



---

**United Nations/African Union Joint Secretariat  
of the International Conference on the Great Lakes region**

**REPORTS OF THE THIRD MEETING OF THE TECHNICAL THEMATIC  
TASK FORCES**

**REPORT OF THE TECHNICAL THEMATIC TASK FORCE  
« HUMANITARIAN AND SOCIAL ISSUES »**

---

The third meeting of the Technical Thematic Taskforce (TTTF) on Humanitarian and Social Issues met in Nairobi from September 5<sup>th</sup> to 11<sup>th</sup> 2005 with a view to analyzing the draft projects and protocols put together by the Joint Secretariat of the International Conference on the Great Lakes Region.

The following countries participated in the meeting: Angola, Burundi, the Central African Republic, the Democratic Republic of Congo, the Republic of Congo, Kenya, Rwanda, Sudan Uganda, Tanzania and Zambia.

The objective of this meeting was to examine the remaining draft projects and protocols but also to ensure that the changes recommended by the Ministerial meeting in Lusaka were duly taken into account.

The Chair of the meeting and the Rapporteur were as follows:

**Chairperson** : Peter Kusimba from Kenya

**Rapporteur** : Dr. Marcel Massanga from the Central African Republic

The chairperson and the rapporteur were assisted by the joint UN/AU Secretariat and representatives of the following organizations (OCHA as lead agency of the humanitarian and social issues cluster, UNIFEM, UNHCR, UN-Habitat, UNAIDS, UNEP). The Group of Friends was represented by Canada and Sweden.

After the plenary session, the deliberations of the working began at 13h00 with the following agenda:

1. To examine the six projects reviewed and adopted during the second meeting of the Regional Interministerial Committee (RIMC);

2. To review and discuss the remaining six draft projects and the project proposal on the use of Kiswahili as a working language in the Great Lakes Region ;
3. To examine and discuss the draft three protocols.

In the framework of the integration of the human rights dimension in the draft projects and protocols, the Secretariat gave participants the report on the workshop on Human Rights organized from September 1<sup>st</sup> to 2<sup>nd</sup> 2005 in Nairobi. The experts agreed to use the report of the workshop while analyzing the draft projects and protocols.

Following the brief introduction, amendments were made to the proposed working methodology and in this regard, it was suggested that the remaining draft projects be examined first, followed by those that were examined and adopted by the second meeting of the RIMC before embarking on the protocols and the project proposal pertaining to the promotion of Kiswahili. This method of work was adopted by the participants.

## **I. Review of the remaining draft projects**

### **A. Methodology**

The methodology used to review the remaining draft projects comprised a brief presentation on the contents of the documents by the Consultant followed by discussions during which the documents were studied paragraph by paragraph.

### **B. Projects**

The 6 remaining projects dealt with the programme of action on the re-establishment of basic social services, HIV/AIDS, Malaria and infectious diseases, skills development, social and psychological support to groups with special needs.

The six projects were amended while keeping in mind the specificity of each one. However, it is important to note that the corresponding budgets only cover activities at the regional level. The budget of all the projects will be revised by the Secretariat in light of amendments made to the activities at the regional level. The same applies to the results framework for each project which should be revised by the Consultant based on the amendments made to the various documents.

#### **1) Project 4.3.1 : Resource mobilization for the re-establishment of basic services**

The situational analysis of the countries of the Great Lakes Region indicates that these countries are in various stages of non conflict, conflict, conflict resolution and post conflict. The resource needs for the re-establishment of basic services in the region are enormous. This project therefore proposes activities that seek to mobilize resources in order to re-establish basic services in the various areas that are considered a priority.

The experts agreed that the Consultant had done a good job. The project was then reviewed in a thorough manner both in its format and content.

The following general comments were made to modify the content of the document:

- The need to remove the map representing the core countries of the International Conference on the Great Lakes Region from the document because the information on the map relative to the conflict status of the countries contains a number of errors and that map did not tally with the one available in the working group on peace and security.
- The exclusive nature of the general objective ;
- The manner in which mobilized resources shall be distributed or utilised;
- The classification of countries ;
- Restrictions made in the selection of project beneficiaries ;
- Strategies to develop to enable countries to access the HIPC initiative ;
- Sectors benefiting from resources arising from debt cancellation ;
- The need to utilise part of the budget allocated to defence expenditures to fund social activities and in this regard the need to involve the armies in reconstruction programmes ;
- Communities' involvement in resource mobilisation ;
- The role of civil society in the re-establishment of basic social services ;
- Host communities as project beneficiaries ;
- A revision of the budget lines of the project in view of the amendments made in the activities.

