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TWELFTH PARLIAMENT

(Third Session)



REPORT OF THE THIRD ORDINARY SESSION OF THE FIFTH
PARLIAMENT
OF THE PAN-AFRICAN PARLIAMENT

Midrand, South Africa

7th to 18th October, 2019

Clerk's Chambers,
Parliament Buildings,
NAIROBI.

December, 2019

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LIST OF ABBREVIATIONS

ADB:	African Development Bank
AfCFTA:	African Continental Free Trade Agreement
ARC:	Africa Risk Capacity
ATAF:	Africa Tax Administration Forum
ATT:	Arms Trade Treaty
AU:	African Union
AUC:	African Union Commission
AUCIL:	African Union Commission on International Law
AUDA-NEPAD:	African Union Development Agency – New Partnership for Africa’s Development
CFTA:	Continental Free Trade Area
CAPA:	Committee on Audit and Public Accounts
CMFA:	Committee on Monetary and Financial Affairs
CSOs:	Civil Society Organizations
DTA:	Double Taxation Agreement
FAO:	Food and Agriculture Organization
FTA:	Free Trade Area
ICT:	Information Communication Technology
IFF:	Illicit Financial Flows
IOM:	International Organization for Migration
NCDs:	Non-Communicable Diseases
OAU:	Organization for African Unity
OSBP:	One-Stop Border Post
PAP:	Pan African Parliament
PRC:	Permanent Representatives Committee
REC:	Regional Economic Communities
TICAD:	Tokyo International Conference of African Development
UHC:	Universal Health Coverage
UN:	United Nations
UNICEF:	United Nation Children’s Fund
UNIDO:	United Nations Industrial Development Organization
UN-POA:	United Nations Programme of Action
WHO:	World Health Organization

1.0 PREFACE

Mr. Speaker,

The Third Ordinary Session of the Fifth Pan African Parliament took place from 7th to 18th October, 2019 at the Gallagher Convention Centre, Midrand, South Africa, where various issues on matters affecting the member States were deliberated upon and resolutions on them adopted. The theme of the Third Session was, “2019, the Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa”

The Kenyan delegation to the Third Ordinary Session of PAP comprised of the following:-

1. Sen. (Dr.) Abdullahi Ali Ibrahim, CBS, MP – Leader of the Delegation;
2. The Hon. Janet Ong’era, CBS, MP;
3. Sen. Stewart Mwachiru Madzayo, MP;
4. The Hon. Jude Njomo, MP;
5. The Hon. Beatrice Kones, MP;

Mr. Speaker,

The delegation actively participated in the deliberations of the Ordinary Session, the sittings of Permanent Committees of the Pan African Parliament and the Pan- African Parliament Eastern Africa Regional Caucus.

Mr. Speaker,

The Pan-African Parliament (PAP) discussed a number of issues, among them, the activity report of the PAP, covering the period of May – September 2019, 2019-2023 Strategic Plan of the PAP and the implementation of the Malabo Protocol on the Constitutive Act of the African Union relating to the PAP.

Additionally, the PAP undertook the swearing in of new Members of the PAP, and the new Members were nominated by the PAP Regional Caucuses and the Women and Youth Caucuses to join Permanent Committees of the PAP.

The PAP also considered several reports, including reports of the Committee on Finance and Monetary Affairs on the PAP 2019 Budget execution and update on the approved 2020 Budget of the PAP and the report on update on the double taxation agreement; the report of the Conference on Women's Rights; report of the Joint Workshop of the Committee on Transport, Industry, Communications, Energy and Technology; Committee on Rural Economy, Agriculture, Natural Resources and Environment and Committee on Trade, Customs and Immigration on Renewable Energy in Africa; report of the Committee on Audit and Public Accounts (CAPA) on the review of audit reports on the activities of the Pan African Parliament; report of the Committee on Audit and Public Accounts and the Committee on Monetary and Financial Affairs Seminar on Managing Debt and fighting Corruption; Presentation and Debate on the Launching and implementation of the African Continental Free Trade Agreement (AfCFTA) by the Commission for Trade and Industry of the African Union; report of the Committee on Trade, Customs and Immigration on PAP activities on Continental Free Trade Area (CFTA); report of the Committee on Cooperation, International Relations and Conflict resolutions on peace and security in Africa, as well as its report on the regional seminar (which was part of the pre-session meetings) on "Enhancing parliamentary engagement and action for more peaceful and sustainably developed societies – implementation of 2030 Agenda, the Arms Trade Treaty and the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (UN PoA)"; report of the Committee on Gender, Family, Youth and People with Disability on update on Draft Model Disability Law; report of the Committee on Justice and Human Rights on update on Model Law on Policing; and report of the Committee on Health, Labour and Social

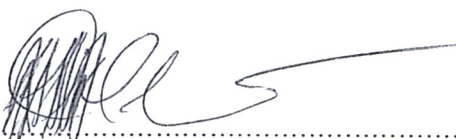
Welfare on the final communique of the High Level Pan African Summit on HIV&AIDS and Health Financing held in Brazzaville Congo and report on fact finding mission on Child Labour in Mining Areas in Cote d'Ivoire; report of the Committee on Rural Economy, Agriculture, Environment and Natural Resources on the Draft Model Law on Food Security and Nutrition.

Finally, the PAP considered the resolutions and recommendations of the Third Ordinary Session of the Fifth Pan-African Parliament and adopted them.

Mr. Speaker,

The delegation is grateful to the Speakers of the two Houses for allowing them to attend the Session, for facilitating travel and accommodation, and providing logistical and technical support in liaison with the offices of the Clerks of Parliament.

It is now my pleasant duty, on behalf of the delegation to present and commend this report to the Houses of Parliament for noting.

Sign: 

SEN. (DR.) ABDULLAHI ALI, CBS, M.P.
LEADER OF THE DELEGATION

Date:

2.0 INTRODUCTION

The Pan African Parliament (PAP) is established in accordance with the Protocol to the Treaty establishing the African Economic Community. Article 2 of the Protocol provides that “Member States hereby establish a Pan African Parliament, the composition, functions, power and organization of which shall be governed by the present Protocol.”

The purpose of the PAP, as set out in Article 17 of the African Union (AU) Constitutive Act (2000), is to ensure the full participation of African peoples in the development and economic integration of the continent. Also known as the African Parliament, the PAP is the legislative body of the African Union. The PAP held its inaugural session in March 2004 in Addis Ababa, Ethiopia and its current seat is in Midrand, South Africa. The Parliament affords the opportunity for people from all African states to be involved in discussions and decision- making on the problems and challenges facing the continent.

Objectives of the Pan-African Parliament

The objectives of the Pan African Parliament are spelt out in Article 3 of the PAP Protocol and include to-

- a) Facilitate effective implementation of the policies and objectives of the AU.
- b) Promote the principles of human rights and democracy in Africa.
- c) Encourage good governance, transparency and accountability in Member States.
- d) Familiarize the peoples of Africa with the objectives and policies aimed at integrating the African continent within the framework of the establishment of the AU.
- e) Promote peace, security and stability.
- f) Contribute to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery.
- g) Facilitate co-operation and development in Africa.

- h) Strengthen continental solidarity and build a sense of common destiny among the peoples of Africa.
- i) Facilitate co-operation among Regional Economic Communities and their Parliamentary fora.

Members of the Pan-African Parliament

The PAP is composed of 250 Members of Parliament from each of the 50 AU Member States that have ratified the PAP Protocol, with each Member State represented by five (5) Members of Parliament. The representatives are elected by the legislatures of AU Member States.

However, the Protocol on the Constitutive Act of the African Union relating to the Pan- African Parliament (Malabo Protocol) has proposed for election of PAP Members through universal suffrage. Once ratified, membership to the PAP will be through election in the respective countries, similar to the election of Members to the European Parliament. PAP MPs will also be barred from serving as MPs in their respective national legislatures. This is one of the changes that seek to transform the PAP to a fully legislative organ once the protocol is ratified by the requisite membership. Kenya has not ratified this protocol.

The protocol stipulates that the composition of a country's delegation reflects the diversity of political opinions of the member state's legislature, with at least one of the members being a woman.

Organs of the Pan-African Parliament

The PAP is made up of three (3) main bodies, i.e. the Plenary, the Bureau and the Secretariat. There are also ten (10) Permanent Committees which deal with different sectors aligned to the agencies of the African Union (AU).

a) The Plenary

The Plenary is the main decision-making body of the PAP and passes resolutions which are then transmitted for implementation by relevant

agencies of the AU and by Member States. It brings together all the elected Members, and is presided over by the President (Speaker), assisted by 4 Vice-Presidents.

b) The Bureau

The Bureau is the leadership organ of the PAP and comprises the President and the four Vice-Presidents. Each member of the Bureau represents a different geopolitical region of Africa. The Bureau of the PAP is responsible for the organization and operations of the Parliament as an institution.

c) The Secretariat

The Secretariat provides technical support to and assists in the day-to-day running of the PAP. The Secretariat is headed by a Clerk assisted by two Deputy Clerks and Directors of different units in the Legislature.

