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**THE STATE UNIVERSITY OF NEW YORK
CENTER FOR INTERNATIONAL DEVELOPMENT**

**THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF
NEW YORK**

**TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF
TANZANIA'S UNION NATIONAL ASSEMBLY**

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**QUARTERLY REPORT
OCTOBER 2003 – DECEMBER 2003**

Submitted on 31st January 2004
by
SUNY/Tanzania

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1. Executive Summary

The State University of New York Center for International Development (SUNY/Tanzania), in partnership with the British Council and associates and Pact/Tanzania (the SUNY Tanzania Team), was on 11 May 2003 awarded a two-year contract to provide technical assistance for the strengthening of Tanzania's Union National Assembly.

The range of support provided under the auspices of this Project will enable the Parliament to carry out its representative, lawmaking, oversight and administrative functions more effectively and in accordance with the spirit of democratic governance. The Project team works as a partner with the Tanzanian Parliament in providing technical support to enable the national legislature to play a more central role in Tanzania's governing and development processes. The Project aims to achieve the following primary results:

- 1) **Improve representation:** increased citizen access to and understanding of the legislative process;
- 2) **More effective lawmaking:** Parliamentary committees make better use of research and more actively solicit inputs from civil society in the consideration of legislation in targeted sectors;
- 3) **Enhance management and administration:** increased quality and efficiency of service delivery to all members by parliamentary administrative support units;
- 4) **More effective oversight:** increased legislative capacity to monitor public expenditure and oversee implementation of the Poverty Reduction Strategy.

The Project is a component part of the USAID D&G Strategic Objective IR 3.2: "*Targeted Government Institutions are more responsive to public concerns on selected issues*" (i.e. HIV/AIDS, natural resource management & private sector development) IR 3.2.1 states: "*Government capacity to engage in the policy/law process strengthened*". USAID defines Government in this context as the Parliament. This is the first major legislative strengthening activity launched in Tanzania and as such is a pioneer in terms of provision of technical assistance.

2. Brief analysis of the political context and impact on the Program.

Although multi party democracy has been in place for almost two decades in many ways democracy in Tanzania remains very much in its infancy in terms of open political space. CCM holds roughly 90% of all 295 seats in Parliament and this some might say tight rein has been further strengthened by the various opposition parties' own internal problems, in particular the Civic United Front (CUF) decision to boycott Parliamentary sittings. Recent press cuttings demonstrate that the posturing leading to the next election has already begun in earnest.

The Three-line Whip rules are rigorously enforced by CCM and as such this effectively deters individual Members of Parliament from formulating any Private Members Bills or indeed Parliamentary Questions since both of these legislative tools have to be vetted by the Party first and if not endorsed are quashed before they even see the light of day.

However despite some of these constraints there are real signs that the Parliament is beginning to assert itself and to take on its role of checking the Executive when it brings policies to the House. A prime example of this is the recent discussions that took place

within the Parliamentary Committee on Finance and Economy. The Executive had brought a Bill to the House with the aim of privatizing the National Microfinance Bank (NMB). The Executive had proposed that the State holding should be divested completely whereas the Committee argued that this would mean that the Nation would have lost its stake in a Tanzanian bank. The Executive prevaricated and tried through the media to suggest that the Committee was not making well informed arguments. The Committee for its part held firm and gathered data to support its position and eventually the Executive had to concede that the Committee was in fact correct and therefore the total divestiture was shelved and it was agreed that the State would retain a 30% stake in the NMB. This is demonstrable evidence that Parliament is beginning to assert itself and the Project interventions will really help the MPs to come to terms with their role as legislators. **ANNEX A refers.**

3. Enabling environment:

As the Project has gained momentum it has become clear that the relational issues associated with the provision of technical assistance in comparison to the relatively clear cut direct budget support which Parliament has been used to has in some instances revealed a level of bureaucracy that can sometimes hinder progress. However such hindrances have been minor and not caused insuperable problems. The work to build solid coalitions amongst reform-minded MPs that can push for changes within the Parliamentary structures enunciated by the Project are already helping to get things moving far faster than in the past. For example we know that many MPs are unhappy with the current Standing Orders which they feel stifle debate and place them in a position of merely rubber stamping policies brought before the House. They recognize that the change has to come from within and therefore have agreed to work with SUNY/Tanzania to review the current Standing Orders and devise sensitization briefings for the MPs to help them understand the significance of the Standing Orders and that these need to be amended to encourage debate and allow Civil Society to play a greater role in the legislative process. One such MP whom the Project will work with is Honourable Anna Makinda who often chairs debates in the House when the Speaker/Deputy Speaker are unavailable. MPs often remark that they see Tanzania as being the farthest behind in terms of the institution of Parliament compared to their East African counterparts. The Project will build upon such reformers in order to advocate for the changes necessary in the Parliament.

Each month the Country Director has meetings with USAID/Tanzania's Democracy and Governance Team Leader and the DFIDEA (T) Governance Advisor to update them on progress being made and to seek inputs on priorities. These formal meetings supplement the regular email/telecon traffic. There are regular consultations with the Parliamentary Projects Coordinator to ensure that Parliament fully endorse the activities planned in order to receive adequate feedback to ensure that the Workplan which is a living document remains relative to both the needs of Parliament and the priorities of both USAID and DFID. Comments received can enable adjustments to the Workplan activities to be incorporated as the Project moves through the implementation phase.

This attention to providing assistance during the climate of reform has already manifested itself in the Project's ability to provide donors with insights into the workings of Parliament and also to help avoid any duplications of effort amongst the donors. It is also clear that the scope of the Project activities also enables a more holistic approach to be adopted in delivering the technical assistance to the Parliament.

4. Summary of actual accomplishments compared to planned activities.

4.1 Program Workplan

A key component of the Workplan will be to ensure that there is real parliamentary "buy-in" and ownership to all the activities planned. This entails regular consultation with the Parliamentary Projects Co-ordinator to ensure that Parliament fully endorse the activities planned and in order to receive adequate feedback on the progress in achieving the stated Results. This has the added benefit of making the Project create a climate of reform and enable greater sustainability of the interventions. During November 2003 Sir Colin Shepherd and Dr John Hemery visited Tanzania for one week strategic program management assessment to assess the overall direction of the Workplan and to tease out any issues that might impede the attainment of the Project goals related to the forthcoming elections. The Report is attached at **ANNEX B**. The Project is now in the implementation phase and therefore the version of the Workplan reflects the actual events/activities planned. **ANNEX C** refers.

4.2 Activity Summary

Workplan activities undertaken within the QR period and planned activities for January-March 2004

Previously Parliament had seemed keen to devise a Memorandum of Understanding (MOU) to reaffirm the partnership and set objectives and operational modalities. However once Parliament consulted their legal counsel it was found that the concept of an MOU would not be clear cut and therefore has been shelved. As had been foreshadowed the Speaker to Parliament formally announced the launch of the Project to the Plenary at the start of the November 2003 Session. He also took the opportunity to reaffirm his personal commitment to the Project. The Speaker's clear support for this Project provides an opening to begin to meet specific MPs and discuss specific reform measures, such as providing MPs with far more information on budgets and the economy, without the MP fearing negative fallout from the leadership. Indeed whilst in Dodoma the Speaker held three meetings with the Country Director and the British Council consultants one of which was in the company of the Prime Minister, the Attorney General and the Chief Whip where the discussions centered around the scope of the Project and the desire expressed by Parliament for help to modernize the Parliament to cope with the issues arising from a democracy in transition.

Result One: Improving Representation: Increased citizen access to and understanding of the legislative process

Activity 1.1: Improving Member-constituent relations

- A. Scope/review relationships between MPs & constituents in x7 sample areas: Dar es Salaam, Morogoro, Coast Region, Dodoma, Iringa, Mbeya and Zanzibar. Action taken: Two teams of local consultants dispatched to conduct the Review.

ACTIVITIES FOR THE NEXT QUARTER

Comprehensive review due to be submitted to SUNY in January 2004.

- B. Design of a multi faceted action plan for constituent relations on specific bills. Action taken: the evidential report containing the action plan will be discussed with the Parliament and once agreement is reached then the plan will be adopted.

ACTIVITIES FOR THE NEXT QUARTER

Agreed plan will inform the constituency hearings initiatives

- C. Design of a generic training tool for public hearings

ACTIVITIES FOR THE NEXT QUARTER

The training tool will be rolled out to at least 75 Members of Parliament.

Activity 1.2: Constituency level public hearings on Parliamentary Bills

- A. Building on evidence gathered in Activity 1.1 develop a training program to sensitize all MPs to the concept/handling of public hearings.

ACTIVITIES FOR THE NEXT QUARTER

Training to be devised to coincide with the limited timings within the Parliamentary calendar now scheduled for April 2004.

- B. Identify specific Bills relative to USAID key areas including social welfare (inc education & health) environment, women, special interest groups, private sector development.

ACTIVITIES FOR THE NEXT QUARTER

It seems unlikely that significant pieces of legislation will be tabled by the Executive in the run up to the elections in 2005 therefore SUNY in liaison with the MPs will select topical themes relative to the USAID key areas to be used as a pilot on the public hearings initiative.

Activity 1.3: Increase access to Parliament by Civil Society Organizations (CSOs)

- A. Recruitment and appointment of the Civil Society Parliament Liaison Officer to be assigned to PACT/Tz. Action taken: SUNY and PACT designed the post specification and PACT subsequently recruited Mrs. Grace Muro to fulfill the role of the CSO-Parliament Liaison Officer.

ACTIVITIES FOR THE NEXT QUARTER

Work is now in hand to provide briefing and support in pursuit of the objectives of the CSO-Parliament Liaison Officer post.

Activity 1.4: Enhance Parliament's outreach activities

- A. Review of the Department for Public Information and Civic Education role and resources and identify needs.

ACTIVITIES FOR THE NEXT QUARTER

Activity delayed due to unavailability of the Westminster specialist. To be undertaken in the next Quarter (i.e. between January –March 2004).

- B. Review content of Parliamentary website.

ACTIVITIES FOR THE NEXT QUARTER

Review to be conducted in January 2004 and that report to be included in the next QR.

Result Two: More Effective Lawmaking: Parliamentary committees make better use of research and more actively solicit inputs from civil society in the consideration of legislation in targeted sectors.

Activity 2: Strengthening committees/improved legislative drafting

A. Given the strict Party Caucus rules which hinder the ability of the MPS to bring forward Private Members Bills the strategic management consulting team have recommended that attention be focused on the formal Committee operations to help MPs more effectively carry out their legislative role. Action taken: work is now in hand to work with the individual Committees to enhance their overall performance.

ACTIVITIES FOR THE NEXT QUARTER

SUNY will review the thematic areas which attract Parliamentary Questions and seek to encourage MPs to consider raising questions on the key USAID priority areas an example of which is that of HIV/AIDs.

B. Work to enhance the level of service provided by the Committee Clerks is under development. Action taken: in December 2003 x12 high quality desktop computers were procured under the auspices of the Project and delivered to Dodoma. This will enable the C/Clerks to generate Committee reports in a far more timely manner. SUNY will also conduct an assessment of the need for some basic IT skills training as well as a needs assessment of the need for English Language training which has been identified is a weakness amongst the C/Clerks who have to fluent in both English and Kiswahili and knowledgeable on Parliamentary terminology.

ACTIVITIES FOR THE NEXT QUARTER

SUNY will be carrying out the language training needs assessment and will liaise with VETA with a view to devising a bespoke basic IT skills training course for both the C/Clerks and the Research Officers.

Activity 2.1: Enhancing Committee operations.

A. Development of a best practice guide to Committee operations will flow from the work with the Committee Clerks.

ACTIVITIES FOR THE NEXT QUARTER

Monitor the progress of Activity 2B above to judge the feasibility of devising a Committee operations guide.

Activity 2.4: Increase access to research materials and services

A. There are x4 Research Officers servicing over 240 MPs (i.e. excluding the Ministers etc) and these staff were sharing x2 personal computers. Action taken: therefore using Project funds x2 personal computers and a laptop computer were procured to enable each Research Officer to have the necessary tools to discharge their duties in support of the MPs.