In view of the issues raised, the experts came up with suggestions to improve the content of the project. The main proposals are as follows:

- a. The removal of the map on the classification of countries vis-à-vis their conflict status and its replacement with an analytical framework. The zoning of the region should be done within a humanitarian framework (mapping of the zones to be reconstructed) ;
- b. The general objective was reformulated in order to include both conflict and non conflict situations. In addition to women and children, it was also recommended to include IDPs, refugees, the poor and host communities ;
- c. It was agreed that for this project, the proportion of resources from debt cancellation should not be determined in advance and that measures should be adopted to put in place a mechanism for better management of resources, both at the national and regional levels;
- d. The central role of the civil society in re-establishing basic social services should be emphasised in this project.
- e. The involvement of armies in the reconstruction of basic social services be mentioned in the document.

The project was unanimously adopted with the aforementioned amendments.

## **2) Project 4.3.2 : Improving access to quality education and attaining the objective of Education for All**

This is a large-scale project that deals with the fundamental needs of education in the region while recognising that the key inherent issues in the education sector are being addressed by the working group on Economic Development and Regional Integration.

The analysis of this project by the group resulted in a number of inputs. These inputs resulted in several amendments which were taken into account by the Consultant. The main recommendations are as follows :

- A minor modification was made to the general objective ;
- As regards specific objectives, it was proposed that the notions of human rights and reproductive health be included;
- As concerns strategies, the following components were added : the promotion of positive thinking on women, the need to attain the Millennium Development Objectives in the area of education and the mobilisation of State resources ;
- At the level of activities, the group suggested that informal education centres be envisaged and the establishment of a mechanism for the employment of youth by Governments be taken into account ;
- Under the section on opportunities, the group added the Beijing Platform of Action.
- The inclusion of the HIV/AIDS dimension in the education sector
- Devise strategies for the retention of children in schools

This project document was also adopted with the abovementioned modifications.

### **3) Project 4.3.3 : HIV/AIDS and other endemic diseases –Malaria and Tuberculosis**

This project was developed in response to concerns by Heads of State who are signatories to the Dar es Salaam Declaration in which they expressed their concern with regard to the dire consequence of HIV/AIDS, Malaria, Tuberculosis and other infectious diseases and their consequences on human security and development in the region.

The analysis of the project brought a number of comments from the Experts as well substantial technical inputs from UNAIDS/GLIA.

At the end of the discussion, the project document was adopted with the following amendments:

- The project title was reformulated and read as follows: « **Fight against HIV/AIDS, Sexually Transmitted Infections (STIs), Tuberculosis and Malaria in the Great Lakes Region** » ;
- The general objective was also rephrased as follows: « **Contribute to reducing the prevalence of HIV/AIDS, STIs, Tuberculosis and Malaria and their negative impacts/effects in the Great Lakes Region** ».
- The activities were reformulated, new activities added and classified based on the selected specific objectives. At the regional level, the working group agreed to adopt a regional framework for the prevention and handling of HIV/AIDs related issues, the organisation of a regional forum to link the various sub-regional initiatives in the fight against the three diseases. At the national level, ensure that the regional initiatives are translated into action programmes notably UNAIDs 3 ones.
- In order to attain the selected objectives, new strategies, regional and national activities and new indicators were also added.
- Lastly, for the institutional framework, the group agreed that at the national level, the implementation of the project would be entrusted to national coordination organs which had in their brief the handling of the three pathologies.

#### 4) Project 4.3.4: Strengthening of health programmes with particular emphasis on ‘neglected’ diseases

The aim of this project is to contribute to the improvement of life expectancy which would be accompanied by measures to raise the welfare and good health of the populations of the Great Lakes. It should be noted that these populations have seen their health systems collapse not only as a result of poverty, but also as a result of conflict situations, disasters, HIV/AIDS infection and fresh outbreaks of other grave diseases.

Several questions on the form and content were raised by Experts following the preliminary presentation by the Consultant. The issues raised were as follows:

- The inclusion of sickle cell anaemia in the project;
- The role of the Red Cross societies;
- As regards the institutional framework, the issue of the coordination of this project at the national level.