Committees of the Pan-African Parliament

The PAP has eleven Permanent Committees whose mandates and functions are set out in Rules 22 to 27 of the *PAP Rules of Procedure*. The functions of the committees correspond to those of the African Union Specialized Technical Committees.

The PAP Committees are-

1. Committee on Rural Economy, Agriculture, Natural Resources and Environment;
2. Committee on Monetary and Financial Affairs;
3. Committee on Trade, Customs and Immigration Matters;
4. Committee on Cooperation, Institutional Relations and Conflict Resolutions;
5. Committee on Transport, Industry, Communications, Energy, Science and Technology;
6. Committee on Health, Labour and Social Affairs;
7. Committee on Education, Culture, Tourism and Human Resources;

8. Committee on Gender, Family, Youths and Persons with Disability;
9. Committee on Justice and Human Rights;
10. Committee on Rural, Privileges and Discipline; and
11. Committee on Audit and Public Accounts.

Calendar of the Pan-African Parliament activities

The key annual activities of PAP are as follows:-

- a) Meetings of the Permanent Committees and Bureau – *held in March;*
- b) Meetings of the Plenary, Permanent Committees and the Bureau – *held in May;*
- c) Meetings of the Permanent Committees and Bureau – *held in August;*
- d) Meetings of the Forum of Clerks and Secretaries General of Member Parliaments – *held in August;* and
- e) Meetings of the Plenary, Permanent Committees and the Bureau – *held in October.*

Additionally, the PAP from time to time organizes seminars and workshops on areas within the purview of Permanent Committees to Members falling within the objectives of the PAP. The PAP also participates in the AU election observer missions and fact-finding missions to Member States on security and development.

3.0 RECORD OF THE PROCEEDINGS OF THE THIRD ORDINARY SESSION OF THE FIFTH PAN AFRICAN PARLIAMENT

3.1 Opening Ceremony

The President of the Pan-African Parliament, Hon. Roger Nkodo Dang, MP, officially opened the Session. He pointed out that the PAP was a ‘temple of democracy’ of the African peoples. He stated that the Third Ordinary session is being held under the African Union (AU) theme of 2019: “*Refugees, Returnees and Internally Displaced Persons: Towards durable Solutions to Forced Displacement in Africa.*”

Hon. Roger Nkodo, condemned the recent xenophobic attacks, which he referred to

as “*Afrophobia*”, in which persons were killed and property destroyed in South Africa.

He emphasized that no one should take the life of another and commended the South African government for coming in to stop further killings and destruction.

The President of the Pan-African Parliament, Hon. Roger Nkodo Dang, MP, said that at present the session was being held in a context particularly marked by the unfortunate events of black man’s hatred against other Africans. He stated that the Pan African Parliament, through his voice, strongly condemns the heinous acts perpetrated by the enemies of peace and that Africans needed one another to defeat all forms of hate and issues stemming out of it. He further stated that Africans fighting other Africans should be condemned and eradicated permanently.

The President further paid tribute to the late former Zimbabwean President, His Excellency Robert Gabriel Mugabe who passed on last month due to “advanced cancer” describing him as a ‘Giant of Africa.’

He said that he joins African Leaders, the people of Zimbabwe, Africans and the rest of the world in paying a well-deserved tribute to the hero who recently passed away at the age of ninety-five.

The Rt. Hon. Roger Nkodo Dang said that the late Mugabe was also recognized for being a fervent Pan-Africanist who defended his country and Africa on the world stage. He acknowledged the late President Mugabe’s determination to promote and protect the rights of women, youth and children. He also acknowledged his advocacy for women as potential and essential partners in developing the African continent.

He recognized the firm commitment and determination of the late Mugabe to ensure the financial independence of the African Union Commission to enable the African Continent to take ownership of its programmes.

Hon. Nkodo DANG also disclosed that PAP would rename some of its offices at the Secretariat after President Mugabe as an honor for his sterling contributions to Africa.

He expressed his condolence to the family and citizens of Tunisia following the death of their President His Excellency Beji Caid Essebssi and further informed the

Members of the demise of two former Members of the Pan African Parliament, the Honorable El Hadj Diao Kanté of Guinea and the Honorable Senator Michael Temple, during the intersession. He also expressed his condolence to the families of the victims who had suffered the effects of recent violent xenophobic attacks against foreigners in South Africa. President Nkodo said that the Pan African Parliament should play a role in finding a lasting solution to the violence as well as poverty on the continent. He commended efforts in various countries aimed at finding peaceful resolution of conflict.

He then proceeded to invite the Members to rise and observe a minute of silence.

He expressed his sincere gratitude to all the invited guests, for honoring the invitation to attend the Third Ordinary Session, thus demonstrating the role of Parliament as an important legislative organ in the African Continent. The President called on Africans to unite and tolerate one another in order for the continent to grow and progress in the right direction.

He emphasized the need for Africa to reap the benefits of its potential while fully realizing the national and foreign investment, noting that trade, prosperity, production and innovation of the African economies could not materialize without security and stability.

The Members were informed that that a lot of progress had been made in the ratification of the AU protocols and encouraged all other countries that had not ratified to expedite the process.

In conclusion, he asked all African institutions to foster an Africa where values, peace and tolerance are the order of the day, and where living together as one, should become a reality.

3.2 Swearing-in of Members of Parliament

Thirty-one (31) African parliamentarians were sworn as members of PAP at the opening of this Session. The Administration of Oath was undertaken by new Members from the following countries-

- 1) Benin;
- 2) Democratic Republic of Congo;
- 3) Ghana;
- 4) Madagascar;
- 5) Malawi;
- 6) Mauritania;
- 7) Nigeria; and
- 8) South Africa.

3.3 Remarks by visiting dignitaries during the Opening Session

The following invited guests made remarks during the opening ceremony-

a) H.E. Mr. Fumio Shimizu – Ambassador of Japan to the African Union

The Japanese Ambassador to the African Union, H.E. Fumio Shimizu began his remarks by thanking the PAP for honoring him through an invitation to address the Assembly during the Session. He further expressed his gratitude to the President and the people of South Africa for hosting the Session. He stressed the need for Africa to realize the global Agenda 2063 and to continue finding solutions to African problems.

Noting that Japan and Africa had enjoyed a friendly relationship for a long time, H.E. Fumio Shimizu, pledged his country's continued strengthening of engagements with Africa, which would be through, among others, entrepreneurship, enterprise, investment and innovation.

He also said that Japan would continue to provide technical assistance and empowerment of youth and women as well as support in combating climate change. He stated that peace and security were crucial as a pre-condition for economic growth and the improvement of Japan's new approach for peace and stability in Africa. Mr. Shimizu further said that Japan would work closely with the AU and Regional Economic Communities to support Africa's effort through conflict prevention and mediation.

He pointed out that Japan, throughout the history of TICAD has promoted Universal Health Coverage (UHC) in Africa. Japan pledged to bring UHC to three million recipients in Africa. He said that Japan thinks it is important to strengthen resilience

and preparedness, including the continent's effort to tackle the Ebola Fever. Japan would also contribute to combating climate change, disaster reduction and quality education in Africa based upon their experiences and expertise. He noted that this had begun with the establishment of a Mission specifically dedicated to the AU and pledged to continue advancing Africa's development.

In conclusion, the Ambassador reiterated that, through the Japan-Africa Economic Partnership, Japan would support the Continental Free Trade Area (CFTA) and Agenda 2063 of silencing the guns by 2020. He further added that Japan would continue to safeguard the Pacific Ocean by ensuring that the rule of law prevailed through the development of the blue economy and maritime security. Ambassador Shimizu expressed hope that, through the TICAD 7 and 8, the African-Japan relationship could be strengthened further.

b) **H.E. Elman Abdullayev – Ambassador of Azerbaijan to the African Union**

H.E. Elman Abdullayev, Ambassador of Azerbaijan to the AU, expressed his gratitude to the President and the Members of the Pan African Parliament for inviting him to address the Third Ordinary Session of PAP.

He stated that although Azerbaijan was a newly independent country which attained independence in 1991 from the Soviet Union, the Azerbaijani relationship with Africa was not new and that the cooperation dated back to the 1970s when Azerbaijan, as part of the Union of Soviet Socialist Republic, was among the most important academic capitals. He further stated that his country, as part of the various social projects initiated, had been part of a capacity-building project which had seen it play host to more than fifteen thousand African students undertaking studies who were then expected to go back to their home countries and serve their people with dignity.