ACTIVITIES FOR THE NEXT QUARTER

SUNY will include the Research Officers in the planned needs assessment for some basic IT skills training together with the C/Clerks as both these groups share many common tasks.

Result Three: Enhanced Management and Administration: increased quality and efficiency of service delivery to all Members by parliamentary administrative services units;

Activity 3.1.A: Development of holistic modernization plan for the Parliament.

Action taken: in abeyance until a review of the previous UNDP and AWEPA reports and interventions have been comprehensively reviewed. Findings will be discussed with Parliament.

ACTIVITIES FOR THE NEXT QUARTER

Reviews to be completed and proposed way forward to be submitted to Parliament.

Activity 3.1.C: Improve organizational effectiveness of Parliament.

ACTIVITIES FOR THE NEXT QUARTER

Given that the Parliamentary Commission have a Human Resource Report which was funded by UNDP and SUNY has been advised that the Report makes some quite radical recommendations for change that Report will have to be reviewed to avoid duplication of effort in this area.

Activity 3.3: Consider the establishment of a training unit for new MPs and staff.

Parliament have asked for SUNY to consider the role of the establishment of the East African Parliamentary Institute in Nairobi and whether this could effectively impact on the creation of a Tanzanian training unit.

ACTIVITIES FOR THE NEXT QUARTER

Working with SUNY/Kenya with a view to assisting with organizing a meeting between the three East African Clerks to Parliament to discuss the merits of establishing the East African Parliamentary Institute. Once agreement at that level is reached then further discussions will take place as to the appropriateness of creating a training unit in Tanzania.

Result Four: More Effective Oversight: Increased legislative capacity to monitor public expenditure and oversee implementation of the Poverty Reduction Strategy.

Activity 4: Amplify the role of Parliament in the national budget process and public Expenditure.

A. Work to assess the basic level of budgetary analysis skills amongst MPs is underway and this will then inform activity B.

ACTIVITIES FOR THE NEXT QUARTER

In liaison with the Chairperson of the Parliamentary Committee on Finance and Economy design a comprehensive training module on basic budgetary analysis skills.

B. Enhance Parliaments budgetary analysis capability.

ACTIVITIES FOR THE NEXT QUARTER

SUNY will design a 4-day training workshop geared for the needs of MPS. Workshop topics will include public expenditure reviews and Auditor General reports, international treaties and agreements (inc HIPC), fiscal decentralization modalities, prevention of fraud and corruption.

C. Cross-cutting gender considerations

ACTIVITIES FOR THE NEXT QUARTER

Review the previous POF interventions and seek to broaden the scope of those activities.

4.3: Relationships with other donors in Tanzania:

SUNY/Tanzania seeks to coordinate its activities with other donor organizations and non-governmental organizations involved in programs with the Parliament such as UNDP, the Swedish International Development Agency, AWEPA and others to ensure that there be no duplication of technical assistance activities.

— **UNDP**

The UNDP approach to Parliament has not been to provide technical assistance as per the SUNY/Tanzania model but to provide direct budget support into the Parliament based around an agreed schedule of activities. It was agreed that there was a real need to keep the respective programs in touch to avoid duplication of effort. As previously reported UNDP remain somewhat elusive in terms of information sharing and this issue has been raised formally with USAID and DFID who intend to take this matter of the lack of regular communication up within the main donor co-ordination forum.

4.4: **ESTABLISHMENT OF RELATIONSHIPS WITH OTHER ORGANIZATIONS.**

In addition, whilst the contract does not require cost-sharing, SUNY is committed to leveraging more resources for the project. To this effect the SUNY/Tanzania project team has established dialogue with the Future's Group, the Department of State, the World Bank Institute, SADC Parliamentary Forum, the Ford Foundation and others for the purpose of coordinating activities under the Project and securing additional resources.

— **The Futures Group**

The Policy Project which is jointly funded by SO1 (health) & SO3 (D&G) has been working with the Tanzania Parliamentarians AIDS Coalition (TAPAC) since its conception. The Policy Project has been providing some much need organizational and development support to TAPAC in order to help it fulfill its legitimate leadership role in Tanzanian's battle with the impact of the HIV/AIDS pandemic. Excellent relationships have been established by SUNY/Tz with both the Futures Policy Project Resident Representative and the Washington based Senior Policy Analyst as well as the Chairperson TAPAC. Detailed records of the meetings with the Futures/Policy Group are attached at **Annex D.**

However a logjam has been detected in terms of TAPAC moving forward and recent publication of the 121 page TAWLA (Tanzanian Women Lawyers Association) Report entitled "Review and Assessment of laws affecting HIV/AIDS in Tanzania". That Report, which had been requested by the Ministry of Justice and Constitutional Affairs, was published in November 2003. Whilst the TAWLA Report makes numerous recommendations for modifications to existing legislation and the preparation of primary legislation dealing with HIV/AIDS SUNY/Tanzania has expressed some concerns that without a pincher movement by Parliament to push for the HIV/AIDS legislative reforms then the very important messages contained within the TAWLA Report will be kicked into the long grass. Therefore extensive collaboration has been sought and established with the Policy Project team to get Committee Chairpersons fully briefed on the ramification of the TAWLA Report. Further details will be reported in a future QR. A detailed Press cutting about the TAWLA Report is attached at **Annex E.**

— **British High Commission:** The excellent working relations established with the British High Commission continue and indeed SUNY was given the opportunity to brief the newly appointed British High Commissioner Dr Andrew Pocock on the scope of the SUNY activity. The detailed record of those discussions is attached at **Annex F.**

— **Friedrich Naumann Stiftung (FNST):** Following SUNY's general letter of introduction to all donors working in Dar a request for meeting was received from the Eva-Maria Kohler-Renfordt, Director East Africa. FNST have been working with local councils and could

see opportunities for future collaboration. Detailed record of discussions are attached at **Annex G.**

- ⇒ **Young Parliamentarians Association:** During December 2003 the Chairperson of the Young Parliamentarians Association Honourable Lazoro Nyalandu visited SUNY to identify potential areas of collaboration.. The YPA are currently formulated their strategic plan which will be in place after the forthcoming Parliamentary elections in 2005. Honourable Nyalandu is a prominent MP and is seen as a reformer and is well regarded amongst the Executive. The notes from that meeting is attached at **Annex H.**
- ⇒ **NGO Policy Forum.** In addition to the CSOs that SUNY will work with through its partnership with PACT, SUNY has established strong links with the NGO Policy Forum who act a umbrella organization providing support to a variety of NGO/CSO coalitions. The NGO Policy Forum has 60+ members and this will mean that SUNY will have access to almost 100 NGO/CSO bodies. SUNY will seek to collaborate with the NGO Policy Forum on all activities involving the Parliament and MPs. **Annex I** refers.
- ⇒ **Watoto Salaam Trust** in early December 2003 SUNY was approached by Watoto Salaam Trust (WST) with a request to fund a two day workshop for the children's committee of a suburb of Dar es Salaam. Watoto Salama Trust (WST) is a Tanzanian Non-Governmental, Non-Political, Non-Religious Organization founded in 1998 and officially registered in 1999. WST has been running programs that are geared towards promoting children's rights, through support for disadvantaged children, including street children and orphaned children, WST has been providing life skills training to pupils on Primary Schools, fighting against the spread of HIV/AIDS and has been involved in poverty alleviation initiatives. WST programs have been focused in Kinondoni District in Dar es Salaam. Kinondoni District is one of the three Municipalities that make the Dar es Salaam City. The size of Kinondoni District is 531km² covering both rural and urban areas. The Children's Committee had asked WST to try and organize an event where they could interact directly with Members of Parliament to find out how the legislative arm of Government worked and to identify areas were the children could advocate for their specific cause. The event proved very worthwhile and the Children have been invited by the MPs to attend a Session of Parliament in Dodoma during the Summer. The report arising from the event is attached at **ANNEX J.**

5. Explanation of any obstacles encountered during program implementation and actions taken to address them/summary of lessons learnt.

This is the first substantive legislative strengthening activity in Tanzania. For many the concept of the provision of technical assistance such as that enshrined in the Workplan is a new approach in working with the Parliament. The Project team seeks in all its interface activities with Parliament to ensure that MPs have a realistic expectation of what can be delivered but with the reassurance that SUNY/Tanzania is always mindful of the need to attract additional funding/interest from the donor community. This has become an important mantra that is stressed now that the Project is in implementation phase.

One of the impediments to achieving the timelines is that any activities involving the MPs have to be timed to coincide with the Parliamentary Sessions which occur just four times a year with the exception of the Budget Session, which runs from June to August, all other Sessions are only for a fortnight duration and are proceeded by two weeks of Committee

work in Dar es Salaam. By trying to ensure that all activities with MPs coincide with the Parliamentary Sessions the Project seeks to avoid the payment of attendance allowances.

The Clerk as CEO is supported by Mr. Kashililah who is woefully over-worked and operates as a singleton within his own Unit (he also avoids traveling to Dodoma and we have observed that he has become increasingly out of touch with the management issues in Dodoma). This often means that when Mr. Kashililah is out of the office things grind to a halt. In addition to emails and telecons, regular meetings are held with Mr. Kashililah to provide him with a review of the past quarters activities and a forward look on the up coming activities to ensure the buy –in to the Workplan remains focused. This is further augmented by the SUNY team continuing to build strong relationships within the individual departments of Parliament and the reformer MPs in order to flush out issues associated with the implementation of the Workplan.

7. Performance indicators/program outputs (including reporting of performance data compared to target and baselines)

Following very useful inputs from USAID and DFID the draft performance indicators to be adopted for the Project will be tested by the USAID monitoring and evaluation specialist in January 2004. Thereafter these will be applied to the Project and will form the benchmark by which the success of the Project will be measured. **ANNEX K** refers.

8. Explanation of any administrative/financial issues and actions taken to address this.

As the Project has begun to settle down the problems observed with the processing of tax exemptions claims have reduced considerably.

ANNEX A

WEDNESDAY, DEC 3, 2003

Mramba, now you are rightly talking on NMB

THE Minister for Finance, Basil Mramba, last Monday urged Tanzanians to come forward and buy Government shares in the National Microfinance Bank (NMB). This bankers set for privatisation soon.

Opening the 13th Conference of financial institutions at the Arusha International Conference Centre (AICC), Mramba said Tanzanians who would team up with other local investors would be given preference in buying shares in NMB.

He in fact put it clear that potential local shareholders should be aware that foreign investors would be invited to buy shares in the bank as minority owners.

Explaining why NMB must be privatised, Mramba said the aim of creating NMB was to create a strong micro-finance institution capable of lending, but it had failed to do so until now.

He said private partners would be those with experience in micro-finance as well as extensive commercial banking.

Mramba said the Government would remain an important shareholder for a long time to safeguard national interests and to ensure NMB becomes a true bank of the poor.

On economic reforms initiated by the third phase Government in 1996, Mramba said the reforms had enhanced macroeconomic stability, but emphasised the need to ensure the real results reach the pockets of the ordinary Tanzanians.

What is underscored here is the service to the poor, and we absolutely support it as that is going to be pragmatic rather than rhetorical.

As said above, the reason why NMB must be privatised is for the express purpose of creating a strong micro-finance institution capable of lending particularly to common people.

Of course with the NMB in place, some progress has been achieved in the provision of financial services to the poor in rural areas.

Now that the Government has decided not to wholly replace the bank, it is for the benefit of the poor. We are expecting, if we go by the recent trend in the country, we hope that the bank will fulfil its role in the education of the poor.

FRIDAY, NOV 14, 2003.

Mramba tables NMB bill in House today

From **DAILY NEWS**
Reporter in Dodoma

FINANCE Minister Basil Mramba today tabled the National Microfinance Bank Limited Incorporation (Repeal) Bill, 2003, which paves the way for the privatisation of the bank.

Under a consensus reached between the government and ruling party CCM Members of Parliament, the government will sell 70 per cent of its share to the bank.

