

**1<sup>st</sup> AFRIMETS GENERAL ASSEMBLY MINUTES DAY 2**  
**TOPIC: Discussion of the Draft Memorandum of Understanding**  
**05 July 2007**  
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<b>Attendance :</b>		
<b>Chairman :</b> Dr. Oswald Chinyamakobvu		
<b>Attendees : GA Delegates</b>	<b>Apologies : N/A</b>	<b>CC : N/A</b>
<b>Preamble</b>		
<p>Dr. Berrada (Morocco): The preamble begins with reference to <b>the member organizations</b>. Are we talking about member states? The metrology organizations in these countries? We need to be a bit more precise in this definition.</p> <p>Dr. Louw: We are referring to the organization signing it, be it the institute or the country. If we do start to be very specific there, we could end up excluding organizations later. Dr. Louw agrees with the Chair that we keep it as is.</p> <p>Dr. Berrada agreed with the explanation and suggested that the definition of member organizations be explained in a “Definitions section” of the document. Madame Laroussi (Tunisia) reinforced the need to include such a section that would explain what we mean by, for example: “Member Organizations”.</p> <p>General: Concern was then raised about the translation into French. There was also concern about organizations that might not be able to participate in AFRIMETS for financial reasons.</p> <p>Dr. Louw: We should not confuse AFRIMETS membership with the BIPM membership fee structure. There are no membership fees at the moment . AFRIMETS can later decide if there should be fees or not.</p> <p>Dr. Carstens (SABS): There is no requirement from BIPM or OIML that one should be a member of AFRIMETS.</p> <p>Dr. Berrada: Article 4 of the document does clarify the issue of membership. In launching AFRIMETS, we need to make do with the organizations we have. We do not need to define in a fixed way the regions for the moment. We need to keep it loose; keep it open at this starting point. We need to encourage many organizations to join at the start.</p> <p>Mr. Zulu (Zambia): Let us go forward – we have handled most issues.</p>		<b>Secretariat</b>

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<p>Dr. Louw: We did send out the document for comment over a year ago now. What we are doing this morning is ratifying the comments already received over the past year. Should we today decide to substantially change the document, it will have to go around again. We must ask ourselves what the mandate is today. If we want to proceed to a point where we are ready to sign or get approval to sign by tomorrow, then we should proceed.</p> <p>COMESA: (Mr. Mwambazi): It is a draft MOU. Whereas we do want speed, we need to be mindful of the comments from the floor. If we do want it to be inclusive of African countries, we need to look at the list of people who attended today. He suggest we take comments today and be more flexible and at the same time maintain momentum in making progress through the document.</p> <p>Chair: One cannot have a perfect document. We take your points, and AFRIMETS will later review the document more.</p> <p><b>Mr. Brian Beard (SABS): Let us record that we have taken a decision to have a definition section and to accept the preamble as is. The Chair confirmed this.</b></p>	<b>Secretariat</b>
<b>Article 1: Establishment</b>	
<p>Concern was again raised about the ambiguity of certain points in the French translation, and that perhaps we should work with the French and English versions together.</p> <p><b>Dr. Louw: Can we do the English version now, and then have the interpreter and our French speaking colleagues check it tomorrow.</b></p>	
<b>Article 2: Object of AFRIMETS</b>	
<p>Mr. Geraldo Albasini (Mozambique): Regarding point 2.1 (e): If the working language is English and French, we must realize that approximately 5 countries are Portuguese. How can we get closer collaboration with members if these 5 members cannot participate due to a language barrier?</p> <p><b>The Chair proposed that we handle the enquiry in Article 13 (Working Language)</b></p> <p>Mr. John Akanya (Nigeria): Can we also have an English volunteer to look at the English. For example, point e) can be improved.</p>	

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COMESA: In point 2.1 (e), are we only referring to those members who are working on measurement standards. Does this exclude others, for example those members who are working on legal metrology issues?

Dr. Louw: We agree, can Mr. Carstens make a suggestion.

**Mr. Carstens: Requested that we add to 2.1 (e) "...and harmonization of legal standards..." within Africa. Dr. Louw edited the document accordingly**

Mr. Ayoup Elrashdi (African Union): In 2.1 (a), can we be careful with the terms "continent" vs "region". Africa is the continent and we have regions. But for outside countries, Africa is seen as a region.

Mr. Joel Kioko (Kenya): If we are going to attempt to align politically with the African Union for example, we will have barriers. If we ask ourselves whether we are aligned politically, it will hamper progress. We should ensure that we are just aligned with the metrology community.

Mr. Martin Kaiser (PTB): The expression "regional" or "Sub-regional " is not standardized. We would suggest that it is better for AFRIMETs to follow the international practice of BIPM and OIML.

Mr. Carstens: Could we use the definitions section to clarify what a "region" and "sub-region" refer to?

COMESA: We are subscribing to the African Union mandate, which means that we cannot completely disassociate ourselves from the AU (African Union).