He stated that Azerbaijan had supported Africa in their fight against colonization and for independence, and that on 25th and 26th October, 2019, Azerbaijan would host the 18th Summit of the Non-Aligned Movement. He explained that the Non-Aligned Movement was a Movement that was inspired by the de-colonization process in Africa as well as by the independence of Africa. He posited that Azerbaijan, as the current Chair of the Movement, was going to bring a new focus on Africa during its three-year

Chairmanship. He welcomed the Pan African Parliament to participate in the Summit

He stated that their membership and chairmanship would focus on different issues that Africa was tackling today on different levels. He concluded by congratulating the newly sworn-in Members and wishing the PAP successful deliberations during the 3rd Session.

c) **Hon. Soumaila CISSE, Former PAP Member of Parliament from Mali**

Former PAP Member of Parliament from Mali, Hon. Soumaila CISSE, in his solidarity address commended PAP for strides made with regards to the African Continental Free Trade Agreement (AfCFTA) and urged the continental body to not only ensure free movement of goods but also the free movement of persons.

He stated that he hoped that the PAP would become stronger and that the world would hear more of the PAP's voice. He said that he was particularly excited with developments concerning CFTA, but emphasized that the CFTA would be easier to implement if the free movement of people was also implemented.

Hon. Cisse concluded by exhorting the PAP to make its voice heard with regards to the inter-communal wars being witnessed in the SAHEL region since the PAP was the only organ that understood how to tolerate and support others. He called upon the PAP to ensure that the resolution of the problem facing the region remained a priority on the African agenda and urged the PAP to send a fact-finding mission to the Western Sahara.

d) **Keynote address by the Hon. Jeanine Mabunda Lioko, Speaker of the National Assembly of the Democratic Republic of Congo**

The Honourable Speaker from the Democratic Republic of Congo, Rt. Hon. Jeanine Mabunda, thanked the President for honoring her to address the Assembly. She reminded Members of the PAP that despite the various challenges facing Africa, the progress made on the continent must not be forgotten. Against this background, the Rt. Hon. Lioko paid tribute to the contribution of the Late President Nelson Mandela in the liberation of South Africa.

The Rt. Hon. Lioko alluded to the need for political leaders to remember the plight of refugees, stating that poverty and conflicts were the major drivers of displacement and that women and children were the most vulnerable. She called on African countries hosting refugees to ensure greater protection for women and children. She further stressed that Africa needed to work towards the achievement of Agenda 2063 and that African leaders had the obligation to create opportunities to the youth to curtail youth migration that had resulted in the death of the African youth in the Mediterranean as they tried to search for a better life in Europe and the other continents.

Rt. Hon. Mabunda Lioko emphasized that for African Prosperity to become a reality, African countries needed to ensure internal security. She acknowledged that the Democratic Republic of Congo (DRC) was not doing well in ensuring internal security but informed the House that the DRC was working towards peaceful resolution between the former President Kabila and the current president, Felix Tshisekedi. She reported that there was willingness from both parties to form a coalition government that had paved way for the constitution of the Parliament.

In conclusion, the Rt. Hon. Lioko urged Members of the PAP to come up with resolutions that would further advance the agenda of the AU.

4.0 SUMMARY OF PRESENTATIONS AND DEBATES

The House debated presentations made by external resource persons on two topics: Non-Communicable Diseases and the African Risk Capacity. The House further debated the Activity Report of the PAP and eleven (11) reports from permanent Committees.

Below is a summary of the presentations and debates.

4.1 Report on the Activities of the Pan African Parliament

The President of the PAP tabled and presented a report on the activities of the PAP for the period between May to October 2019. The report enumerated the statutory and non-statutory activities undertaken by PAP in the period under review. He stated that the activities undertaken to ensure an effective exercise and strengthening of the parliamentary functions of the PAP included the successful holding, in May 2019, of the Second Ordinary Session of the Fifth Parliament, during which the plenary, the Bureau

and the Permanent Committees as well as regional and thematic caucuses met, discussed and decided on a wide range of issues. PAP also successfully held the August 2019 Committees Sittings in Preparation for the Third Ordinary Session of the fifth Parliament.

With respect to the Second Ordinary Session of the Fifth Parliament held in Midrand, South Africa, from May 6 to 18, 2019, the President stated that the underlying theme of the Session was the AU theme of the year 2019 – “*Refugees, Returnees and Internally Displaced Persons: Towards durable Solutions to Forced Displacement in Africa*”, under which the PAP deliberated on several related topics in fulfillment of its deliberative and representation functions.

The report also highlighted the participation of the PAP in AU activities, joint election observation missions, PAP cooperation with other Parliaments and institutions, the status of implementation of the resolutions from the Bureau meeting and the PAP financial report showing the 2019 budget execution and administrative matters.

In the debate on the Report, Members sought to find out why PAP was not directly involved in the election observation missions to ensure visibility of the PAP. The responsiveness of the Members of the PAP for Participation in Election observer Missions has critically decreased. It is recommended that the Members renew their commitment and respond on time to enable the PAP and AUC Electoral Coordination units to make necessary arrangements for their travel. Members however, were of the opinion that PAP needed to establish its own election observation missions away from that of the other AU organs as PAP was not given the prominence it deserved in such missions.

In the debate on the Report, Members expressed concern over the poor attendance of Members during Committee sittings in August 2019, which negatively affected the Quorum and prevented the said Committees from making Binding Solutions. Members expressed concern that Memorandums of Understanding between PAP and other Parliaments and international organizations were not tabled before the Assembly for noting. They were of the view that while it was within the powers of the Bureau to enter into agreements with other Parliaments and international organizations, the Assembly ought to be informed of such agreements through reports tabled in the Assembly for

ratification.

Members wondered why the PAP budget had been cut to USD16 million and sought clarification on how the budget cut would affect the work of Committees. Members emphasized that more funds needed to be allocated to Committees as most were unable to carry out planned activities due to lack of funds. Some members indicated that the PAP budget had been cut due to low budget absorption capacity as funds remained unused. The Members wondered why funds were not utilized while Committees failed to carry out planned activities on account of lack of funds. They bemoaned the way the PAP was being managed and insinuated that the mismanagement was the reason countries were reluctant to ratify the Malabo Protocol. There was consensus among Members that the PAP Bureau should constitute a mission to meet with the PRC to resolve the issues concerning the PAP.

Members further requested for more detailed reports on the Regional Caucuses and activities undertaken in this regard such as efforts towards ratification of the Malabo Protocol across the continent, and the specific outcomes of each activity in order to better track the progress made.

Members also noted that the continued negative image of PAP at the African Union Policy Organs requires sustained efforts to rebuild the reputation of the PAP and have it to commend the respect of AUC, policy organs and the general public.

Members emphasized that while the President was in charge of the administration of the parliament and the Clerk was the head of the Secretariat of PAP and hence responsible for the day to day operations of Parliament, conflicts could arise between the President and the Clerk in the discharge of their duties. Such conflicts had led to a high turnover of Clerks of the PAP. It was reported that the Parliament had had four (4) Clerks since 2015. This high turnover had resulted in slow implementation of recommendations. Members blamed the President for firing Clerks without involving the House. It was agreed that going forward such matters should be brought before the House for deliberation.

4.2 Presentation and debate on the Report of the Committee on Audit and Public Account on the audit reports of the Office of the Internal Audit of the PAP and Board of External Auditors.

Taking the floor, Hon. Sekou Fantamadi, Chairperson of the Committee on Audit and Public Accounts (CAPA), presented a report of the Committee following the Committee's consideration of three (3) reports, namely: Report of the AU Board of External Auditors on the PAP for the year ending 31st December, 2018; Reports of the PAP Internal Audit Unit on the budget implementation of the PAP for the year ending 3st December, 2018 and a Report on the status of implementation of the recommendations of CAPA. The Committee's report contained the Committee's observations, management responses, risks and recommendations on the Audit queries arising from the documents reviewed by the Committee.

The Chairperson stated that Audit review of PAP activities revealed that it did not have a Disaster Recovery Plan (DRP) and Business Continuity Plan (BCP) in place. He stressed that the essence of the DRP and BCP was to safeguard the activities of the Parliament and to ensure that disruption of its activities is mitigated in the event of any unforeseen event that may impact on its ability to continue in existence as an organ of AU

The Chairperson informed the Members that Rule 21 (e, f, g) of PAP places on the Clerk the responsibility to Parliament for accounting issues, to supervise the staff of the Secretariat and to manage the day to day administrative affairs of Parliament. He further stated that the Clerk was accountable to Parliament and not to the Bureau of PAP, but noted that the President was the person in charge of the appraisal of the performance of the Clerk. He stated that there was need to reconcile these provisions in order to provide workable reporting structures at the PAP.

He emphasized that the position of the Clerk needs to be protected to ensure stability and effective service delivery in the administration of the PAP. The appointment and removal of Clerks should be done through due process as prescribed in Rules 57 to 62 of the AU Staff Regulations and Rules, 2010.

