Cape Town, South Africa, 27-30 June 2006

Opening Remarks at the XML Training Workshop by

John Mary Kauzya

Chief, Governance and Public Administration Brunch
UN/DESA, New York

Ladies and Gentlemen,

I would like to open this Workshop by providing some background information about UNDESA activities in support of Parliaments meant to broaden and extend the activities of "Strengthening the Parliaments' Information Systems in Africa".

As you know the UN has started???? hosting a meeting of Speakers of Parliaments and the Presiding Officers in New York on the eve of the High-Level Meeting of Heads of States and Governments that occurs every year in September. This is an apparent evidence that UN has put more importance on the role that Parliaments can play on the world scene to promote peace and equitable development and to help bridge the democracy gap in international relations as proposed by the resolution adopted last September..

ICTs can and should play a strategic role in this context and facilitate sharing of knowledge between peoples. Information societies have the potential to enrich and renew democracy. ICTs offer an additional channel for public debate and participation. They enable greater participation by all citizens in the decisions that affect them.

Citizen Centric e-Parliaments is becoming a keyword that UN, EU and development agencies use often. The UN is firmly committed to support parliaments in this endeavour, to take this opportunity to promote a renewed relationship between citizens and parliaments, to make sure that ICTs are deployed in new and innovative ways ensuring that even the hardest to reach groups are included.

ICTs can make parliamentary work more effective and more transparent. They offer new opportunities to consult with the public and receive input from citizens. ICTs enable members of parliament to access a wider range of sources of information, that can be used to better hold the government to account. It gives citizens the possibility to be in direct contact with members of parliament, to know what contributions members have made in parliament, how they vote, and how they represent their constituents.

In order to set the stage for discussions and debates around the critical challenges stakeholders face as they struggle to deliver the full potential of e-parliaments or better as we call it of i-parliaments, where "i" stands for interconnected parliaments, UNDESA, in partnership with the IPU, at the WSIS of Tunis, in the November 2005 launched the "Global Centre for ICT in Parliament", an alliance of national and regional assemblies, bilateral and multilateral agencies, international organizations, media, corporations and civil society.

The Global Centre draws on the experience of "Strengthening the Parliaments' Information Systems in Africa" and synergies that its regional approach has brought about. It seeks to contribute to the empowerment of legislatures by reinforcing parliament capacity to harness information and communication technology tools, and place them at the service of the institutional process, citizens' access to parliamentary activities and of inter-parliamentary cooperation. It is intended to provide a framework to better coordinate and give common orientation to the different international efforts under way, to leverage the forces of the Information Society in support of democracy,

the rule of law, and economic and social development.

The Global Centre for Information and Communication Technology in Parliament aims at finding new modalities to better inter-relate relevant research and operational work in ICT so that they deliberately reinforce each other; to identify best practices that should be exploited in a much more systematic way; and to create a hub that could help leverage the wide-ranging capabilities of Parliaments to help build better societies and a better globalization. The Centre has the potential to become an essential instrument for reinforcing Parliaments' capacity to use ICT in order to better fulfil their democratic functions.

To respond to the exhortation of the Nairobi Declaration, endorsed by 24 African Parliaments last year at the International Conference, "Parliaments' Information Management in Africa: Challenges and Opportunities of ICTs to Strengthen Democracy and Parliamentary Governance" organised by UN/DESA and the Kenya National Assembly in Nairobi, Kenya, February 2005, and also to strengthen, consolidate and disseminate the achievements of the current project UNDESA, in cooperation with the Pan African Parliament, has prepared a new initiative "Africa i- Parliaments Action Plan" that was endorsed by a Resolution of the Pan African Parliament on the 2nd of December 2005 and was presented at the WISI in Tunis.

The "**Africa i-Parliaments Action Plan** – *Interconnected-Parliaments: Strengthening the Role of African Parliaments in Fostering Democracy and Good Governance through Knowledge and Information Management*" is an Africa-wide initiative whose main objective is to provide African Parliaments with the opportunity to modernise their information management capabilities and to become open, participatory, knowledge-based and learning organisations. African Parliaments urgently need access to ready-to-use data, specialized information, expert advice, and the assistance of skilled and professional staff in order to: better address the many pressing issues related to African

economic and democratic development; effectively carry out their constitutional and legislative mandates; and engage and connect more efficiently with citizens, civil society organisations, other parliamentary assemblies and the international community at large.