Madame Laroussi: I have a remark regarding e). "...within Africa". Yesterday we saw that our participation is only about 2% of international trade. The work we do in metrology is to facilitate international trade. Do we have anything which is specific to Africa in the case of measurements? I do believe it is time to immediately adopt international standards as this will help with international trade. If we want quality infrastructure, we need to adopt what will be of use to us in our trade.

**After much discussion, it was pointed out by Stephan of the PTB that the misunderstanding is from the translation in French. It's a translation problem in point (e). Dr. Louw edited 2.1. (e) of the French document.**

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<p>Madagascar (Ms. Jeanine Marie Rajaonarivony): 4.4. : My question: What are the “rules of procedure”? Do they exist or are they something we must still draft?</p> <p>Dr. Louw: <b>The Rules of Procedure must still be developed, by AFRIMETs.</b></p> <p>Kenya (Mr. Kioko): The spirit of the agreement should be: “Some categories may not come on board quickly. AFRIMETs should therefore be a motivating factor for members in Africa to develop the infrastructure they need to join AFRIMETs later. “</p> <p>Dr. Berrada: Commenting on COMESA. We should try to get membership going, and then once we prove we have something that is to the benefit of each member, we then try to fit into AU etc. Let us not bring in political issues which could slow the process.</p> <p>Mr. Brian Beard: Where would a sub region like EURO Mediterranean, which falls outside Africa but is still African, fall? <b>Stuart suggests it would fall under c) rather than b). We can add: RMO’s and RLMO’s.</b></p> <p><b>Check the French translation of 4.4.</b></p> <p>From the Chair: In summary, for 4.2: 4.2 a) is staying the same. 4.2 b) we add “designated institutions 4.2 c) We can leave out the “Other” and add “RMOs, SRMOs, RMLOs, and outside or partially outside Africa”. 4.2 d) We leave it as is and then define “observer” to clarify whether observers can change.</p> <p>Dr. Louw made the actual changes in the document.</p> <p>Mr. Michael Streak (NMISA, South Africa): <b>To 4.4, add “Application, withdrawal, suspension....”</b></p>	<p style="text-align: center;"><b>Secretariat</b></p> <p style="text-align: center;"><b>Secretariat</b></p>
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<b>Article 5: Rights and Responsibilities of Members</b>	
<p>Dr. Berrada: In terms of the AFRIMETs philosophy, we want to encourage participation of the regions. Perhaps we should give them voting power. It must be cautioned that with the current wording, there could be a situation where a region would dominate the executive committee (EXCOM). The executive committee should be composed of all the sub-regions. As it is described here, it is possible that one sub-region would dominate the others.</p> <p>COMESA: I think each sub-region should be represented; rather than trying to limit membership of the EXCOM.</p> <p>Mr. Martin Keizer: Note that the executive could end up consisting of a very large number of individuals.</p> <p>Brian: In 5.2.1 a), the issue of “voting rights equal to twice the number of states”. We need to make it clear that only the nominated RMO of a country will have the voting rights of that country. Else we have the situation where it is not clear. Dr. Louw and Mr. Carstens confirm that 5.3 had been written to clarify this. Dr. Louw also suggests that we explain it clearly in the “Rules of Procedure”</p> <p>Madagascar: Regarding 5.3. In 4.3 we stated that only one membership category is allowed. There is a bit of ambiguity there. <b>Mr. Carstens clarified that 5.3 refers to the SRMO. The Chair confirmed that we are happy with Article 5.</b></p> <p>Ms. Steyn (the dti): We should <b>add under item 5.2: “...they will have the following rights and obligations”</b>. Dr. Louw made the changes in the document.</p>	<i><b>Dr Louw</b></i>
<b>Article 6: Authority</b>	
<p>Madame Laroussi stressed that the voting and quorum issues need to be clarified. After much discussion, it was felt this was not appropriate for the MOU, as it would be too much detail.</p> <p>After much discussion, it was suggested by Dr. Berrada to <b>move article 6 and to include it as part of Articles 8 and 9.</b></p> <p>Dr. Louw explained again the process that the document has already gone through. We are now starting again to talk about very fundamental changes to the document, yet again. The feeling of the task team that put this together was that the AFRIMETs itself would later iron out all the issues we are raising, after signing this initial MOU.</p>	