The following recommendations were made with a view to improving the document:

- In the contextual analysis, put an emphasis on the main challenges that contribute to the collapse of health systems such as prolonged wars, the under utilisation of health services, etc;
- Experts to provide a list of other emerging diseases which should be included in the document ;
- In this project document replace **neglected illnesses** with **forgotten/neglected diseases**;
- Develop the research component to better document these forgotten/neglected diseases with a view to carrying out mapping of the Great Lakes Region ;
- Human Resource Development should be taken into account ;
- These forgotten/neglected diseases should be put in the agenda of national, regional and international policy makers ;
- It is important to establish a rapid response mechanism for major endemic diseases in the region ;
- Set up mobile clinic systems (mobile health infrastructure) ;
- Set up a manufacturing unit in the region for generic drugs;
- Study the possibility of tax free systems on drugs for cure of these forgotten/neglected diseases. At the same time strengthen community pharmacies ;
- Institute or strengthen the system of medical insurance at the national level ;
- Develop activities for the sensitisation of populations on these neglected/forgotten diseases at the national level;
- Create a web site for the dissemination of information on these diseases.
- Under opportunities, add Protocol on cooperation between WHO and a number of countries in the region. This Protocol was signed in 1997.

This project was approved by the group with the aforementioned amendments.

### 5) Project 4.3.5 : Response to the needs of particularly vulnerable groups

This is one of the projects that elicited a lot of discussions in the group. On one hand, these discussions resulted in a consensus on the definition of the term « particularly vulnerable groups ». On the other hand, the experts provided a number of substantial inputs which resulted in the adoption of the document with amendments.

- a) The following is the definition that was adopted by the group: **Particularly vulnerable persons are defined as persons that are likely to be exposed to the effects/impacts of foreseeable or unforeseeable events due to the precarious conditions in which they find themselves. These precarious conditions weaken their ability to adapt to a particularly situation. The definition covers vulnerable groups whose needs are not specifically covered in any other project. It comprises the following groups: Children in situations of armed conflict, street children, orphans, children who are heads of families, children born as a result of rape, unaccompanied children, abandoned children, elderly persons, ex-combatants, persons with disabilities, severely ill persons, and people threatened with extinction.**

It was recommended that IDPs and refugees who are also part of the particularly vulnerable groups be mentioned in the draft project document while specifying that they have been taken into consideration in another project.

- b) Amendments made to the document:
- At the level of contextual analysis: The group recommended that the term ‘marginalized’ be changed since it was rejected during the meeting of the RIMC and the situation of HIV/AIDS victims be described in this chapter.
  - The general objective of the project was reformulated as follows: **To identify the needs and ensure the protection and assistance to particularly vulnerable groups in the region, especially women and children.**
  - The group also made amendments on specific objectives, strategies, activities, opportunities, risks and funding by reformulating some sentences and by adding new elements.

### 6) Project 4.3.6: Sexual exploitation, abuse and gender based violence

This project was designed to address the high incidence of sexual violence in the Great Lakes Region towards women and children. In most cases, this sexual violence is used as a weapon of war.

The analysis of this document equally gave rise to rich debates that led to its adoption by the group with the following amendments:

- The title was modified as follows: « **Prevention, fight against sexual exploitation, abuse and gender-based violence and assistance to the victims**».
- At the level of the contextual analysis, the major contributions were as follows: inclusion of boys, early marriages, human rights instruments and the role of HIV in voluntary infection of victims.

- The general objective was reformulated as follows: **To prevent, eradicate and punish all forms of sexual violence, exploitation and abuse of women, girls and boys, including gender-based violence. In so doing offer assistance to surviving victims.**
- As was the case for the other projects, amendments pertaining to the format and content were made to the various chapters.

## **7) Project on the use of Kiswahili as a working language in the Great Lakes Region**

This project was developed in response to Article 74 of the Dar-es-Salaam Declaration in which the Heads of States committed themselves to promote Kiswahili **as a working language in the Great Lakes Region.**

The project document was presented by the Consultant followed by general discussions.

The Experts acknowledged that the project proposal was overall well drafted. However, the following gaps were identified.

- Some of the assertions were not in conformity with the spirit of the Dar es Salaam Declaration ;
- The format of the document is difficult to read and is different from other drafts studied by the group.

After these discussions, it was recommended that to redraft the document in the usual format and the Secretariat will ensure that it reaches the experts for analysis. The draft will then be discussed in the margins of the meeting in Luanda before its submission to the RPC.

## **II. Projects adopted by the second Regional Inter-ministerial Committee (RIMC) meeting**

The Joint Secretariat presented to the group the various observations and recommendations made by the Ministers during the meeting held in Lusaka from July 22 to 23, 2005 on the six projects previously adopted by the second TTF in Nairobi.

Of these six projects, four are linked to the Programme of Action pertaining to the framework on the protection, assistance and durable solutions for displaced persons and their host communities and the other two deal with the restoration of the environment, rehabilitation of human settlements, disaster preparedness and response.