However, only 49 per cent of the shares to the bank would be sold to a consortium of strategic

investors led by a commercial bank, having proven experience in banking business.

The government will retain 30 per cent of its shares in the bank and 21 per cent will be sold to citizens of Tanzania or a body corporate whose beneficial interest is held by citizens of Tanzania or held by companies whose share capital is wholly owned by citizens of Tanzania.

The bill repeals the National Microfinance Bank Limited Incorporation Act, 1997, and amends the National Bank of Commerce (Reorganisation and Vesting of Assets and Liabilities) Act, 1997.

The Parliamentary Finance and Economic Affairs Committee met the

whole afternoon yesterday under its chairman, Mr Njelu Kasaka, to scrutinise the bill before it is tabled in the House today.

Prime Minister Frederick Sumaye, Mr Mramba and senior government officials, including Bank of Tanzania Governor Daudi Ballali had this week held several meetings with GCM legislators to convince them to allow the planned sale of the undercapitalised bank to proceed.

The government and lawmakers had since January been locked in a tug-of-war over the sale of the bank.

The government had initially wanted to make an outright sale of the bank while MPs demanded that the bank should remain under

the control of Tanzanians. President Benjamin Mkapa has made it clear that the government was not ready to continue subsidising NMB, declaring publicly that the bank was a burden to the government.

NMB was formed under an Act of Parliament on October 19, 1997, following the split of the former National Bank of Commerce Limited, which has 95 branches and six agencies in about 96 per cent of all districts in Tanzania.

Total deposits and assets stood at December 31, 1999, at 174bn and 184bn, respectively.

There were 927 employees at the same date. But due to its undercapitalisation, the bank operates under provisional banking licence.

MPs reject NMB sale once again

From DAILY NEWS Reporter in Dodoma

THE saga over the planned privatisation of the National Microfinance Bank (NMB) took a new twist yesterday when ruling party Members of Parliament once again rejected attempts by the government to table a bill in the National Assembly for



MR Frederick Sumaye

the sale of the bank. A meeting of ruling party MPs chaired by Prime Minister Frederick Sumaye in Parliament here failed yet again to come to a conclusion over how or if the bank should be privatised. There was no let up in the tug-of-war between CCM legislators and the government over the fate of the bank when a caucus meeting of ruling party MPs met to discuss the fate of the bank.

Sources close to the meeting said Mr. Sumaye, who was helped by Finance Minister Basil Miramba, could not convince the MPs to agree on the privatisation of the bank.

Some CCM legislators clearly said that they feared the privatisation of the bank would make them lose their parliamentary seats in the 2005 general elections. They

maintained that the sale of the bank was an unpopular move. Reports say a Cabinet meeting that met here for two days last week under the chairmanship of the Vice-President, Dr. Ali Mohamed Shein, discussed the privatisation of NMB.

According to the reports, the Cabinet meeting had decided to return the issue of the privatisation of the bank to the ruling party MPs to seek their support before it was formally brought to the House.

The NMB's former Executive Officer, James Nchimbi, was widely believed to have resigned mid-last year over the controversy, although reasons for his resignation were not made public.

President Benjamin Mkandawire has made it clear that his government was not ready to continue subsidising

NMB. The president publicly declared this on Labour Day this year that NMB was a burden to the government.

He said the government has subsidised the bank with 7.2bn/- since its inception. This is 60 per cent of NMB's 12bn/- operational costs over a period of three years.

NMB was formed under an Act of Parliament on October 1, 1997 following the split of the former National Bank of Commerce Limited.

It has branches and agencies represented in about 16 regions and districts in Tanzania.

Total deposits and assets as at December 31, 1999, were 174bn/- and 138,246m/- respectively.

The over 22 employees at the Simanungu District office under privatisation, the bank's former CEO, must now start to find alternative

House passes Co-operatives Bill

From DAILY NEWS Reporter in Dodoma

THE National Assembly yesterday endorsed the Co-operatives Societies Bill, 2003.

The Bill is aimed at making better provisions for the formation, constitution, registration and operation of co-operative societies in the country.

The endorsed bill will enable members to determine their own co-operatives

structure and destiny, build their share capital through members' contributions.

The legislators envisaged that such capital would be used by co-operative members to access bank loans, thus operate under conditions that would reduce dependence on government assistance.

Contributing to the proposed bill before it was endorsed, Members of Parliament asked government leaders at all levels to be members of societies in their

localities.

Mr. Jackson Makweta (Njombe North CCM) said it was useless for government leaders to propagate for co-operatives when they do not belong to any society in their localities.

He said co-operatives were the only way out for the people to rid themselves from poverty.

Dr. Wilbrod Saa (Korumbi-Chadema) asked for removal of a clause that compels people to make a feasibility study before application to

form a co-operative society.

He said such a condition would complicate the registration of co-operative societies, as there would not be enough experts in the rural areas.

Mr. Henry Shekifu (Lushoto CCM) asked the government to allow co-operative societies to sell their crops anywhere they want.

He said forbidding people to sell their products where they want did not augur well with this era of globalisation.

ANNEX B

SUNY / Tanzania
Technical Assistance for the Strengthening
of Tanzania's Union National Assembly

Preliminary Strategic Management Assessment

2 - 8 November 2003

Summary:

Positive impression of an institution on the move. Beginnings of consciousness of itself and its role distinct from government. New system of Standing Committees just bedding in, which begins to resolve a number of key impediments to effective parliamentary oversight. Important physical, human and political obstacles to Parliamentary development remain, however, which serve to influence the shape and methodology of the project. Workplan is valid but notably ambitious, and not all proposed activities may prove to be feasible.

Detail:

Sir Colin Shepherd and Dr John Hemery had the opportunity of consulting widely across Parliament. In the course of five days in Dodoma and Dar es Salaam discussions were held with thirty representatives:

The Speaker

Prime Minister, Attorney General and Chief Whip

Leader and Deputy Leader of the Opposition

Chair of the Public Accounts Committee

Chairs and Members of the portfolio Committees on Finance and Economic Affairs,

Investment, Trade and Minerals, and Foreign Affairs

Chair of the Committee on Privileges

Vice-Chair, Secretary-General and backbench Member of the Women's Parliamentary Group

Two Backbench MPs: one CCM, one CUF

Three senior Clerks

Director of Library and Research Services

Parliamentary Correspondent, Habari Corporation

UNDP were consulted in order to ensure that this project's activities are appropriately related to other development assistance to Parliament:

We are most grateful to Mr Speaker and to all Members and Staff of Parliament for their warm welcome and for the generous time they gave in the midst of a busy Session to discuss with us their vision for Parliament.

We are equally grateful to Mr Tom Cowin and staff of the British Council office in Dar es Salaam, and especially to the team at SUNY Tanzania, under the leadership of Ms Donna Bugby-Smith, for the effective and comprehensive arrangements which facilitated this study, and for their kind hospitality.

PART I

The Current State of Parliament:

1. We formed a positive impression of a vibrant institution on the move, comparatively well-housed and well-equipped but with shortfalls.
2. A great deal of technical training and exchange with other national parliaments has been completed. A regular series of seminars on issues related to legislation coming before Parliament has been instituted. Administrative reforms have been made recently which are capable of improving efficiency and effectiveness.
3. In particular the new system of Standing portfolio committees, implemented with the assistance of UNDP, is just bedding in and could resolve a number of key impediments to parliamentary oversight. Membership of a given Committee is voluntary, but the Speaker appoints members with professional experience and expertise relevant to the Committee's remit, and with a view to the fair representation of political parties, gender and region across the system as a whole.
4. The practice now is that, normally, Bills are laid in the Session before they are to be debated, thus for the first time giving MPs and Committees time between Sessions to carry out research, to consult stakeholders and to prepare for effective consideration of issues before Second Reading. Some Committee Chairs already have clear ideas on how their Committee's operations could be made more effective. Parliament appears to be gaining consciousness of itself and of its proper role in governance distinct from Government.
5. Important obstacles to Parliamentary effectiveness remain, however. These are principally physical, human and political.
6. The physical obstacles have to a considerable extent been remedied already. The Parliament buildings appear to be sound, and are clean and well-maintained. The Chamber, though cramped, is well-furnished, with a good audio system and ample gallery space. (The side galleries, however, including the press gallery, are unfortunately physically corralled). MPs have no dedicated office space, but the parliamentary precinct has five storeys of well-appointed and air-conditioned rooms in which Members can meet and talk in public or private. Hansard is produced on site daily. Internet access is available, and more terminals are on order.

7. The key remaining physical deficiency is the information system. Parliamentarians need access to more information more readily in order to do their work properly. The library and research functions are not presently configured to be able to deliver this essential service effectively. Much of the Library stock is obsolete. Consideration might be given to the creation of a continually updated system of current reference works and journals, both in hard copy and on CD-Rom, and to arranging materials thematically according to the subject areas covered by the Standing Committees, thus assisting MPs in self-directed research. Given the new committee system, a proactive programme providing MPs with relevant background materials on upcoming issues and legislation could well find a welcome reception from Members.
8. ~~Parliament has just announced its intention to build a new Chamber complex adjacent to the current precinct, to be completed within two years. If appropriately equipped this new structure would remove at a stroke any physical drawbacks currently affecting Parliament's work.~~
9. The second main obstacle to Parliament's effectiveness is deficiencies in human resources. Most importantly there are too few clerks to service the new Committee system effectively. Each Committee at present has only one clerk; a minimum of two are required for most of the Committees, especially those dealing with two or more Ministries.
10. Fortunately, the 2004-5 budget provides for the salary costs of fifteen new Clerks. If the new appointments are made at the intellectual and educational level appropriate to the responsibilities of a clerk they could dramatically improve the performance of the Committee system. Intensive training of the new recruits would need to be an urgent priority in the period leading up to the induction of the new Parliament after the General Election in 2005.
11. All the existing clerks are well-educated and have had the benefit of extensive training, including not less than three foreign attachments each. Not all, however, have the specialist knowledge required to enable them to advise and support their Committee in its deliberations.
12. The interim periods between the end of one Committee session and the start of the next should provide the opportunity for them to research and read themselves in to the subjects to be addressed when their Committees next meet. If formally introduced as a standard practice, this would have a useful effect in cumulating Parliament's knowledge base.

13. If the clerks are to be able to do the job entrusted to them, at least as important as their own capability is MPs' awareness of the role the clerks play in their work. It seems that not all MPs yet fully appreciate that a clerk is not a personal domestic servant, but a professional colleague without whom Parliament could not function. Part of the Project Workplan is specifically shaped to address this misperception. Committee Chairs will appreciate the importance of establishing clear and firm guidelines for the appropriate relationship between Members and clerks.
14. We note that UNDP has reported already on the deficiencies of the Library. The research service also merits attention. Parliament would benefit from a careful study of both management and function in this area in order to enable the library and research staff to perform at the level and with the flexibility that a dynamic modern legislature needs. This study should include an in-depth review of current acquisitions policy and process, and of the relationship between the research function and the library function. A needs analysis and follow-up attachment by a senior member of the House of Commons Library staff would be a useful first step. A degree of reorganisation of personnel may be appropriate.
15. A third vital dimension of human resources development in the permanent staff of Parliament is management. Where decision-making is highly centralised, managers and staff may have difficulty in developing responsibility and self-confidence. Motivation and performance can suffer correspondingly. This clearly is at least in part a matter of organisational culture, but Parliament as a working system will be unable to progress much further without effective delegation at the operational level.
16. The third main obstacle to Parliament's effectiveness arises out of current domestic politics. This is a dimension specifically *outside* the remit of this project, and is mentioned here only because appropriate assistance to a political institution cannot be determined without regard to the political dynamics driving that institution.
17. It might be thought that the huge majority enjoyed by the CCM constitutes a problem, making it very difficult for opposition parties to have an effective voice. But lopsided representation is a feature of many parliaments. The critical divide lies, rather, between progressive and conservative MPs, regardless of party.
18. The Speaker's 'Handbook for New Members of Parliament' articulates clearly the current Tanzanian view and practice that whilst there is scope for vigorous questioning in the Party caucus, it is in the end the primary responsibility of Members of the ruling party to support the Government.

