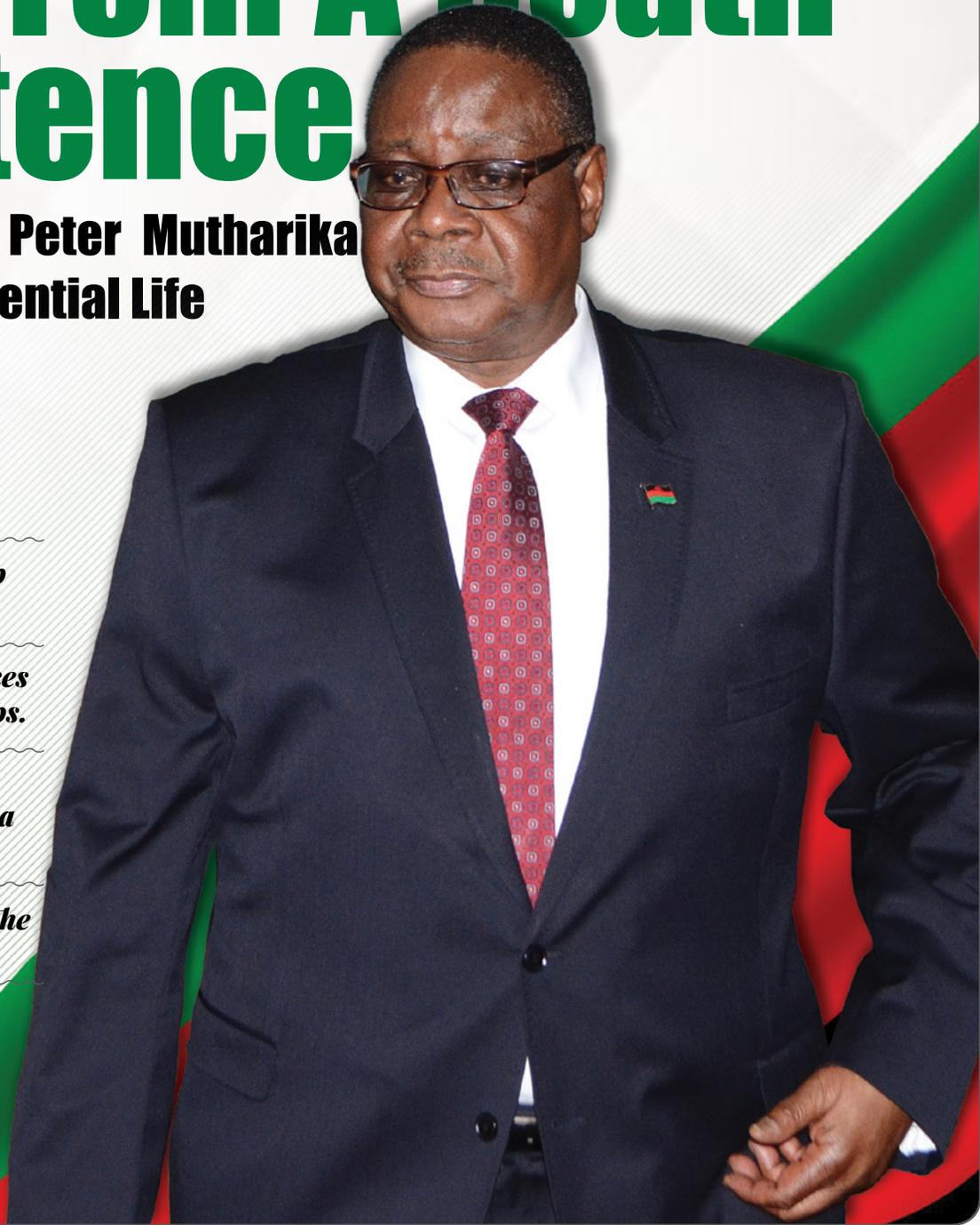




# Far From A Death Sentence

## Malawi's Prof Peter Mutharika on Post Presidential Life



***Kenya: Will Court Stop "Reggae"?***

***Mali: Assimi Goita Takes Charge After Two Coups.***

***Namibia: Germany Atones For Colonial Era Sins***

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# CONTENTS

Editorial Matters Arising From The Malian Coup _____	2	Funds _____	31
Nigeria- Skirting the Constitution Amendment Booby traps ____	4	EU African Leaders Chart Way Forward On Post COVID-19 Recovery _____	34
Mali-Assimi Goita Takes Charge After Two Coups. _____	7	Navigating The Fall Out Of Cross Border Trade In Africa _____	35
Kenya-BBI Hits Speed Bumps _____	9	Post Pandemic Recovery The Key Take-Away from Africa Financing Summit _____	37
Far From A Death Sentence- Prof Peter Mutharika on Post Presidential Life _____	12	Mozambique-Terrorists Swell Ranks With Children & Women _	38
Namibia-Germany Atones For Colonial Era Sins _____	16	Years At The Service Of Humanity For The Fomunyoh Foundation _____	42
Fractious Relationship Between Germany And Namibian Communities Persist _____	19	Photo Album Intro _____	44
South Africa - Gloves Off in Ramaphosa-Magashule Feud _____	22	An Uncertain Future For Democracy In Africa And The Middle East _____	47
Cameroon-Death Wave Sweeps Anglophone Cameroon Heavy Weights _____	23	Investment Boost For Angola As US Judge Throws Out \$ 1.1B Law Suit _____	48
Zambia-Diaspora Backs Lungu With Conditions _____	26	How Embezzlement And Mismanagement Facilitated Nyiragongo Eruption _____	51
Cameroon-Gloomy Report From UN On Anglophone Crisis ____	27	TotalEnergies AFCON 2021-Anxiety As CAF Postpones Draws	52
South Africa-Another False Start in Zuma Trial _____	30		
Cameroon-Brewing Storm Over Mismanagement of COVID			

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# Matters Arising From The Malian Coup

By Ajong Mbapndah L

**H**astily heralded by many as a success story of democracy following a couple of civilian power transitions through elections, the Republic of Mali is back to square one with two military coups in less than a year. The main protagonist of both coups Assimi Goita, a 38-year-old military colonel who became Vice President of the country following the 18 August 2020 coup, is now the country's leader after a second coup.

The second coup threw a spanner in the works of the 18-month transition program put in place after the first coup with elections slated for next February. Goita who remains hugely popular with many Malians has appointed opposition leader and former minister Choguel Maiga as Prime Minister.

Dogged by an Islamist insurgency for several years now, the power grab by the military, questions about respect of the transition timeline, and tense relations with the former colonial power -France are some of the conundrums facing Mali.

Reactions to the saga of coups in Mali have varied from actor to actor depending on the stakes and interests. The African Union and the West African regional body ECOWAS have both suspended Mali. Describing situation in Mali as a coup within a coup, French President Macron halted military joint military operations between his country and Mali.

In the last issue of PAV Magazine, we raised questions about the complex dynamics in Francophone Africa and the situation in Mali only goes to reinforce the concerns we raised, concerns and observations many have about this bloc holding the continent back on literally all counts.

Take the example of Chad, the established constitutional succession order was thrown to the winds when President Idriss Deby was killed.

The complex arrangement that saw the emergence of Mahamat Idriss Deby as the country's new leader was a coup of its own. Yet, the French gleefully embraced it and President Macron was conspicuously present in Ndjamen for the installation of the new leader. With the ringing endorsement of a coup in Chad, how can the French and their President be taken seriously when they turn around to condemn the coup in Mali?

It is this kind of double standards that Africans increasingly find hard to accept, and it is not just with the French, it is with the political class, it is with the broader international community defined by interests, and interests which are often times at odds with the desires of the masses. As a result, Africa needs a different kind of leadership at the risk of seeing more scenarios in the mold of Chad and Mali. The continent needs a leadership that can recognize the demands of a restive generation that has grown weary of the kind of raw deal that has left millions of Africans wanting and miserable in the midst of abundant resources.

From the callousness with which the administration of Paul Biya has handled the Anglophone crisis in Cameroon, to dangerous trends in Nigeria under the inept leadership of Buhari, Mali should be a wake-up call to African leaders.

Why is it so hard for President Biya to engage in meaningful dialogue to resolve the crisis in the English-speaking parts of Cameroon? For all the huffing and puffing, and running for office multiple times, is Buhari proud of how Nigeria is faring under his watch? As much as we cherish



Ajong Mbapndah L, Managing Editor

civilian democratic leadership, unless things change, more scenarios akin to Mali cannot be ruled out. When filial successions are the order of the day in some parts of the continent, when in others free and fair elections are a vain wish in others, and for the rest it is the tyranny of a few over the broad wishes of the majority, sooner or later chaos will creep in.

Fortunately, all may not be lost as the continent still has leaderships that put country first before personal interests. Leaders who look at the big picture and are prepared to sacrifice their personal interests and ambitions for the common good of the polity. One of such leaders is Prof Peter Mutharika the immediate past President of Malawi.

His second term election victory in the May 2019 elections was quashed by the constitutional courts in the country and a rerun ordered. At the rerun, President Mutharika was defeated by opposition challenger Lazarus Chakwera. Although there were plenty of grounds to question the conduct of the elections, President Mutharika decided to give way for the sake of peace in his country.

There is life after the Presidency

says Prof Mutharika, when asked to comment about leaders who eternalize themselves in power. He holds no bitterness against his successor and has remained largely quiet and in the background, and the reason he advances is to give his successor a chance to succeed, something he ardently wishes, and if he has to fail, he should do so on his own merits. A year after he left office, talk to many Malawians and you will sense a palpable yearning for the

former President.

In addition to the interview of Prof Peter Mutharika on post presidential life, this issue of PAV Magazine also revisits the groundbreaking developments in Namibia where Germany is working hard and making concessions to atone of colonial era atrocities. While it remains to be seen how this will play out, the German approach is a template that could serve other countries where communities are calling for reparations. Instead of the arrogance and brazen exploitation that is still the stock in trade of some former colonial powers, the example from Germany is a huge step forward on righting the wrongs of colonial era atrocities.

This issue of PAV also has stories on the fate of Building Bridges Initiative in Kenya, the constitutional amendment debate in Nigeria, the family feud of the ruling ANC in South Africa, 22 years of service to humanity for the Fomunyoh Foundation, the neryv countdown to the TotalEnergies AFCON 2021 in Cameroon, and more..

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# Nigeria, Skirting the Constitution Amendment

## Booby traps

By Richard Mammah

Other than its very distressing security challenge, Africa's nominally largest democracy, Nigeria is currently caught up in a make-or-break tussle in relation to its extant constitutional order.

Buffeted by a heap of governance challenges, regime-promoted talks are holding all over the country in a bid to amend the constitution so it can be a better fit for purpose vehicle for addressing the challenges of the nation. But few believe that anything much would come out of the process.

The attorney and public commentator, Emmanuel Okere is one of such persons who does not believe that the exercise would deliver on its promise. According to him, the central challenge is one of courage:

'The current crop of leaders at the National Assembly do not have the required courage and commitment to give the people of Nigeria a proper, equitable and workable constitution that they need and deserve. It is that simple.'

By National Assembly leaders, Okere is here referring to the likes of Senate President, Deputy Senate President, Ovie Omo-Agege, Speaker of the House of Representatives, Femi Gbajabiamila and his Deputy, Idris Wase. Others would include the likes of Senate Majority Whip and former Governor of Abia State, Orji Uzor Kalu.

Incidentally, the Committee reviewing the process is being coordinated by Deputy Senate President, Ovie Omo Agege, with all of the principal officers mentioned here being card carrying members of President Muhammadu Buhari's ruling All Progressives Congress. So, it is not a challenge that is coming from the nation's nominal opposition parties.

If the formal opposition party, the Peoples Democratic Party is not playing strong on the Constitution Review Arena, other players are. Some of them are regional interests



while others are connected to civil society organisations.

Top of the agenda for these campaigners are issues on the restructuring of the federation, devolution of power and fiscal federalism. They are also raising issues on the need for a brand-new constitution and the incorporation of a referendum clause in the constitution so as to ensure that the eventual document that emerges would have considerable popular legitimacy.

One proponent of a brand-new constitution who similarly believes that the new document should equally be subjected to a popular referendum vote is Sesugh Akume, spokesman of the Abundant Nigeria Renewal Party, ANRP. A senatorial candidate in the 2019 polls, he also tends to agree with Okere that on current standing, not much would come out of the process overall.

However, he believes that if more

pressure is brought to bear on the National Assembly before the review process is completed, it could yet result in the possible introduction of a number of changes, including one to introduce the practice of conducting referendum over major constitutional choices.

'I think we can succeed with the referendum amendment. I think it's possible,' he says.

Insisting that the deft handling of the current exercise is imperative if the nation is to walk back from the precipitous cliff that it seems to have presently waltzed its way on to, Akume sees a win-win scenario for the different blocs within the nation should good sense be allowed to prevail in the rest of the exercise:

The people holding back say the Igbo should come to a realisation that it may be better for all parties in the final analysis if they are allowed to go.

A referendum is a peaceful means towards achieving this and it is why I

think it can pass.

But beyond that there can't possibly be far-reaching reforms under the current arrangement where the likes of President Muhammadu Buhari, Senate President Lawan, House Speaker Gbajabiamila and Deputy Senate President, Ovie Omo-Agege are calling the shots. I simply cannot see it.'

For the blogger, Oluwole Sheriff, he is simply not impressed. As he explains, the current level of credibility deficit is so huge that the managers of the current system and formal drivers of the constitution review process would really have to demonstrate a greater sense of good faith if they really want to be taken seriously:

'I apologize in advance if I sound like a pessimist, but I have very little faith in this administration - from the executive, legislature to the judiciary.

The courts has been strike for weeks and everyone is moving on as if

nothing has happened.

This means that the fate of the common man in the equitable dispensation of justice has been bastardized.

Frankly, I am not sure something tangible will come out of the constitution review process.

In my reckoning, it is just a ploy to distract Nigerians and deceive us to believe that they are actually doing something. However, I hope and pray that I would be proved wrong at the end of the day. Things are really so bad.'

His view is closely corroborated by the businessman, Etim Akpan who hits on the subject quite bluntly:

'In my honest estimation, the constitution review process is largely a charade and one that is simply designed for soundbites and photo ops. We have gone through this process numerous times and nothing has come of it - so is it now going to be now when so many personal interests are at play that the review will be given the attention it deserves? That does not look plausible.'

The legal practitioner, Andrew Okpomo sees a lot of the impediment as that which is embedded in the structure and format of the current



*The Committee reviewing the process is being coordinated by Deputy Senate President, Ovie Omo Agege. Photo courtesy.*

constitution that is being operated in the country, namely the 1999 Constitution (as amended).

'I must confess that I haven't really been following the details of the ongoing process quite seriously. But I know that simply by the requirements outlined for amending our constitution at the moment, critical issues touching on restructuring of

the federation and their likes cannot be easily amended in the current exercise. Whatever we will achieve will be a few of the changes that can be obtained by the act of parliament.

Asked to comment on what next citizens can do if the emergent changes are not far reaching enough, he says that the path that lies before them is to now drive a fresh process

to completely jettison the current constitution and push further for the making of a completely brand-new constitution.

But at the moment, the prayer and hope of many in Nigeria is that, for whatever it is worth, the current exercise should not just go to blazes!



*Nigerians are skeptical on the ability of the current legislature to bring in much needed constitutional reforms.*



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# Malian President Ousted in Country's 2nd Coup within a Year .

By Prince Kurupati

With the events of 18 August 2020 Malian coup still fresh in the minds of many both in Mali and beyond, the country and Africa as a whole now have to comprehend details of the second coup in Mali just 9 months after the first one. The main protagonist of both coups is Assimi Goita, a man who had risen to become the Vice President of the country following the 18 August 2020 coup.

In the late hours of 24 May 2021, rumours started to do circles in Mali stating that the country's president Bah N'daw had been placed under house arrest. The rumours were soon pronounced true when the military fronted by the Vice President informed the whole nation that indeed, the rumours doing the rounds about the president's house arrest were true.

Speaking during the height of the coup, the Vice President Assimi Goita explicitly stated that the President had been deposed and would no longer retain his position as the supreme



A second military coup in less than a year saw the ouster of President Bah N'daw. Photo credit Reuters.

leader. Vacating their positions at the same time with the President was Prime Minister Moctar Ouane and Minister of Defense Souleymane Doucoure. In the address, Assimi Goita said the President was vacating

the presidential post together with his co-accused because they had tried to "sabotage" the order of the transitional government.