- **Project 4.1.1:** Comply with international and regional instruments on human rights, international humanitarian law, and issuance of identity documents to refugees and displaced persons and statelessness.
- **Project 4.1.2:** Protection, assistance and search for durable solutions for displaced persons (refugees and IDPs) and communities that host them.
- **Project 4.1.3 :** Legal framework on issues related to the recovery of land and properties by returning refugees and IDPs.

- **Project 4.1.4 :** Humanitarian access and the safety of humanitarian workers and associated personnel.
- **Project 4.2.1 :** Environmental assessment and restoration and rehabilitation of human settlements particularly in and around refugee/IDP camps and settlements.
- **Project 4.2.2 :** Establishment of a regional disaster management and contingency planning mechanism.

With regard to the latter project the experts wanted more clarity on the link between the sub-committees and the proposed Regional Centre for the Promotion of Democracy and Good Governance, the issue of irregular movement of refugees, the budgetary implications of some activities identified at the regional level and that do not feature in the logical framework and the ability of the sub-committees to solve certain problems that do not fall within their mandate.

In view of these concerns, the experts agreed that all the legal dimensions of the projects shall be handled by the proposed Regional Centre for Democracy while other activities will be dealt with by the proposed Coordination Committee on Humanitarian and Social Issues. Once the follow-up institutional mechanism of the International Conference on the Great Lakes Region is adopted by the Ministers, it was obvious that a synergy will be established between the various entities.

### **III. Review of Protocols**

The group reviewed the three draft protocols on:

1. Draft Protocol on sexual violence against women ;
2. Draft Protocol on the property rights of returning populations;
3. Draft Protocol on the protection and assistance of internally displaced persons.

These protocols are legal documents that not only constitute tools for the implementation of related projects, but shall be included in the proposed Pact. The Pact is meant to bring together the states in the region in a regional framework that would result in the better protection and assistance of the populations of the region.

The discussions on these three protocols were very rich with substantial and detailed contributions from all the Experts. After expressing their appreciation for the work done by the Consultant, the Experts made the following general comments:

- The French translation of the document did not always reflect the original English version. However, the Secretariat gave assurances to the Experts that the necessary changes would be made before the documents are resubmitted for discussion in Luanda;
- The major changes recommended by the experts are as follows:

#### **Draft Protocol on Sexual Violence Against Women.**

- Change of title to ‘Sexual Violence Against Women and Children’.

- Emphasise the application of the Protocol to sexual violence in times of peace as well.
- Clarify the constituent elements of the Crime of Sexual Violence in times of peace.
- Clarify the nature of the responsibility of states for compensating victims of sexual violence crimes.
- Include a minimum sentence for sexual violence crimes as decided by the Experts

#### **Draft Protocol on the Protection and Assistance to Internally Displaced Persons**

- Include development induced displacement.
- Remove specific reference to the incorporation of specific parts of the Guiding Principles since a copy of the Guiding Principles will be annexed to the Protocol
- Include obligation of States to accept international assistance in the event of a lack of capacity to protect and assist internally displaced persons.
- Make provision for the effective participation of internally displaced persons in the formulation of national legislation applicable to them.

#### **Draft Protocol on Property Rights of Returning Populations**

- Include a chapter on development induced displacement.
- Include the need for Member States to revise laws relating to family, inheritance and succession, and the need to harmonise these with the Protocol.
- Include protection of other categories of women, e.g., single parents
- Include protection of other categories of children, e.g., children born out of wedlock, and adopted children.
- Include a compelling public interest exception governing the resettlement of minority communities and indigenous peoples.

Finally the Experts agreed that the chapters on the preamble and the implementation framework could be modified since all the protocols will be part of the proposed pact which will be submitted to the Ministers;

#### **IV. Prioritisation exercise**

The working group completed its work by classifying the draft projects and protocols in the following order of priority:

##### Immediate priority

Those projects and protocols whose activities will begin in 2006 as soon as the Pact is signed and will be implemented in a period of three years i.e: the protocols, projects 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.2.1, 4.3.1, 4.3.3, 4.3.6.

Short term priority

Those projects whose activities will begin in the second quarter of 2006 i.e.: 4.2.2, 4.3.2, 4.3.4, 4.3.5 and the project on the promotion of Kiswahili as a working language.

## **V. Conclusion**

The work of the thematic group was carried out in a cordial environment with the active participation of all Experts and group facilitators. The experts highly recommended that all the amended protocols and projects be made available before the meeting in Luanda. The Secretariat subscribed to this view.