19. There can be no objection to this approach as such, only to the degree of flexibility with which it is applied. As is not unusual in Commonwealth parliaments, the Speaker is a senior member of the ruling party; the distinction between Parliament and Government consequently is blurred. There is thus a dichotomy between the traditional role of the Speaker as guardian of the rights of the backbencher and the natural wish to see that the Government gets its way.
20. With Party discipline severely applied, there is little scope at present for Parliament as a whole to develop a collective identity, capable of exercising oversight on behalf of all the people of Tanzania, and unrelated to party politics. (The new Committees do seem to be capable of exercising this function, each in their own sphere.)
21. It appears that this self-limitation is sustained by some experienced Members who remain uncomfortable with transparency, resisting in practice Parliament's declared intention to involve the wider community in their deliberations, with greater public access to information and more open consultation.
22. However, this clearly is a parliament in transition. It is for Tanzanians to evolve the parliamentary system with which all Tanzanians can identify fully. A project such as this can only assist in empowering Parliament as an institution with the systems, knowledge and skills which will help to facilitate that evolution, recognising in the process that not all in Parliament and Government equally welcome change.

Recommendations

23. The Workplan is notably ambitious. Many of its provisions are well-attuned to parliament's priority needs, particularly in support of the Committee system and its oversight function, as well as of the information systems and outreach programmes of Parliament. There is considerable scope for positive assistance, though the range and number of interventions are likely to be more limited than perhaps originally had been thought.
24. In particular, efforts and resources need to be applied to programmes of civic education. The short period between now and the General Election needs to be used to generate a better awareness amongst constituents of what can and properly should be expected of their MP, rather than to assisting the MP's own activities which naturally will become ever more directed towards securing re-election.

MP Development

25. Of the 295 MPs at present, 155 are graduates, of whom 41 have second degrees and 16 have doctorates. There is thus a core of educated parliamentarians with the capacity and academic experience to make use of research and information services.
26. This project should build on that intellectual potential to raise the competence and self-confidence of Parliament as an institution. A key starting point should be the empowerment of the Committee system.
27. The Speaker appoints those with relevant professional and technical expertise to the appropriate portfolio Committees. They are appointed for two and a half years in the first instance (half a parliament). This in itself is an important advance on the old system in which the membership of Committees changed annually.
28. The new pattern of Bill consideration includes a period of two weeks both before and after each Session when Members' allowances are paid to enable them to attend for Committee work. The Speaker has begun already to use these preliminary and follow-up periods for topical seminars (as, for example, on the background to and provisions of the Merchant Shipping Bill which came before the House during the current Session).
29. We propose that this Project's workshops and seminars become a regular feature of the Committee weeks (or, as may be appropriate, scheduled in the days immediately preceding in order not to trespass on already limited Committee time).
30. The seminars and workshops should draw principally on Tanzanian resource people, with an admixture of outside expertise as may be appropriate and affordable.
31. For the benefit of new Members, in the period following an election the series also should address generic parliamentary competences, such as knowledge and use of the Standing Orders, formulating and following up Parliamentary Questions, speechwriting and speechmaking, chairmanship, committee work, and the roles of the MP.
32. At present not all MPs are as fully aware as they might or should be of the Standing Orders governing the operation of the House and how the rules relate to MPs' roles and opportunities. There is an expressed need for a simplified version of the Standing Orders to be issued to all new Members on induction, along with the full current (and to some, apparently, impenetrable) Standing Orders themselves.

33. This Project could provide for the translation of the recently amended Standing Orders into English, the production of a simplified thematic guide to their meaning and use, and for its re-translation into Kiswahili.
34. As is to be expected there is steady demand for study visits abroad. We can see little reason to include many visits in this programme. Members appear to be able to draw down either their own or donor resources for extensive foreign travel, and costs can be disproportionately great in relation to demonstrable improvements in parliamentary awareness or performance.
35. Conceivably the programme might fund one or more joint experience-sharing workshops for parliamentarians from some relevant member states of SADC, thus encouraging the further development of the already well-established pattern of SADC parliamentary co-operation. Otherwise resources should be devoted to developing and consolidating indigenous processes of self-development.

Research Capability

36. We do not recommend pouring any significant new resources into the Library. Rather, assistance might be limited to re-organising its existing collection thematically according to the areas of Standing Committee responsibility, which would assist coherent and cost-effective acquisition, and also would assist MPs in finding information quickly and efficiently.
37. Training should be offered to librarians in performing their proper roles, and in proactive preparation of materials to support Members' investigations relating to Bills under consideration.
38. With regard to the Research Service there is a debate to be addressed: whether to attach researchers to Committees, or to deploy them as sectoral specialists able to be called on by all Members as needed. Either way, the number of researchers needs to be increased substantially.
39. The natural use of Kiswahili in the House, and the unsurprising fact that it is frequently the only language of a Member, indicates the important need for online material – almost universally in English – to be put in digest form into Kiswahili in order for it to be useful to Members. Researchers therefore will need to be fully bilingual in order to accomplish this task.
40. The British Council may wish to discuss with Parliament the possibility of providing a programme of English language training for Members and key staff of Parliament.

Civic Education

41. It is clear that Parliament itself, and what should and should not be expected of MPs, is inadequately understood by many Tanzanians.
42. It is also clear that there is caution in government and amongst MPs about the proliferation of CSOs, not all of them *bona fide* and a number formed simply for the purpose of raising money and incapable of adding value.
43. This mutual incomprehension and mistrust highlights the importance of an effective programme of civic education. A number of initiatives are already under way. PACT Tanzania is a central co-ordinating mechanism for the CSO movement. Since PACT Tanzania is a partner in this Project, efforts made by SUNY should be fully integrated with the PACT programme and network of Tanzanian CSOs.
44. In addition to efforts in support of civic education there is also being rolled out a UNDP Basket programme of support for the election process in 2005, the lead donor for which is the United Kingdom.
45. That programme will have a Programme Management Unit to be chosen by tender. The SUNY Tanzania office should consider bidding for that responsibility. It would involve expanding the ambit of the Project to embrace voter education and registration and overseeing a large programme of election monitoring, but those activities would be entirely consistent with and complementary to the parliamentary support activities already undertaken. Well-qualified personnel and essential administrative systems are already in place. Moreover, the integration of the focus on Parliament with the focus on the wider community and the electoral process could only help both processes of enhancing democracy in Tanzania.

Duration of Project

46. The existing Work Plan is due to run until mid-2005. Given that there has been an unavoidable delay of more than five months, consideration should be given to extending the programme at least until early 2006, in order to embrace the induction period of the new Parliament, and to ensure the continuation of the processes and programmes engendered between now and the end of the current Parliament.
47. This consideration of the political timetable is important as already MPs are beginning to focus on the process of re-election. From mid-summer next year wider considerations of parliamentary development may well take second place at best in their thinking.

48. Given the likely turnover in Members of Parliament (forecast routinely as being likely to exceed 50%), it is essential that the lessons learned and progress made in parliamentary consciousness is carried over into the new parliament. Efforts should be made in the meantime to concentrate the project on growing the institutions of parliament, so that the lessons learned are not lost with Members who are not returned.

PART II

Observations on Implementation Strategy

The Workplan proposes a large but unspecified number of activities, perhaps giving rise to expectations which cannot be realised. The next stage of project planning should seek to define precisely the number, form and order of priority of those activities.

Attention is drawn below to a number of aspects of the programme which may merit further thought.

Result 1

Activity 1.1

1. Because of the unavoidable developmental aspect of constituency relations. Members require training in the design and writing of proposals for the funding of small development projects.
2. The proposed Bunge Foundation field trips should be aimed not at putting into practice lessons learned in workshops, but following through, on a case study basis, successful examples already working elsewhere.
3. It is too late in this Parliament to explore the role of the MP, but with the expectation that more than half the Members of the 2005 Parliament will be new Members, seminars and workshops on MPs' roles and their relations with the Executive, CSOs and the media will need to be designed and pilot tested between now and then.

Activities 1.2 and 1.3

4. These two strategies are closely related. An important factor to take into account is the forthcoming Bill to amend the Constitution.
5. There are two sides to the training aspect of 1.2: that of the Parliamentarians, and that of the staff supporting Committees. The training should be done separately, but cross-referenced so that MPs get to know what is the role of the Clerks (and to respect them for their abilities accordingly), and the Clerks are helped to understand MPs in their dealings with them.

6. Whereas the Clerks can be involved as a whole in one programme using experienced Clerks as resource persons, it could be useful to look at offering one-day programmes separately to each of the Standing Committees in the new Parliament early after their establishment in 2005/6.
 7. On a Constituency basis – on the understanding that constituency means the electoral district – workshops should be held as soon as possible to derive a ‘guide to best practice in setting up and conducting public hearings’ for constituency MPs. This guide would become a useful work of reference for new and experienced MPs alike in the future.
 8. The initial effectiveness would be tested in constituencies identified in liaison with the Speaker to Parliament, and then hopefully in place for all Members to refer to by the time the Constitution Amendment Bill is published.
-
9. On a Committee basis, there are two types of public hearing: one where the Committee is sitting in legislative mode – receiving evidence and representations relating to published Bills – and the other where it is in scrutiny and investigative mode. In this latter instance it will wish to go out to a District or Region to hear evidence from local people or organisations.
 10. The current targets are Health & HIV/Aids education, natural resources management and private sector development. It is urgent that the Standing Committees with these targets in their portfolios should be the first to be involved in seminars with relevant CSOs (identified with the assistance of PACT Tanzania) so as to secure the ‘expected outcome’ of Activity 1.3, and to equip the Committees to conduct appropriate public hearings in relevant locations away from Dar es Salaam and Dodoma.
 11. Each Committee might identify a line of enquiry it would like to pursue; a delegated group (perhaps the Chair plus five members) would then go out and conduct the hearing.
 12. In respect of Activity 1.3.1, PACT Tanzania could facilitate workshops for CSOs to prepare them for briefing MPs and making succinct and relevant representation.

Result Two

13. Committees have no powers to initiate Bills. Likewise they have no power to amend – only to suggest amendment – hence Bill drafting skills are not needed.

14. Given the new scope for committee work afforded by Mr Speaker with his revision of the parliamentary timetable to allow two weeks of attendance before and after Sessions, consultancy activities in conjunction with the various stakeholders should review how existing practices might be developed to improve – if necessary – scrutiny, input of research and digest of representations received.
15. For the new parliament, workshops for Committee Chairs and Vice-Chairs should be conducted with the aim of enhancing skills of chairmanship.
16. With regard to the question of Bill tracking, accuracy will not be reliably achieved without there being full recording and transcription of the Committee proceedings when evidence is submitted in the presence of the Minister responsible, and is discussed by Members. In this way there can be no doubt about any evidence provided or undertakings given.
17. Repeated reference was made to the key function of the Standing Orders, and to their importance in protecting the rights of the various participants in the proceedings of the House.
18. It would be helpful if there were to be a reliable translation of the Standing Orders into English so as to enable the Project Team to work with Mr Speaker and the Clerk to the Parliament to develop relevant workshops, especially in respect of the three key outputs identified. These could be trialled between now and May, 2005, in order to have been proved in time for the new intake of Members following the election.
19. In respect of increased access to research materials and services, additional factors to be recognised and taken into account are:
 - (a) what is practicable for Members in meeting their needs, given the varying standards of infrastructure within which they operate and the progress that may have been achieved or not in providing Members with purpose-built constituency offices; and
 - (b) the prevalence of the English language in research materials available online.
20. The availability of a laptop for research when in a remote part of the country will not be of great help if there is no reliable landline connection, and if the MP is versed only in Kiswahili.
21. This suggests that a key factor in any National Assembly-based research service is the facility to take material published howsoever in English and to digest it accurately into an effective Kiswahili form.