The Chairperson recommended to the Plenary that the roles between the president of the Bureau and the Clerk should be clearly delineated and that the legal unit of the PAP should critically look at Rules 17 and 21 and draft an amendment to clearly define the

roles with a proper reporting structure.

The Chairperson informed the Plenary that there was non-adherence to the procurement process with respect to the First Ordinary Session of the Fifth Parliament October, 2018, in Kigali. He informed the House that PAP Management should always adhere to the procurement process as outlined in the Au Procurement Manual. Poor and late planning results in hasty and expensive procurement decisions such as what happened in Kigali. The Committee advises that the preparatory work for such events should commence early to avoid such violations.

In relation to the overview of the 2018 PAP Budget and its Implementation, the audit report stated that the overall budget utilization rate achieved by PAP in 2018 was 73 percent while the operational budget utilization was 83 percent while the Execution rate for programme budget was 19 percent. He said that this exposes PAP to future Budget cuts by the policy organs of AU.

Members debated on the report on the Audit of the activities of PAP. They were of the view that the Management of the PAP needed to identify the reasons why it could not achieve the expected threshold and the impact on the programs and activities of the PAP. The Members further proposed that the President should take note that execution is consistently falling short of Budget and the Bureau needs to address this matter.

The Plenary was further informed that there were activities, which were sponsored and paid for directly by the Development Partners but had not been captured in the budget implementation report of the PAP. This was attributed to the fact that there was lack of coordination and collaboration amongst the various units of the PAP involved in programmes requiring the participation and support of Development Partners which include the Project Coordination Unit, Fund Mobilization, International Relations Unit, Finance Unit (Programs) and the Committee Division.

The Committee recommended that weekly meetings be held to include all units. In these meetings, the management would be able to find out what had been achieved; progress of work and budget implementation and the Departments discuss their plans and budget for the following period.

4.3 Presentation and debate on the Report of the Seminar on Managing Debt and Fighting Corruption by the PAP Committee on Audit and Public Accounts (CAPA) and the Committee on Monetary and Financial Affairs (CMFA)

The Chairperson of the CAPA stated that during the March 2019 Committee Session, the PAP had organized a seminar on Managing Debt and Fighting Corruption for the CAPA and CMFA.

The Chairperson informed the plenary that while external borrowing remains a credible source of finance for governments experiencing a budget deficit, the misuses and mismanagement of these funds had given rise to a sovereign debt crisis in Africa. He stated that most African states were slipping into serious debt crisis with most countries having exceeded the World Bank recommended rate of 50 percent to GDP. He said that due to meager foreign currency earning coupled by low savings, most governments are either facing repayment challenges or the considerable share of the little earnings are directed towards debt servicing at the expense of social services and the productive sectors of the economy.

On the other hand PAP discussed and agreed to engage with and have African national and regional parliaments effectively exercise their oversight, legislative and representative roles to ensure an effective management of sovereign debt and the breaking of the cycle of corruption, particularly through timely tracking and oversight of public and private partnerships and the audit of national sovereign debt, financial flows, revenue and procurement.

The Plenary was informed that Corruption and illicit financial flows threaten our goals to end poverty and hunger in Africa and to achieve sustainable development in its three dimensions through promoting inclusive economic growth, protecting the environment and promoting social inclusion, Illicit financial flows cause shortage of money available for states to spend on national development, which result in borrowing and the rising levels of sovereign debts in Africa.

He stressed that the Plenary ought to resolve to support and promote the role of parliamentary anti-corruption networks, citizenry, the media and civil society in promoting the culture of transparency, probity and accountability and in preventing illicit financial

flows.

After debating on the issues raised during presentation of the Report on the Seminar on debt management and fighting corruption on the continent, Members resolved that PAP promotes the ratification, domestication and implementation of four conventions that are in line with preventing corruption. The conventions include: the African Union Convention on Preventing and Combating Corruption; the African Charter on Democracy, Elections and Governance; the Protocol to the Constitutive Act of the African Union relating to the Pan African Parliament; and the Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights.

4.4 Presentation and debate on the Continental Free Trade Area

Two presentations were made on this topic. The first was made by Mr. Albert Muchanga, the AU Commissioner for Trade and Industry followed by a presentation on the activities of the PAP on CFTA by Hon. McHenry Venaani, the Chairperson of the Permanent Committee on Trade and Immigration Matters. Below is a summary of the reports and the debates that followed:

4.4.1 Presentation on the Launching and Implementation of the CFTA

The AU Commissioner for Trade and Industry, Mr. Albert Muchanga, made a presentation on the launching and implementation of the CFTA. Mr. Muchanga informed Members that African Heads of States and Governments launched the CFTA during the AU Extraordinary Summit held in Niger in July 2019, aimed at integrating Africa's markets in line with the objectives and principles enunciated in the Abuja Treaty.

The Commissioner reported that having regard for the aspirations of Agenda 2063 for a Continental market with the free movement of persons, capital, goods and services, which are crucial for deepening economic integration and promoting agricultural development, food security, industrialization and structural and economic transformation.

He explained to the House that as Members of the Pan African Parliament, Members play a crucial role in advocating and lobbying for the participation of African people in the negotiation of the AfCFTA, the Protocol on Free movement of people in Africa and the African passport.

Alongside the CFTA, the Heads of State launched five (5) key operational instruments, including: the CFTA Rules of Origin; online negotiated password-protected portal; Pan African payment and settlement system and the dashboard of the African Trade Observatory.

Besides the launch of the five instruments, the AU Heads of States also took six key decisions on the operationalization of the CFTA as follows:

- a) Dismantling of tariffs would start not later than 1st July, 2020 to allow for start of trading on the same day;
- b) The final schedule of tariff concessions and work on Rules of Origin and commitments on trading services must be submitted to the AU Summit in February, 2020;
- c) The AUC as the interim secretariat of the CFTA to organize an inaugural meeting of the CFTA Council of Ministers by 31st October, 2019;
- d) The AUC should ensure that CFTA Secretariat is operational by end of March, 2020;
- e) The AUC to develop a framework of collaboration with regional communities to facilitate the flow of goods; and
- f) Designated the 7th July every year as Africa Integration Day to commemorate the CFTA.

4.4.2 Report on PAP Activities on CFTA

The Chairperson of the Committee on Trade, Industry and Immigration Matters, Hon. Mc Henry Venaani, pointed out that Africa required a Commodity Strategy if the continent was to benefit from the CFTA. He alluded to the fact that prices of commodities were controlled outside of Africa and it would, therefore, not be possible to deliver a fruitful CFTA without paying attention to commodities management. Hon. Venaani stressed on the importance of communicating the CFTA in a manner that the African people understood it and they were on board.

He further informed the Members that the intensification of Intra-African trade would contribute to the economic diversification of the African economy, increase competitiveness of its exports and create employment for the African youth. The strengthening of Intra- African trade presupposes an integration programme.

The Chairperson identified the roles the PAP could play at national and AU levels and then outlined the activities carried out by the PAP under each role as follows:

- a) **Support the implementation of the action plan on boosting intra African trade:** The Committee held a meeting on fast tracking the establishment of the CFTA and collaborated with the International Organization for Migration (IOM) to promote one stop border posts.
- b) **Programme on the CFTA:** In 2018, PAP resolved to initiate advocacy activities to expedite the signature, ratification, domestication and implementation of the CFTA.
- c) **Working relationship with Regional Economic Communities (RECs) as building blocks for regional integration:** The PAP established a Pan African Parliamentary Forum on Trade and Customs.

4.4.3 Summary of Debate on CFTA

Members debated on the report at length and urged each other to raise awareness and build capacity amongst Parliaments in the African Regions on the need to ratify and domesticate key AU instruments; and further increase the number of parliaments to ratify, domesticate and implement AU instruments including Trade Facilitation Agreements such as the African Continental Free Trade Area (CFTA).

During the debate, Members acknowledged the importance of the CFTA in boosting intra-Africa trade. However, Members observed the need for sufficient information on the CFTA to the people of Africa. Members further observed that the CFTA would not succeed in the absence of free movement of people and called on the AU to implement the CFTA alongside the free movement of people. Members noted the low levels of industrialization in Africa and the inability of African Countries to produce enough finished products to supply the CFTA. In addition, members noted the varying levels of industrialization among African countries, low income and how the less industrialized countries would need to be assisted to be able to benefit from the CFTA. Members stressed that without a strong regime of rules of origin, the CFTA would not benefit Africa as the CFTA would become a free trade area for imported goods. Members noted that barriers to intra Africa trade comes not only from tariffs, but also from non-tariff barriers such as poor infrastructure and armed conflicts that impedes the movement of goods and persons.

