, the projected GDP growth of around 8 per cent for both countries in coming years means this party is one definitely worth getting into.

“It’s an attractive market,” concludes de Pina, “but it couldn’t be an easy market, otherwise everyone would be there, which isn’t something you’d want.”

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