22. The development of a multi-faceted programme for Members emphasising the importance of good quality research needs to be completed and tested prior to May, 2005, in order to be in place to assist in shortening significantly the learning curve of new Members later in 2005 and in 2006.
23. In developing the full capability of a Research Service, consideration should be given to opening up lines of communication between government departments in respect of factual information, as well as with bodies dealing with cross-cutting issues such as the Vice-President's Office's Poverty Monitoring System and the PER Secretariat.
24. Similarly, a suitably qualified member of the Research Service should be enabled to access the Finance Ministry's econometric model, in order to assist MPs in analysing the consequences of proposed and possible fiscal and monetary measures.

Result Three

25. The announcement by Mr Speaker that there is to be a new Parliament building in place by July, 2005, will have a bearing on what further improvements to the existing infrastructure it may be appropriate to contemplate between now and then.
26. Similarly, in respect of Activity 3.1, the Parliamentary Commission has at an advanced stage of development a plan for the restructuring of management, which is due for adoption shortly. When the new structure is published it may be desirable to see what support then might be helpful.
27. With regard to the proposed Internship programme at Parliament (Activity 3.2), it will be desirable to emphasise the importance of gender balance, as well as inclusivity from the various parts of the Union.
28. There is a need (now well-recognised in Commonwealth Parliaments) to provide new Members with induction training and ongoing professional development in parliamentary practice (Activity 3.3).
29. The basics should be provided just as soon as possible after a General Election, with a more advanced session a few months later by which time Members have become more aware of the Institution and of what they need to know. These elements need to be specific to the Tanzanian National Assembly.

30. At a later stage Members will be better prepared to draw full benefit from international exchange and from sharing experience with MPs from other legislatures.
31. A programme of continuing professional development will be required also for the Parliamentary Staff as a career progression structure develops.
32. A programme of sensitisation for senior and middle-ranking civil servants on developments within Parliament could help to further productive relations between Parliament and Government.

Result Four

33. Between now and 2005 there will be two further 'budget episodes'. Accordingly, early steps need to be taken to secure greater understanding of the practical issues involved in budgetary scrutiny, of both the spending and the revenue-raising aspects. Experienced Members and Chairs of Committees could be involved in the development of the workshops required (Activity 4).
34. Parliament's role in the national budget process is an essential component of the induction programme for new Members. The style and content of that module needs to be tested and refined over the next two budget cycles.
35. Likewise the Local Government dimension needs to be addressed since this constitutes a vital part of the understanding a Member has to have of what is going on in his/her constituency.
36. In parallel with these fundamental studies more advanced topics such as HIPC and PRSP, poverty policy, treaties and donor loans/grants can be addressed in short, focussed briefings or seminars during the pre/post sessional committee periods.
37. The involvement of CSOs in this process supports Activities 1.2 and 1.3.
38. The enhancement of Parliament's budgetary analysis capability (Activity 4.1) is largely dependent on the quality of the research analysis provided. In this respect, the training of Clerks in the budgetary process is also essential.

39. With regard to the cross-cutting gender dimension (Activity 4.2) it is once again desirable to look beyond the 2005 election. At present there are 48 special seats for women, 21 of whom derive their mandate from being top of their Party list in their respective regions (if their Party has secured a majority of the votes cast). The remaining 27 are selected by their Party from a national 'basket' of those having just missed election in their regions.
40. The indication is that the number of women seats will be increased (in compliance with the Beijing Conference objectives), bringing the total membership of the National Assembly to 350.
41. This substantial increase would make it imperative to have a strategy in place, piloted between now and 2005, to equip those new women Members with the knowledge and skills already identified, together with additional training in advocacy.
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42. Consideration should be given to ways in which the activities of this Project in support of women Members of Parliament may serve to complement the British Council's 'Politicians of the Future' programme.

Sir Colin Shepherd
Dr John Hemery

Dar es Salaam
8 November 2003

ANNEX C

RESULT ON IMPROVING REPRESENTATION

1.1 IMPROVING MEMBER-CONSTITUENT RELATIONS

- A Conduct review of relationships between MPs & constituents. Use sample cases (Mwanza, Morogoro and Iringa, Dar es Salaam, Mtwara & Zanzibar)
- B Develop manual "toolkit" for MPs to improve constituent relations. Followed by public hearings on specific bills
- C Develop constituent workshops for MPs on the role of an MP & the interface issues associated with constituents, CDA and the Executive. Workshops will focus on building standards and relations around budgetary resources management, HIV prevention & micro-enterprises development
- D Train MPs to attend their relationships with the local community which issues development issues with them that can be incorporated into their training when considering the priorities within the Parliament (2004)
- E Field MPs to be equipped to schedule their relations with MPs to put into practice the measures learned from the workshops

1.2 CONSTITUENCY LEVEL PUBLIC HEARINGS ON PARLIAMENTARY BILLS

- A Develop training programme to educate parliament on appropriate hearing expert knowledge, constituent representation of the parties and incorporating local society into the process. Engage members of the MPs and the constituent levels. Development of training materials including guides
- B Conduct 1000+ workshops to reach MPs to understand and therefore use the public hearings initiative
- C Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used

1.3 INCREASE ACCESS TO PARLIAMENT BY CIVIL SOCIETY ORGANISATIONS IN KEY SECTORS HEALTH, EDUCATION, NATURAL RESOURCES MANAGEMENT & PRIVATE SECTOR DEVELOPMENT.

- A Conduct 1000+ workshops to reach MPs to understand and therefore use the public hearings initiative
- B Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- C **Assessment of the current roles/relationships between Parliament and CSOs**
- A Conduct 1000+ workshops to reach MPs to understand and therefore use the public hearings initiative
- B Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used

1.4 CSO EXHIBITION 2004

- A Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used

1.5 ENHANCE PARLIAMENT'S OUTREACH ACTIVITIES

- A Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- B Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- C Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- D Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- E Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- F Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- G Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- H Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- I Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- J Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used

1.6 Review & enhancement of the Parliamentary website

- A Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used
- B Develop process to train parliamentarians to conduct constituency committees on specific bills and website development. Website to be used

	July 03	Aug 03	Sept 03	Oct 03	Nov 03	Dec 03	Jan 04	Feb 04	Mar 04	Apr 04	May 04	Jun 04	Jul 04	Aug 04	Sept 04	Oct 04	Nov 04	Dec 04	Jan 05	Feb 05	Mar 05	Apr 05	May 05	
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RESULT FOUR: MORE EFFECTIVE OVERSIGHT

4.1 AMPLIFY THE ROLE OF PARLIAMENT IN THE NATIONAL BUDGET PROCESS & PUBLIC EXPENDITURE.

- A Assess the general level of budget performance analysis currently available
- B Design briefing sessions for MPs on Public Expenditure Reviews & annual Auditor General reports
- C Develop a seminar aimed at explaining/exploring the impact of the Poverty Reduction Strategy in Tanzania
- D Design briefing sessions for MPs on HIPC, International Agreements and Treaties
- E Design briefing sessions for MPs on the interface between Parliament & Local Councils vis decentralisation
- F Design briefing sessions for MPs on the role of the MoF on the disbursement of donor funds/loans and grants
- G Develop a workshop on anti-corruption/fraud avoidance in the Public Sector
- H Creation of a panel of 25 budgetary experts who can be called upon to help MPs examine and assess draft estimates
- I Discuss with the Finance Committee Chairperson the concept of the creation of a Parliamentary Budget Office similar to that in Uganda & South Africa

4.2 POLITICIANS OF THE FUTURE PROGRAM

- A Explore the mechanics of broadening the scope of the "Politicians of the Future" programme
- B preparation of a strategic plan for the women's caucus in preparation for the 2005 elections (complementary to the UNDP activities)
- C devise initiatives to ensure the women's caucus are well versed in Parliamentary practice & procedures
- D training for women MPs on design/writing of proposals to attract microfinance projects in their constituencies
- E Extension of the networking initiatives between women MPs in Tanzania to other East African legislatures

	Jan 03	Feb 03	Mar 03	Apr 03	May 03	Jun 03	Jul 03	Aug 03	Sep 03	Oct 03	Nov 03	Dec 03	Jan 04	Feb 04	Mar 04	Apr 04	May 04	Jun 04	Jul 04	Aug 04	Sep 04	Oct 04	Nov 04	Dec 04	Jan 05	Feb 05	Mar 05	Apr 05	May 05		
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TECHNICAL ASSISTANCE FOR THE STRENGTHENING OF TANZANIA'S UNION NATIONAL ASSEMBLY JULY 2003 TO MAY 2008

RESULT THREE ENHANCED MANAGEMENT & ADMINISTRATION

1.1 INSTITUTIONAL DEVELOPMENT WITHIN PARLIAMENT

Through review of the need to develop a holistic Modernisation Plan in the light of the UNDP/AVLEPA work already undertaken in the area

A Subject the review then organise & coordination of a donors conference to launch the holistic Modernisation Plan

B Review management services provided by Parliamentary Service staff

C Assessment of the operations & synergies within the existing board of managers

D Conduct a needs assessment of an efficient records management system

1.2 INTERNSHIP PROGRAM

A Establish links with the University of D.M and seek to attain academic accreditation for the internship program

B Development of an Internship Programme

C Launch of the first Internship Programme

D Proposed duration on the Internship Programme

In light of the work underway within the E API (East African Parliamentary Institute) consider whether the creation of a central training unit within Parliament is feasible/required by Parliament

	July 03	Aug 03	Sept 03	Oct 03	Nov 03	Dec 03	Jan 04	Feb 04	Mar 04	Apr 04	May 04	Jun 04	Jul 04	Aug 04	Sept 04	Oct 04	Nov 04	Dec 04	Jan 05	Feb 05	Mar 05	Apr 05	May 05	
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ANNEX D

FILE NOTE:

**RECORD OF DISCUSSIONS WITH THE FUTURES POLICY GROUP – MEETINGS
HELD ON 17 & 21 NOVEMBER 2003**

1. I had received a couple of emails from Albany following their meeting with Charles (Chuck) Pill Senior Policy Analyst with the Futures Group Policy Project, who are part of the USAID Strategic Objective team 2 – Health. We were already aware that USAID intends as part of its new strategy to separate HIV/AIDs from the health SO to enable a clearer focus on HIV/AIDs in Tanzania. Chuck came in to see me on 17/11/03 and was accompanied by Maria Tungaraza (Policy Project resident Representative). He was most upset when he read the email Albany had said represented the tone of their discussions. In such circumstances I opted to give Chuck time to let off steam and then commence the meeting properly. I explained the nature of the Project and the modalities of our operations. I cited the opportunity that our work with the Committees on public hearings and generally raising the level of understanding amongst MPs on cross cutting issues i.e. HIV/AIDS and poverty reduction. Chuck seemed delighted with our ideas. At that meeting we agreed that a further meeting later in the week with Maria and Lane Porter (legislative adviser with the Futures Group) should be convened to explore opportunities to collaborate.
2. On 21/11/03 I met with Maria and Lane and discussed the issue of the legislative changes that the Policy Project hoped to get pushed through. The TAWLA report (BTW which was co-authored by Maria) had been submitted to the Ministry of Justice who had conducted a two day workshop up at the Golden Tulip to discuss the content and recommendations arising from that report and how best they could brief their Permanent Secretary on the legislative implications of adopting a national HIV/AIDs strategy. The TAWLA Report which had now been adopted and was now seen as a M of J report indicated a legislative timeframe of laws being on the statute books by 2004. I expressed some skepticism as to whether this could be achieved given that the Report envisaged a "umbrella" piece of legislation supported by Sectoral enabling statutes all of which would have to be negotiated and devised within the individual Ministries. One suggestion I put forward to Maria and Lane was that we needed to adopt some alternative approaches to getting HIV/AIDs onto the MPs agenda. No PQs had been raised on HIV/AIDs and this is despite the fact that TAPAC (the Parliamentarians HIV/AIDs coalition) was in place. We needed to lay strategies through getting Futures to develop briefing papers, hold briefing sessions with MPs and Committees to try and

