

INTERNATIONAL CONFERENCE ON:
AFRICAN LEGAL RESOURCES: CHALLENGES AND OPPORTUNITIES OF
LEGAL INFORMATICS

SUZANNE VOS

MEMBER OF PARLIAMENT: PAN AFRICAN PARLIAMENT
(Rapporteur: Committee on Transport, Industry, Energy, Science,
Technology and Communications)

e-Revolution in Document Management: Opportunities and Challenges

At a conference organised by the Italian Chamber of Deputies in Rome early this month, the President of the Inter-Parliamentary Union, Mr Pier Ferdinando Casini, made the following point:

'The information society is a major revolution in many of our countries. It has the potential to greatly improve our lives... and there is an urgent need for parliaments to play a more active and more decisive role in its development...'

Throughout Africa that need is even more critical as we too need the *revolution*. Mr Casini and other leaders around the world have already taken for granted in their own lives and in their own countries.

Future generations throughout Africa will have every reason to look back at us with scorn if we do not deploy ICTs as tools for socio-economic development and at the same time to entrench universal democratic norms and values which emerge when all citizens are treated with equal value and granted equal access to information.

ICT's provide key drivers for transparency and accountability – this is now a fact.

Countries within Continents to our North, East, West and South already apply e-Government, e-Education, e-Health and in Australia I have also witnessed e-Voting! There is now e-Democracy in action!

As signatories to the African Union, our countries and our leaders have pledged to promote economic and social integration.

It is a strategic objective of the Pan African Parliament, an organ of the African Union, to foster regional and continental harmonization of

legislation and other texts in Africa. We cannot do this unless we all harness and adapt and utilise the tools that ICT have given us to perform this task.

We must, therefore, develop Africa-wide shared standards to enable governments and parliaments throughout the Continent to meaningfully interact and cooperate among themselves but, also, to empower their citizens to gain access to knowledge which is, by right, theirs to access – not only in their own countries but elsewhere as African citizens and in the spirit of Pan Africanism.

We have to ask ourselves why is Africa continuing to lag behind – why does it seem as though this revolution may pass many of us by? What is the problem?

I do not believe it is because we lack the resources or the managerial capacity. Wonderful work in the ICT sector is already being done in some countries only recently ravaged by wars.

What is perhaps lacking is the understanding that by Parliaments operating across borders on a day-to-day basis *and by sharing* they can acquire common knowledge and common understandings of problems which affect them equally.

By using the tools of ICT there is no doubt that problem-solving initiatives and solutions will flourish.

The following points need to be made with regard to this subject matter which are, I believe, critical to enabling African Parliaments to build the capacity they need to perform their oversight roles:

- It must be understood that archival activities, which have been unchanged for decade after decade, can be and are being revolutionised by technological innovations all over the world;
- Europe is an example of the transition from paper to electronic records – the *paperless era* has well and truly arrived there. This does, of course, bring both challenges and opportunities for public administrations. Africa can learn from those who have gone before us in this regard;
- Digital Information Management needs to be mainstreamed as a cornerstone of the modernization and development agenda of each country;
- It is clear, too, that any lack of timely and appropriate measures can and will seriously endanger the authenticity and conservation of vital public information. Data is key to improving the

management of public resources and services and in promoting transparency and accountability;

- Africa has now a unique opportunity to learn from others and literally jump ahead – free of all the problems faced by European countries in the adoption of common European standards to deal with the electronic processing of legislation;
- The Pan African Parliament fully supports the objectives of UNDESA and already, in 2005, our President, HE Ambassador Gertrude Mongella, endorsed and offered the support of the Pan African Parliament towards the achievement of common standards for parliamentary and legislative documents throughout Africa;
- The goals of this Conference are in harmony with the goals of the Pan African Parliament and more specifically of the Committee on which I serve. The promotion and development of Africa-wide shared standards for legal knowledge will allow us to leverage ICTs to increase accessibility of African laws and decision-making and legal data over the Internet – often providing access within seconds;
- Increased availability of legal information and knowledge will, as I have said, empower civil society and public administration and support the rule of law and good governance;
- What makes this Conference unique is that it also seeks to advance cooperation between different legal authorities of different member States which will achieve, we hope, precisely what we in the Pan African Parliament want: the harmonisation of legislation and spreading of best practices all over Africa;
- We in the Pan African Parliament are insistent that we can only achieve this by working together to create an enabling environment;
- We therefore need to take whatever decisions are necessary to support the implementation of standards and tools which are being presented to us at this Conference;
- This Conference can help us build the foundations which will make it possible for us to interconnect, eventually, all of Africa's legal and legislative resources into a virtual common cooperative legislative knowledge repository employing common standards regarding the structure, legal language and mark-up of legal and parliamentary documents;
- It must be noted that it is only a matter of a few years before the Pan African Parliament will acquire full legislative powers. It will be crucial for this Parliament to have this repository of legal knowledge as it moves forward in its own legislative role;
- It is clear to us that GUIDELINES will need to be drafted aimed at promoting a convergence of practices and we are therefore

- grateful for the ongoing development of AKOMA NTOSO and BUNGENI – about which there is abundant documentation;
- The fact remains that throughout Africa we do not need only to work together but we also need to build our own capacities and skills and Parliaments must now invest in human resources. The pre-Conference Workshop which took place yesterday emphasised the importance of building and retaining key Parliamentary expertise;
 - These networks of expertise need to be continually challenged and encouraged and enabled. The Pan African Parliament is therefore also fully supportive of the proposal to establish a Network of Excellence between Africa and Europe with the aim of building sustainable capacity and know-how in Africa which will enable us to hold our own in the strategic field of Legislative Informatics.
 - Just as PAP immediately grasped the relevance of the Africa i-Parliament Action Plan, the proposal to set up a Network of Excellence is, indeed, an *excellent* way in which to address the issue of building local capacities and to transfer know-how;
 - What we here need to understand is that these proposals are not UN proposals and nor are they UN-owned proposals – they are *our* proposals and we need to proudly own them, fully support them and ensure that they are adequately funded;
 - Today and tomorrow we have the opportunity to team together and to show our determination to plan and to give Africa what it needs – that planning must start today. We *can* do it and we can and must succeed. We owe it to Africa – it is the legacy we here today must leave for Africa.

When we develop and refine common standards for ICT in regional contexts and they are harmonized throughout Africa, remember that these will be AFRICAN STANDARDS DEVELOPED BY AFRICANS FOR AFRICANS.