Assimi Goita has since declared himself the President of Mali in the

interim until the next elections which are scheduled to go ahead in 2022. Goita promised that the elections will go ahead as planned with no further postponements. To all Malian citizens, Assimi Goita has asked them to go about their business as usual and promised that the military is committed to the transitional deal.

Events leading up to the Coup.

While the news of the coup certainly came as a surprise to those who weren't paying close attention to the political and administrative events taking place within the top ruling elites, those who took time to watch closely could see that something was cooking. Just as the saying goes, coups beget coups; it's safe to say that the origins of the 24 May 2021 coup lie in the 18 August 2020 coup. After President Ibrahim Boubacar Keita was deposed by the army on 18 August 2020, the two parties that had agreed to depose the President for allegedly causing unrest in the country that is, the main opposition and the army agreed to form an interim government for an 18-month period – at the end of which national elections would be held.



Col. Assimi Goita, leader of two military coups and new interim president, at his inauguration ceremony in Bamako, Mali, June 7, 2021. Photo Reuters.

The 18-month transitional government that was agreed was supposed to consist of both military personnel and civilians. Bah N'daw was chosen as the preferred President while Assimi Goita was chosen as the Vice President. The posts of the Cabinet were delicately assigned to individuals from both parties so as to ensure that both the military and civilians struck a balance in terms of posts and influence in government. The transitional government under the banner the National Committee for the Salvation of the People (CNSP) came to life on 12 September 2020. Just four months into its new life, the CNSP was disbanded on 18 January 2021.

The untimely death of the CNSP at first didn't pose much danger to the transitional government. However, as weeks passed, calls started to come from the M5 movement, the civilian branch of the transitional government to dissolve the transitional government and establish a "more legitimate" one possibly through national elections.

The calls for the transitional government to be dissolved started to cause disharmony in government. The disharmony ultimately led the President Bah N'daw to do a Cabinet reshuffle in the hopes that he could strike a balance between the wishes of the civilian branch of government and that of the military branch of government. The reshuffle was done with the President according to many analysts brilliantly balancing the



Malians carrying messages in support of new leader Assimi Goita .Photo credit AFP

interests from both parties. However, in doing so, the President relieved two leaders of the 2020 coup from their positions that is Sadio Camara and Modibo Kone. This didn't sit well with the military branch of the government and on 24 May, increased military activity was reported by several media outlets including the US Embassy in Bamako.

According to Goita, the grievances which ultimately gave him the impetus to carry on with the military action was necessitated by N'daw's negligence and unwillingness to consult all important parties before carrying on with the Cabinet reshuffle.

Aftermath of the Coup

With the events of 24 May 2021

having passed, everything that's important now has to do with the future of Mali. The regional body ECOWAS through the former Nigerian President Goodluck Jonathan has already started mediation efforts with Mali's military. In the interim, Assimi Goita declared himself President – a move rubberstamped by the country's Constitutional Court which named him the transitional President until the next election.

Though ECOWAS has already started mediation efforts with the Mali military, it condemned the events which led to the deposal of Bah N'daw. In a joint statement with the United Nations, the European Union, and the African Union, ECOWAS said

that it "strongly condemned any action that aims to destabilize Mali". Despite its mediation efforts, ECOWAS said that the date earlier promulgated by the CNSP to have elections after the 18-month term of the first transitional government should be maintained – "The date of 27th February 2022 already announced for the presidential election should be absolutely maintained."

Echoing the same sentiments was the French Foreign Minister Jean-Yves Le Drian who said, "France condemns with the greatest firmness the violent act that occurred in Mali yesterday."

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Senator, Dr. Rasha Kelej  
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# Will Kenyan Court Stop 'Reggae'?

By Samuel Ouma

The term Reggae is currently used in Kenya to refer to the Building Bridges Initiatives (BBI), a constitutional review process, whose main aim is to expand the executive arm of the government to do away with the winner-takes-all electoral system, which is said to be the leading cause of election-related violence after every election.

The BBI proposals also seek to create posts like that of the Prime Minister, his two deputies, and an official leader of the opposition in the Parliament. It further recommends the addition of seventy constituencies to the existing ones.

Since the birth of the popular initiative following a peace deal between President Uhuru Kenyatta and his foe turn friend Raila Odinga, the proponents of the handshake have been heard not once but several times shouting «Nobody can stop reggae», «Reggae is unstoppable,» and «Reggae is back». Meaning the literal meaning of Reggae has lost meaning in the Eastern country as it is being linked with the push to amend the Constitution. Therefore, any attempt to mention Reggae in public is likely to attract people's attention, and the majority would really like to know whether you support or oppose Reggae.



President Uhuru Kenyatta and Opposition leader Raila Odinga showing off the BBI Report they receive on Oct 21, 2020. Photo credit Raila Odinga office.

The process began on a high note on May 31, 2018, with the formation of a task force team tasked to collect Kenyans' views across the country. The team concluded public participation in October 2019 and handed the report to the President and his handshake brother. After receiving the report, the duo launched the referendum Bill and national signature drive on November 25, 2020. One million signatures of registered voters were required to back the draft Bill in line with the Constitution.

«The need for change of our Constitution has been with us for some time. It has been evident in the never-ending threat of post-election violence; in the growing feelings that its design lacks inclusivity; and that it promotes unfair and skewed representation, and unfair distribution of national resources,» said President Kenyatta during the launch.

In January 2021, Kenya's Electoral agency, Independent Electoral and Boundaries Commission (IEBC), submitted the initiative to the County

Assembly after verifying signatures of 1,140,845 registered voters collect. After debating on the document for several days, 44 out of 47 County Assemblies gave the Bill a nod surpassing the threshold of 24.

The Constitutional amendment Bill, 2020, then proceeded to the National Assembly and the Senate, where it received a massive support. In the National Assembly, 320 MPS participated in the voting, where 235 voted in favour of the Bill, 63 voted against it, and two others abstained. On the other hand, 51 out of 67 Senators supported it, with only eleven opposing it and one Senator abstained.

The plan to hold the much-anticipated plebiscite was dealt a major blow on May 13 after the country's High Court stopped the government from conducting the referendum, only two days after the Senate overwhelmingly voted for the initiative. Seven applications were challenging the initiative. A five-judge bench declared the entire BBI process illegal, saying President Kenyatta violated the Constitution, particularly Chapter six when he initiated the process. The Judges ruled that he has no authority to initiate the constitutional amendment process. Chapter six of the Kenyan Constitution talks about Leadership



President Uhuru Kenyatta and ODM leader Raila Odinga lead Kenyans in collection of signatures for the BBI process during the launch at KICC on November 25, 2020. Photo credit PSCU.

and Integrity.

“The constitutional amendment Bill is an initiative of the president, and the law is clear that the president does not have the constitutional mandate to initiate any constitutional changes through popular initiative,» ruled the judges noting that the President could be sued for breaching the Constitution.

The court also declared the BBI steering committee and signature verification process illegal. Judges Joel Ngugi, George Odunga, Jairus Ngaah, Teresia Matheka, and Chacha Mwita said the law was not followed during the committee’s formation. The IEBC also lacks a quorum of five commissioners to decide on any policy.

The court’s ruling drawn mixed reactions across the country. The anti-BBI crusaders led by Deputy President William Ruto welcomed the verdict with joy hailing the judges for the historic verdict. However, BBI proponents castigated the judges for subjecting the will of people. As a result, the document’s fate now lies in the hands of the Court of Appeal. Five applications have been filed in the court, challenging the High Court’s ruling. The appellants are the opposition leader Raila Odinga, Attorney General, the government of Kenya, BBI secretariat, and the IEBC. The Court of Appeal President Daniel



*Rev. Martin Kivuva and the Catholic church believe that far reaching constitutional amendments should only be addressed after 2022 General Elections.*

Musinga announced that a seven-judge bench would hear the case between June 29 and July 2.

Even though many want the referendum before the next year’s polls, BBI may not offer a permanent solution to the country’s challenges. The main problem with Kenyan politics is tribalism which has found its way to the appointment of various officeholders. Where you come from is more likely to earn you a high-fancied position in the government and many private sectors than your merit. Tribalism is in our DNA, and that is why there are several ethnic-based political parties. During elections, politicians group themselves on an

ethnic basis and plant a seed of hatred among Kenyans for their selfish gain, dividing the country further.

Experts have talked about ethnic superiority, which is further dividing us apart. Without fear, some people have declared publicly that my tribe is this, my tribe is that a move that has easily disintegrated the national unity and cohesion. Though tribalism dates back to colonialism, our politicians have become super instigators as they continue to play ethnic politics. Therefore, with or without BBI, Kenyans will continue to face the same challenges until people shun tribe loyalty. For instance, the 2010 constitutional amendment was aimed

to mitigate violence, but we witnessed chaos in 2013 and 2017. Thus, there is no guarantee that the BBI would be much better.

Kenya’s Catholic bishops want the government and the entire country to shift their focus on the next year’s general elections, saying that the Constitution amendment talks can resume after 2022. Their leader Rev. Martin Kivuva said, “We propose that to ensure a democratic, constitutional and inclusive process that is based on law and dialogue, far-reaching constitutional amendments should only be addressed after 2022 General Elections.”

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*-Zardile Matwaza*

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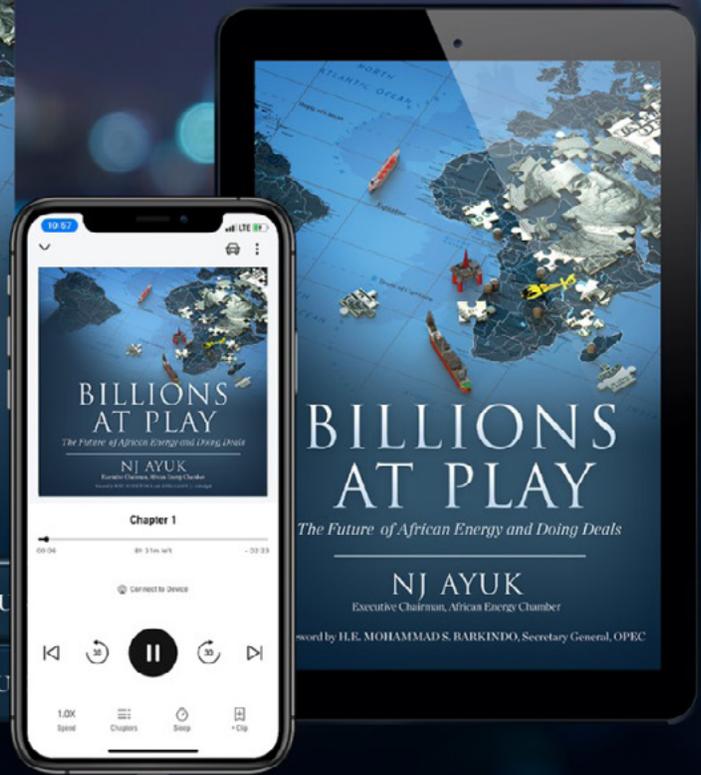
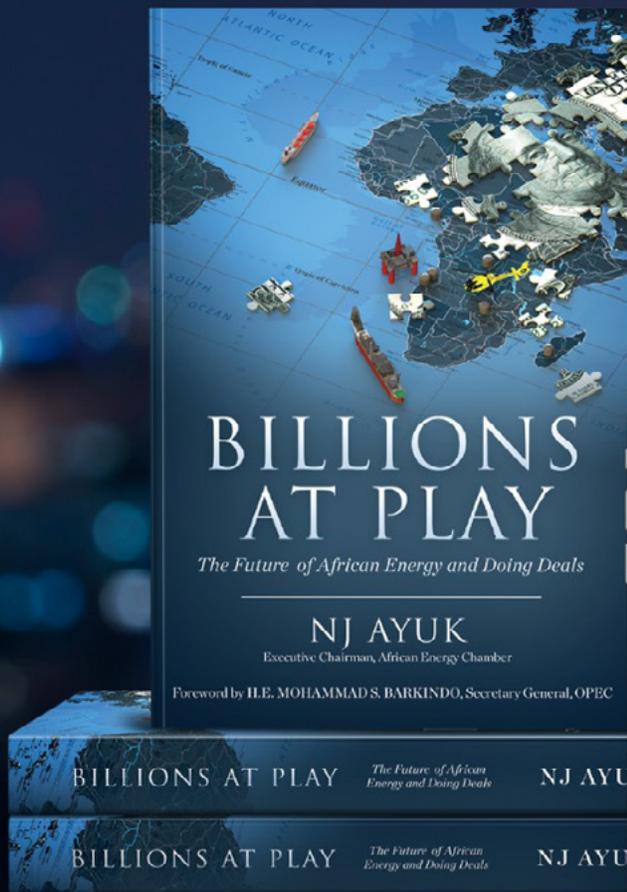


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# Far From A Death Sentence: Prof Peter Mutharika on Post Presidential Life

By Ajong Mbapndah L

Life after the Presidency is certainly not a death sentence, says Prof Peter Mutharika, the immediate past President of Malawi. I am now able to reflect. I am reading a lot of history, writing about my 14 years in politics and my over 40 years as a professor of Law at some of the best universities in the world, Prof Mutharika tells PAV in an interview to shed light on his post Presidential life.

Since leaving office under circumstances he could have challenged, President Mutharika says the desire to put country first led to his adoption of a low profile so as to give his successor a chance to succeed. Without any signs of rancor, President Mutharika says he has wanted nothing but success for current President Lazarus Chakwera for the good of all Malawians.

Laughing at claims that he left Malawi as a sinking ship, President Mutharika said there was nothing to write home so far about the current government. Besides the scandals that have plagued the administration of his successor, President Mutharika says there is little to give them credit for except on projects and initiatives started by his own administration.

Even with his accounts sealed by the current administration in what he views as political persecution, President Mutharika sees the future with optimism. Among the priorities he has is the rebuilding his party with a new generation of leaders who will effectively answer the call to serve Malawi during future elections.

**Thanks very much Sir for accepting to grant this interview, first how is former President Mutharika faring and what has he been up to since he left office?**

President Mutharika: The former President is well and in good health. Since he left office, he is spending a lot of time reading and writing but also



*I am now able to reflect. I am reading a lot of history, writing about my 14 years in politics, and my over 40 years as a professor of Law at some of the best universities in the world, says President Mutharika*

engaging Democratic Progressive Party (DPP) officials around the country in the restructuring process.

**Free from stress and high-profile pressures of Presidential duties, can former President Mutharika tell us what a typical day now looks like for him?**

President Mutharika: On a typical day, I get up in the morning, exercise, drink green tea and get on the phone to respond to the many phone calls and requests from within Malawi but also from outside. After that I continue with my reading and writing.

**What did you make of the entire process that culminated in you leaving office, you were proclaimed winner, the Constitutional Court annulled the elections, a rerun was ordered, and your opponent was proclaimed winner, did you have any personal issues with the way the democratic**

**process played out in Malawi in 2019 and 2020?**

President Mutharika: I have a lot of reservations about what happened. First the 2019 elections in which I was declared the winner were described by all the observers: UN, USA, European Union, African Union, the Commonwealth, COMESA, SADC as “free, fair, transparent and credible”. The opposition decided to challenge the elections on the ground that the elections were rigged. The Constitutional Court concluded that there was no rigging and that the irregularities (there are always irregularities in any election everywhere) did not affect the outcome of the election. And yet the Court decided to nullify the results of the election and ordered a re-run. This was a dangerous precedent for Malawi and this region. A distinguished member of the English Bar has described the decision of the Court as a “Judicial Coup d’état”. The Court decided against all the evidence

before it to nullify the election. What happened was not justice but politics of justice. The fresh Presidential elections that were called by the Constitutional Court were conducted without foreign observers. Local observers were beaten up, attacked and some were killed especially in the 3 Central Region where the opposition party, now ruling party, dominates. It was after these observers were chased away that massive rigging took place. It was a travesty. However, my colleagues and I decided not to go to Court because we did not expect justice from the very Court that committed an injustice. Secondly, we had ten months of violent demonstrations by the opposition, and we decided that the country should not go through another year of demonstrations and uncertainty.

**Let’s talk about your legacy, in what shape did you meet Malawi when you took office**

*and in what shape was the country when you left it to your successor?*

President Mutharika: When I took office in June 2014, Malawi was in a shambles. The cash gate scandal during which billions of dollars were stolen during the administration of President Joyce Banda had completely destroyed the economy. Inflation was out of control; interest rates were astronomical, and the exchange rate was unstable. We managed to reduce inflation and interest rates to single digit and stabilized the exchange rate. Six months after I took over, we were faced with the worst floods in the history of Malawi. For the 4 following two years, we were faced with the worst hunger in the history of this country. We managed to resettle all the people displaced by the floods and we managed to feed all the people who were facing famine. No single person died from hunger.