RECORD OF TELECON WITH CHUCK PILL FROM THE FUTURES POLICY GROUP – 16 DECEMBER 2003 – FUTURES/SUNY COLLABORATION

1. I had a long telecon with Chuck Pill of the Futures group to discuss areas of possible collaboration between SUNY and the Futures group vis a vis HIV/AIDs and getting the Parliament more actively engaged.
2. I advised that I had now read and digested the TAWLA Report (as it has now been handed over to the Ministry of Justice & Constitutional Affairs it is now known as the MoJ Report). I reiterated my concern raised with Maria and Lane Porter that the proposed legislation was multi fareous and far reaching and was highly unlikely to be achieved by the end of 2004 (MoJ had said that they would champion the legislative framework modifications and set the legislative timetable). I based my skepticism on the poor drafting skills of the Executive together with the fact that the new HIV/AIDs legislation would have financial implications which would have to be raised at Cabinet level before any law could be brought before the Parliament. Chuck concurred with my observations and we agreed that we needed to adopt a different approach to blast through the potential inertia.
3. Futures is planning a session with the TAPAC Executive Committee where the OD Assessment funded by UNDP will be cascaded to the Executive Committee. Chuck and I agreed that there might be merit in us working together to ensure the same messages given the Executive Committee are also shared with a broader cross section of the MPs. I suggested that briefing the Steering Committee which comprises of all Committee Chairpersons could be the right vehicle for such action. We estimated that the TAPAC meeting would be at the end of January i.e. during the Committee Sessions in DSM so we could organize an event to follow on from the TAPAC meeting. The agenda and materials for the January meeting with TAPAC were still under development but this could enable Futures and SUNY to collaborate.
4. Furthermore Chuck said that linking the MTEF budgets would be important to enable the MPs to contextualize the issues surrounding HIV/AIDs and their role in pushing the Executive to improve the legislative framework to deal with HIV/AIDs in every facet of Government policy. We agreed that the willingness of MPs to effectively champion the HIV/AIDs issue could be seen as a vote winner and not an anti-Party cause célèbre.
5. We will therefore start preparing for such an event by getting the TAPAC Executive Committee membership and background papers from Maria (Futures Resident Representative) and then plan how best to move this collaboration forward.

DONNA BUGBY
COUNTRY DIRECTOR

File &Foot

17 December 2003

ANNEX E

Proposed legislation to fight HIV/AIDS pandemic

IT is indisputable fact that there has been no Tanzania legislative intervention specific to HIV/AIDS since the AIDS pandemic was first noticed in the country in 1981. Experts are suggesting there should be 'Tanzania HIV/AIDS Prevention and Control Act of 2004'. Staff writer, MATILDA KASANGA reports:

THERE has not either been any attempt to comprehensively incorporate HIV/AIDS issues within Tanzanian laws. However, as the diversity of the epidemic becomes more apparent, it has become more evident that a comprehensive legislative approach covering different public health issues, including AIDS, is urgent. The proposed bill on the prevention and control of HIV/AIDS and the government's efforts to address various HIV/AIDS issues in reference to such a law.

To achieve this goal, the experts propose that the Tanzania HIV/AIDS Prevention and Control Act of 2004 be enacted to deal adequately with HIV/AIDS prevention, care and support issues.

The move by the Ministry of Justice and Constitutional Affairs to review and amend the existing laws affecting HIV/AIDS as a way of combating the spread of the deadly virus is yet another milestone in the fight against the scourge.

Though one can easily criticise the government for its delay in this front as the old saying goes "better late than never." The review of the laws is aimed at identifying laws that are considered to be impediments to HIV/AIDS prevention and care.

The Ministry of Justice and Constitutional Affairs is now

working on the a proposal to review and amended those laws affecting HIV/AIDS in the country.

The Acting Chief Parliamentary Draftsman, Esther Manyasha says, all has been set for the amendment of comprehensive legislative approach covering different public health issues, including AIDS, is urgent.

The proposed bill on the prevention and control of HIV/AIDS and the government's efforts to address various HIV/AIDS issues in reference to such a law.

To achieve this goal, the experts propose that the Tanzania HIV/AIDS Prevention and Control Act of 2004 be enacted to deal adequately with HIV/AIDS prevention, care and support issues.

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The Ministry of Justice and Constitutional Affairs is now

vulnerable to HIV transmission and protection of the rights of the people living with HIV/AIDS.

Other priority areas are protection of the rights of women, children and other vulnerable groups against risks to HIV infection including care of orphans and institutionalising deterrent measures against wilful transmission of HIV.

On the Voluntary Testing and Counselling, the study recommends that it is important to consider amending public health legislation and therapeutic goods and services regulations to conform to provision of quality VCT services.

The report observes that quality VCT services may help to control the spread of HIV and avoid legal implications arising therefrom. The study also recommends for the Medical Practitioners and Dentists Ordinance to be amended. It should include HIV/AIDS prevention and control provisions for different medical procedures. Also, it should be a requirement of qualified medical practitioners and dentists to enter and stay in the service of the practice of medicine.

Such an amendment will help eradicate undesirable traditional practices, such as wife inheritance, Female Genital Mutilation and wife cleansing. To protect women's rights, the study also recommends review of customary and inheritance laws which will ensure equality of women and other marital relations so that discriminatory limitations are removed. The study also proposes the section under this Act, should stipulate the minimum age for a girl to get married. The section should be amended to raise the age to 18 years because 15 is an age of a minor. The report suggests

that such girls at that age may be vulnerable to HIV infection as they may not comprehend the risk involved.

For the People Living with HIV/AIDS the study proposes that the employment ordinance, Section 47 which talks about medical examination should be amended to state explicitly that HIV/AIDS should not be a condition for medical examination in order for one to qualify for employment and that HIV status should not be a determinant condition that warrants termination of employment contracts.

The report further observes



Community health workers in Region Jara Mwanji (highly populated) are conducting one of the anti HIV/AIDS campaigns (The Photo)

that such girls at that age may be vulnerable to HIV infection as they may not comprehend the risk involved. For the People Living with HIV/AIDS the study proposes that the employment ordinance, Section 47 which talks about medical examination should be amended to state explicitly that HIV/AIDS should not be a condition for medical examination in order for one to qualify for employment and that HIV status should not be a determinant condition that warrants termination of employment contracts. The report further observes

that the employees living with HIV/AIDS should be accorded equal treatment on medical aids as other employees if possible, provision of antiretroviral should be included. The study has also assessed some pieces of legislation to evaluate how criminal laws and correctional systems are equipped or may not be used to invoke to prevent the spread of HIV/AIDS in the country. The legislation include; penal code, the Sexual Offences Special Provisions, the Prisons Act, the Criminal Procedure Act and Evidence Act.

These enactments, according to the study generally address issues related to prevention of spread of disease, offences that endanger life or cause harm and sexual offences that may be of relevant application to transmission of HIV/AIDS issues. For example, under the Penal Code issues relevant to HIV/AIDS exposure and transmission are not explicitly stated, but just implied in some chapters. Chapter 179 of the Penal Code specifically deems an offence an act of spreading infection of any disease

dangerous to life. It states that "Any person who is unlawful or negligently, does any act which is, and which he knows or has reason to believe to be likely to spread danger to life is guilty of a misdemeanour". Analysts say that although this provision does not explicitly mention HIV/AIDS infection, situations of the disease's transmission are relevantly implied therein. As regard to prisons Act, the study recommends that it should be strengthened to address HIV/AIDS issues explicitly. A fact that cannot be underestimated is that HIV/AIDS prevalence rate in Tanzanian prisons is alarming. Sexual violence as well as sexual manipulation (caused by harsh living conditions) are rampant. Before coming with any reforms on the prisons Act, experts say it is important to weigh out the benefits of overcrowding of prisoners living with HIV/AIDS against the risk of infection posed by prisoners who are HIV negative. It is proposed that the law must adequately address the factors that lead to sexual violence. However, as government is striving to put in place the comprehensive law to prevent and control the AIDS epidemic, there are still major challenges, both to the government and the public. A very well stipulated piece of legislation might be enacted, but will be of little use if the people, for their part, are not ready to change their sexual behaviour, which contributes over 90 per cent of the transmission of the deadly HIV virus. Let's play our part, it can be done.

ANNEX F

MEETING WITH THE BRITISH HIGH COMMISSISONER AND ANDY MASSEY HELD ON 19 DECEMBER 2003

1. I attended a meeting with the newly appointed British High Commissioner Dr Andrew Pocock and Andy Massey to give him a briefing on the SUNY/Tanzania activity. The BHC has been in Dar just over a month and is therefore keen to meet all the players in town and in particular those activities which have UK funding.

2. I summarized the content of the Workplan and how we interacted with our major partner British Council and our smaller partner PACT. I mentioned the fact that the POF program was now considered an element within the SUNY/Tz activity thus enabling BC to focus their attention on the House of Representatives in Zanzibar.

3. ~~We discussed in some detail the problems confronting the Parliament and thus the Project as it tried to meet all the objectives set by USAID and DFID. I made the point~~ that there were qualitative measures but the majority were quantitative since the duration of the contract was so short to effect substantive institutional change. However that aside I stated that the Bunge is in transition and therefore embarking on the SUNY/Tz was timely but that we did not expect substantial improvements within the legislative arm to hold the Executive to account until possibly the 2010 elections. I and Andy supported the assertion that the current Speaker had a controlling and somewhat stifling influence both within the Chamber and in the work of the MPs. There were a number of MPs who were clearly unhappy within Parliament and it was they that we aimed to use to create the critical mass advocating for change. The BHC saw the Project as incredibly important but accepted the potential impediments had to be seen and factored in when devising strategies to assist the Parliament. In particular the BHC asked whether the Parliamentary Committees were effective. Both Andy and I felt that there was much room for improvement and that the Committee strengthening would be vital both for the current and future Parliament.

4. I asked the BHC whether he would be willing to host some sort of small event during the Internship Program next summer and he said he would be delighted. In the meantime we agreed that Andy and I would continue to liaise on Parliamentary issues as and when required.

DONNA BUGBY-SMITH
COUNTRY DIRECTOR

File & float

19 DECEMBER 2003

ANNEX G

FILE NOTE:

RECORD OF DISCUSSIONS FROM A MEETING WITH EVA-MARIA KOHLER-RENFORDT- FRIEDRICH NAUMAN STIFTUNG HELD ON 25 NOVEMBER 2003

1. I received a telecon on 21/11/03 from Eva in response to my earlier general letter to all donors in town dated 8 October 2003. She had asked for the meeting because she felt that there might be opportunities for the two organizations to collaborate. FNS has not working directly with the MPs largely because initial contacts with the Speaker had advised FNS that the MPs would expect per diems to be paid for them attend any workshops or events organized by FNS. As an international NGO, FNS cannot use its limited funds paying per diems. Therefore FNS has worked closely with the Local Councils where FNS see that they are woefully under resourced and have limited capacity to cope with the plethora of tasks now assigned to them as part of the decentralization initiative.
2. I outlined the scope of the Project including some of the obstacles that we have encountered thus far but have helped inform us about the problems that we face in terms of payments to MPs and the infrastructural problems within the Parliament (poor English for one thing)
3. We agreed that it might be useful for us to co-ordinate when FNS has any events with the Local Councils in terms of trying to get MPs and Councilors to better understand their respective roles.
4. In particular Eva mentioned that there would be a public dialogue on the coffee production in Tanzania and the restrictive taxation laws that effectively stymie the growth of the coffee market. That dialogue will take place on 16/12/03 and Eva promised to let us have further details.
5. Please bring these papers up for review in mid January 2004 to consider if we have any opportunities to collaborate.

**DONNA BUGBY
COUNTRY DIRECTOR
25 NOVEMBER 2003**

ANNEX H

MEETING WITH HON. LAZARO NYALANDU (CCM MP for Singida North Constituency) ON 18TH DECEMBER 2003.