The Programme intends to contribute to the strengthening of Parliaments in Africa as vital components of democratic societies and essential elements of good governance. The Programme aims at **building information and knowledge management capacities, creating information services, and developing Parliamentary Information Systems and collaborative tools in African Parliaments.**

The programme's overall goal is to promote transparency, accountability, democratic participation, and good governance in Africa by empowering African Parliaments to better fulfill their democratic functions; to increase the efficiency of their legislative processes and oversight capacity; to strengthen inter-parliamentary cooperation; and to improve civil society participation in the parliamentary process.

Let me now provide you with some notes on rationale for the Workshop. In a modern Western democracy regardless of the legal tradition, common law or civil, the government has a clear obligation to make the primary legal sources available to the public. Legislation confers rights, benefits, and privileges, and imposes obligations.

It is a fundamental principle that ignorance of the law is no excuse forfailure to comply with the law. At the same time, people cannot be expected to know their legal rights or comply with the law if the law is not easily accessible.

Technology has now advanced to a point where access to up-to-date legislation can be provided via the Internet. Effective access to primary legal materials would enhance every arm of government and civil society too. For example the action of the judicial arm of government is enhanced by;- free access to primary materials including legislative history, by better satisfying the precepts on which a legal system is based and

by improving the accountability of our judiciary and legal representatives.

As the legislation expands to cover more and more categories and globalization forces harmonization of laws between nations, the importance of legislation is growing. It covers nearly every aspect of our lives and the world around us and it is frequently changed though amendments.

Customarily, the consolidations of legislation typically happens every five to ten years, if at all. Citizens, in a society where ignorance of the law is no excuse, at the very least have a right to know what the current text of the law is. In a democracy, this is a very important right.

To address this very urgent democratic requirement there is need for a dynamic collection of the legislation, a 'point-in-time' repository, where users can search and browse the whole body of legislation as it was at an arbitrary snapshot in time.

This is what we came to present and discuss. In very simple terms a way to structure and store legislation electronically (AKOMA NTOSO) and a system (BUNGENI) to manage and deliver this information to the citizens, Parliament, judiciary and government.

Specifically for the Parliaments this means that parliamentarians are better informed on the legislation before them. Legislators will become more accountable. The people will have access to much the same tools as the legislators. They can find exactly what is in the legislation, and can lobby more effectively for changes to be made.

If properly and collectively implemented there will be no need to maintain a vast library of legislation, rather every individual law office and government department maintaining their own set of paper consolidations, the legislative process? can be centralized. The work is done once. The result should be lower costs for legal research, lower costs for delivery of government services, and lower costs to businesses and individuals who have to comply with the law.

AKOMA NTOSO is critical for the achievement of a much wider goal. The AU objective of Africa integration consist also in what we may define as a continental-unification of the law of Africa, that is the facilitating access, integration and reuse of legal information pertaining the member state of the African Union/Pan African Parliament.

AKOMA NTOSO is in this context a world-first example of shared interoperable standard for legal and parliamentary information in order to enable the the access, communication, processing and integration of legal sources and parliamentary documents through Internet-based technologies. AKOMA NTOSO was recently presented at an European "Legislative XML Workshop" in Florence, Italy, and it gained the support of several European universities starting with the Law Faculty of the European University of Fiesole.

Yes, Africa is coming from behind but we have here the opportunity to move ahead and become an example for the other continents. A similar project is currently under development in Europe which as all admit, will be a long and expensive exercise for it deals with consolidated and divergent approaches., f

This workshop marks a totally new level of collaboration of the African parliaments.. Sharing standards and services will introduce an entirely new dimension to the level of collaboration and exchange of information. This is one of the instances where new technologies can also bring about not only a technological change but also deeper and rooted substantive collaborations and sharing. Common standards will not onlyfoster dialogue with civil society, citizens but also serve to really make full and articulate use of parliamentary information. The whole process could, hopefully, lead to greater collaboration at the international level and to greater sharing of experiences and resources that together can contribute to ensure that African Parliaments can contribute meaningfully, from a strengthened position, to implementing a more inclusive and

equitable development activities and the goal of the African Union.

In this context I would also like to acknowledge that Hon. Mbete, Speaker of the National Assembly of South Africa, in a letter of the 7th of June to Mr. Ocampo, UN Under-secretary General, has formally expressed the support to the UNDESA initiatives in support of African Parliaments to be implemented under the aegis and in collaboration with the Pan Africa Parliament and more specifically to the idea of a single inter-Parliamentary information sharing platform for the African Parliaments.

I had the opportunity to read the address by the Speaker regarding the "Parliament Budget Vote" on the 6th of June in which she states that "The vision seeks to build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa. It builds a people's Parliament, which provides – as the constitution enjoins - a national forum, involving the people of South Africa in its processes and acting as their voice."

This is very much what our vision for the African Parliaments is we wish to realise together with you all. If we work together and and commit to it, we can achieve it.