4.5 Presentation and debate on the report of the Committee on Cooperation, International Relations and Conflict Resolutions and Peace and Security in Africa and the Committees Communique from the August sitting in Egypt

The Chairperson of the Committee on Cooperation, International Relations and Conflicts Resolutions, Honourable Kone Aboubacar Sidiki, presented a report of the Committee on the subject of peace and security in Africa. He informed the plenary that extremist groups had perfected the art of recruitment, facilitated by the use of cyber platforms and structural vulnerabilities such as poverty, ethnic and religious diversity and various political ideologies. He stated that terrorist groups like Al-Shabaab and Boko Haram were reportedly using on-line recruitment platforms to spread radical propaganda to the general public in various languages.

The Chairperson went on to further state that the equipment used by terrorists were also becoming more sophisticated and that the sophistication of the terrorist organizations was a clear indication that Africa's security-centered approach was not sufficient. He informed the Members that a recent study had indicated that security efforts had been focused too much on protecting the state and less in protecting the populations. He opined that combating the menace of extremism demanded an all-encompassing political engagement that takes into account the evolving global dynamics in support of the security efforts.

He said that Agenda 2063 was founded on the AU'S vision of *"an integrated, prosperous and peaceful Africa, driven by its own peaceful and secure Africa"* that was conflict-free, with harmony and understanding among communities at grassroots level that inter- and intra- State wars should be fully eliminated. He underscored that a prosperous, integrated and united Africa was based on good governance, democracy and respect for human rights, justice and the rule of law.

The report identified the threats to peace and security in Africa, which included: Terrorism and radicalization; sophistication in the weaponry of terrorist organizations; political transitions; Popular uprising; the negative effect of Social media; Transnational organized crimes; People offering services as mercenaries in conflicts; Proliferation of explosive weapons and materials; External interferences; and, Natural calamities such as the Ebola pandemic and climate change. With regard to the status of conflicts in specific countries, Honourable Sidiki reported as follows:

Somalia: Progress was registered in strengthening institutions and improving the relationship between the Federal Government and Federal States such that the country was being prepared towards the planned 2020 General Elections. Dialogue was ongoing in Galmudug, an autonomous region in Central Somalia, to bring the various parties together to promote stability.

South Sudan: Peace efforts were focused on the establishment of an interim Government in November 2019. This was in line with the revitalized agreement of 2018. However, the lack of trust among political leaders remained a threat to the sustainability of the ceasefire arrangements. The situation, therefore, remained stable but fragile.

Sudan: The instability in Sudan arose due to the ouster of the long-time serving President Omar al Bashir by the Military in April 2019 and the holding on to power by the Military Transitional Council. As a result, the AU suspended Sudan on account of the failure by the Military to hand over power to a civilian Government. However, the military and civilians had agreed to set up a coalition government for a period of three years or more.

Libya: Continued fighting coupled with weakened state institutions and complications to conduct effective reconciliation remained a major concern. The security problems in Libya had led to the proliferation of weapons in the Sahel Region looted from the Libyan Arsenals. The High-Level Committee on Libya had called for the appointment of a Joint AU-UN Special Envoy to facilitate the efforts to restore peace in the country.

In addition to the aforementioned countries, conflicts and instability continue to take place in Guinea Bissau, Central African Republic, Democratic Republic of Congo, Mali and the Sahel Region.

During the debate, members commended the efforts by the AU and the affected countries towards peace. Members acknowledged that conflicts disrupted economic activities and worsens the social-economic situation in Africa. Members noted that terrorism remained a major threat to peace and security in Africa. Therefore, Members suggested the use of other approaches in preventing terrorism such as the creation of jobs for the youth as opposed to a focus on military interventions. Members further alluded to international interference as a major reason why the resolution of conflicts is difficult. It was further noted that corruption and poor leadership were fueling conflicts in Africa as disfranchised youth were susceptible to radicalization. Members expressed concern on the omission of the situation in Western Sahara in the report. Members called upon the Committee to get more involved in the

resolution of conflicts on the continent.

In response, Honourable Sidiki explained that it was the intention of the Committee to conduct more missions, but the Committee required enthusiasm from the host countries to welcome the committee and that members would be provided with security. He concluded by calling on Members to pay attention to the nationalist movement in Africa as evidenced by the xenophobic attacks in South Africa.

He concluded that while focusing on the competition between the global superpowers, the tension between the US and Iran could also have some grave consequences for the continent, with more foreign military bases emerging in Africa, rather than declining. He urged the PAP to consistently monitor and understand how these developments would impact the continent and explore collaborative mechanisms to advance Africa's collective security interests.

4.6 Debate on Reports of the Committee on Monetary and Financial Affairs

The Chairperson of the Committee on Monetary and Financial Matters, Honourable James Reat Gony, presented two reports of his Committee before plenary. The first was an update on the PAP 2020 budget followed by an update on the development of the African Model Double Taxation Agreement (DTA). Below is a summary of the presentations and debates:

4.6.1 Update on the PAP Budget for 2020 Financial Year

The Chairperson of the Committee on Monetary and Financial Matters, Hon. James Reat Gony, reported that the PAP Proposed Budget approved in Plenary in May 2019 amounted to 2020 was US\$16,408,177 while the final budget approved by the AU Executive Council was US\$ 20,798,521. He stated that the approved Budget represented a cut of 21.10% (USD 4,390,344) on the proposed budget. The budget cuts were mainly on the budget lines with low execution rates. Hon. Gony reported that as of 31 August 2019, the PAP had only utilized 54% of the 2019 PAP Budget. With regard to other budget cuts, Hon. Gony reported that some budget cuts were arbitrary while the AU Executive Council cut some budget lines for specific reasons.

The budget lines cut for specific reasons included, Special allowance for staff, Members' medical insurance and Members' allowances. The staff special allowances were denied in line with the decision of the AU to stop payment of the allowances. The Members' medical

insurance was reduced to cater for members' coverage while engaged on PAP activities only while Members' Allowances were reduced in line with the harmonization of allowances for the AU Organs. The AU Executive Council approved the payment of an honorarium of USD150 per day to a maximum of 15 days for the four statutory meetings for the Bureau members, Bureaux of Committees and Caucuses. No provision was made for payment of allowances to other Members of Parliament who did not serve in the Bureaux. The figure below shows the summary of the status of the 2020 Budget:

4.6.2 Update on Development of a Model Double Taxation Agreement (DTA)

The Chairperson of Committee on Monetary and Financial Matters, Hon. James Reat Gony, recalled that the PAP, through a plenary resolution, mandated the Committee on Finance and Monetary Affairs to develop a Model African Union DTA. The plenary further resolved to welcome collaboration and technical support from Africa Tax Administrative Forum (ATAF) and African Union Commission on International Law (AUCIL). The Chairperson brought to the attention of the plenary that in a bid to eliminate illicit financial flows from Africa through the strengthening of tax legislation in Africa, the ATAF and the PAP signed a 5-year collaborative Memorandum of understanding in November, 2018. In his address, He further stated that the MOU sets out the cooperative efforts to provide capacity building initiatives for Members whilst echoing the fundamental role of advocacy played by Parliaments.

To discharge that Mandate, the Chairperson reported that the PAP established a joint advisory group comprising the Pan African Parliament, AU Legal Counsel, AUCIL and ATAF. The group met in July 2019 in South Africa and agreed on the final draft of the African Model Double Taxation Agreement. The Chairperson presented a summary of the final text to plenary.

The committee recommended that the DTA should be subjected to further engagement with key stakeholders before submitting the Model DTA to the assembly for endorsement. During debate, members welcomed the Model Law as an important tool to help end illicit financial flows which, as reported by President Thabo Mbeki, was draining a lot of resources from African Countries and depriving African countries of the much-needed tax revenue.

4.7 Presentation and debate on update on Model law on Policing

The Chairperson of the PAP's Committee on Justice and Human Rights, Hon. Ignatienne in his presentation on the Model Police Act, informed the Plenary that the Act is aimed at providing a guiding legal framework for policing in Africa. This framework is in line with the Constitutive Act of the African Union, the African Charter on Human and People's Rights and other regional and international standards.

The Chairperson further indicated that the underlying principle of the adopted Model Policing Law was to promote good governance, human rights, justice, peace and security on the African continent.

The Model Law establishes a clear mandate of performance for Law Enforcement Agencies. It compels police services in Africa to put in place principles of human rights, security and peace.

He stressed that the Model Police Act further prescribes the role, functions and powers of the police service. It also has provisions that speak to the operational independence, conduct, and conditions of employment for police officers.

In his conclusion, he recommended that the Pan African Parliament adopts the model law and submit it to the African Union.

4.8 Presentation and Debate on Committee on Justice and Human Rights on the African report on the Draft Model Disability Law

Presenting the Report on the development of the Draft Model Law on Disability, Hon. Lucia Mendes dos Passos, Chairperson of the PAP Committee on Gender, Family, Youth and People with Disabilities, stated that the Model Law on Disability aims at providing a legal and institutional framework for the protection and promotion of the rights of persons with disabilities, in line with the existing international and regional legal and policy instruments.