*President Mutharika waves to supporters after his swearing in ceremony in 2019. There is a growing nostalgia for the Mutharika years in Malawi. Photo credit Thoko Chilodi, AP*

*When you look back at the six years you served as President, what are some of the fond memories you left with, and on hindsight, what are some of the things you could have done better or handled in a different way?*

President Mutharika: I enjoyed

interacting with our people- the youth, women, chiefs, and the faith community. The youth, women, members of the faith community, traditional leaders and civil society organizations were brought into the governance structure through appointments to boards and commissions. I also enjoyed my contribution to the global community.

I had ten global championships in such areas as youth, women, education, global health, global trade etc. I very much enjoyed interacting with others in the global community. On the issue whether I could have handled better I probably should have forcefully stopped the violent demonstrations. They did a lot of damage to the country.

*What is the nature of relations between you and your successor, since you left office, has there any meetings or contacts with your successor initiated by you or by him?*

President Mutharika: Yes, there have been contacts between myself and my successor. We have met once, and we have talked on the phone a couple of times. Our relationship is polite and correct.



*For me the 14 years I spent in frontline politics were in a way an interlude to my academic journey to which I have returned through research, writing and international lectures, says President Mutharika*

*‘Ours is a system that needs an overhaul, that’s why we are talking of changing direction for this sinking ship which had been weighed down by greed, nepotism, corruption, executive arrogance and all the economic atrocities that were committed by a cartel of state criminals,’ President Chakwera said in an interview last year, do you recognize the Malawi you left behind in his assessment?*

President Mutharika: No, I do not recognize the Malawi he is talking about. In view of what is happening since he took over, he was probably surmising about the Malawi that now exists under his leadership.



President Mutharika has been reticent about public criticisms of his successor Lazarus Chakwera . Photo courtesy

President Mutharika: It is difficult to assess President Chakwera because so far not so much has been done. Apart from adopting the projects my government had in place when we left, there is no single initiative of their own on which I can assess them.

*As one of the most respectable elder statesmen that Africa has today, what message does President Mutharika have for leaders who have been in power for eternity, what can you tell them about post-presidential life, is it actually a death sentence as perceived by some of them?*

President Mutharika: I can tell them, to use the usual cliché, that there is life before and after the Presidency. Life after the Presidency is certainly not a death sentence. I am now able to reflect. I am reading a lot of history, writing about my 14 years in politics and my over 40 years as a professor of Law at some of the best universities in the world. For me the 14 years I spent in frontline politics were in a way an interlude to my academic journey to which I have returned through research, writing and international lectures.

*In a recent interview, you accused the current government of political prosecution because your accounts were frozen by the Anti-Corruption Bureau (ACB), and we learned it is in relation to your role in a 5-billion kwacha (\$6.6 million) cement scandal , first have you been given access to your accounts , and in follow up, what makes you see this as persecution as opposed to the judiciary doing its job?*

President Mutharika: I have not yet been given access to my accounts. I had no role whatsoever in the importation of the cement. I only found out about it a year later. The President is entitled to bring in items for personal use duty free. Apparently, one of my assistants and a local business cement dealer agreed to import this huge amount of cement (1.4 million bags) and used my tax exemption number without my knowledge. My accounts had nothing to do with this cement as I did not order it. They decided to freeze my accounts but not the accounts of the businessman who imported the cement. This is clearly persecution.

*On the cement scandal that has been mooted, is there any wrongdoing on your part or associates who may have erred while acting on your behalf?*

President Mutharika: There is certainly no wrongdoing on my part as I was not aware of the whole Cement Saga.

*Talking about corruption, considering its severity from administration to administration in Malawi, what specific efforts were put in by your government to confront the challenge?*

President Mutharika: Corruption is a very complicated issue. We tried to strengthen the Anti- Corruption Bureau through more funding. We also tried to strengthen the other Anti- Corruption agencies such as the Financial Intelligence Agency, the Fiscal Police, the Directorate of Public Prosecutions and others. We even sought assistance from the UK, and they provided us with two experts in the ACB and the DPP's office. We made great progress and up to now some 57 cash gate suspects have either been convicted or are facing trial.

*What is your assessment of the way President Lazarus Chakwera is running the country and how will you score his administration after a year in office?*



There is life before and after the Presidency, says Prof Mutharika who put country first over his own political ambitions in 2020



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# Germany Acknowledges Role in the Colonial-era Namibia Genocide

By Prince Kurupati

For the first time in over a century, Germany acknowledged that it was the chief perpetrator in a genocide which claimed the lives of tens of thousands. The genocide took place in German South West Africa – modern day Namibia.

Germany's Foreign Minister Heiko Maas in a historic statement pleaded for forgiveness and mercy from the descendents of the victims who were killed in the genocide. In a statement, the Germany Foreign Minister said that "We will now officially refer to these events as what they are from today's perspective: genocide... without sparing or glossing over."

The acts done by the Germany authorities starting from 1904 towards the Herero and Nama people according to the Germany Foreign Minister do go hand in hand with the UN's definition of genocide that is, "number of acts including killing committed with the intent to destroy in whole or in part a national, ethnic, racial or religious group."

The Namibian government said Germany's acknowledgement of its wrongdoing in the genocide is "a first step in the right direction." The Namibian government for the past five years had been in engagement with the Germany government seeking to



*We will now officially qualify these events for what they are from today's point of view, genocide, says German Foreign Minister Heiko Maas*

'force' the Germany government to acknowledge its role in the genocide and possibly pay reparations.

The acknowledgement by the Germany Foreign Minister that there was genocide in Namibia perpetrated by Germany is a first win for Namibia. Also important, Namibia scored a second win as the Germany government agreed to pay reparations amounting to more than \$1.34 billion for its role in the genocide. First reports coming out of the Namibian

government as according to the BBC state that the amount will "be paid out over 30 years through spending on infrastructure, healthcare and training programmes benefitting the impacted communities."

The genocide in German South West Africa started in 1904. The genocide started after a Herero and Nama rebellion over German seizures of land and cattle. Raced with the rebellion, Lothar von Trotha who was the head of the military

administration in the country saw the best solution as the extermination of the entire population. The response led to the loss of lives of tens of thousands of the indigenous people.

The few survivors of the genocide fled into the desert with the unfortunate ones captured and placed in concentration camps. The conditions in the concentration camps were inhumane thus they led to many of the survivors succumbing to diseases, exhaustion and starvation. Even more depraving is the fact that some of the survivors were subjected to inhumane medical experimentation. The experimentations largely had something to do with proving the superiority of white Europeans to black Africans.

In the past, there have been reports some near official stating that Germany acknowledged its role in the Namibian genocide. However, none came close to the current acknowledgement which will see a declaration being signed by the German Foreign Minister in the Namibian capital, Windhoek. Soon afterwards, the declaration will be ratified by each country's parliament. After the ratifications, many reports



*professor of global history at the University of Hamburg Jürgen Zimmerer said that community involvement is of paramount importance if any reconciliation efforts are to bear fruit.*

coming out of Germany state that the President Frank-Walter Steinmeier will embark on a trip to Namibia to offer a formal apology.

While the move has been heralded by many folks, there are some critics who are singling out two important issues that need to be dealt with decisively if cordial relations are to ensure between Germany and Namibia over the genocide. The two issues relate to the land question particularly the land which is still in possession of the minority white (predominantly German) population and community involvement. Critics argue that leaving the land in the hands of the whites who forcibly took it from the Herero and Nama people will do little in the eyes of the landless blacks. There is also an issue centering on the elitist consensus modus of operation being done by both the German and Namibian government. Critics believe that everything is centralized at the top and there is little community involvement. Anything that's flowing down to the communities is coming from up top instead of being drawn from the bottom upwards.

According to Laidlaw Peringanda who is the chairman of the Namibia Genocide Association and a Herero activist, the issue of the land question is more important than the talk of



Many of the captives from the Herero rebellion are said to have suffered a tragic end. Photo credit Getty Images.

reparations/development aid. "We are actually not accepting that offer because our people have lost lands, they have lost their culture and a lot of them have fled to Botswana South Africa and some of them were taken to Togo and Cameroon, Pernganda said. As such, for there to be great relations between Germany and Namibia and the genocide to be put to rest, Peringanda believes Germany should buy back the land in the hands of the

German-speaking people and hand over to the landless blacks – "People are getting impatient, especially the minority black people who (don't) have a piece of land... And from what I'm hearing from some of the people, there will be a land revolution. People will grab the land by force. So we must actually try to avoid these things."

Speaking on the issue, professor of global history at the University of Hamburg Jurgen Zimmerer said

that community involvement is of paramount importance if any reconciliation efforts are to bear fruit. He cautioned that without involving the communities, the whole reconciliation move won't bear any fruits – This is quite a problem if reconciliation is the aim... How do you reconcile with the victims if the victims feel left out of the entire process?"

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## Fractious Relationship Between Germany And Namibian Communities Persist.

By Andreas Thomas

**W**indhoek – The bad blood between Germany and some traditional communities in Namibia may persist despite recent overtures by Berlin to atone for its past colonial crimes.

Between 1904 and 1908, the German colonial forces waged a brutal war that led to the massacre of about 80 000 Herero and 10 000 Nama for refusing to give up their land to white settlers.

This was first recorded as the first genocide in modern history and a precursor to the Holocaust. The former German South-West Africa (now Namibia) was the German colony from 1884 to 1915.

In the most horrific period of Namibia's history, thousands of survivors were bundled into concentration camps where many more succumbed to sickness and torture.

German colonial troops further committed ghastly acts including decapitating the victims and sending their skulls to Europe for hateful scientific experiments.

Since independence in 1990, leaders of affected communities have attempted to engage the German government to account for the 1904-1908 genocide committed by its colonial troops in Namibia against the Herero and Nama communities.

In 2006, the Namibian parliament passed a Motion on the 1904-1908 genocide that called for Germany to Acknowledge that the German State committed genocide in Namibia during the period 1904-1908; render an unconditional apology to Namibia for the genocide; and pay reparations.

In 2015, Germany agreed to engage Namibia on the genocide committed by the German authorities during the dark period of colonialism in Namibia.

After nine rounds of negotiations, the two governments have now reached an amicable agreement to conclude the genocide talks that



*Namibian Vice-president Nangolo Mbumba has urged Namibians to remain “calm” and think “deeply” about their reactions to the deal with Germany.*

overshadowed the relations between the two countries.

As per the agreement, Berlin has agreed to recognize crimes committed against the Herero and Nama people as well as the seizure of their land and livestock at the start of the 20th century as genocide.

The European state has also agreed to render an unconditional apology to the affected communities and Namibia for the genocide. The apology will be delivered by the German President Frank-Walter Steinmeier in the Namibian parliament at a later date.

Also, German has committed 1.1 billion Euros (N\$18 billion) for reconciliation and reconstruction programmes for the affected communities to improve their livelihoods.

Following the conclusion of the negotiations, Germany foreign minister Heiko Maas stated on May 28 that the negotiations were meant “to find a common path to genuine reconciliation in memory of the

victims”. The minister acknowledged in a statement that “We will now, also in an official capacity, call these events what they were from today’s perspective – genocide”.

While this is a welcoming development particularly for Germany to atone for its historical guilt, the descendants of the victim communities have rejected the outcome of the negotiations.

They are particularly upset with the German offer of 1.1 billion Euros in financial aid instead of paying reparation directly to the descendants of the affected communities.

As per the agreement, the money will be disbursed over 30 years, which translates into an annual payment of about 37 million Euros, just over N\$618 million at current exchange rates.

They also reiterated their disappointment that their demand for inclusion in negotiations of the descendants of the victims of genocide was not considered.

The Paramount Chief of Ovaherero

Traditional Authority, Advocate Vekuii Rukoro has said the reconciliation agreement does not represent the affected communities. Rukoro has dismissed the agreement including the 1.1 billion Euros offer by Germany as “complete sell-out and insulting”.

He lamented that “more than two-thirds of our land was taken without compensation, 80 per cent of the Ovaherero and 50 per cent of the Nama people were killed during the genocide. More than 100 000 cattle were taken. The reparation for all this that has been offered is a total of 1.1 billion (Euros), payable over a period of 30 years. That’s the reparation our government has settled for. It’s a total insult to our intelligence.”

Dr Esther Utjua Muinjangu, the leader of the opposition National Unity for Democratic Organization has also criticized the deal. “Reparation is the bone of contention, and we understand that Germany refuses to use the word reparation and prefers terms such as

healing the wounds. Of late we hear Reconciliation Agreement. That is a joke and serious undermining of the people of Namibia," said Muinjangu, who added that "it is important for both governments to understand that there is a difference between reparation and development aid."

Various Ovaherero royal houses have also rejected the monetary. "We would like to inform you that the amount proposed/offered by the German Government is unacceptable to our communities given the magnitude of the genocidal atrocities committed. Hence, we vehemently and unequivocally reject and condemn the proposed insulting amount of a mere 1.1 billion Euros as reparations for the lives and blood, displacement, losses and suffering of the Ovaherero and Nama people at the hands of the brutal German Imperial Government. This amount will never be able to properly atone for the crimes against humanity committed against our people," they said in a joint statement in reaction to the agreement.

Meanwhile, Namibian Vice-president Nangolo Mbumba has urged Namibians to remain "calm" and think "deeply" about their reactions to the deal with Germany. Mbumba said the joint agreement on genocide will still go to parliament for ratification. "The door of the Namibian government remains open, as it has always been for meaningful



*Paramount Chief of Ovaherero Traditional Authority, Advocate Vekuii Rukoro has said the reconciliation agreement does not represent the affected communities.*

advice, discussions and suggestions. The process of consultation is still ongoing. The matter will still go to parliament for ratification, while the Office of the Attorney General is advising on legal matters before the agreement is signed between the two countries," he said.

Mbumba has acknowledged that the 1, 1 billion Euros "is not enough and does not adequately address the initial quantum of reparations initially submitted to the German Government. However, in any negotiation, and based on the principle of giving and take, the Government of Namibia believes that

the amount even if is not enough, Germany has agreed to commit to revisit and renegotiate the amount, as the implementation of the reparations ensues."

He added that "Germany has made important concessions by agreeing to the fact that it committed genocide on our soil, and that it will render an apology, to be followed by reparations against the untold loss of life, suffering and humiliation of the Ovaherero and Nama communities, and Namibians at large."

Despite positive progress, negotiations have been deadlocked on the matter of reparations, which Germany has persistently refused to accept. Instead, Berlin preferred to use the terminology "healing the wounds" during the negotiations.

Germany has repeatedly refused to accept the term reparation, instead preferring to use the terminology "healing the wounds" during the negotiations.

The Namibian vice-president noted that Namibia faced heavy resistance from Germany to accept the country's position and narrative that the mass killing of the Ovaherero and Nama communities, including forceful seizure of their land, property and cultural artifacts

was genocide, in terms of the 1948 UN Convention.

"In light of our position, without acceptance that Germany committed Genocide against the Ovaherero and Nama communities, there would be no basis for an apology. Germany refused to pay reparations. Instead, the German Government offered financial contribution of what it called the "healing of wounds," Mbumba said.

Eminent Namibian academic Professor Henning Melber and University of Freiburg Professor Reinhart Kössler wrote that that the agreement negotiated by Namibia and Germany meant the European nation feared of opening doors to more lawsuit for reparations.

"The fear of potential legal implications of any agreement, and the precedent that might create for Germany and other former colonial powers, loom large. They fear opening the door for reparations.

"From a German perspective, this also includes pending claims by Greece, Italy and Poland for compensation for mass atrocities committed by German soldiers from World War II.

"The recent compromise negotiated by Germany and Namibia avoids such a trap for Germany and other former colonial powers," they wrote in an analysis shared online.



*Mortal remains of some of the victims of German atrocities in Namibia that Germany handed over in 2018. Photo credit Adam Berry, Getty Images.*



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# South Africa: Gloves Off in Ramaphosa-Magashule Feud

By Prince Kurupati

For long there have been rumours circling around suggesting that there are serious divisions in the African National Congress (ANC), the ruling party in South Africa. The rumours suggested that the divisions were so huge that they threatened to break the party into different factions. Many took the rumours just as hearsay but the events which unfolded in South Africa over the past month suggest that there is more to the rumours than just hearsay.