The meeting requested by Donna Bugby (Country Director SUNY/Tanzania)

PARTICIPANTS:

SUNY / TANZANIA

1. Donna Bugby – Country Director
2. Linda Madeleka – DCD

PARLIAMENT:

1. Hon Lazaro Nyalandu

AGENDA:

1. Introducing SUNY / Tanzania and its activities

Introduction by Donna Bugby:

Donna Bugby introduced herself as a SUNY Country Director, and briefed Hon. Lazaro Nyalandu about the SUNY project and its activities. This was the first meeting between SUNY/Tanzania and Hon. Lazaro Nyalandu. He was pleased to hear about the Project and the activities underneath as YPA is both seeking new partnerships and new opportunities to advance the cause of democracy in Tanzania.

Briefing by Hon. Lazaro Nyalandu:

- Hon. Lazaro Nyalandu introduced himself as a Chairman for YPA (Young Parliamentarians Association) a bi-partisan political pressure group.
- He briefed us about his recent trip to the UK and how he managed to get financial assistance worth 1.5M pounds for his constituency (Singida) who are faced with food shortages. The UK Government had agreed to fund three countries faced with serious food shortages these included Tanzania (Singida), Zimbabwe and Ethiopia.
- He is organizing a 3 day Strategic Planning meeting for a YPA between 26-28 January 2004.
- The Focus of the meeting will be "Future of Tanzania". The aim of the meeting is to devise a strategic plan that will be translated into a program and activities that YPA can seek funding for.
- An official website will be developed once YPA agrees its strategic plan.
- 9 Members of Parliament who make up the Executive Committee of YPA are expected to attend the workshop that will be held at Jangwani Sea Breeze Resort, DSM
- Expected funding (from SUNY/TZ) to facilitate the workshop:
 1. Travel costs
 2. Per diems for the MPs (Subsistence allowance)

LINDA MADELEKA-LUSAJA
DEPUTY COUNTRY DIRECTOR

18 December 2003

ANNEX I

MEETING WITH GERTRUDE MUGIZI SECRETARY – NPF (NGO Policy Forum) ON 18TH DECEMBER 2003.

PARTICIPANTS:

SUNY / TANZANIA

- 1. Donna Bugby – Country Director
- 2. Linda Madeleka – DCD

NPF (NGO Policy Forum):

- 1. Gertrude Mugizi

- Donna Bugby introduced herself as a SUNY Country Director; and briefed Ms. Gertrude Mugizi about the SUNY project and its activities. This was the first meeting between SUNY/Tanzania and NPF. She was excited to hear about the Project and the supporting activities as NPF is new organisation it is
- seeking new partnerships with different organisations and trying to identify areas of collaboration.

Briefing by Gertrude Mugizi:

- - Gertrude Mugizi introduced herself as a Secretary of NPF (NGO Policy Forum), a coalition of civil society organizations that seeks to strengthen NGO involvement in critical policy processes in Tanzania.
- - NPF is still in the final stages of incorporating itself as a limited non profit company; the constitution of the new organisation has been drafted and is undergoing final revisions. NPF expects to be officially registered by the end of year 2003.
- - She stressed that in order for the NPF to have impact and depth, NPF members have decided to focus on three policy processes that are most critical to human rights and development in Tanzania. They are as follows:
 - 1. Poverty Reduction Strategy (PRS)
 - 2. Public Expenditure Review (PER) AND;
 - 3. Local Government Reforms (LGR)
- - NPF main focus is to make policies work for people, especially for the poor, and for policy processes to be opened up and be made more transparent, democratic, participatory and accountable.
- - Members of the NPF have organised themselves in working groups around the key policy issues and around a number of sectors. This allows for further specialization and targeted action.
- - NPF is open to Tanzanian and International NGO's operating in Tanzania that have interests in and commitment to strategic engagement with PRS, PER and / or LGR from a pro-poor and human rights perspective.
- - **Problems faced by NPF:**
 - 1. Contributions from members is still not enough
 - 2. The number of NPF staff is very small (3) thus they are very overworked.

LINDA MADELEKA-LUSAJO

DEPUTY COUNTRY DIRECTOR

18 December 2003

ANNEX J

**Seminar on Children's Participatory
Rights**

(16th - 17th December 2003)

Kunduchi Wet and Wild

Dar es Salaam

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Introduction

The workshop was conducted on 16 – 17th December 2003 at Kunduchi Water Park Limited. 17 children from the Kinondoni Municipal Children's Council (KMCC) attended. Other participants who attended the workshop are as follows: 1 District Commissioner's office representative, 1 Municipal Director's office representative, 2 Members of Parliament (MP's), 2 representatives from Watoto Salama Trust (WST), 2 facilitators and 1 rapporteur. The workshop was funded by SUNY /Tanzania as part of its activity to enhance Parliamentary outreach.

Goal of the workshop

The goal of this activity is to promote children participation in decision-making process on the issues concerning their welfare.

Objectives of the workshop

- To introduce the KMCC Executive committee to Kinondoni Municipal's Members of Parliament and other stakeholders
- Sensitization of MPs especially children participation on decision-making process.
- To establish a proper system of working, sharing and exchanging information between KCCM and Kinondoni MPs
- To come up with action plan for year 2004.

Proceedings

Day 1: 16th December, 2003

10:00am – 4:00pm

- **Introduction of Participants**

After the arrival of the participants, facilitator Ismail Suleiman welcomed all the participants to introduce themselves. (See attached list)

- **Introduction Watoto Salama Trust**

Suleiman then gave a brief history of Watoto Salama Trust, its development and expectations. He pointed out that the aim of WST was to advocate for children's rights and help empower disadvantaged children including orphans and children who are out of school.

There was a need, he said, to get a forum where the children could receive and transmit information to and from their leaders. That is, needs for an effective communication system which can help the children become better adults.

He added that in the absence of a children's center, WST has been trying to empower children from their own communities.

- **Kinondoni Municipal Children's Council**

The KMCC Chairperson gave a brief background of the Kinondoni Municipal Children's Council, outlining the objectives, responsibilities, achievements, problems faced and future expectations of the council.

In June 2003 about 810 Children participated in the process of establishment of Kinondoni Municipal Children's Council (KMCC), which consists of 60 children representatives elected from all 27 wards of Kinondoni Municipality with support of Watoto Salama Trust, UNICEF and Pact.

In the KMCC there are 17 children that are members of the executive committee that meets every first Saturday of a month for discussing and planning the implementation of the activities of the council.

The major purpose of establishment of Kinondoni Municipality Children's Council is to create children's forums where children have opportunity to express their views to different stakeholders and decision makers at all levels in Kinondoni Municipality.

- **Questions and Preliminary Discussions**

- The floor was then opened for questions and discussions. Hon Janet Kahama opened the discussion by asking the children if they have seen any developments from previous years when the debate on children's rights started, and if they themselves know anything about their rights.
- The children in turn admitted to have seen development in their fighting for their rights and that a lot can be seen in terms of them being involved in some decision making, being free to air some issues concerning them, getting free primary education etc.
- **Grace Muro** asked the children if they have ever been deprived of their rights. If so, what steps did they take? Did they know where to go?

Seif (15yrs)

- The first step he will take is to inform his Member of Parliament who represents his constituent that he's been deprived of his rights, it will be the MPs duty thereafter to take the matter forward and bring him the feedback.

Members of KMCC challenged the MPs who were present as to how they assisted the children in getting their rights and how they provide assistance to disadvantaged children?

• **Child Participation**

After a long discussion on the meaning of the term participation, all the participants agreed to the definition which says "Participation is one or more processes in which an individual (or group) takes part in specific planning, decision-making and action, and over which s/he may exercise specific controls". For one to participate s/he should be involved in three stages: planning, decision-making and action.

Group Work

Participants were divided into three (3) groups and were asked to discuss the following questions:

- 1) Are the children involved in the planning of the development of their society?
- 2) If the answer to the above question is no, then discuss what/where the problem is?
- 3) What should be done?

Group Presentation and Discussion

Group 1:

- The children are not involved in the planning of the development of their societies.
- Among the matters they want to get involvement with in planning is education; Punishment being an example of issues that affect them, they have no idea where such thing came from or the criteria used for a child to be punished.
- Some issues were raised among them being parents' attitudes towards children: looking down on the children's capabilities, as if children do not have meaningful contributions while they happen to be the concerned and affected people.
- Mass Media (i.e. radio, TV, newspaper) is not widely spread in the country thus information on the issues concerning children's rights is also not spread widely. Had there been a wide coverage on issues pertaining children there would be no problems because people would hear, contribute and address to those issues.
- Parents know very little about their children's rights. They need to be educated more.

What to do:

- Children should know the laws affecting them in a positive way or in a negative way as well as their rights.
- There should be enough coverage by the mass media on issues concerning children's rights.
- Children should know their position in the society.
- Children's Councils that will be able to air problems affecting them from different angles of the societies should be formed; these same councils will also be able to work closely with different groups in the societies on various issues concerning them.

Group 2

- Children are not involved in the planning of the development of their societies
- Children are not involved from the family level this is because parents perceive them as incapable of having good ideas to be part of some discussions or decision making. A good example is when a child in the family is not involved in decision making to purchase a new house or even a car; while in the actual sense this same money used to buy an extra car could have been used for another activity that will affect a kid positively e.g. using the same money to take him/her to a better school. buy him/her enough books for reading, buy him/her sports equipments etc.
- Children not being involved in Parliament. This is mainly because school terms coincide with parliament sessions so children find themselves missing the opportunity to attend even a single parliament session – There are only four sessions in a calendar year thus making it difficult for them to attend.

What to do:

- Children should start getting involvement from the family level, which will in turn bring a positive change and move to a higher level in the society.
- Arrangement can be done for some children to attend the sessions in parliament and be involved in some activities during their holidays. This can only be made possible during their long holidays in June when the MPs meet for the long budget session that takes place from the month of June through August.

- Children should be involved in their school committees but only for issues that pertain them and not otherwise.

Additions:

Al Haji Mwenda:

- It is advantageous for a child when he/she is involved on important family issues, which will later avoid misunderstandings between members of the family especially in times when one member of a family (a parent) dies. There are several cases that have happened when a big member of a family dies, cases like fighting for a plot, a house, cars that are left, and even money in the bank accounts. All these can be avoided if almost every other close member of the family is involved at one stage from either planning or decision making or both from the lower level.

Hon. Masumbuko Lamwai:

- Conflict of culture - In Africa, for example, a child regardless of his/her age inherits his parents while in other countries, when a child reaches the age of eighteen (18), he/she is regarded as an independent person and therefore does not depend on anybody for financial support and maintenance with regard to the normal necessities of life; this same person is therefore responsible for his/her actions and can leave the parents house and start his/her own life. It is easier to involve this kind of a person in planning and decision making since because he/she is already regarded as independent and can therefore contribute to matters pertaining his/her life in general, while for the African child it's difficult to be involved because he/she is regarded as always dependent in all aspects of life; hence cannot be regarded as a person who can contribute to anything that concerns his/her life in general.

Contributions from the participants:

Hon. M. Lamwai:

- There is a need at some stage for Members of Parliament to educate these children on *how* to involve themselves in the planning, decision making etc.
- MPs might have to run through the constitution again because it does not counter for the right of a child to be involved in decision-making.
- MPs should also remember that these children are still growing up and therefore still dependants on their parents' decision makings. A plan can be made for the children who are still dependants to select their representative who will be presenting their ideas to the proper and right channels at the right time on issues affecting them.
- The constitution should recognize the children's rights in electing their leaders not necessarily through the ballot boxes.
- We as MPs should also be careful when discussing about this whole thing of children being involved at all levels on issues affecting their lives; because we might find ourselves delegating some responsibilities to them that are more than what they can afford to do.

Lawrence:

- He thinks that the constitution is biased. It depicts the constitution during the colonial times when a child was not allowed to begin school before the age of seven (7). For a country to be democratic children at all stages of life should be involved in one way or another in decision making.

Seif (15yrs):

- If the societies really care and want the children to be involved and feel happy that they have been involved in a particular planning and decision making (e.g. in school committees) then a plan should be made to make sure that they're involved in any kind of a meeting that has an agenda to discuss issues about children etc.

Hon. M. Lamwai:

- But what if, for example, the schools committees meetings are on Saturdays aren't we violating children's rights to rest, visit friends or even play?