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<b>Article 7: Structure of the Organization</b>	
<p>Dr. Berrada: I would like to mention an amendment in 7.1.3. "It is not "hosted" but I would rather say: "Taken care of". The French version is talking about the permanent secretariat. There is a contradiction between article 12 and 7.1.3 There are 2 secretariats, a NEPAD one and an AFRIMET's one. <b>Chair: This is probably only appearing in the French translation. We will resolve it in there.</b></p> <p><b>After much discussion, it was decided to move 7.1.3 to article 12. This avoids any cross-reference between the two articles. Dr. Louw made the changes requested.</b></p>	<b>Secretariat</b>
<b>Article 8: General Assembly</b>	
<p>Nigeria. In the last line of 8.4; "...not more than 6 members including the chairman". I suggest we make it an odd number for voting purposes. <b>We can change it to just exclude the chairman. This will work. Dr. Louw made the changes</b></p> <p>Madame Laroussi:  Regarding 8.3, financial statements etc are mentioned. However the issues of budget and who will finance activities is not covered elsewhere in the document.</p> <p><b>Dr. Bennet: For an MOU which is not a legal body, the quorum issues do not have to be described. EURAMET had to do this only when it became a legal body.</b></p> <p><b>Dr. Berrada: There is another translation problem in 8.3. In the French version it is suggested that the GA creates the budgets. The English version is correct, that the GA just needs to approve the financial statements.</b></p> <p>If you take EURAMET, the Chair is rotated – it is not permanent. It is usually elected by members of the EXCOM. Each General Assembly happens every 3 years, so the 2 years for the chairman is OK as it ensures continuity. Dr. Louw: The French version probably leaves this out. <b>The 3 year term is mentioned in the English version and not in the French version.</b></p> <p>Dr. Berrada: Perhaps we can say in AFRIMETs that only organizations who are members can be eligible for Chairmanship. <b>A lot of these grey areas will be dealt with in the rules of procedure.</b></p>	<p style="text-align: center;"><b>All to discuss</b></p> <p style="text-align: center;"><b>Secretariat</b></p> <p style="text-align: center;"><b>Secretariat to check</b></p>

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**Comment again on 8.4: Does 8.4 not contradict 10.3? Dr. Louw made the recommended changes to 8.4**

**Article 9: Executive Committee**

Mr. Martin Keizer: We need to add a sentence to 9.1. Dr. Louw made the changes. **“...up to three elected delegates to represent all the RMOs”.**

Dr. Berrada: If we have already mentioned that there will be a representative from each sub-region, then how will elections take place? We need further clarification on the 3 elected delegates.

**Dr. Louw: We can define it carefully in the Rules of Procedure. Else how about we remove the “up to 3 delegates’.**  
**Dr. Louw updated the paragraph accordingly.**

Mr. Michael Streak: I have concerns with guaranteeing a seat for every sub-region on the EXCOM.

Nigeria: This document cannot be independent of the rules of procedure and vice versa. Let us put a basic structure in place and not continue this further. We are again getting into too much detail.

Dr. Berrada: Coming to Michael's comment, I do believe we can tackle this issue in a democratic manner.

COMESA: Why do we need to have NEPAD in 9.1?

**Mr. Karim Khalil (NEPAD): NEPAD had been asked to be involved. It was also suggested they serve on EXCOM.**

**Mr. Kioko from Kenya: The document is a very good start. As time goes on, there will be reviews. We must also recognize that at some point we will have to contribute financially for AFRIMETS. Since it supports SQAM and metrology, we have a good beginning and the support of NEPAD is needed to get us started.**

The chair asked if there were any further issues with section 9. No further comments were raised.

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<b>Article 10: Chairperson and Article 11: Vice-Chairperson</b>	
<b>It was mentioned that 10.1. is redundant as it has already been mentioned in article 5.</b>	
<b>It was also decided to repeat the second statement of 11.2 in article 10 as well. This was added as point 10.4. and point 11.2 remains.</b>	
<b>Article 12: Secretariat</b>	
A question was raised on how the secretariat can be run and financed?	
<b>Mr. Carstens commented that the volunteer who takes on the role will finance it. This sentence was added by Dr. Louw.</b>	
<b>Comment: in 12.7, can we use the word “may” instead of “should” ? Dr. Louw made the suggested changes.</b>	
Dr. Berrada: Tomorrow we will have the signing of the MOU. I would like to suggest that tomorrow if we do not have the MOU available with all the changes and all corrections; then we sign the minutes of this meeting instead so that we can make sure the MOU can go ahead and be signed off later.	
Nigeria: I have a comment on 12.6. Is there a maximum period or can it be renewed indefinitely?	
Mr. Carstens: Some countries have resources to run the secretariat over a longer period, and we wanted to allow for this based on our experience with similar forums. Of course, in the case where another country volunteers the secretariat, they can then take it over with the associated financial requirements.	
<b>Article 13: Working Language</b>	
Mr. Matchai Marthinus Blasius (Nigeria): can we address the language issue here? For example, what is the working language of the African Union?	
Mr. Kioka (Kenya): If the minutes can be ready, and the MOU ready tomorrow, let us then go ahead and finalize. We are present, and should use this opportunity while we are here to sign off the MOU if at all possible. My opinion is that English is the primary language, and this can be the master copy.	

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NEPAD: In the AU commission, there are 6 official languages. There are budgetary implications. Countries that requested additional languages have had to carry these costs. The practice at NEPAD is to use English and French as the working language, and that if countries would like other languages; then they may do so at their own cost.

Nigeria: We would like to congratulate the chair for the manner in which the session today was handled.

The meeting is adjourned until the next day.

*All*