In an ironic turn of events, the South African President Cyril Ramaphosa was served with a suspension letter by his party, the African National Congress (ANC) secretary general Ace Magashule who surprisingly is also under a suspension. According to several reports from local media outlets, Magashule served the President with a suspension letter unilaterally without first deliberating with key party personnel - a move which not only angered the President himself but the top caucus of the ruling party.

ANC Secretary General Ace Magashule in a letter in which he expressed his desire to appeal his suspension said that using the powers bestowed upon him as the Secretary General of the Party, he was suspending Cyril Ramaphosa who is the party President. In the letter, Magashule said that he was un-procedurally suspended by his deputy Jessie Duarte and as such, his suspension was basically a nonentity.

In her statement, the deputy Secretary General of the ANC said that she was suspending Magashule for fanning factionalism in the party and also giving him much needed space to answer to allegations of corruption leveled against him. The ANC Secretary General is facing corruption charges over a contract to audit homes with asbestos roofs when he was Premier of the Free State province. He however denies any wrongdoing. Speaking on the allegations to national broadcaster SABC, Magashule said, "The ANC is



*The fight between ANC President Ramaphosa and Secretary General Magashule has turned ugly.*

acting in an unfair manner... I have not committed any crime."

The morning after he was served a suspension letter, Cyril Ramaphosa according to local media outlet Mail & Guardian met with the ANC's parliamentary caucus. According to one of the attendees, "He (Ramaphosa) was shocked by the letter, but he said it has no standing in the ANC, and other NEC members also reflected that the letter would be discussed at the national executive committee (NEC) meeting."

Many ANC stalwarts said they were left puzzled with Magashule's letter as he in previous national working committee (NWC) meetings never muted anything along the lines of suspending the party President. They are of the view that the suspension letter is part of Magashule's reaction

to his own suspension at the hands of his deputy.

Magashule has since defended his actions saying that he is suspending the party President for the same reasons that he is being suspended for that is, giving the party President time to answer to all corrupt allegations he is implicated in. Magashule said he was using the resolutions made during the last Congress where it was agreed that "all those who are alleged, reported and charged" for corrupt practices "must step aside."

Several political analysts said the move by Magashule will likely lead to something more permanent either towards Magashule or Ramaphosa. Once the ANC's national executive committee meets, they are likely going to take a more permanent solution to the squabbles between

the party President and the Secretary General - the likely outcome at the moment being the removal of the Secretary General from all party structures. This necessitated by the strong support being offered to the party President including from the ANC national chairperson Gwede Mantashe who in a statement said, "This (ANC) is an organization. You don't wake up angry and take a decision and communicate it. This is of no consequence because we were at the NWC yesterday, and this decision was not discussed. He makes a decision at his home alone and writes to the president. This is not how decisions are made in an organization."

Others have however expressed concern that the squabbles may lead to the formation of strong factions in the ANC something that can ultimately lead to the disintegration of the party in the near future. With Ramaphosa set to engage in a leadership contest next year in pursuit of his re-election as both Party and country President, any spats between him and Magashule backed by other powerful ANC cadres may likely pave the way for a split in the ANC.

Following the widely publicized public spat between Ramaphosa and Magashule, the ANC national executive did convene a meeting to try and find lasting solutions to the debacle. At the meeting, it was agreed that Magashule has to step down his retaliatory tendencies and withdraw the suspension letter he served to the President. It was also agreed that any further retaliatory tendencies to the President will see the party taking strong actions against Magashule even tough ones as expulsion. Speaking soon after the national executive meeting, Ramaphosa said Magashule had to publicly apologize "within a set timeframe" or face "disciplinary procedures" in line with stipulated ANC rules.

It now remains to be seen what will actually happen if Magashule fails to publicly apologize.



*President Ramaphosa, Magashule, and former President Jacob Zuma, there are fears the squabbles may affect ANC fortunes in future elections.*

# Death Wave Sweeps Anglophone Cameroon's Political, Moral Heavyweights

By Andrew Nsoeka

The past couple of weeks have brought to the shores of Anglophone Cameroon, a bad wave which has robbed the people, of some of their iconic moral and also political heavyweights.

In the domain of moral authorities, the people are grieving two heavy losses, first; that of Christian Cardinal Tumi, considered as Cameroon's moral voice who as he said, was a slave to the truth. Secondly the Anglophone community equally lost the Very Right Reverend Nyansako-ni-Nku the erstwhile Moderator of the Presbyterian Church in Cameroon, PCC. His Death was announced on April 28, 2021, by the moderator of the PCC, Right Reverend Samuel Fonki.

The wave of shocking deaths, started with the demise of the prince of the Catholic Church, Christian Cardinal Tumi, on March 3, 2021. Tumi who though already aged, was still much loved, revered and needed by the country, when it comes to issues of morality and even the right political decisions. Tumi advocated for political decisions that had the people at the centre. Cardinal Tumi, though a prelate, had much influence



Senator Nfon Victor Mukete Mukete was one of the last surviving West Cameroon politicians who witnessed and participated in the reunification of the two Cameroons.

on Cameroon's political scene, as he saw and called things by their name, not caring whose toes he stepped on to give sound advice. He was much loved and respected even by those who disliked him for exposing or shaming them.

Before the people could make peace with the passing away of Cardinal Tumi, another Anglophone

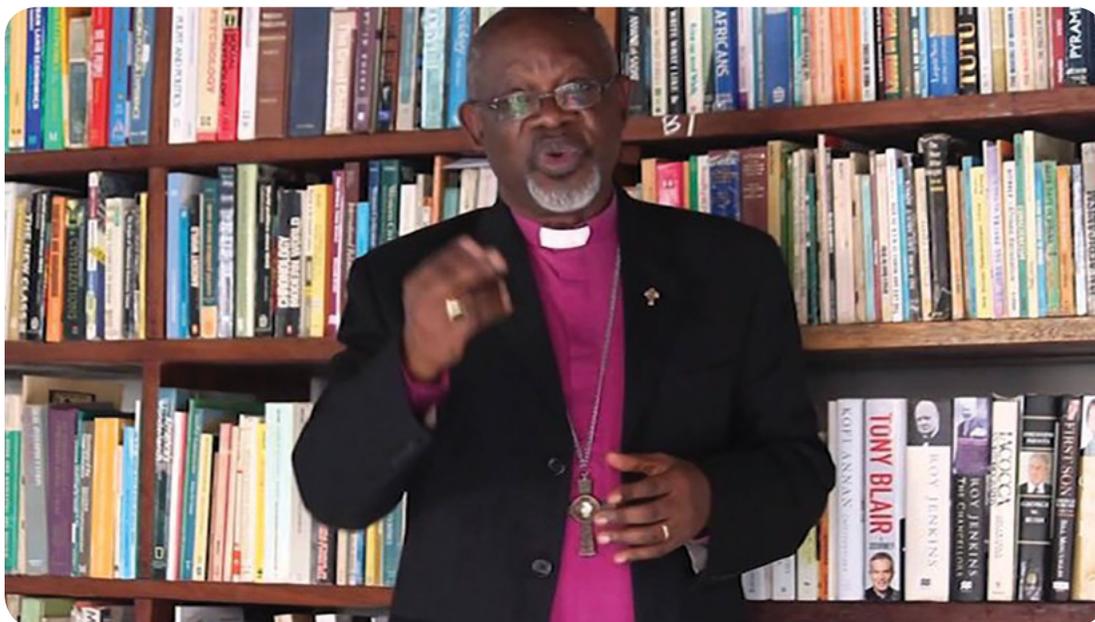
religious baobab, the Very Right Reverend Nyansako-ni-Nku, former Moderator of the Presbyterian Church in Cameroon, also checked out. The former moderator was a fiery preacher, who was loved by many. He, like Tumi, also held power to account, by preaching against nation-killing vices. He is said by many, to have so far, been the best Moderator the PCC

has ever had.

## Last Surviving Political Heavyweights Transit World Beyond

The shocking death wave did not only touch high-ranking religious leaders, but also stretched on to harvest some of the renowned and surviving Anglophone Cameroon political heavyweights.

The death was first announced, of Cameroon's eldest senators, Sen. Victor E Mukete who passed on, on April 10, at the age of 103. He was the eldest Senator in Cameroon and died in active service. Mukete was one of the last surviving West Cameroon politicians, who witnessed and participated in the reunification of the two Cameroons. While the English speaking regions of Cameroon were still administered as part of Nigeria, Mukete served then as a minister in the Federal Republic of Nigeria. He was thus one with wide and practical knowledge of what constituted the fabric of modern-day Cameroon. Apart from his rich career in politics, Mukete was equally a successful businessman and farmer, operating



Right Reverend Nyansako-ni-Nku.

the Mukete plantations and other business ventures.

After Mukete's death, came that of former PM, and former Senator, Achidi Achu. Achidi Achu, was one of Anglophone Cameroon's eldest politicians. He was born in 1934. He died in the US. He was known for his brand of politics of "you scratch my back, I scratch your own" (give and take). He served Cameroon in many positions, the highpoints of which were as a Prime Minister, and later as a Senator. He served as a senator, until they were voted out of the senate, in the last senatorial elections, which saw the Social Democratic Front, SDF, defeat the CPDM in the Northwest region to claim seven seats.

There was also the shocking death of the Deputy Speaker of the National Assembly, Hon. Emilia Lifaka. Hon. Lifaka died at 62 in Buea. She died on April 20. Hon. Lifaka was one of the CPDM heavyweights in Fako Division and Cameroon's Southwest region. She died a few days



Former Prime Minister Simon Achidi Achu.

after celebrating her 62nd birthday. She was voted into parliament in 2002. In 2009, she was voted as Deputy Speaker of the National Assembly and held that post until she died in 2021.

The deaths were not only limited to

Anglophone Cameroonians. Within the short time, the deaths were also announced of the Lamido of Garoua. Bamoun's Momafon also died on April 19.

One of President Biya's former ally, Prof Mendo Ze, who served

in several posts, including as General Manager of the state broadcaster, CRTV. Prof Mendo Ze died shortly after he was released from prison due to ill health, which reduced the once hefty Biya ally, to almost a sack of bones. Public outcry on Mendo Ze's health heightened after a video surfaced on social media, showing the near-skeletal man spoon-fed on his sick bed. He was serving a jail term for embezzling public funds.

Within that time, the death was also reported of Cameroon's pioneer first lady Germaine Ahidjo, the wife of late president Ahidjo, Cameroon's first president. She died on April 19, and was buried beside husband in Senegal.

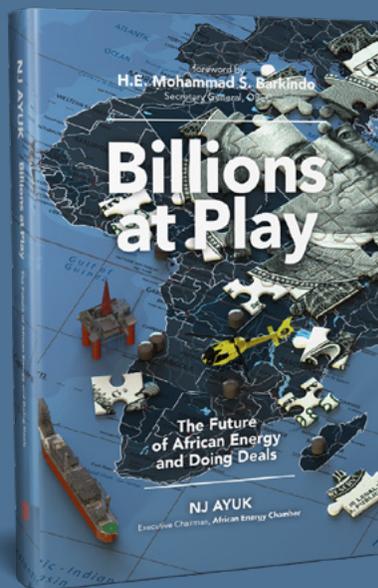
The Death wave amongst high-profile personalities reigned fear in many, as they kept asking who will be next. Cartoons were even made on newspapers, projecting the reaper, moving around and knocking on doors of high profile state and religious personalities.



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# Diaspora Tells Zambia's President Edgar Lungu: You Will Have Our Vote and We 'll Campaign For You But 'Don't Lose Your Way Again.'

By Peter Kayula



President Lungu is in a stiff political fight to earn a second term of office

A former university lecturer in the diaspora has urged Zambians to reflect, pray and convince one another over their choice of a new President, two months away from the crucial tripartite elections.

Dr Lackson Chitundu a Zambian living in South Africa, has said as members of the diaspora, we expect Zambians to give President Edgar Chagwa Lungu another chance because we believe firmly that moving our society forward and treating everyone with the dignity and respect they deserve is a responsibility we all share.

In an exclusive interview, Dr Chitundu says if President Lungu, from his experience of leadership, is given another mandate, he will certainly align his opportunities for policy choices and political decisions within the context of the country's desired long journey to prosperity, explaining that what Zambians have

achieved is undeniably real.

"I call upon President Edgar Lungu to stay humble enough to know that our main challenges, among others, is improving the standard of living for the majority in the country. We will certainly vote for you but don't lose your way again. We should leave the past behind us and embrace the future by coming together as a family and you are the one, apart from other leaders, who has prepared us for this action. We must remain solid in defence of these values through each and every generation," Dr Chitundu said.

He made the call as he joined other key actors, academicians, private sector consultants and thought leaders in the diaspora who have been calling for mutual accountability on leadership, governance and investment in Zambia.

Dr Chitundu also paid homage to Zambians who fought for freedom

and equal rights of all citizens as the country waits to go to the crucial polls on August 12, 2021. He also called upon all Zambians to keep working together to sustain the gains made so far, explaining that the main challenge at the moment is the deepening crisis of the standard of living for the majority in the country.

"Huge steps have been made in the education, healthcare and the infrastructural development. We have undoubtedly made huge progress, but we have more progress to make. Certainly, democracy is our national heritage. Often because of our current frustrations about the challenges of development, we forget to acknowledge our strength as a nation. Democratic heritage is one of our strengths. Zambia's independence in 1964 was fought for and won by clear headed principled democrats," he said.

Dr Chitundu further intimated to

President Lungu that this is the type of situation he had to face. It was tough and he needed to be strong and keep going. What was clear is that it was not just Lungu who was at stake but indeed Zambia's democracy was also at stake.

Born 11 November 11, 1956, at Ndola Central Hospital, President Lungu graduated with a LL.B. in 1981 from the University of Zambia (UNZA). He joined the law firm, Andre Masiye and Company in Lusaka. He subsequently underwent military officer training at Miltez in Kabwe under Zambia National Service (ZNS).

He then returned to practicing law. He joined the UPND under the leadership of late Mazoka, but later switched to the PF led by the party founding father, Michael Sata. After the PF won the 2011 election, Lungu became Junior Minister in the Vice-President's office.

He was subsequently promoted to Minister of Home Affairs on July 9, 2012. He became Minister of Defence on 24 December 2013 after Geoffrey Bwalya Mwamba resigned from his ministerial post, and he functioned as Acting President during President Sata's long term illness in 2013 to 14.

He has also held a string of central positions in his party, including Chair of the PF Central Committee on Discipline, and he became PF Secretary General and Minister of Justice on August 28, 2014, to replace Wynter Kabimba, who was dropped. These positions were in addition to the Defence portfolio.

On January 20, 2015, Lungu contested the presidential by-election and beat his closest rival Hichilema by a narrow majority of just 27,757 votes (1.66 percent), with just 32.36 percent of the registered electorate participating.

He was declared the winner by the Electoral Commission of Zambia (ECZ) on 24 January 2015. He ran for a full term in the August 2016

presidential election, which turned out to be a rematch of the 2015 presidential election between Lungu and Hichilema.

Lungu won the election with 50.32 percent of the vote, just a few thousand votes over the threshold for avoiding a run-off. He also increased his margin of victory over Hichilema to 100,530 votes or 2.72 percent. He was inaugurated for a full five-year term of office on September 13, 2016.

On January 5, 2017, Anthony Mukwita published a book about President Lungu entitled *Against ALL Odds*. It has a high rating of 4.8/5 making it one of the best ever book

published out of Zambia in the political Category times.

Dr Chitundu thanked everyone including those who paid the ultimate price during the struggle of independence and are only kept in memory, explaining that the values that they fought for such as unity, freedom, equal rights and national sovereignty, remain relevant today and need to be further promoted and protected.



Zambians will have high expectations if President Lungu is elected to a second term.

## Cameroon: No Progress Made on Continuing Political Dialogue to End Anglophone Crisis - UN SG

By Boris Esono Nwenfor

“Notwithstanding several initiatives, no progress was made on continuing political dialogue to achieve a durable solution to the unrest in the North West and South West Regions of Cameroon.”

This was the message passed across by the UN Secretary-General Antonio Guterres on the case of Cameroon in his report titled “The situation in Central Africa and the activities of the United Nations Regional Office for Central Africa.”

Fighting between Cameroonian forces and separatist groups in the English-speaking North West and South West Regions has killed thousands since the crisis escalated in 2017. Both sides have been accused of committing atrocities. More than 3,500 people have died and 700,000 displaced since the onset of the violence, according to the United Nations.

The UN, AU, Britain, France, U.S and other countries have all been called upon to do more in ending the crisis. In a tweet, Estonia’s Deputy Permanent Secretary to the UN said it welcomed the role of the United Nations Regional Office for Central Africa, UNOCA in supporting mediation and political dialogue towards reconciliation in Cameroon.