Gaudence (15 yrs):

- Children can be involved during holidays. Even on Saturdays and Sundays. That way, we can exercise our rights to participate as Tanzanian children, after all the meeting wont be that long and the agenda for that particular meeting on issues pertaining children will be very short, children attending that particular meeting will therefore not be expected to stay the whole session.

Hon. J. Kahama:

- I have noted that the "children's rights" that has been discussed today has based a lot on the children's participation in parliament. From my point of view it looks like these children really want to become politicians.
- Her suggestion as an MP is; everything has its time; these same children are still growing hence their time to become politicians has not arrived, there are some things though they can concentrate with at the moment, things that will make them become good ambassadors who will at some later stage in future turn and become good politicians, Ministers, Ambassadors, Professors, Professionals in sports etc. Children should not just look at meetings; they should try to look further in the areas where if they decide to participate a big change will be seen. Areas where they can put much concentration on can be:
 1. Sports – As children they should bring development from the stage they are (age group).
 2. Language (Kiswahili) – The Kiswahili language being used today is not the same as before when the same children's parents were young, it's a bit discouraging and it's up to the children themselves to find ways of correcting it and make it sound good to themselves and even visitors from outside the country.

3. Domestic Science subject – Children should fight for the subject to be included among syllabuses in schools, its embarrassing to see a form four girl who has finished her ordinary levels education not knowing how to cook fried rice or even make a cake.

All these areas plus other areas not mentioned should be concentrated by our children; these should therefore be seen as a basis of them being involved to so many things at a higher level in the society.

Raphael (15yrs):

- He believes that a child should speak for herself or himself. For example, in a rape case, the victim would be the best person to tell the story.
- Children can only learn ethics when their parents involve them; if they are not it will be difficult for them to be able to differentiate bad behaviour from good behavior.
- Children want to participate only in the matters that concern them; they don't like the idea of people speaking on behalf of them while they are around. That is why they want to be involved when the bill concerning them for example is presented in the parliament for discussions before it is passed for a third reading and hence approval of a bill.

Ramadhani (16yrs):

- The Tanzania newspapers negatively report about children, on issues like rape for example. Its time our newspapers look at good things that children do, like the workshop we are having full of ideas and suggestions that will build us thus bring a big change to the societies in future.

Suleiman:

The children have asked for participation and the forming of their councils so as to develop systems that are operated in the country.

(End of Day 1)

Day 2: 17th December 2003

11:00am - 5:00pm

Day two started by Honorable Masumbuko Lamwai (MP) – CCM - briefing the participants about the Parliament, its role, procedures and Members of Parliaments' activities.

Topics covered:

1. What a *State* is.
2. Functions of a Parliament.
3. Who are Members of Parliaments (MPs)
4. MPs responsibilities in the Parliament.

• **Questions and Discussion**

Questions were raised some were quite challenging:

Que. Emmanuel:

Is the speaker appointed?

Ans. Hon. M. Lamwai:

The speaker is elected at the first sitting of the first meeting of a New Parliament. and at any first sitting of the National Assembly immediately after the occurrence of a vacancy in the office of speaker.

Que. Ramla

Are we allowed to visit and see how the parliament is run?

Ans. Hon. J. Kahama:

You are not restricted to do so as there is a space reserved for visitors. Arrangement can be done for your council to visit the Parliament when it's on the session. More planning can be done with the help of your Kinondoni Member of Parliament.

Que. Shyness:

During the parliament proceedings, sometimes the MP's are seen sleeping; we are discouraged to see them sleeping while we depend on them; and we know that they have gone to the session to represent us and our concerns. What measures does the Parliament do to stop such behaviors? A good example can be taken from us children whenever we fall asleep in class, we get knocked on our heads, how do they deal with our MPs?

Ans. Hon. J. Kahama:

A Member of Parliament is also a human being; we do get tired at some point, in most cases after going through so many reports and other documents that are given to us for reading in the Parliament.

Addition. Hon. M. Lamwai:

The parliament is also built in a way that one cannot sit down comfortably for a very long time; MPs often walk out, but that doesn't mean they stop following the proceedings; however, there are speakers outside the building for people who are standing or sitting outside the parliament to hear.

Que. Emmanuel:

What happens if an MP does not attend the parliament sessions for a long time?

Ans. Hon. J. Kahama:

If a Member of Parliament does not attend three consecutive meetings s/he will be suspended.

Que. Raphael:

You asked us to listen to the *Maswali na Majibu (questions & answers) TV* program. I usually hear extremely hard questions being asked on that program but to my surprise the MP's answer them very easily without worries at all. Are those answers prepared beforehand or not?

Ans. Hon. J. Kahama:

The MP's are given order papers, with the questions, so they know and are prepared beforehand. The ministry responsible always prepares the answers.

- **MP's and KMCC Suggestions**

Joseph:

He advises the children who participated in the workshop to take all the information they got to other members they represented, and in turn to the higher levels

Suleiman:

He is concerned about the children not having enough knowledge on the parliament itself, procedures etc, and duties the members of the parliament have.

Hon. J. Kahama:

She thinks that it will be good if the same children should take the initiative of knowing who their local leaders are, their responsibilities in the societies etc; not just the parliament and its members only. She further stressed to the children that they should make an effort to make their council known to the societies too from the lower level in the society.

Violeth:

She commended the seminar and advised to have more seminars of that kind with different kinds of leaders in the society.

Ramadhani:

He thinks it will be wise if they publish something about their council to Newspapers. which will in turn make their council known to public.

Hon. M. Lamwai:

He advised the children in future to involve Civil Society Organizations dealing with children issues to participate in such seminars.

- **Resolution**

The Kinondoni Municipal Children's Council should have good relations amongst themselves and with other children without forgetting other municipal leaders as well as all other leaders concerned in the society.

Mini-Interviews

(With Raphael Kibindo)

Que. What is the major problem that was disturbing you so much and now its off your shoulders. (I.e. after presenting the problem, discussion in the presence of your fellow children and Member of Parliaments)

Ans. That has to be the mass media issue. The problem is that we do not have enough media support or enough coverage on children's rights issues; while it is only the media that can make people be aware of so many things happening to children around. and where members of the society can also get opportunity to deal with issues concerning us publicly and in a more effective manner.

(With Grace Muro)

Que. What do you have to say about the performance of these children who participated in this seminar?

Ans. Their intellectual shocked me. I have never seen a group of children so bright. In fact, these children are brilliant to the extent that they even overpower their elders at times, the way they argue with facts and points. They show that they want no nonsense and take no nonsense for that matter. Their memory is also very sharp and they like to stick to the particular topic that concerns them. I can see that these children are ready for action and will make big changes in future.

Conclusion

The workshop gave every participant an opportunity to participate; to explain what they thought is happening or not happening. Issues were brought up; discussions took place and were repeated whenever thought necessary. At the end of the day every participant left the workshop challenged, satisfied and happy.

All sides learnt a lot from each other (MPs and Children). In this perspective, it is pretty obvious that these activities can only be done if the participants work and collaborate in different issues together. And this should be the only way in which the KMCC, on behalf of other children, can strive effectively to achieve the goals on Children's rights.

KMCC Children

- 1) Violeth Cyriacus – Chairperson KMCC
- 2) Shyness Mdegella – Vice Chairperson KMCC
- 3) Mary Zigunda – KMCC
- 4) Silvanus James – KMCC Rep
- 5) Ramadhani Salum – KMCC Rep
- 6) Gaudence Sigonda – KMCC Rep
- 7) Robert Josef – KMCC Rep
- 8) Emmanuel John – KMCC Rep
- 9) Raphael Kibindo – KMCC Rep
- 10) Elman Didas – KMCC Rep
- 11) Justin Johashim – KMCC Rep
- 12) Isaya Philipo – KMCC Rep
- 13) Bakari Seif – Finance Rep
- 14) Mwinjuma Joseph – Financial Manager
- 15) Godwin Charles – KMCC Rep
- 16) Khalifa Hamis – KMCC Rep
- 17) Ramla Athumani – KMCC Rep

Different CSO's

- 1) Al Haji Mwenda
- 2) Grace Muro
- 3) A.J. Kagaruki
- 4) Joseph
- 5) Jamillah Mwanjisi

Members of Parliaments

- 1) Hon. Masumbuko Lamwai
- 2) Hon. Janeth Kahama

Facilitators

- 1) Ismail Suleiman
- 2) Steven Fungo

Watoto Salama

- 1) Geoffrey Millanzi
- 2) Ritha Mwamanga

Rapporteur

Atuganile Bukuku

ANNEX K

POSSIBLE IDEAS FOR PERFORMANCE INDICATORS

STRATEGIC OBJECTIVE 3

Civil Society and Government are more effective partners in governance

IR 3.2

Targeted Government (Parliament) are more responsive to public concerns on selected issues

Outcome: better laws with greater public/expert inputs

A. Number of public hearings on specific SO related Bills,

Baseline: number of MP/Parliament initiated public hearings held in 2003

- Number of public hearings initiated by either the MPs or the Parliamentary Committees (quantity)
- Number of actions or recommendations submitted and agreed to be taken forward by the Parliament, (quantity)
- Are those actions recommendations of substance (ie question the viability of the Bill or merely grammatical) ? (quality)
- Number of CSO issue papers submitted to Committees which prompt the Committee to invite the CSO to provide expert testimony, (quantity and quality)
- Review of the current Standing Orders to assess whether they deter the public from getting involved by no later than the 3rd quarter of the 2004 Session,

METHOD OF DATA COLLECTION

- Through the Clerk Assistants
- Through the CPL Officer (once appointed)

IR 3.2.1

Government (Parliament) capacity to engage in the policy/law process strengthened

Outcome: should be better law making

- B. National budget formulation – helping Parliament to play a more prominent role in the design of the national budget by involving them in the developmental stage

Baseline: number of Bills submitted and amended during 2003.

(Key Committees will be those with x3+ Bills submitted for consideration in the last year. Priority will aimed at Finance, PAC, LAAC, Community Development, Natural Resources & Environment, Social Services, Agriculture & Land Development, Economic Infrastructure).

- Number of substantive amendments made on Government sponsored Bills submitted to the Parliamentary Committees.

Baseline: Number of times during 2003 when the Parliament was invited to attend and actively participate in the meetings with the PER and PRSP secretariat.

- Initially helping the PAC, Finance Committee, Local Authority Accounts Committee and Economic Infrastructure Committees to gain access to the PER/PRSP secretariat located within the Vice President's Office.

METHOD OF DATA COLLECTION

- Clerk Assistants
- Number of times Parliamentarians attend such meetings in the VPO
- Devising post training questionnaires for MPs with the aim of identifying whether the links have made between the Committees and the Executive branch

FISCAL REPORT

SUNY/Tanzania

Quarterly Financial Report Summary

Research Foundation of State University of New York

Technical Assistance for the Strengthening of Tanzania's Union National Assembly

Contract Number: 623-C-00031-00

OCTOBER-DECEMBER 2003

	Year 1	Budget	Total Expenditure	Total Expenditure
	Budget	Total	from Oct - Dec. 03	from May - Dec. 03
Line Item				
Result Area 1	\$ 422,659.44	\$ 790,890.92	\$ 79,753.99	\$ 171,756.10
Result Area 2	\$ 295,673.31	\$ 376,812.79	\$ 67,431.36	\$ 94,998.12
Result Area 3	\$ 125,275.89	\$ 254,041.57	\$ 20,529.85	\$ 51,580.63
Result Area 4	\$ 82,048.37	\$ 278,011.38	\$ 22,466.92	\$ 56,447.47
Indirects Charges	\$ 173,092.37	\$ 300,177.71	\$ 39,031.78	\$ 90,413.36
Fixed Fees	\$ -	\$ -	\$ -	\$ -
Grand Total	\$ 1,098,747.38	\$ 1,999,934.37	\$ 229,213.91	\$ 465,195.68

Notes:

Total Funds Obligated as of May 11 2003: \$ 800,000.00