The Chairperson specified that in most African countries, disability was located within the Ministry of Social Welfare which also dealt with women and children issues in addition to programme planning which often focused on women's empowerment and children's

protection, and left out persons with disabilities. She further said that the Committee observed that mainstreaming disability in policy development and programming had not been integrated as human right's issue making it difficult to adequately address issues relating to its total inclusion in all sectors.

She concluded that while focusing on incorporating regional characteristics in the draft model disability law, the PAP should maintain its commitment to advance the cause of the most vulnerable people in an integrated society. Mainstreaming disability like gender in all spheres of life would enable persons with disabilities to fully enjoy their rights. Disability would therefore be included in programmes through sufficient budget allocation.

The Chairperson recommended that as a way forward, the African legislators adopt the model law and submit it to the African Union (AU) Summit in January 2020 in Addis Ababa.

During the adoption of the Model Law on Disability, PAP President the Rt. Hon Roger Nkodo Dang urged parliamentarians to lobby their National Parliaments to adopt and domesticate the legislation and the Protocol on Human and People's Rights on the Rights of Persons with Disability in Africa.

4.9 Presentation on the Final Communiqué of the High-Level Pan African Summit on HIV and Health Financing held in Brazzaville, Congo on 11th and 12th July, 2019

The PAP, in conjunction with the parliament of the Republic of Congo and UNAIDS, WHO and their partners, organized a High-Level Pan-African Summit on HIV and Health Financing at the Kintele International Conference Centre in Brazzaville. The Summit was held to call on African governments and international partners to continue to mobilize domestic resources and sustain current investments in health and HIV&AIDS in order to achieve universal access to healthcare and end HIV&AIDS as a public health threat by 2030.

In opening the proceedings, Hon. Isidore Mvouba, Speaker of the National Assembly of Congo, stated that the Summit was an opportunity for African countries to contribute to the achievement of the triple target of the WHO, known as the 90-90-90 strategy, which aims to achieve, by 2020:

- 90% of HIV-positive people will know their HIV status;

- 90% of all people diagnosed with HIV infection will receive sustained antiretroviral therapy; and
- 90% of all people receiving antiretroviral therapy will have viral suppression.

Hon. Mvoubu stated that in order to meet that challenge, the political commitment of decision makers and involvement of parliamentarians, financial institutions, humanitarian institutions, donors, foundations and private sector partners was essential.

The Plenary was informed that participants had actively participated in the meetings of the Summit, which had three (3) panels that tackled the following:

(a) Panel 1: Mobilizing for HIV and health investment and financing in Africa

The panel, moderated by Dr. Dzabatou Babeaux, Executive Director of the National AIDS and epidemics control Council at the Ministry of Health and Population of Congo, noted that the right to health under the Sustainable Development Goals (SDGs) was linked to other rights such as the right to sanitation, the right to adequate housing, the right to equal access to healthcare, the right to non-discriminatory health services among other such rights.

The panel opined that the strategies to respond to the AIDS epidemic were on the right track to ending it by 2030, with almost 21,000,000 people living with HIV in the world having access to treatment and a marked decrease in the number of HIV&AIDS-related deaths.

Based on the health financing situation in Africa and the conclusions of the Summit of Heads of States and Government in Abuja, participants called for the strengthening of political commitment and accountability by making investments to strengthen national health systems and advocate for increased domestic investment in health in accordance with the economic growth and budget of a State.

(b) Panel 2: Mobilizing to maintain global solidarity, Global Fund replenishment and national HIV and health financing

This panel focused on the role of Ministers of Health and Finance in stopping AIDS as a threat to public health by 2030 and noted that the well-being of people was not the responsibility of the Ministries of Health alone. The need for good governance in developing, implementing and evaluating health programmes was highlighted, with

Governments being urged to intensify efforts in mobilizing funds to achieve a reasonable percentage level of health expenditure so that the goal calling for the “eradication of AIDS by 2030” could be achieved.

(c) Achieving Universal Health Coverage: the role of the Pan-African Parliament and African Parliamentarians

This panel strongly highlighted the fact that the successful implementation of declaration of the AU Assembly would require that Parliamentarians show leadership and political commitment to increase domestic health investments.

The Speakers of Parliament or their representatives each gave an overview of the actions and progress achieved in their respective countries and called on Parliamentarians to show more responsible involvement in matters such as Universal Health Coverage (UHC) for all; quality healthcare services that were fair and geographically and financially accessible and fixed costs and reduced charges for services offered to the people.

The participants adopted a High-level communique on HIV&AIDS and health financing (*attached as Annex 4*).

4.10 Presentation and debate on Non-Communicable Diseases (NCDs) in the context of Universal Health Coverage (UHC)

Two presentations were made on this subject. Below is the summary of the presentations and debates that ensued.

4.10.1 Presentation by Dr. Patrick Kabore, In charge of Non-Communicable Diseases (NCDs) at the World Health Organization (WHO) Regional Office for East and Southern Africa

The presentation by Dr Patrick Kabore focused on the overview of NCDs, frequency, risk factors and response from the international community. The Members were informed that there were nine groups of NCDs, namely: cardiovascular diseases, cancers, chronic respiratory diseases, diabetes, hemoglobinopathy, mental diseases, oral diseases, eye and ear disorders, violence and injuries. However, the first four accounted for 82% of the NCDs incidences. Dr. Kabore reported that NCDs had become the major cause of mortality in the world. On the African Continent, the NCDs accounted for 40% of deaths in 2010 and the figure was projected to increase to 55% by 2025. The NCDs were driven by underlying uncontrollable factors, behavioural risk factors and

metabolic/physiological risk factors.

The presenter outlined the international commitments to fight NCDs. The major international intervention was the WHO Global NCD Action Plan 2013-2020. The work plan identified particular interventions and objectives that Member States could undertake in dealing with the NCD risk factors of tobacco use, alcohol abuse, unhealthy diet, inactivity and primary health care. Dr. Kabore emphasized that the fight against NCDs required a multisectoral and multi-stakeholder approach. As the common NCDs shared common preventable risk factors, there was a need for an integrated approach to deal with the factors. The presenter observed that NCDs were hampering the socio-economic development of African countries as they required costly interventions that placed a burden on families. He called on MPs to play a role in passing laws and making necessary investments to deal with the risk factors driving the prevalence of NCDs.

4.10.2 Presentation by Dr Margaret Agma, Head of the AU Health Division

In her presentation, Dr Agma, informed the House that the WHO had requested the AUC to bring the issue of NCDs before the AU Head of States and it was decided that the issue should first be brought before PAP. She explained that the AU concurred with the WHO in considering NCDs as a cause of inequality and a source of economic burden given the loss of resources arising from productivity losses, illness and deaths. NCDs were also a threat to sustainable development and economic growth. Dr Agma reported that the AUC was working with the King of Lesotho in his capacity as the AU champion on nutrition to raise awareness and mobilize political will to deal with NCDs.

Dr. Agma emphasized the need for Member states to adopt a multisectoral approach in dealing with NCDs. She stressed that the prevention and control of NCDs was not a health issue only, but required interventions in other 12 sectors. Furthermore, dealing with NCDs required regulations to control risk factors such as smoking, standard of foodstuffs and agricultural production methodologies. She called on PAP to join the AU in advocating for stronger political will for greater coordination to get all sectors to collaborate with the health sector in the provision of adequate financing, investments, legislation and regulations to control the risk factors.

4.10.3 Summary of Debate

During the debate, members enquired about the provision of information on NCDs to the youth so they could adopt better practices to avoid NCDs. In their contributions to the debate, most members observed that while the prevalence of NCDs was on the increase, very little was being done on prevention. Members recognized the existence of many risk factors for NCDs and suggested the scaling up of awareness campaigns for people to understand and avoid the risk factors. Members concurred with the presenters that treatment for NCDs was expensive and beyond the reach of most African People. However, the problem was exacerbated by the absence of UHC in most African Countries. Members requested information on how WHO is dealing with the risk of NCDs resulting from dumping of harmful radioactive materials and unsafe foods in Africa.

In response Dr Patrick Kabore, explained that the data provided by WHO was validated through the African Health Observatory and listed 11 countries where 82% of people did not know that they had a non-communicable disease. Dr. Kabore stressed that the WHO continued to stand for continuous universal health coverage with decentralized systems and adequate investments that could manage 90% of the cases at the first level. He reiterated that Health Ministers in Africa were committed to deal with NCDs as shown by the adoption of a strategy on NCDs by the Ministers committing to invest 1.25 US dollars per capita on NCDs. On the other hand, Dr Margaret Agma stressed that the key to dealing with NCDs lies in the 12 non-health sectors because what happened in those sectors drove the incidences of NCDs.