The security situation in the



UN Secretary-General Antonio Guterres has been calling on both parties to dialogue for a meaningful solution to the crisis.

country is still dire according to the UN Secretary-General. Attacks by separatist armed groups against government officials, traditional leaders and school personnel increased in the run-up to the regional elections and also featured the use of improvised explosive devices.

“Between 22 and 26 February, suspected armed men attacked civilians in at least seven villages in Nwa Subdivision, North West Region. At least 8 people were killed, more

than 14 injured, some 100 houses and 3 churches looted and burned and approximately 4,200 civilians displaced,” Antonio Guterres said.

On the political developments and trends, the UN Secretary-General said the Government of Cameroon took steps towards decentralization in line with the recommendations of the major national dialogue, including by holding regional elections on 6 December. The ruling Cameroon People’s Democratic Movement won

those elections, controlling 9 of 10 regions with the opposition MRC Party of Maurice Kamto boycotting.

The German government said in 2020 that gross human rights abuses and atrocities have been committed by both actors in the conflict. Only dialogue, Berlin said, would solve the crisis — and Germany welcomed new laws to decentralize Cameroon’s government as «an important signal in their readiness to compromise and engage in dialogue.»

U.S. Issues Visa Restrictions on Those Undermining the Peaceful Resolution of the Crisis

In an unprecedented move yet taken by the US Government, Secretary of State, Anthony Blinken said his government will restrict visas to those who are undermining the peaceful resolution to the ongoing crisis.

The U.S, Britain, France, the UN and other international organizations have been called to do more to put an end to the killings that the North West and South West population have become accustomed to.

Mr Blinken did not indicate the number or identify the people affected by the ban, BBC Reported.

In a press statement, Anthony Blinken said: "...It is important that children can attend school and that humanitarian aid can be delivered. We urge all relevant stakeholders in Cameroon and in the diaspora to engage constructively and seek a peaceful resolution to the crisis."

"We condemn those who undermine peace through engaging in or inciting violence, human rights violations and abuses, and threats against advocates for peace or humanitarian workers."

The U.S. Secretary of State added: "I am establishing a policy imposing visa restrictions on individuals



Schools have been attacked across the North West and South West Regions.

who are believed to be responsible for, or complicit in, undermining the peaceful resolution of the crisis in the Anglophone regions of Cameroon. This decision reflects our commitment to advance dialogue to peacefully resolve the Anglophone crisis and support respect for human rights..."

This targeted sanction has been welcomed by Ranking Member Risch who had introduced a bipartisan resolution to which the US Senate agreed on January 1. A key provision in the resolution urged the United

States government to consider imposing targeted sanctions on the individual government and separatist leaders responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights."

"For nearly four years, the English-speaking Northwest and Southwest regions of Cameroon have experienced one of most neglected human tragedies on the African continent. Countless atrocities and grave human suffering continue without much notice or intervention

from the rest of the world," said Ranking Member Risch.

"I'm glad the United States is taking more definitive action against those undermining a peaceful resolution to the armed conflict in Anglophone Cameroon and is acting on the Senate's call for targeted sanctions in a bipartisan resolution that I introduced. Today's action is a good first step to increasing accountability for those undermining peace in Cameroon."



The government of Cameroon has not heeded to calls for dialogue to end the conflict which has taken a huge toll on the civilian population.



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# Another False Start in Zuma's Corruption Trial

By Prince Kurupati

Since the mid 2000s, many people have been waiting to hear Jacob Zuma plead his innocence or guilt before the Court of law. This rising from several allegations leveled against him relating to fraud, corruption and money laundering charges. Those interested in the case have waited for years to see Zuma appear before the courts of law and it appears, the wait will go a little bit longer.

In the early 2000s, Jacob Zuma was accused of 16 counts of fraud, graft and racketeering relating to a 1999 arms deal which involved purchasing fighter jets, patrol boats and military gear from five European arms firms. The deal amounted to a whopping 30 billion rand (around \$5 billion US dollars).

Soon after the first 16 counts, Zuma also found himself in a web of even more criminal charges as he was accused of accepting bribes totaling four million rand from Thales, one of the companies that were part of the arms deal looking to sell arms to South Africa.

At the time when the charges against Zuma were leveled, Zuma was serving as the deputy president to Thabo Mbeki. His position in the Presidium which excludes presidency officials from appearing before the



*President Zuma has continued to claim that he is innocent of any wrong doing.*

courts as well as Zuma's numerous lodging of motions to have the charges dropped prevented him from appearing before the courts.

After serving as the deputy president, Zuma would later on upgrade to occupy the highest office in South Africa that is, become the country's President. During Zuma's time in office, all the talk about the charges against Zuma did fade away into oblivion. However, towards the

end of his term when he was facing challenges to retain his position, the charges emerged and they played a part in him losing the battle to keep holding on to the reigns. From there onwards, a renewed battle between Zuma and those eager to see him appear before the courts ensued.

Just like the days before his ascension to the president post, Zuma has employed a raft of measures to prevent appearing before the courts.

These include lodging motions to have the charges dropped, asking the presiding judges to recuse themselves as they are conflicted, initiating sideshows with the media as well as taking foreign trips to receive medication in foreign lands at times when he was supposed to be appearing before the courts.

Faced with much criticism of dodging the courts, Zuma last year finally stated that he was ready to appear before the court and was not

afraid of anything. A date was set for Zuma to appear before the court. Just a week before Zuma was set to appear before the court, his lawyers served senior prosecutor Billy Downer with an application seeking his removal from the former president's fraud and corruption trial. In a statement, Zuma's lawyer said that "We handed the application and all the supporting documents to advocate Downer." The NPA was quick to respond saying at a glance, the application "looks like a regurgitation of the old false issues that have been previously rejected by the courts." Owing to the application, Judge Piet Koen had to postpone the case to Wednesday 26 May to allow the state to receive and respond to the application. The move by Zuma and his lawyers was received with much condemnation by many who argued that it was simply clutching at straws at non-issues in a case that has been beset by delays for some 17 years.

On the day Judge Piet Koen set as the starting date for the trial, Wednesday 26 May, Zuma's corruption trial indeed started. Providing support to the former president was some top ANC officials including the recently suspended party Secretary General



*Ace Magashule is one of the top ANC cadres standing by former President Jacob Zuma.*

Ace Magashule. Speaking before the start of the trial, Magashule said, "I am here to support president Zuma." He also went on to insinuate that the whole thing was 'political' and meant to tarnish the former president in the eyes of the populace.

Supra Mahumapelo who is an ANC lawmaker and former North

West provincial premier also came to support Zuma stating "We should allow president Zuma, with grace and dignity, to rest at home." He went on to state that the former president has "consistently maintained no one is above the law. He has always submitted himself to the law. But at his advanced age, he should be

allowed to go into obscurity and we to move forward as a society."

On the first day of the trial, Zuma pleaded not guilty to the charges of racketeering, corruption, fraud, and money laundering. However, the trial started on a false note owing to Zuma's application to have prosecutor Downer out of the prosecution team.

The Judge gave the prosecution team time to go through the voluminous 1000 page application by Zuma before they can respond. After going through the application, the court will resume on 19 July.

## Cameroon: Several Ministers May Be Jailed For Embezzling, Mismanaging COVID-19 Funds

By Andrew Nsoeka

Several ministers and officials in Cameroon, who were involved in the management of several FCFA billions loaned to the Cameroon government by the International Monetary Fund, IMF, risk going to jail, for either embezzling or mismanaging the funds distributed to them to fight the virus.

Information filtering out about the mismanaged funds says almost half of government ministers have to answer queries and provide empirical evidences on how they used the over FCFA 180 billion loaned to Cameroon by the IMF, to help the country tackle the COVID-19 pandemic and not collapse due to the economic consequences of the virus.

The heat was turned on, on the state officials, after human rights organisations pressured the IMF to cause the government to launch an investigation into how the funds meant to fund the fight against the pandemic were used.

The lack of transparency and failure to live up to the agreements and provisions which served as conditions for the granting the loans spurred the rights groups and IMF to push for an audit on how the funds were used. As condition to grant another heavier loan, 823 million US Dollars.

The pressure which caused the audit, and the audit report which was partially leaked to the media, showed how FCFA billions were squandered



Scientific Research Minister Madeleine Tchuinte is under severe criticism for the handling of COVID 19 funds in her ministry.

in very questionable ways. The ministries and state bodies that received portions of the money, thus have to explain how billions meant for the fight against the pandemic, were scandalously squandered. To save face and reassure the IMF, other international partners and nationals, President Biya was forced to instruct the Minister of Justice, stating that all those identified as actors or co-actors and accomplices in the alleged

embezzlement of COVID-19 funds, should all be taken to court to face trial.

Information leaked out to the media, that several members of Government had received summons to appear at the unit in charge of judicial investigation at the Special Criminal Court in Yaounde, beginning Monday, May 17, 2021. This brought in some, a feeling of optimism that sitting members of government were

going to be held accountable for mishandling public funds, a thing many believe they have always had impunity against.

The report of the audit by the Audit Bench of the Supreme Court made many to wonder why certain ministers could not be arrested immediately, but the process had to follow the right procedure. As such the judicial investigation which has been launched, has to go through, for some of those involved to prove their cases, clear their names, and if found wanting, be taken to face trial in court against them.

One of the ministers greatly faulted in the audit report, is the Minister of Scientific Research and Innovation, Dr Madeleine Tchuinte. Her apologists including journalists, have however argued that she did not personally manage the funds. Another Minister with a similar case, is the Minister of Higher Education, Prof Fame Ndong, whose apologists claim that he is yet to receive his ministry's

share of the allegedly mismanaged funds. The claim however has not convinced many, especially as issues related to disbursement of funds in Cameroon are often not a matter of who needs is most, but a matter of who is a systems' man, and as such Prof Fame Ndong being one of the high-ranking personalities in the Biya regime and the CPDM, could not have money meant for his ministry hanging out somewhere, one year

after it was reportedly disbursed.

It is however, certain that the ongoing judicial investigation will clear some of the ministers and officials involved. Many are however still waiting patiently hoping to see at least some others held accountable and probably punished for pilfering what was meant to save the country and citizens as the world was ravaged by the virus.

After so much pressure from the public and widespread allegations that many of the thieving ministers may be cleared by the regime and not held accountable, the Ministry of Communication sent out a tweet, calling on Cameroonians to believe in the system and allow the whole process to follow due procedure.

In a statement released in reaction to media and social media pressure shaming and demanding the arrest and imprisonment of those accused of mismanaging or embezzling COVID-19 funds, the Minister of Communication, Emmanuel Rene Sadi released a statement on twitter saying that the government was deploring the media frenzy following the launching the investigations. The Minister said the media frenzy on the alleged cases of mismanagement of the funds, was casting “shame



*Health Minister Dr Malachie Manaouda has so many questions to answer.*

on litigants, in defiance of their presumption of innocence”.

In another outing still on twitter, the Communication Minister urged Cameroonians who were restless and bent on seeing the concerned officials prosecuted, to have faith in the Cameroon justice system. Such faith in the justice system, as demanded by the Minister from the people, is seemingly a cake the government

and regime ate, but still want to have it. Some time ago, in a related case, the former Minister of Secondary Education, late Louis Bapes Bapes was indicted for embezzling funds in his ministry. After the case was taken to court, the late Minister snubbed all summons. After frustrating the case severally, the Magistrate, Annie Noelle Bahounou Babende ordered for his arrest, and he was placed on

pre-trial detention. The judge was however embarrassed and humiliated when President Paul Biya learnt of the case, and immediately ordered for his old friend, Minister Bapes Bapes’ release. Such acts that have made nonsense of the judiciary has made many not to believe in the system. The general belief in Cameroon now, is that if at all some minister will go in for mismanaging COVID-19 funds, they will have to be handpicked by president Biya, and not the justice system that is many things, but transparent or independent.

It is expected that that at the end of the ongoing grilling and judicial investigation of the concerned state officials, a report will be made and forwarded to the presidency. From there, the decision will be that of President Paul Biya or his close aids and collaborators to decide on who will have to answer charges of mismanagement of the pandemic funds, in court, from where they may likely end up in one of the jails in the country’s political capital, Yaounde. If the procedure goes through as wished by many, it will be one of the rare occasions in Cameroon where sitting ministers end up in jail for mismanaging public funds.



*Communication Minister Rene Sadi is calling on restive Cameroonians to respect the presumption of innocence.*



# African Leaders and the European Council Agree on Africa's Desired Post Covid-19 Recovery Pathway

By Prince Kurupati

The novel Covid-19 pandemic has wrecked havoc worldwide and Africa has not been spared. African leaders however view the pandemic (thanks to vaccines and other containment measures) to be on its way out hence the need to start paving the way for a post Covid-19 Africa. As one of the very first steps in paving the way for a post Covid-19 Africa, African leaders together with the European Council recently agreed to meet and discuss ways in which Africa can shape its future.

African leaders and the European Council during their meeting agreed that Africa's post Covid-19 recovery pathway is akin to a 'New Deal'. This necessitated by the fact that during the one year which the corona virus has caused havoc on the continent, it has "halted a quarter-century of steady economic growth... disrupted value chains, and caused an unprecedented increase in inequality and poverty," according to the European Council President Charles Michel in an Op-ed he wrote after the meeting. To ensure that the continent can rise up on its own feet once again, a raft of post recovery measures a're needed hence the reference to the 'New Deal'.

Looking ahead to the future and the success of all measures encapsulated in the New Deal, the European Council and African leaders agreed that it's very important to work as a collective. If there is anything that the pandemic has taught Africa in particular and the world in general, it is the fact that seemingly far away crises should not just be viewed as distant problems. This necessitated by the fact that "what happens anywhere can affect people everywhere." As such, the New Deal which paves the way for Africa's post Covid-19 recovery pathway should be all encompassing. A testament of this from the onset is the ability of more than 20 African leaders agreeing to be part of the 'New Deal' deliberations.

While the pandemic has certainly



European Council President Charles Michel .Photo credit EU.

drawn back Africa's developmental trajectory, African leaders all hold the same view that the continent still "has everything required to overcome the pandemic crisis and lead the world towards a new cycle of sustainable growth." Africa's "enterprising and innovative young people" as well as the continent's "natural resources which can supply a local industrial base and a highly ambitious continental integration project" are key ingredients towards realigning Africa on its developmental trajectory.

While acknowledging the key ingredients that Africa has which will help in putting the continent back on its developmental trajectory, African leaders are convinced that external and private support is needed if rapid and sustainable development is to be achieved. However, looking at the prevailing economic outlook on the global stage, looking to international financial institutions such as the IMF is no longer the one and only solution. This necessitated by the fact that these international financial institutions owing to the effects of the pandemic "are now reaching

their limits... They are weakened, too, by major economic divergences which no emergency measures seems capable of stopping." In light of this, it's imperative that new solutions looking at both external and private sectors be assessed hence the reason why a New Deal is needed.

Deliberating on the topic of the New Deal, African leaders agreed that the first port of call has to centre on the issue of vaccines. The leaders agreed that "Vaccination is the world's most important economic policy at this moment." Owing to this, the New Deal has to see to it that Africa accesses the vaccines that are needed to ensure that the continent gets rid of the pandemic. On this front, the New Deal will use multilateral channels which include COVAX "the vaccine pillar of the international community's Access to Covid-19 tools (ACT) Accelerator and the African Vaccine Acquisition Task Team" to pre-order the doses of vaccines needed by the continent.

With vaccines heralded as one of the best "highest-yielding investment in the short term, "African leaders

agreed that the continent could benefit more by becoming a vaccine producer. Efforts are already underway to make Africa a vaccine producer. Charles Michel writing after the meeting said, "Pending the conclusion of an agreement on intellectual property currently under negotiation at the World Trade Organization, Africa must be able to produce vaccines using messenger RNA (mRNA) technology and break a deal, within the WTO, on the Trade-Related Aspects of Intellectual Property Rights (TRIPS)."

Going hand in hand with the issue of vaccines, the European Council President Charles Michel stated that "the second component of a New Deal for Africa is large scale investment in Health, education, and the fight against climate change." Agreements were reached that even though this is important; measures have to be taken to ring-fence excessive spending which will see the continent fall "into a new cycle of excessive debt." On this front, it was agreed that firstly, countries must commit to mobilize part of their SDR allocations for Africa

and secondly, “African institutions must be involved in the use of these SDRs to support the continent’s recovery and progress toward achieving the 2030 Sustainable Development Goals.”

Onus was also placed on African governments to support and stimulate entrepreneurial dynamism. It was agreed that Africa’s small, small and medium size-enterprises as well as the private sector “is hostage to informality and under-financing.” As such, efforts must be taken to “focus on improving African entrepreneurs’ access to financing by targeting their projects’ most crucial phases, particularly start-up.”

At the end of the meeting, the objective of gaining agreement on four main goals that is, universal access to Covid-19 vaccines, strengthening Pan-African institutions, relaunching public and private investment as well as supporting large-scale financing



Charles Michel with President Paul Kagame of Rwanda.

of the African private sector was achieved. Going forward, African leaders must work on implementing the agreed goals while the European Council will advance the agreed goals a post Covid-19 Africa. The African Council will advance the agreed goals in international for a for the benefit of

## COVID 19 Pandemic: Navigating The Fall Out Of Cross Border Trade In Africa

*-These traders make about 40 percent of intra-region trade in the region, making this sector a very important one - IOM*

By Peter Kayula

Regional economic integration is a process where barriers to trade are progressively eliminated to facilitate exchanges and trade between countries and regions. It is not only various trade in goods, but it also covers issues such as services, investment and labour.

The elimination of tariff and non-tariff barriers to the flow of goods, services and factors of production results in lower prices for distributors and consumers and increased productivity.

For citizens and businesses, the benefits of trade facilitation are well known. It promotes transparency, cuts red tape and stops a proliferation of unsuited requirements in export markets. It also attracts Foreign Direct Investment (FDI) and contributes to creating employment.

Of course, regional integration is not easy, it is a dynamic process which is not deprived of obstacles – this



time, the unprecedented COVID-19 pandemic, there is a dangerous escalation in the risk to the millions of people caught in the clutches of domestic and international trade and this arguably includes the small-scale cross border traders with women representing the majority of these actors, who apparently have been the hardest hit so far. The international community have

been challenged to quickly embark on multilateral actions to tackle the coronavirus pandemic, help the small-scale cross border trade activities viewed mainly as another poverty redeeming tool. Various local and international organizations have meanwhile launched a range of activities to respond to the coronavirus pandemic.

A local journalist working for the Government news agency in Zambia reported that the International Organization for Migration (IOM) has observed that the effects of unprecedented COVID-19 have negatively affected the flow of business and small-scale cross border traders have been hardest hit.

IOM Zambia Chief of Mission Nomagugu Ncube says, the closure of borders has had negative effects on the continuance of trade, explaining that in order to survive, others have resorted to irregular means of doing business such as using middlemen, an act that increases the cost of business, according to the report.

Ms Ncube delivered the message at Mwami border in Zambia's Chipata town in the Eastern Part of the country this month (April, 2021) when IOM donated COVID-19 personal protective equipment (PPEs) valued at over K 1 million.

"Covid-19 cannot be defeated unless we join hands and look at all possible solutions. These traders make about 40 percent of intra-region trade in the region, making this sector a very important one as it contributes to food security, among others."

She added that the IOM donation of PPEs is a contribution towards ensuring the continuation of business under the new normal by adjusting to practices that do not threaten lives.

COVID-19 has disturbed global supply chain and efforts by partners like IOM to address some of the challenges resulting from the pandemic are highly appreciated.

"COVID-19 might be here for a longer time, hence the need to ensure all wheels of economy are turning while putting in place preventive measures. This is why we are appreciating your efforts as



IOM Zambia Chief of Mission Nomagugu Ncube.

cooperating partners. She said that protecting front line workers in cardinal and the donation will help serve that purpose."

The Cross Border Traders Association chairperson (CBTA) Goodson Mbewe noted that the nature of business cross border traders engage in is risky, as it involves travelling from country to country, explaining that traders are at high risk because of the nature of their work. It is for this reason that we are appreciating your efforts because it will help protect both the traders and border agents.

He also thanked IOM for training some traders in the right ways of preventing the spread of COVID-19 by rightfully following health guidelines donating items such as hand sanitizers, waste bins, nasal and oral swabs. Others included, thermometers, disinfectants and heavy-duty gloves and face masks.

In Kenya, the Secretary General of the East African Community has announced that the community will soon set up a hotline through which traders crossing partner states borders can register their challenges and get prompt feedback.

In report filed by a local journalist, Luke Anami, Dr Peter Mathuki told reports, there is need to resolve persistent Non-Tariff Barriers (NTBs) and reduce time spent in the

movement of goods and persons, hence increasing intra EAC trade, which currently stands at 15 percent,

"This emergency number will be set up for feedback and follow-up on trade issues, and we hope it will provide an avenue for traders to register their challenges," said when he visited Kenya-Tanzania border at Namanga recently.

The EAC secretary general urged government agencies at the Namanga border to hold regular consultative meetings with traders to identify and address factors that affect intra-regional trade, explaining that the movement of goods and persons at the Namanga One Stop Border Post (OSBP) and truck traffic impasse has cleared following the directive given by Kenya's President Uhuru Kenyatta last week, when his Tanzanian counterpart Samia Suluhu Hasan visited Nairobi.

It is recognized that trade, if rightly done, can contribute to poverty eradication in Africa where levels are extremely very high averaging 34 percent in urban areas and 80 percent in rural area. The big policy question now is that of how the largest population can benefit from trade arrangements.

Despite the interest and engagement of many local and international key players, inclusive concerns for trade justice in this sector have heightened,

what is puzzling the mind is not only why this huge portion of population contributes very little to the growth of the nation but also why this group cannot move itself up to the ladder of human development, especially through trade.

Two main divergent views have characterized the debate for possible solutions, arguments on the basis of theoretical and phenomenal benefits of the continued building of cross border traders' local capacity to harness the potential in the sector if at all it is there, the presence of support systems and robust measures to bring efficiency into the cross border trade administration including efficient administering of specific interventions such as Trade Information Desks at the borders, have been seen to continue portraying foreseeable negative consequences based on some practical experiences of many countries in the region.

Other challenges which will heighten as many African countries fully embrace the free trade agreements with rich countries without presiding investments, include supply chain problems such as communication, storage and transport facilities, equipment acquisition and adaptation of advanced technologies.

This negative view has been strongly shared by a wide range of

prominent institutions, international trade scholars and civil societies such as Mr Morgan Chitembe, 48 years, of Zambia, who has pointed out that, “responsible response to the activities of the small scale cross border traders should be planned for in accordance with current national and regional objectives.”

The cross border trade development matrix which is a list of regional and national projects required to boost and enhance the small traders is considered not clearly understood as governments and associations related to initiating capacity building, and facilitation activities including strengthening regional trading networks, continue to express the need for ‘additional resources’.

It is true that the European Union was not made all at once. It is rather the result of a continuous process where many challenges were tackled step by step thanks to strong regional

institutions and commitment and solidarity of all member states.

The Common Market for Eastern and Southern Africa (COMESA) has since its creation been a driving force for economic integration in Africa. It has recorded notable success such as continuous expansion of its free trade area, the successful uptake of key trade facilitation instruments such as yellow card insurance and regional customs transit guarantee schemes, as among others.

However the overall picture still displays a substantial untapped potential. Formal COMESA intra-regional trade remains low in the relative (terms seven percent of the total trade region) trade and transport costs in the region are among the highest in the world, non-tariff barriers are still numerous while many agreed regional instruments are yet still to be domesticated at national level.

What can really be done to accelerate the pace of integration in Africa and in particular in the COMESA the region? The former European Union representative to COMESA, his Excellency Alessandro Mariani, asked this question during the signing of the Trade Facilitation and Small Scale Cross Border Trade Programmes Financing Agreement done in Lusaka on May 30th 2017.

The European Union, which is the biggest trade and cooperating partner of COMESA committed to providing technical and financial support based on regional priorities and commitments from member states, gave out Euro 15 million (equivalent to more than 153 million Kwacha) to small scale cross border trade aimed at supporting small-scale traders who cross borders at selected border areas through among other things upgrading border infrastructures as well as concrete measures to fight

against corruption and harassment including gender based violence. The programme will also strengthen the cross border trade associations in order to improve their capacities to support small scale trading.

No other goals would be compatible either with the declared aims and the known aspirations of the small scale cross border traders, who cross borders at selected border areas, especially now with the COVID19 pandemic.

Immediate international or local communities’ interests, funding agreements or the imperatives of socio-economic development may require greater stress on order and stability, and the present prospects for achieving either these goals in most of African countries, may appear in the most, quite remote.

## Post Pandemic Recovery the Key Take-Away from Africa Financing Summit

By Prince Kurupati

With statistics showing that Africa as a whole has 130 000 fatalities from the corona virus pandemic, it’s safe to say that the continent hasn’t been hit as much as other continents. However, Africa’s global positioning and financial backup isn’t as much impressive as other continents thus despite the low rate of fatalities and infections, it still bears much of the brunt of the pandemic. In an effort to address this particular challenge, the President of France Emmanuel Macron convened a meeting with African Heads of State as well as chiefs of global financial institutions with a view to providing Africa with critical post-Covid 19 finances.

The meeting which was organized under the banner of Africa Finance Summit saw 12 African leaders participate at the Summit. Among them were President Kagame of Rwanda, President Buhari of Nigeria, President N’guesso of Republic of Congo, President Tshisekedi of DRC and President Ramaphosa of South



President Buhari of Nigeria and AU Chair Moussa Faki answered present at the Summit. Photo courtesy.

post pandemic recovery was received with aplomb by the President of the African Development Bank (AfDB).

regional member countries across the continent had access to stimulus. We provided about 45 billion in stimulus

Industrialization at AfDB Solomon Quaynor concurred with Kariuki’s pivoting sentiments. Vice President

Quaynor said the bank “pivoted and we began to support small and medium enterprises significantly through the support we provided to governments.” To complement pivoting, Quaynor said the next steps would be to shore up the recovery process, which involves support across the life cycle of small businesses. At the current moment, Quaynor advised that AfDB is doing just that through a joint initiative with the European Investment Bank that targets young entrepreneurs among others. Owing to women’s multiplier effect, Quaynor says women have been the primary targets as “when you help one woman, you really help five other people in the household.”

While the participants at the Summit as well as other interested parties welcomed the decisions taken at the Summit, there are some few voices that are skeptical about the whole thing. Farwa Sial writing for the European Network on Debt and Development said the Summit was more of a rhetorical exercise in



French President Emmanuel Macron with President Tshisekedi of the D.R.Congo.

relation to supporting Africa’s post pandemic recovery. Sial says that the Summit’s decision to favour private sector led recovery “undermines the public nature of finance, it’s also detracts attention from the unfair transfer of value from public to private sector actors.”

Sial went on to state that “private financing for MSMEs, builds on the ongoing deregulation of African markets through free trade treaties such as The African Continental Free Trade Area (AfCFTA). Unlike the development history of developed countries, such integration strategies

expose Africa’s unprotected markets to fluctuating external finance, tying the long-term growth models of these countries to the vagaries of global economic shocks. This approach in fact erodes resilience.”

## Terrorists Swell Ranks With Children And Women, As Mozambique Remains Undecided On Foreign Military Intervention

By Jorge Joaquim

The terrorist group operating in the northern Mozambican province of Cabo Delgado is recruiting children and women for its ranks, where they play roles that include spying. The reports made available to the terrorists are used to prepare offensives against the positions of the Defence and Security Forces, often attacked in unexpected events. While the terrorists strengthen their ranks, the Mozambican government remains undecided on whether or not to accept foreign intervention in the conflict, a situation that is causing a bad environment in the region, with neighbouring countries fearing that Cabo Delgado terrorist acts could spread at any moment. The SADC is still waiting for a response from Mozambican President Filipe Nyusi, as is the European Union.

Children and women are taking on active roles among the terrorist



groups carrying out attacks in Cabo Delgado, including recruitment, observation (spying) and armed actions. The use of civilians by terrorists dates back to the start of the attacks in 2017, but has been getting worse in recent days. These reports are known by the government, but it is out of its control because the members of the security forces are not usually native to the conflict zones, thus not knowing who is who. An effective relationship between the civilian population and the terrorists is consolidated, fueled by their ability to exploit local resentments, by the proselytizing nature of their leaders and the consequent capacity to recruit or by the involvement of adolescents in guerrilla acts of great atrocity.

A recent study on the role of women in the conflict in Cabo Delgado, by the Mozambican civil society organisation Observatório do Meio Rural, confirmed the reports. This reality contrasts with government discourses, strongly focused on emphasizing the external terrorist threat, as a strategy to conceal political and social fractures in the North of the country. Government speeches have been betting on a military solution, saying they are reluctant to engage foreign troops, although they are advocating external support in terms of training and logistics.

However, military experts maintain that the formation of an army capable of providing a full response on the ground will be long (at least one year), and the provision of logistical and weapons support raises questions of control of such support and demonstration of military discipline and organization. The attack on Palma and Total's decision to stop the project in Afungi increased pressure on the Government of Mozambique to negotiate international support.

Existing alternatives are the possibilities for multilateral or bilateral support. In the first case, SADC is the most likely option. Reluctant to accept a joint intervention by military forces in the region in Cabo Delgado, Mozambique had



been postponing the SADC meeting to discuss the issue, and the leak to the press of a military plan of joint intervention generated discomfort in Maputo. The escalation of the conflict, the consequent economic and humanitarian impact and the insecurity in the region have given the government room for manoeuvre. In bilateral terms, President Nyusi's approach to Rwanda and the possibility of troops from Rwanda, but also a private meeting with President Macron, discussing security in Cabo Delgado and Total's decision. The French navy patrol in the Canal of Mozambique is a reality, with South Africa being another country interested in maritime security in the region.

The recurrence to mercenaries is another option, with new entrants such as Paramount and Burnham coming in. The two companies train drivers, armored cars and special forces training from Nacala. Despite the lack of definition of the Mozambican Government, its preference for a bilateral solution is undisguised, favoring the relationship with countries in the region, generating discomfort in SADC

member countries. Joint intervention by SADC will require clarification of sensitive aspects such as the financial and logistical design of the operation, as well as the command of forces on the ground.

Recently President Nyusi discussed the terrorist insurgency with the president of the European Council, Charles Michel, who said that the nature of the support from the European Union to help Mozambique deal with the insurgency was being decided, following the visit of a technical team to Mozambique last month. The Mozambican president also shared information about other partners who "show interest and willingness to complement the efforts of the government of Mozambique".

### Humanitarian drama with Tanzania not helping

At least 6,000 refugees who fled from Cabo Delgado to neighbouring country Tanzania following the attacks have been deported, the United Nations' High Commission for Refugees has said. The refugees, mostly women and children, had to walk for days until they reached Tanzania and were then forcibly

deported to the Mozambican village of Negomane, close to a border post with Tanzania and across the Unity Bridge at Rovuma river.

The situation is terrible as there is a lack of food, water and health services in Negomane, and there are many single mothers there separated from their families. In addition, aid is scarcely reaching the region. It also warned that girls and women were being sexually exploited and abused, after reported cases of requests for sexual favours by community leaders in exchange for inclusion on the refugees' food distribution lists.

A recent report released by an institution close to the Tanzanian Ministry of Foreign Affairs acknowledged that the government has deported 7,552 people that crossed the border from Mozambique. The report says that because of "security concerns" these refugees were transported 200km up the Rovuma river, and sent back into Niassa province, and that the UNHCR — whose resident representative in Tanzania is a Mozambican, Antonio Canhandula — is now apparently resigned to this situation, having previously taken a much firmer

stance.

A conspiracy theorist says Tanzania is not interested in helping Mozambique because of competition from investors for liquefied natural gas exploration. The aid will neither be in terms of military aid, let alone the reception of refugees.

Construction works on US \$30bn liquefied natural gas (LNG) project in Tanzania is set to begin in 2023. Energy Minister Medard Kalemani revealed the plans and said the decision comes after resumption of talks with companies including Equinor ASA. The project was sidelined under the administration of the former President, the late John Pombe Magufuli with his administration instead prioritising the East Africa Crude Oil Pipeline to take oil

from Uganda to the Tanzanian port of Tanga.

**Mozambique's dream in a sea of uncertainty**

Mozambique has important gas reserves (2,836 BMC), standing out on the African continent, behind countries such as Nigeria (5,475 BMC) and Algeria (4,504 BMC). In 2019, the national gas production was only 6 BMC. Gas investments have been concentrated in the district of Vilankulo (Temane) and in the Northeast of Cabo Del-gado, with Temane gas already in operation, transport-ed by pipeline to South Africa. The project could be better derailed if there was a distribution network for domestic consumption, competing for such an invest-ment with the pressure for investment in renewable energy.