4.11 Presentation and debates on Committee report on Fact-Finding Mission on Child Labour in Mining Areas in Cote d'Ivoire

The Chairperson of the Committee on Health, Labour and Social Affairs, Honourable Aurelien-Simplice Zingas, presented the report on the fact-finding mission on Child Labour in Mining Areas in Cote d'Ivoire undertaken from 16 to 18 September, 2019. The main objective of the mission was to assess the situation of child labour in Cote d'Ivoire through consultative dialogue with national parliamentarians, state institutions and civil society organizations. During the mission, the Committee held consultative meetings with Parliamentarians, officials from various Ministries and institutions relevant

to the issues of child labour in Cote d'Ivoire.

Honourable Zingas reported that the mission found that child labour was a serious problem in Cote d'Ivoire. The chairperson alluded to a report by UNICEF that found that 65% of children in Cote d'Ivoire were engaged in child labour. The children were mostly employed in cocoa plantations and artisanal gold mines. The PAP mission found that government officials, elected officials, traditional leaders and parents perpetuated the problem of child labour. The Mission further found that child labour was also rampant in the neighbouring countries to Cote d'Ivoire, namely; Senegal, Guinea and Central African Republic and that most children engaged in child labour in Cote d'Ivoire came from those neighbouring countries. Honourable Zingas reported that the Government of Cote d'Ivoire had taken measures to deal with child labour which included the allocation of 40% of national budget to education to return children to school. In addition, the Government with support from the Netherlands had launched an ACCEL AFRICA Project to accelerate action for the elimination of child labour. However, the Committee found that because of poverty, families continue to expose their children to child labour.

During debate, members acknowledged that child labour was not unique to Cote d'Ivoire but was prevalent on the African continent as reports indicated that one fifth of children in Africa engaged in some sort of child labour. Members further acknowledged that African countries had the requisite legal frameworks from national laws and international commitments to deal with child labour. However, the economic challenges facing communities made it difficult for countries to enforce those laws. In response, Hon. Zingas, reiterated that the report on child labour in Cote d'Ivoire done by UNICEF showed that there were more children in cocoa plantations as opposed to the mining areas.

4.12 Presentation and debate on the Ratification of the African Risk Capacity (ARC) Treaty

A representative of the Director General of the African Risk Capacity (ARC), Dr Jean Claude Bidogeza, ARC Lead Economist, made the presentation on the African Risk Capacity Treaty. He explained that having recognized that 70% of global economic losses could be attributed to extreme weather events, African leaders set up the ARC as a

mechanism to mitigate the effects of climate change. Therefore, ARC was a specialized agency of the AU established to help African governments improve their capacities to better plan, prepare, and respond to extreme weather events and natural disasters.

Dr Bidogeza informed the House that the ARC comprised two entities: the African Risk Capacity Agency and the ARC Insurance Company Limited. Together, they provide ARC Member States with capacity building services, access to early warning technology, contingency planning, and insurance cover in times of calamities arising from climate change. The intention is to provide ARC Members with immediate payouts, within three weeks of the occurrence of an event, to provide cost effective contingency funding for protecting the livelihoods and development gains according to the terms and conditions of the mechanisms. Dr Bidogeza reported that 33 countries had signed the protocol establishing the ARC while eight countries had ratified. PAP members were urged to encourage their countries to ratify the protocol and participate in the ARC. Dr Bidogeza gave examples of pay-outs made to Member States after the countries had suffered climate change events.

During debate, members questioned the pay-outs from the facility as to why it came after the rainy season and not immediately after the occurrence of an event. In response, Dr Bidogeza clarified that the concept was that ARC should provide the first response such that the ARC disbursed an emergency response pay-out immediately while other instruments came at the end towards the recovery stage.

4.13 Presentation and debate on Renewable Energy in Africa

Honourable Mai Mahmoud Ebrahim, Vice Chairperson of the Committee on Rural Economy, Agriculture, Natural Resources and the Environment presented a Report of the Joint workshop on renewable energy in Africa. The Workshop was attended by Members from the Committee on Transport, Industry, Communication, Energy and Technology and the Committee on Rural Economy, Agriculture, Natural Resources and the Environment. The participants to the workshop discussed the following topics:

- a) The urgency of achieving universal access to energy in Africa
- b) Energy access and women empowerment
- c) Energy Challenge in Africa
- d) The role of the private sector in electricity access

- e) Africa's transition to low-carbon, climate resilient green economic development trajectory: Africa's renewable energy potential
- f) The role of parliamentarians in the provision of clean energy

The workshop agreed that in order to make renewable energy available and accessible to all, there was need to abolish import duty on renewable energy equipment and to treat universal access to power as an economic human right. The workshop further agreed on the need to identify cheap and appropriate sources of renewable energy and invest in local human resources development instead of relying on foreign companies. There was no debate of note on this report in the plenary.

4.14 Presentation and debate on the Draft Model Law on Food Security and Nutrition

The Vice Chairperson of the Committee on Rural Economy, Agriculture, Natural Resources and Environment, Honourable Mai Mahmoud Ebrahim, presented the Model Law in the House. In her presentation, the Vice Chairperson reminded members that through a plenary resolution in Kigali in 2018; the PAP allowed the Committee to draft the Model Law on Food Security and Nutrition. The proposed Model Law was envisaged as a means to advance food security and nutrition and to create an enabling environment for the realization of the right to food. The Committee developed the Model Law with technical support of the Food and Agriculture Organization (FAO), African Union Development Agency – New Partnership for Africa's Development (AUDA-NEPAD), the Secretariat of PAP and Members of the Pan African Parliamentary Alliance for Food Security and Nutrition Training (PAPA-FSN). The proposed Model Law was informed by the international and regional commitments of the AU Member States and relevant national policy and legal instruments of African countries. The Committee with assistance from partners analysed 175 pieces of legislation from 35 African countries, to understand Food Security and Nutrition (FSN) related laws on the continent. In summary, the draft Model Law covered the following thematic areas:

- a) Access to productive resources, agricultural inputs and services;
- b) Nutrition and food safety related standards and measures;
- c) Regulation of food marketing and trade;
- d) National food reserves and FSN information systems;

- e) School feeding, social protection and other special measures;
- f) Institutional responsibilities and coordination mechanism;
- g) The right to adequate food implementation and accountability mechanisms; and
- h) Implementation, interpretation and revision of the model law.

The Chairperson requested the House to adopt the first draft of the Model Law and allow the Committee to proceed with regional consultations.

During debate, members welcomed the Model law given the importance of food security and recognizing the challenges facing African Countries on nutrition. Members further welcomed the Model Law based on the contribution the law could bring in compelling Governments to take appropriate action towards the achievement of food security

4.15 Presentation and debate on the 2018-2013 Strategic Plan of the PAP

Dr. Ahmed Eltigani Sidahmed, the Consultant for preparing the Strategic Plan, presented the strategic plan in the plenary. He explained that the choice of the period 2018–2023 was deliberate to harmonize the PAP Strategic Plan with the first phase of the Agenda 2063 and the Strategic Plan of the AUC.

In his presentation, Dr. Sidahmed began by providing the outcomes of the evaluation of the 2014 – 2017 Strategic plan. The evaluation identified the achievements and the challenges in meeting strategic objectives of the previous PAP strategic plan. The challenges identified from the evaluation included: the quest for full legislative powers; inadequate budget that negatively impacted on the PAP Permanent Committees; Lack of autonomy over AU budget which limited PAP's oversight role; Inability to independently observe elections in Africa ; Slow ratification and domestication of PAP Protocol, AU Human Rights and other AU Legal instruments; Problem of attribution as the PAP could not implement activities directly; Low PAP visibility; and, lack of mechanisms to ensure sustainability of benefits from implementing of the 2014-2017 Strategic Plan.

The new 2018 – 2023 Strategic Plan had 4 strategic objectives as follows:

- a) Strengthening parliamentary functions of the PAP;
- b) Strengthening partnerships, coordination, outreach and institutional capacity of the PAP;
- c) Promoting Human Rights and shared values of the AU; and

d) Strengthening research, learning & sharing, knowledge management, communication and advocacy of PAP.

The Strategic Plan identified the outcomes and the results indicators showing progress towards the strategic objectives. The Strategic plan also provided the alignment of Permanent Committees with the strategic objectives and key result areas. The strategic plan further provided the alignment and responsiveness of the proposed strategic objectives with the global, continental and regional initiatives. Regarding implementation arrangements, the strategic plan identified the players and the monitoring, evaluation and reporting mechanism. It was estimated that the implementing the Strategic Plan would require USD 48 million.

During debate, Members expressed concern on how the Strategic plan would be implemented given the PAP budget of USD16 million while the estimated required budget for implementing the strategic plan was USD. 48 million. Members also inquired on whether the strategic plan included short term, medium-term and long-term strategies for the achievement of the objectives of the Pan African Parliament. Members further asked whether the Strategic plan included resource mobilization strategies. In response, Dr. Sidahmed explained that the successful implementation of strategic objectives 1 to 3 would make it easy for PAP to mobilize resources. The strategic plan would help PAP to mobilize resources to meet the budget gap as the strategic plan already showed the resources required. Dr. Sidahmed clarified that the strategic plan was a short-term plan and would not cover the medium term and the long term.