Among the major projects in the gas area, those located in the Rovuma basin where terrorist groups are, have the greatest potential for tax contribution (particularly that of area 1, where Total is located), meaning 14 times the tax contribution of the

SASOL project in Temane. In terms of tax contributions, mega-projects still account for only 9.6% of state revenue, even though this proportion has increased over the last few decades.

The intentions of investment in gas created expectations of increased tax revenues, expected to reach 60% of state revenues, leveraging the economic growth rate to double digits and constituting a solution to the fiscal crisis. In this scenario, the announcement of interruption of gas projects in Cabo Delgado will have a deep meaning on future public finances. The situation worsens considering the public indebtedness contracted to rely on future revenues, not only through the hidden debts, but also due to the indebtedness of ENH, with a view to participate in investments in area 1, forcing the Government to issue sovereign debt.

ENH's weight in nominal debt stock was 8.3% in 2016 is projected to be 26.1% in 2022. In terms of employment, as a capital-intensive invest-ment, the gas sector has a small impact on the gener-

ationofnewjobs. According to data from the Ministry of Labor, of the 478,904 jobs created in 2019, only 7,247 were allocated to the various extractive industries, representing 1.5% of the total new employment. Moreover, job creation takes place mainly in the implementation phase of the projects, decreasing after the start of its activity.

Gas revenues also raise other issues related to their distribution and how they can be reflected in the lives of citizens, at the level of more and better public services, and job creation. While it is true that by law 2.75% of the income tax on extractive projects should be channelled into the development of local communities through the General State Budget, the reality is that, in a country with weak institutions and governance problems, doubts arise about the transparency in the management of these funds, accountability mechanisms, citizen participation and monitoring of spending. The evidence shows that the lack of mechanisms for the equitable distribution of public resources is a generator of

great conflict, to the detri-ment of the process of building a Nation State.

At least 1,500 refugees who fled from the Mozambican town of Palma to neighbouring country Tanzania following the attack on the town on 24 March have been deported, the United Nations' High Commission for Refugees (UNHCR) has said. The refugees, mostly women and children, had to walk for days until they reached Tanzania and were then forcibly deported to the Mozambican village of Negomane, close to a border post with Tanzania and across the Unity Bridge at Rovuma river. According to the UNHCR, the situation is "terrible" as there is a lack of food, water and health services in Negomane, and there are many single mothers there separated from their families. In addition, aid is scarcely reaching the region. The UNHCR said it was "alarmed" to hear reports of people being deported and prevented from applying for asylum, and appealed to both governments to respect the principle of family unity.





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# The Fomunyoh Foundation: 22 Years At The Service Of Humanity

When Dr Christopher Fomunyoh pioneered a group of dedicated advocates in the national and international democracy community to champion a Foundation that would improve the quality of life of the Cameroonian people, assist and support people and organizations dedicated to the promotion of democracy and human rights, little could they have imagined that their mission would be more significant twenty-years after its creation in 1999.

And like the man to whom the Foundation is dedicated, (Bah Agwo Fomunyoh, grandfather of The Fomunyoh Foundation's (TFF) founder) through courage and wisdom, the Foundation has sought to right the wrongs inflicted on ordinary citizens over the years.



TFF Founder Dr Christopher Fomunyoh making a book donation to students in Yaounde.

**The Foundation is made up of the following components:**

**Foundation Radio:** Foundation Radio FM 100 (FR) prides itself on being one of the first in-country pillars of the Fomunyoh Foundation

(TFF). FR is the first institutional organ of TFF to go operational within the head office complex in Ngomaghnam, Bamenda in 2007. FR mission is to share information and knowledge on issues that improve

the well-being of Cameroonians. The stations objectives, programs, grill and editorial codes are within the guiding principles of TFF's vision, and the norms of Cameroon and International Journalistic Ethical

Standards.

**Foundation Library:** The Foundation Library is the largest community library in the North West Region of Cameroon with over 25,000 books initially ranging from the kindergarten to university covering the social and natural sciences, health, management, law, ICTs among others. From this reservoir book donations have been made to schools and other libraries in all ten (10) Regions of the country, Spacious and located in a quiet environment, the library offers an ideal milieu for reading and research.

**ICT Center:** In order to keep pace with an ever-modernizing world The Fomunyoh Foundation had engaged in the installation of modern ICT facilities. Unfortunately, the socio-political crisis that erupted in the English speaking North West and South West Region of Cameroon slowed down the process.

**Foundation Conference Hall:** The Foundation has a conference room that can host workshops and seminars of up to 50 persons. It is well equipped with a modern sound system, internet facilities, projector



Dr Fomunyoh and Foundation delegation at a ceremony to donate sewing machines in Makalingai, Far North Region.

and offices to ease the holding of such events. The calmness of the setting situated out of the hustle and bustle of the city center makes.

**Foundation Event Center:** For bigger events such as weddings, anniversaries the centre can accommodate close to 300 invitees.

**Consistency**

Over the years the Foundation has also been carrying out Civic education and grassroots community programs directed at women and young people all over Cameroon while developing local partnerships with traditional rulers, women, youth and the population at large so as to raise their awareness on development and human rights issues.

Small grants, and/or in-kind assistance to needy segments of the Cameroonian population as recommended by the Foundation's Board of Directors have also been on its agenda of activities. The latest gesture was the donation of kind and cash to Persons Living with Disabilities in Kumba Meme Division of South West Cameroon.

**Humanitarian activities**

Events in Cameroon in recent years have obliged the Foundation to tilt more of its resources towards humanitarian assistance. The Boko Haram insurgency in the North of Nigeria led to a huge spillover effect on the Far North Region of Cameroon. Over 80.000 refugees were camped under appalling conditions in Minawao Refugee camp. The dreadful conditions could not keep the Foundation indifferent. Its President Dr. Christopher Fomunyoh was the first prominent figure to visit and donate food items to the camp in the heart of the Boko Haram insurgency in 2014.

This humanitarian action took the Foundation team all over Cameroon, visiting and donating as the case may be to schools, hospitals, orphanages.

**The Anglophone Crisis:** Since



*TFF founder making donations in support of IDPs at the Foundation Center in Bamenda.*

the start of the Anglophone crisis in 2016, Dr. Christopher Fomunyoh, has been very consistent on how to break the deadlock. According to him this crisis is more than one government can handle and drive it to its logical end. To him a military solution cannot solve the crisis in the country's North West and South West Regions. «We have to sit back and revise the approach we have taken for this crisis that what we have tried in the past four years has not worked. We have to understand that this issue can only be resolved through dialogue, mediation, negotiations so we can bring the sufferings to an end. Violence only bequeaths violence and right now I am concerned about not just this conflict but the next one. What people have gone through, close to 70,000 refugees in Nigeria and other countries that people are not going to forget and forgive easily the suffering that they are going

through?» Touched by the plight of these refugees in Nigeria a TFF team led by its president in partnership with Community Refugee Relief Initiative (CRRRI) spent 2021 Easter holiday visiting and supporting refugees in some localities in Nigeria. The NGOs distributed food items such as rice, noodles, fruit juice among others to refugee camps in rural, urban areas as well as major cities, including Calabar, Oban, Akor, Adagom I & III, Okend, Ajasor and Basua all in Cross River State; Ikyogen in Benue State and Abuja.

**Recognitions**

The works of the Foundation has not gone unnoticed. Twice TFF's president Dr. Christopher Fomunyoh has named "Cameroon Personality of the Year», by The Eye Newspaper in 2015. The 2015 award ceremony took a different twist when over

15 traditional rulers from Bui and Donga Mantung Divisions led by the over 95-year old Fon of Nkambe, Ibrahim Jabu Nfor, conferred and clad Dr. Christopher Fomunyoh with the traditional title of «Ta»a Nformi Cameroon» – (Hunter for Cameroonians). In 2015 it was Cameroons lone daily English newspaper The Guardian Post, that recognized him with a similar award.

In 2020 The Scoop newspaper voted him as "2020 Most Objective Personality".

The 2020 "Democracy and Good Governance" Award from Guardian Post

The Time Media Group for its part rated The Fomunyoh Foundation as "All Round Best Humanitarian and Solidarity Aid Impacting Project Foundation."

# The Fomunyoh Foundation In Action

From East to West, from North to South and even beyond the borders of Cameroon, The Fomunyoh Foundation has for over two decades toiled to improve the quality of life of Cameroonians. Beyond assistance to people and organizations committed to the promotion of democracy and human rights, the Foundation has supported sporting events, assisted

internally and externally displaced persons from diverse crisis in Cameroon, and more. PAV brings you some of the activities and engagements that have kept the Foundation and its Founder Dr Christopher Fomunyoh busy in the last 22 years.



2015 personality of the year award.



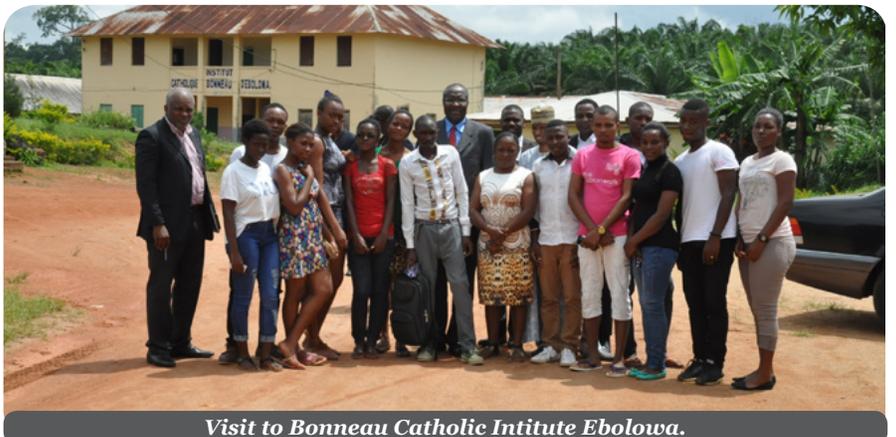
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Laying wreath at Eseka train crash site.



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The 2020 Democracy and Good Governance Award from Guardian Post.



Donation of sewing machines Makalingai Far North Region.

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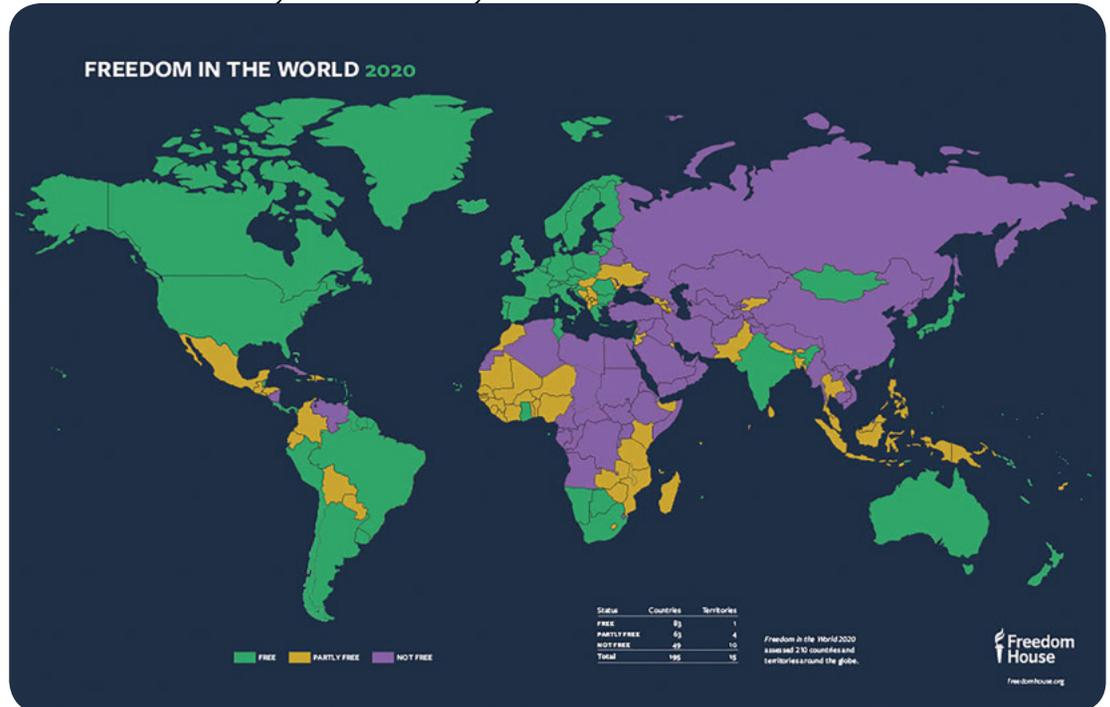
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# An uncertain future for democracy in Africa and the Middle East

By B. Elias Shoniyn\*

Over a decade has elapsed since what we might consider the high point of democracy, when democratization was increasing and many countries around the world were making meaningful efforts to strengthen democratic characteristics of their systems of government. Freedom House's 2021 Report is one of many reports of recent years presenting a gloomy picture of steady decline in the global state of democracy. This decline is particularly pronounced in Africa and the Middle East: several countries in these regions are experiencing incontrovertible reversals of decades of democratic gains, while a few others are yet to make any meaningful subscription to democratic principles.

For Africans, Freedom House's 2021 report makes for grim, if unsurprising, reading. The number of African countries considered free declined from 11 in 2006-2008 to nine in 2021, while countries not free increased from 14 to 20; the number of partially free countries also declined from 24 to 22. The report



identifies only eight countries in Africa as free, through their notable efforts beyond elections: Mauritius, Botswana, Cape Verde, South Africa, Seychelle, Ghana, Sao Tome and Principe, and Senegal.

If regular elections were the sole

measure of the rise of democracy, one would think that Africa is making progress in advancing democracy. Amidst the COVID-19 pandemic, 15 presidential and parliamentary elections were held across the continent in 2020. Yet many of these elections were marred by stark repression of political opponents. Countries such as Chad, Tanzania, Burundi, Guinea, Mali, Zimbabwe, Togo and Ethiopia imposed restrictions and shutdown internet services, denying oppositions the opportunity to reach out to electorates and mobilize their political bases. Similar repressive tactics were also reported in the presidential elections early this year in the Republic of Congo and Uganda, where the incumbents starved opponents of resources and mobilization.

Leaders of these repressive regimes organize elections as a façade to cover up the deeper deficit of democratic governance in their countries. Such leaders should be reminded that democracy's complex requirements are not limited to elections, but include protection of media, distributing news and comment, the protection of freedoms and

liberties, the guaranteeing of free and uncensored discussion, and respect for legal entitlements.

The threats to democracy in Africa have multiplied over the past year, and many observers have warned that authoritarian leaders took advantage of the often drastic lockdowns occasioned by the COVID-19 pandemic to intimate and harass their political opponents. Some leaders even unilaterally postponed elections to extend their political tenure, under the guise of fighting the spread of COVID-19.

In short, the future of democracy in Africa remains uncertain. There are growing concerns that leaders with despotic tendencies may continue to exercise authoritarian-style leadership, extending the restrictions and curtailments of the rights of citizens which have been justified by the COVID-19 pandemic.

As for the Middle East, countries in the region are well-documented as the least democratic globally. Israel appears as an exception, ranking 28th worldwide, as a flawed democracy, in the Democracy Index 2020. However, the US based Freedom House index, and other globally



B. Elias Shoniyn is currently the Managing Director and Managing Partner of Africa Development Management Associates.

recognized democracy indices report low performing countries such as Lebanon, Kuwait, Turkey, Jordan as having the highest scores in the region in relative terms. Yemen and Saudi Arabia lag with the lowest scores, with authoritarian regimes which have little or no appetite for democratic reforms.

A decade after the Arab Spring – a domino effect of uprisings, anti-government protests, and even armed rebellions in the region – any significant form of democratic transformation is yet to be seen. The International IDEA Global State of

Democracy - In Focus January 2021 report outlines that stalling. There has been a changing of the guard but no substantive structural and institutional change. Notwithstanding the resistance to democratic reforms in the region, young people's values are rapidly shifting towards democratic governance, with youth exercising their rights to dissent and protest as in Palestine in 2019. In Jordan in 2018, and Iraq and Lebanon in 2019, calls for change prompted their respective Prime Ministers to resign.

As in Africa, authoritarian leaders

in the Middle East leveraged the COVID-19 outbreak to further entrench their political authority, imposing disproportionate measures that observers have suggested may have been intended to suppress critics and opponents. Some countries have seemed slow to relax restrictions; should restrictions remain as the 'new normal', whatever minimum cosmetic reforms were previously achieved would be totally wiped out.