4.16 Presentation and debate on the seminar on Small Arms and Light Weapons in Africa

The PAP pushed for the ratification and implementation of the Arms Trade Treaty (ATT) to address armed violence rampant on the continent. The legislators noted that the readily available small arms and weapons are responsible for the high crime rate and terror among the population in Africa.

The Secretary General of the Parliamentary Forum on Small Arms and Light Weapons while addressing Parliamentarians attending the workshop, said that in South Africa alone, 18 people are killed every day by guns. Adding that the situation in the world

related to armed violence is very serious.

She reported that each year, 875 million small arms and light weapons in circulation worldwide cause the tragic death of thousands of individuals. She added that armed conflict and violence, regardless of scale, are perpetuated by uncontrolled availability of small arms and light weapons. She told legislators that misuse of the arms have devastating consequences. They fuel conflict, impede peace and sustainable development.

According to a recent study by Oxfam, the human cost of uncontrolled arms include injuries, forced population movement, erosion of trust, poverty and gender based violence. The risk of gender-based violence heightens in conflict situations and it is estimated that more than 45 percent of African women have experienced violence as a result of armed conflict.

Parliamentarians noted that political will was key to reducing armed violence. The two-day regional seminar sought to increase parliamentarians understanding and ownership of international instruments that guide and regulate conventional arms as well as promote increased parliamentary participation and action in international processes. The seminar aligns with the African Union flagship initiative of silencing the guns by 2020, which aims at realizing a conflict free Africa and liberate future generations from the burden of conflict.

According to Prof. Ogenga Latigo, a member of PAP from Uganda, the heart of the problem of gun violence in Africa is in politics. The core issue in Africa is politics, governance and the ability to establish governance systems where people find equity, where everybody feels they belong; where concerns are addressed fairly, where there is satisfaction in the governance processes including elections; and forming governments and delivering services to the people.

PAP President, Roger Nkodo Dang said Africa's development is affected negatively by the proliferation of small arms and weapons. He said legislators should search for solutions to the problem by addressing the origin of the problem. He added that it is an uphill task for Africa to combat small arms and light weapons because it does not produce or export arms.

On the regulation of guns in the hands of private security firms, legislators noted that in

most African countries, private security companies exist in a context where the state lacks the capacity or resources to provide effective security for its citizens. Legislators observed that policy making on small arms would require the understanding of which role private security companies play and how best to regulate them.

The workshop noted that in their legislative role, MPs can introduce legislation or propose review of existing laws on small arms and light weapons linked to private security companies. In its representative role, MPs can raise issues of national concern by identifying threats posed by unregulated private security companies. And through its oversight role, MPs can ensure that the Executive upholds and implements its international commitments with regards to the various Treaties, Conventions and Protocols.

The Arms Trade Treaty, adopted by the UN General Assembly to regulate the international trade in conventional arms, came into force in 2014. To date, 89 states have ratified it with 130 signatory states. Kenya is yet to ratify the Arms Trade Treaty.

4.17 THE TWELFTH PAN-AFRICAN PARLIAMENT CONFERENCE ON WOMEN'S RIGHTS

The PAP held the 12th Conference on Women from 14 to 15 October 2019. Participants for the conference brought together Members of PAP and participants from outside PAP, including parliamentarians from AU Member States, Members of Parliament of the PAP, representatives of the UN and its agencies (particularly the UNHCR), representatives from development institutions, development partners, African Diplomatic Corps accredited to South Africa, academicians, women and youth organizations.

The conference focused on the role of parliamentarians in finding durable solutions to forced migration to accelerate integration and development in Africa, opportunities for women towards the realization of the Continental Free Trade Area, evaluation of the African Women's Decade (2010-2020) specifically on the issue of violence against women and the recent problem of femicide as well as the promotion of economic empowerment for women.

The 12th PAP conference on Women's Rights was held in line with the African Union (AU) theme for 2019 and the African Union agenda 2063 for the continent, "2019, the Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa" and focused on the role of parliamentarians in empowering women, through the enforcement of legislations as well as devising ways to monitor the implementation of relevant instruments protecting and promoting the rights of women.

The overall objective of Women's conference was to brainstorm on mechanisms to monitor the implementation of relevant instruments, especially those dealing with the protection and promotion of women's rights and women's empowerment towards sustainable development. In addition, the significant role played by women in creating productive opportunities has a positive impact on the continent's socio-economic development wither implicitly or explicitly.

Specifically, the conference aimed at achieving the following:

1. Acquaint participants with the theme of the AU for 2019.
2. Discuss the role of national parliaments in finding lasting solutions to the situation of refugees, returnees and internally displaced persons in Africa.
3. Create an avenue for dialogue among stakeholders on ways to enhance women's participation towards economic development, relating to the implementation of the CFTA.
4. Create awareness among women legislators on the existing gaps between policy frameworks on women's rights and the specific rights of African women.
5. Review the African Women's Decade (2010-2020) and evaluate the commitments made to accelerate the implementation of agreed global and regional commitments of GEWE.
6. Review and implement the Protocol on the Rights of Women in Africa.
7. Discuss and make strong resolutions on violence against women in Africa.

Four panels led participants in discussions on the following topics:

- a) **Promoting Women Rights:** This panel discussed the strategies for implementing women's Rights.

- b) **Economic empowerment of Women in Africa:** This panel discussed the challenges faced by women in accessing means of production and the capacity of women to participate in economic activities.
- c) **Gender equitable Africa:** This panel evaluated the implementation of agreed global and regional commitments on gender equality and women empowerment.
- d) **The role of parliamentarians:** This panel explored ways for MPs to monitor and fast track ratification of AU instruments on women's empowerment.

4.18 Motions

The House discussed and adopted one motion paying tribute to the late Former President of the Republic of Zimbabwe, President Robert Gabriel Mugabe.

The following motions were introduced and referred to the next session:

- a) Motion to grant Cuba an observer status in the Pan African Parliament;
- b) Motion calling for the immediate lifting of unilateral economic sanctions imposed on Zimbabwean Government by the United States, United Kingdom and the European Union; and
- c) Motion for a resolution of the Pan African Parliament to commend Uganda for her policies towards refugees.

5.0 PRESENTATION AND ADOPTION OF RESOLUTIONS AND RECOMMENDATIONS OF THE THIRD ORDINARY SESSION OF THE FIFTH PAN-AFRICAN PARLIAMENT

The Acting Clerk of the PAP presented and tabled the following Resolutions and Recommendations of the 3rd Ordinary Session of the Fifth Pan-African Parliament, which were subsequently adopted by the Assembly-

5.1 Resolutions

The House adopted the following resolutions (*attached*):

- (i) Resolution on the adoption of the Model Law on disability in Africa;
- (ii) Resolution on the Model Law on Food and Security and Nutrition in Africa;
- (iii) Resolution on the establishment of the Pan African Parliamentarians Forum on education;
- (iv) Resolution on the adoption of the African Model Double Taxation Agreement;

- (v) Resolution on managing debt and fighting corruption in Africa;
- (vi) Resolution on the peace and security status on the African Continent;
- (vii) Resolution on the peace and security situation in the Sahel Region;
- (viii) Resolution on the activity report of the Pan African Parliament;
- (ix) Resolution on the terminal report of the Committee on Audit and Public Accounts of the Pan African Parliament;
- (x) Resolution on paying tribute to His Excellency Robert Mugabe, Former President of the Republic of Zimbabwe; and
- (xi) Resolution on the adoption of the Model Law on Policing in Africa.

5.2 Recommendations

The House adopted the following recommendations (*attached*);

- (i) Recommendation on universal access to energy;
- (ii) Recommendation on the social responsibility of parliamentarians to fight child labour in Mining;
- (iii) Recommendation on the ratification of the Africa Risk Capacity Treaty;
- (iv) Recommendation on the terminal report of the Committee on Audit and Public Accounts of the Pan African Parliament; and
- (v) Recommendation from the 12th Pan African Parliament Conference on Women's Rights.

6.0 CLOSING REMARKS

The Third Meeting of the Fifth Parliament was officially closed by the President of the Pan African Parliament, Hon. Rodger Nkodo Dang. In his closing remarks, the President thanked Members of the Pan African for attending the Session. The President then alluded to the disorder and distraction that he said arose sometimes during the session. The President applauded members for remaining focused on their work as representatives of the African people and remaining true to the quest to deal with issues of interest to the African people. On this note, the President thanked all invited guests and all Members for their participation throughout the session. Hon. Dang recognized the contribution made by various resource persons and Chairpersons of Committees that made presentations during the session. The president renewed his commitment to reform the Pan African Parliament into an institution that could truly