Democracy's future across Africa and West Asia is deeply uncertain. After several years of democratic retreat, the COVID-19

pandemic brought opportunities for greater restrictions on political freedoms. Hope for real democratic transformation may lie with the youth and future generations. The Arab Spring, and subsequent protests, have demonstrated the determination of young people's commitment to freedom and liberty; therefore, it is hoped that governments across the region see the value of refocusing on democratic reforms.

\*B. Elias Shoniyn is currently the Managing Director/Manging Partner of Africa Development Management Associates (ADMA).

## Investment Boost For Angola As US Judge Throws Out \$ 1.1B Law Suit

*-False claims that Angola does not respect the rule of law debunked-Lead Attorney Michael D. Ehrenstein*

*By Ajong Mbapndah L*

The Republic of Angola is pleased with the result in this case—not just because Angola “won”—but because this righteous victory rejected false claims that Angola does not respect the rule of law, says Attorney Michael D. Ehrenstein on a New York Court ruling that threw out a 1.1 billion lawsuit against President Joao Lourenco's country.

Working in tandem with Henrique Abecassis in Lisbon as client liaison, Marc Rosen in New York as local counsel, and himself as lead, Attorney Michael D. Ehrenstein successfully defended Angola in the suit filed by Aenergy on claims that contracts for construction and maintenance of power plants were wrongfully terminated.

Responding to questions from Pan African Visions, Attorney Ehrenstein thinks that the court's acknowledgement that Angola is an adequate forum might bolster foreign investors' confidence when investing into Angola—especially when combined with the landmark reforms underway



*Michael D. Ehrenstein led the team that freed Angola from the shackles of a 1.1 B lawsuit in New York.*

*May we start with an understanding of the issue that was at stake between the government of Angola and Aenergy and why the case was heard in New York?*

Michael D. Ehrenstein: Aenergy

claims that the Republic of Angola wrongfully terminated contracts worth \$1.1B for the construction and maintenance of power plants in Angola. On the other hand, Angola contends that Aenergy ruptured its contractual relationship with Angola

by misappropriating Angola's funds to purchase extra turbines for its own account—all without Angola's knowledge or consent, and contrary to the terms of the parties' agreements. Aenergy initially sought judicial relief in Angola. But its efforts in Angola have failed, at least so far. Apparently seeking a more favorable reception from a different court, Aenergy initiated suit in the United States District Court for the Southern District of New York. Angola asked the New York Court to dismiss the action because the case belongs in Angola, and only Angola—the place where the parties contractually committed to resolve their disputes.

*We understand the Judge had a favorable ruling for you and the government of Angola, can you sum that for us?*

Michael D. Ehrenstein: Judge Cronan wrote an excellent and detailed 43-page order dismissing

Aenergy's case, concluding that Aenergy's claims must be adjudicated in Angola. In so doing, the Court importantly determined that Angolan courts provide an adequate forum for adjudication of Aenergy's claims and Angola's defenses—notwithstanding Aenergy's protestations that Angola is corrupt and lacks rule of law. Judge Cronan wrote:

"The Court finds that Plaintiffs' vague concerns about corruption in Angola and lack of due process in Angolan courts do little to show that Angola lacks procedural safeguards or is an inadequate forum..."

**What was the reaction of your clients the Angolan government to the verdict and what does this change in issues it has with Aenergy?**

Michael D. Ehrenstein: The Republic of Angola is pleased with the result in this case—not just because Angola “won”—but because this righteous victory rejected false claims that Angola does not respect the rule of law. That invective is belied by well-documented and comprehensive reform effort underway in Angola that includes as a key component a robust anti-corruption effort and improvements in good governance and other reforms, such as strengthening the judiciary and increasing the capacity and transparency of government institutions enjoy strong support from the International Monetary Fund, the World Bank, the United States, the European Union, and many others. As for Aenergy, it may still choose to pursue its claims in Angola.

**How long did the case go for, and what message does it send to investors in Angola and Africa?**

Michael D. Ehrenstein: The US case lasted for just over one year. While I am no expert on foreign investment into Angola, one would think that a United States federal court's acknowledgement that Angola is an adequate forum might bolster foreign investors' confidence when



*President Joao Lourenco has embarked on reforms which enjoy strong support from international partners. Photo credit Andrew Caballero Reynolds, AP.*

investing into Angola—especially when combined with the landmark reforms underway.

**Prior to the case, and defending the government of Angola, did you have any prior experience representing a foreign government?**

Michael D. Ehrenstein: Yes. Actually, I previously represented Angola in another dispute in the United States concerning power contracts. And I have previously been involved in litigation and arbitration involving select sovereign entities in various contexts. It is a part of my practice that I find truly fulfilling because the results of my effort in court can translate very directly to benefits for the client—not the government itself, but the citizens of the country represented.

Are cases like this common nature, I mean where a company doing business in Africa is sued in a US court?

Michael D. Ehrenstein: Though not “common”, business disputes between African countries and their contracting partners occasionally end up in US courts. The frequency of such matters appears to be increasing.

**The African Energy Chamber**

**through its Chairman NJ Ayuk said the ruling reinforces the hope that African countries and Africans have when it comes to the fairness of the American judiciary as compared to many rulings against Africans in the UK and European courts, that have been seen as biased, any word on this reaction and others you may have received?**

Michael D. Ehrenstein: I agree with my friend NJ Ayuk that American courts are fair. I cannot comment on whether any particular decisions from the UK or Europe against Africans were in fact unfair or biased. But—considering the sheer size of some of the awards against African countries and the speculative nature of certain damage models used, I can certainly understand the perception of many Africans that some of these decisions were unfair. And that perception of unfairness is a real problem because it undercuts the legitimacy of the decision and makes it politically challenging to comply with the decision. I hope that African sovereigns and businesses alike continue to recognize the fundamental fairness of our US courts.

**What are some of the lessons you drew from the case, what**

**advice would you have for African countries and for potential investors to avoid the kind issues that prompt this kind of cases?**

Michael D. Ehrenstein: Respectfully, two pieces of advice— As one of America's founding fathers, Benjamin Franklin famously wrote: “an ounce of prevention is worth a pound of cure.” I would advise all sovereigns and businesses to invest time and effort in the negotiation of their contracts to specifically spell out a detailed dispute resolution clause, including choice of forum, choice of law, choice of venue, and choice of language. This ounce of prevention can alleviate significant expenditures of time and money fighting over process rather than the merits once a dispute erupts.

Choose the right team—lawyers who are knowledgeable, passionately committed and have the resources to effectively advocate for the client. Often, that does not mean choosing the biggest firm. In this case, Angola smartly engaged the right team—including Henrique Abecassis in Lisbon as client liaison, Marc Rosen in New York as local counsel, and me as lead. I am proud to say that we were the right team for Angola in this case.



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# How Embezzlement And Mismanagement Facilitated Nyiragongo Eruption

By Maniraguha Ferdinand



*Nyiragongo is one of dangerous active volcanoes on planet .Photo credit Wikimedia Commons.*

In the evening of Saturday 22, May 2021 the news started to flock on social media, that something bad is happening between Nyamuragira and Nyiragongo volcanoes, the two dangerous active volcanoes in North Kivu province, East of Democratic Republic of Congo.

None exactly knew which volcano was erupting but fear had taken hearts of people in Goma, the city which is situated few meters from the foot of Nyiragongo.

As the quickest ones began to flee towards neighbouring Rwanda and to other remote places from the volcanoes. Congolese government was silent on what was going on.

Even in media, none could differentiate between Nyiragongo and Nyamuragira, which one was erupting. It took almost an hour for the Congolese government to specify that it was Nyiragongo erupting.

The plight of this volcano was still vivid in the memory of the people of Goma and neighboring city of Gisenyi in Rwanda. More than 250 people died in 2002 when the same

volcano erupted and causes damages of properties.

Those who knew the dangers of the eruption, this time around had fled early for their lives.

What baffled many is the silence of Congolese government and volcanologists in the area for more than an hour and their failure to alert people before the eruption.

Goma Volcano Observatory is a research institute that has the mandate of following up daily activities of both volcanoes. They had not given any information relating to the eruption for days, which confused population around.

Since 2020, the World Bank cut the funding that it used to give Goma Volcano Observatory amid embezzlement allegations. Since then, The World Bank declined to renew a four-year, \$2 million funding programme.

In March this year, Honore Ciraba a volcanologist warned that the lack of funding was putting at risk the lives of millions of people who live under Nyiragongo . Due to the

lack of logistics, salaries among others, volcanologists at Goma had suspended going up and down Nyiragongo to monitor its daily activities.

A recent warning about the eruption of Nyiragongo was announced in September 2020. Prediction from Goma volcanologists said that the possible eruption could occur between the next four to seven years.

Dr Dyrckx Dushime, who once led Red Cross in Gisenyi, the city that sits on the shore of lake Kivu that borders Rwanda and Goma in Congo, told Pan African Visions that funding cuts derailed the usual activities of the Goma Volcano Observatory.

Congolese officials used to rely on information from Goma volcanologists. During the fresh eruption last month, they were ignorant of the situation as they had spent days without new information about the volcanoes.

“The big problem is that some logistics have been stolen such as camera and solar panel that used to

be at the top of volcanoes monitoring what is going on and report back at the institute. Lack of funds also hindered the normal operations of the institute. People cannot work without salaries. That is why the eruption came as a surprise”, Dushime said.

He went on to say that Congolese Government must ensure proper management of Goma Volcano Observatory because failing to do so may put lives of many in danger.

Nyiragongo is considered one of the most dangerous volcanoes in the world because of its fast-flowing lava. It can flow at a speed of about 100km per hour. It is also dangerous because at its feet lives more than 2 million people in the city of Goma and neighbouring suburbs.

Lake Kivu which lies in few kilometers from the volcano also poses risks with its abundant methane gas that can cause dangers if meet the magma.

In Recent eruption, about 30 people died while more than 500 houses were destroyed by lava. More than 400 000 fled.

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# Nervy Countdown To TotalEnergies AFCON 2021

By Boris Esono Nwenfor

The Confederation of African Football, CAF has postponed the draws for the TotalEnergies Africa Cup of Nations, AFCON. The draw was scheduled for June 25, 2021, and a new date will be announced in due course.

The tournament is slated to take place from January 9 to February 6, 2022, and feature 24 teams. Algeria is the reigning champions following their 2019 success in Egypt.

“At the request of CAF, the Cameroon Local Organizing Committee (LOC) has agreed to postpone the TotalEnergies Africa Cup of Nations Cameroon 2021 final draw for logistical reasons related to the Covid-19 pandemic,” CAF wrote in a statement.

«CAF continues to work together with its partners, the Cameroon government and the LOC to make the TotalEnergies Africa Cup of Nations Cameroon 2021 a successful event and a great celebration of African football.”

This news is the latest setback for the competition which was originally due to take place this year but was pushed back due to the COVID-19 pandemic. The global health crisis has continued to affect sporting activities globally with several competitions having been postponed.



CAF Deputy Secretary General Anthony Baffoe speaks to Cameroon's Minister of Sports Narcisse Mouelle Kombi.

The 2020 African Women's Cup of Nations was also cancelled and qualifies for the 2022 tournament have been moved from this summer to the start of next year.

Just recently, CAF had announced the postponement of World Cup qualifying matches due to take place in June, until November. This has forced many countries to reprogram their activities and scheduled friendly games instead. Cameroon authorities quickly talked with their Nigerian counterparts and succeeded in putting in place two encounters.

Cameroon faced Nigeria in the first friendly encounter on June 4 in Austria and a goal by Andre Frank Zambo Anguissa was enough to give the Indomitable Lions the victory. That was the first victory for Cameroon against Nigeria in 21 years. Before this game, Nigeria had won Cameroon two times and drew one with the famous defeat coming at the 2019 AFCON in Egypt where Nigeria eliminated Cameroon at the Round of 16.

*Cameroon determined to host*

## the AFCON

Despite the postponement of the draws, authorities in Cameroon are still bent on hosting the competition with the 2019 edition stripped from them. The country was ill-prepared with various hosting facilities like stadia not even completed at the time. And some of the stadia are yet to be completed even now.

Seidou Mbombo Njoya, President of the Cameroon Football Federation, FECAFOOT and CAF's 4th vice president took to his social media handles to assure Cameroonians that the country shall host the AFCON in January 2022.

“Our country shall host the AFCON in January 2022”, President Seidou Mbombo Njoya wrote.

“FECAFOOT is mobilizing and is working closely with the government of Cameroon to make this football jamboree the best in Africa as wished by Dr Patrice Motsepe president of CAF”, Seidou Mbombo Njoya concluded.

Cameroon has shown that it is capable of hosting Africa after successfully hosted the African Nations Championship earlier this year with 16 teams present. FIFA President Gianni Infantino even went as far as congratulating the country for hosting a showpiece.



Cameroon defeated Nigeria in a friendly encounter for the first time in 21 years.



Algeria is the defending champions.

“With stadia of international standards approved by CAF, it can only be sabotage to even think the country is not ready to host the AFCON in January 2022,” Angu Lesley, wrote in an article.

Apart from the four stadiums used during the CHAN, the Roum Adja stadium in Garoua that will soon host a CAF confederations cup semifinal match shall be added to the stadiums. **CAF/FIFA End fact-finding mission to Cameroon**

Led by CAF’s Deputy Secretary-General of CAF, Anthony Baffoe, the CAF/FIFA delegation visited the various sites that will host the competition; from the stadia, hotel facilities and communication networks in Garoua, Douala, Baffoussam and Limbe.

“As a former player, the first thing I look at in a stadium is the pitch and the football pitch in Garoua is amazing. We are looking forward to going around the country to see other

facilities,” Anthony Baffoe said as he inspected facilities in Garoua.

Yarza Gonzalez added: “As FIFA, we are here to support CAF and the Local Committee. We are convinced these teams will deliver a fantastic tournament in January.”

**Qualified teams**

24 teams will be participating in the Africa Cup of Nations in Cameroon. 23 teams have already qualified after the group stages with one team still

left. That last spot will be determined when Benin face Sierra Leone this June.

Cameroon, Senegal, Algeria, Mali, Tunisia, Burkina Faso, Guinea, Comoros, Egypt, Gabon, Gambia, Ghana, Equatorial Guinea, Zimbabwe, Morocco, Côte d’Ivoire, Nigeria, Sudan, Malawi, Mauritania, Ethiopia, Guinea-Bissau, and Cabo Verde.

**AFCON Qualifying stats**

With his brace in the 4-0 defeat of Comoros, Mohamed Salah took his tally to 43 goals in 70 games, making him the second-highest scorer in Pharaohs’ history, still some way behind Hossam Hassan’s mark of 68 goals in 176 appearances.

Algeria has now gone 24 games unbeaten in all competitions. Two more and Les Fennecs will match the continental record held by Côte d’Ivoire

Eight teams went unbeaten throughout the qualifiers: Nigeria, Tunisia, Senegal, Algeria, Egypt, Cabo Verde, Morocco, and Burkina Faso.

Two teams will be making their AFCON debut in Cameroon: Gambia and Comoros. Meanwhile, Malawi will be returning to the continental championship for the first time since 2010.



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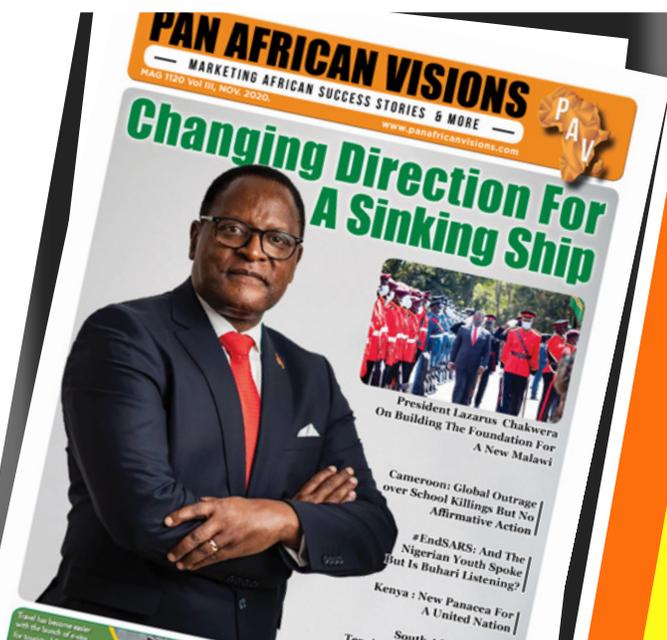
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